

## APPENDIX D

### TYPES OF PLANNING APPLICATIONS

#### WHAT TYPES OF PLANNING APPLICATIONS ARE RECEIVED?

D.1 There are three main types of planning application:

1. **Outline Applications** these are usually submitted to agree the principle of how a site can be developed. As a minimum, outline applications must include information on: use; amount of development; indicative layout; scale parameters; indicative access points. Outline planning permission is granted subject to conditions, which can govern the use of a development as well as requiring the subsequent approval of one or more reserved matters.
2. **Reserved Matters Applications** these must be submitted within the specified timescale of the approval of an outline application. Reserved matters are normally layout; scale; appearance; access and landscaping.
3. **Full Applications** this is where planning permission is granted for the principle and all the details of the development at the same time. It must be accompanied by a site plan and any other plans, drawings and information necessary to describe the development.

#### D.2 **Permitted Development**

Not all development requires the Council to grant planning permission. Small-scale extensions, such as conservatories, and outbuildings are often classed as permitted development by the Town and Country Planning (General Permitted Development) Order 1995. Whether a development is permitted under the criteria of the Order is often down to the scale of the development and its location within the curtilage of a property. This Order has been amended a number of times, most recently in October 2008 to allow for more development to be classed as permitted development. In the case of developments that are permitted by the Order there is no requirement to notify the planning department and the Council would not carry out consultations or notify neighbours in the same way as if a planning application was submitted. The Council however encourages individuals carrying out permitted development to consult their neighbours to ensure that any concerns they have about adverse impacts can be addressed through alternative designs where possible. The Council also encourages individuals carrying out developments that they believe to be permitted development to clarify whether they would meet the criteria of the Order prior to commencing any work. If planning permission is required and not applied for before work is commenced the Council can take enforcement action that could result in the development being removed.

- D.3 The Council has a target of 8 weeks to determine minor and other applications, and 13 weeks to determine major applications. The definition of what type of development constitutes major and minor applications is included below.

## **DIFFERENT CATEGORIES OF PLANNING APPLICATION**

- D.4 Planning applications fall into a number of different categories - major development; minor development and other developments.

### **1. What constitutes Major Development?**

A planning application involving new dwellings is a major application if:

- The number of dwellings to be constructed is 10 or more; or
- If the number of dwellings is not provided in the application, the site area is 0.5 hectares or more.

For all other uses an application constitutes major development if:

- The floorspace to be built is 1000 square metres or more, or where the site area is 1 hectare or more.

The following will be taken into account in the decision to classify a development as major or not:

- The area of the site is defined as the area directly involved in some aspect of the development (usually outlined on the plan).
- If the area involved in a development is split into two parts by a classified road it should still be considered as one site. The area occupied by the road should not be included in the site area.
- The floorspace of a building is defined as the total floor area within the building, which is measured externally to the external wall faces at each level. Basement car parks, rooftop plant rooms, caretakers, flats etc. should be included in the floor space figure.
- Where a major development is subject to a change of use application it should be coded as a major development, not as a change of use, for example converting a warehouse into 12 flats.

### **2. What constitutes Minor Development?**

Applications, which do not meet the criteria for major development or other development.

- The granting of outline permission for the development of a site may have been classified as a major development, but the approval of reserved matters for five houses on part of the site, for example, would be classified as minor development.
- Decisions relating to major/minor developments should be classified by reference to the principal use within the development. This is usually the one with the greater proportion of new floorspace. If there

is doubt as to the principal use in a multistory block the ground floor in used as the principal one. This would apply when two different uses are taking up approximately the same amount of floorspace. A proposed development should be classified by its own principal use and not the use of the complex it is in. So for example a construction of offices being developed in a heavy industrial site should be classified as 'Offices/Research and Development/Light Industry'.

### **3. Other Development**

#### **Change of Use:**

A planning application should only be classified as 'change of use' if one or more of the following apply:

- The application does not concern a major development;
- No building or engineering work is involved; and/or
- The building or engineering work would be permitted development were it not for the fact that the development involved a change of use e.g. removal of internal dividing walls in a dwelling house to provide more spacious accommodation for office use.

#### **Householder Developments:**

Defined as those within the curtilage of a residential property, which require an application for planning permission and are not change of use;

Included in householder developments are extensions, alterations, garages, swimming pools, walls, fences, vehicle accesses, porches and satellite dishes; and excluded from householder developments are applications to change the number of dwellings within an existing development.

#### **Advertisements:**

Any applications for consent to display advertisements under the Town and Country Planning (Control of Advertisements) Regulations 1992 (as amended).

#### **Listed Building Consents:**

Any application for Listed Building consent to

- extend and/or alter under Section 8 of the Planning (Listed Buildings and Conservation Areas) Act 1990; or
- demolish under Section 8 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

#### **Conservation Area Consents:**

Any applications for conservation area consent under Section 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

#### **Other Planning Related Decisions:**

Include all decisions relating to:

- Applications for certificates of lawfulness of existing use or development;

- Applications for certificates of lawfulness of proposed use or development;
- Applications for certificates of appropriate alternative development;
  - Notifications under Circular 14/90 (overhead electric lines);
- Applications by the British Coal Corporation under Class A, Part 21 of the Town and Country Planning (General Permitted Development Order) 1995;

Applications for prior notification under Part 6 and 7 (Agricultural and Forestry Buildings and Operations) and Part 24 (Development by telecommunications code system operators), and Applications for hazardous substances consent under the Planning (Hazardous Substances) Act 1990.