# Which application type should I choose?

Different types of application are required depending on the development in question. The following guide breaks down the types of application by who may need to use them, and scenarios you may find yourself in.

This can act as guidance to inform your choice of application type; however, if you require confirmation then you will need to speak to <u>your Local Planning Authority (LPA)</u>.

# Who are you and why do you need to apply?

## **General Public - Householder development**

Many members of the public wish to improve their homes, this <u>list of common projects</u> covers many types of 'householder development'. Some of the most popular are:

- Extensions
- Conservatories
- Loft conversions
- Dormer windows
- Alterations
- Garages, car ports or outbuildings
- Swimming pools
- Walls
- Fences
- Vehicular access including footway crossovers
- Porches
- Satellite dishes

#### What is permitted development?

<u>Permitted development</u> rights are given by the government and allow for certain types of work to be performed without applying for planning permission. To see whether your development falls under permitted development you can look at this <u>list of common projects</u>.

If your work is not permitted development, then you will need to apply for planning permission.

#### What is a Lawful Development Certificate?

To provide peace of mind, and be sure that any existing or proposed work or use is legal and does not require planning permission, you can apply for a <u>Lawful</u>

## **Development Certificate.**

What is Householder planning permission?

<u>Householder planning applications</u> provide a simplified process for proposals to alter or enlarge a single house (but not a flat), including works within the boundary/garden.

#### Householder vs Full planning permission

<u>Householder planning applications</u> should be used for a single house (but not a flat) when it is being enlarged or altered), including works within the boundary/garden.

However, you will require a <u>Full planning application</u> for any work to a flat, bigger developments (i.e. to more than one house), building new houses, or changing the use of a property.

#### Other types of application you may require

Your proposal may require additional consents depending on the type of development and its location.

Some of these can be applied for as part of a householder or full application, for example work affecting <u>listed buildings</u>, or <u>demolition in a conservation area</u>.

Some will require separate applications to be made, for example works to trees if <u>protected by a preservation order</u> or <u>situated within a conservation area</u>.

## **General Public - Business or commercial development**

Work to buildings other than single houses, changes to the use of a building, or the construction of new buildings will either be considered 'permitted development' or will require planning permission.

## What is permitted development?

<u>Permitted development</u> rights are given by the government and allow for certain types of work or specific changes of use to be performed without applying for planning permission. To see whether your proposal falls under permitted development you can look at this <u>list of common projects</u>.

Certain types of work or changes of use may require you to apply for prior

approval before commencing development.

If your work is not permitted development, then you will need to apply for planning permission.

#### What is a Lawful Development Certificate?

To provide peace of mind, and be sure that any existing or proposed work or use is legal and does not require planning permission, you can apply for a <u>Lawful</u> <u>Development Certificate</u>.

#### What is full planning permission?

A full planning application is required when making detailed proposals for developments which are not covered by a householder application or permitted development rights. This is commonly the case for new buildings of any kind and any 'commercial' project. For example, popular uses of Full planning permission can include:

- New commercial buildings
- Works relating to a single flat, or more than one house or flat
- The creation of dwellings (as new build or through conversion)
- Changing the use of a building
- Demolition of buildings

#### Full vs Outline planning permission

<u>Full planning applications</u> can be made when all the details are known and the development is already considered viable. <u>Outline planning applications</u> are used to gain an understanding as to whether the nature of a development is acceptable, this can help ensure viability up front. Specific details known as 'Reserved matters' can then be confirmed later.

#### Change of use

The permission for changing the use of a property will depend on the <u>Use Class</u> which the current and future use fall into. Changes of use within the same class and without any associated building work, generally, do not require planning permission.

Some changes of use between classes are granted through <u>permitted</u> <u>development</u>, providing they meet specific conditions and limitations. You may wish to apply for a <u>Lawful Development Certificate</u> to prove any changes of use are deemed lawful.

If the change of use you wish to apply does not fall under permitted development rights, then you will be required to apply for <u>Full planning</u> <u>permission</u>. You should also check if any work associated with the change of use (e.g. changes to the external appearance of a building) will require an application.

#### Other types of application you may require

Your proposal may require additional consents depending on the type of development and its location.

Some of these can be applied for as part of a full application, for example work affecting <u>listed buildings</u>, <u>demolition in a conservation area</u>, or <u>display of advertisements</u>. Individual applications can also be made.

Some will require separate applications to be made, for example works to trees if <u>protected by a preservation order</u> or <u>situated within a conservation area</u>.

## Planning Professionals - Architects, builders, planning agents, etc...

Links to guidance for all application types is provided in the table at the end of this document.

# Specific situations you may find yourself in

If conditions on a consent require that additional specific matters are approved by the Local Planning Authority

You can <u>apply to have conditions discharged (approved)</u> so that your development can begin. You will be required to detail how you intend to meet the conditions (e.g. the materials you will use) or provide supporting information to demonstrate compliance (e.g. a traffic assessment).

### If you need to make changes to an existing consent

If you have previously gained planning permission for a development, then you may wish to make minor amendments, or change/remove the conditions which were placed on it.

#### Removal/Variation of conditions

Conditions are often applied, placing limits on how the development is implemented. An application for <u>Removal or Variation of conditions</u> can be used to change conditions which have been previously imposed. Proof will have to be submitted that the conditions are no longer relevant or reasonable.

#### Non-material amendments

A <u>non-material amendment</u> may be applied for to approve a minor change to the planning permission which does not breach any conditions originally placed on the consent.

If the amendment is not considered minor by the Local Planning Authority, a new planning application will be required.

# If you need retrospective approval for something that has already been done (or work is in progress)

This may occur if you find out work on your house does not have the appropriate documentation, or that development or a change of use has been carried out without proper consent, or in breach of a condition.

#### Planning permission vs Lawful development certificate

To check if existing work or current use can continue 'as is', you can apply for a <u>lawful development certificate</u>.

If a certificate cannot be granted, you can make a householder or full planning

application.

I want to ensure the viability of a commercial development without having to finalise all the details or pay a large upfront fee

The viability of a project can be assessed through outline planning permission or permission in principle to help mitigate risk and avoid the resource commitment required to make a full planning application.

Neither of these application types allow for work to begin on a site until the rest of the details are agreed.

Permission in Principle may apply to your development if it is between 1-9 houses, anything else would require outline permission.

#### What to do next?

If you have decided the necessary application type, then you can <u>start your application</u>.

Alternatively, you may wish to contact your Local Planning Authority for more details. You can engage in pre-application talks to help improve the chances of a successful application.

# Find out more about each consent type

- Advertisement Consent
- Approval Of Details Reserved By Condition
- Approval Of Reserved Matters Following Outline Approval
- Conservation Area Consent
- Full Planning Permission
- Hedgerow Removal Notice
- Householder Application
- Lawful Development Certificate
- Listed Building Consent
- Non-Material Amendment
- Outline Planning Permission (Reserved Matters)
- Prior Notification Of Proposed Agricultural Or Forestry Development
- Prior Notification Of Proposed Demolition
- Prior Notification Of Proposed Telecoms Development

- Removal Or Variation Of A Condition Following Grant Of Planning Permission
- Waste Management
- Work To Trees