

Royal Borough of Kensington and Chelsea

Planning Glossary

Disclaimer

The Glossary is neither a statement of law nor an interpretation of the law, and its status is only an introductory guide to planning issues and should not be used as a source for statutory definitions.

Advertisement

- An Advert or Advertisement includes a wide range of signs including posters, boards, fascia, projecting, pole and canopy signs, models and devices, estate agents boards, flags advertisements, hoardings etc

Advertisement Consent

- Required for the display of any advertisement, unless it is considered to have deemed consent granted by the Advertisement Regulations or is exempt under the Regulations.
- The Regulations grant deemed consent for a range of advertisements, e.g. shop fascia signs of certain size, certain temporary adverts.
- Sites used continually for the preceding ten years may benefit from deemed consent [note the reference to 1974 was removed in the 2007 regs]
- Sites used for advertisement display since 1974 with the benefit of deemed consent can be discontinued by Local Planning Authority (LPA) (Discontinuance Notices);

Affordable Housing

- means Social Rented Housing or Intermediate Housing provided by a Registered Social Landlord and/or the Council to meet the objectives of a Registered Social Landlord and/or the Council and the local housing needs of the Council
- Housing that is provided with a subsidy to enable the sale price or rent to be substantially lower than existing market prices or rents in the locality
- Mechanisms exist ensuring that the property remains affordable for those who cannot afford to access the housing market. Subsidy is provided from the public or private sector.

Affordable Housing Statement

- Where local plan policies or Supplementary Planning Document guidance requires the provision of affordable housing the local planning authority may require information concerning both the provision of affordable housing and any market housing for example, the numbers of residential units, the mix of units with numbers of habitable rooms and/or bedrooms, or the floor space of habitable areas of residential units, plans showing the location of units and their number of habitable rooms and/or bedrooms, and/or the floor space of the units.
- If different levels or types of affordability or tenure are proposed for different units this should be clearly and fully explained. The Affordable Housing Statement should include details of any Registered Social Landlords acting as partners in the development.

Air Quality Assessment

- Where the development is proposed inside, or adjacent to an Air Quality Management Area (AQMA), or where the development could in itself result in the designation of an AQMA or where the grant of planning permission would conflict with, or render unworkable, elements of a local authority's air quality action plan, applications should be supported by such information as is necessary to allow a full consideration of the impact of the proposal on the air quality of the area.
- Where AQMAs cover regeneration areas, developers should provide an air quality assessment as part of their planning application. Further advice is available in Planning Policy Statement 23: Planning and Pollution Control (November 2004).

Air Quality Management Area (AQMA)

- means an area designated for action by a local authority, based on the prediction that Air Quality Objectives might be exceeded.

Amenity

- Means positive, pleasant or satisfactory aspects of a location or neighbourhood which help to contribute to its overall character and/or to the enjoyment of an area by residents or visitors.
- Examples of amenity could include (but not exclusively) open space, trees, historic buildings and the inter-relationship between them, or less tangible factors such as tranquillity.

Ancillary Use

- A subsidiary use connected to the main use of a building or piece of land, such as storage space within a factory.

Appeals (in relation to Planning)

- Is the process whereby an applicant has right to challenge a decision to refuse planning permission, or against the condition(s) attached to that planning permission. Appeals can also be made against the failure of the planning authority to issue a decision within a given time, against the issue of enforcement notices and against refusals of listed building and conservation area consent.
- Third parties have no right of appeal.
- Most appeals are now determined by a planning inspector, appointed by the Secretary of State.
- Appeals can be dealt with by a Public Inquiry, a Hearing, or Written Representations.
- Enforcement appeals are more often dealt with by Hearings or Public Inquiries because of need to hear evidence on oath.

Application

See Planning Applications

Area Action Plan

- A type of Development Plan Document focused upon a specific location or an area subject to conservation or significant change

Article 4 Direction

- The LPA may issue a Direction under Article 4 of the General Development Order (GDO) removing some or all of permitted development rights granted by the GDO within a specified street/area, e.g. withdrawing the rights to erect a "for sale" sign in a conservation area or to provide a hard standing in the curtilage of a dwelling house (Class F)
- The effect of the Direction is to require a planning application for the development which would otherwise be automatically permitted.

Area of Special Control of Advertisements

- LPA may specifically define an area which they consider to have scenic, historical, architectural or cultural features that are significant and place stricter advertisement control on such areas. The Royal Borough does not currently have any of these areas.

Back Land Development

- Development that takes place in landlocked sites behind existing buildings, such as rear gardens and private open space, usually within predominantly residential areas. Often such sites have no street frontages within these sites.

Biodiversity

- Biodiversity is a term used to describe the variety of plants and animals and other living things which exist in a particular area. It includes habitat diversity, species diversity and genetic variation. Biodiversity has value in its own right and has social and economic value for human society.

Biodiversity survey and report

- Where a proposed development may have possible impacts on wildlife and biodiversity, information should be provided on existing biodiversity and possible impacts on them to allow full consideration of those impacts. Where proposals are being made for mitigation and/or compensation measures information to support those proposals will be needed.

CABE

- Commission for Architecture and the Built Environment. A public body acting as a champion of good design in England.

Called in Applications/Appeals

- Most planning applications are determined by the local planning authority. However, the Secretary of State has the power to direct certain planning applications to come to him/her for decision. Where the Secretary of State decides to determine such a planning application, this is commonly referred to a "called-in" application. This will only occur where the Secretary of State considers there are planning issues of more than local importance. Examples include developments which would have wide effects beyond the immediate locality or developments which involve significant regional or national controversy.

Case Officer

- Planning Officer who has been assigned an application for planning permission and who will assess the application based on the planning policies applicable to the development and such other material considerations as may be considered appropriate.

Certificate of Lawful Existing Use or Development

- An application to clarify whether an existing use or development is "Lawful"
- The onus is on the applicant to provide sufficient evidence to demonstrate that building works/operations carried out or the use has existed for the required length of time to be immune from enforcement action. No consideration of planning merits arises. If a Certificate is granted it confirms the lawfulness of the development or use.

Certificate of Lawful Proposed Use or Development

- An application to clarify whether a "proposed" use or development is "Lawful"
- The onus is on the applicant to provide sufficient evidence to demonstrate that the proposed use will be lawful
- It is a decision of fact and law, and no consideration of planning merits arises.

Commission for Local Administration

- *See Ombudsman*

Completion Notice

- Where a planning permission has begun but not completed within a reasonable period, the LPA may serve a notice that the planning permission will cease to have effect by a specified date. Any part of the development carried out after this date will be unauthorised and liable to enforcement. The Notice has to be confirmed by the Secretary of State.

Compulsory Purchase Order

- This is an Order which is issued by the government or the local authority which requires land or buildings to be purchased, without the owner's agreement for public interest purposes. For example, purchasing land for the construction of a major road.

Conditions

- LPAs may impose on planning decisions restrictions or requirements to limit, control or direct the manner in which a development should be carried out.
- The government has issued guidance on the use of conditions as set out in Circular 11/95
- Conditions must be: necessary, relevant to planning, relevant to the development, enforceable, precise, and reasonable in all other respects (Circular 11/95)
- Reasons must be given for any conditions imposed.
- There is a right of appeal against a condition. Applicants can also apply for a specific condition to be varied or removed.

Conservation Areas

- Areas of special architectural or historic interest whose character or appearance the LPA determines is desirable to preserve or enhance.
- Designation does not require national government approval.
- Consequences: designation has several formal consequences, including
 - (a) demolition of most buildings requires consent
 - (b) felling or lopping of trees requires consent

- (c) permitted development rights and deemed advertisement consents more restricted
- (d) when considering applications LPA have special duty to have regard to the desirability of preserving or enhancing the character and appearance of the CA
- (e) planning applications require special publicity
- (f) grants and loans may be available
- (g) the LPA has a duty to formulate and publish proposals for area (see CAPS).

Conservation Area Consent

- Consent required for the demolition or partial demolition of buildings in Conservation Areas.

Conservation Area Proposal Statements (CAPS)

- Non-statutory guidance issued by the LPA in line with the statutory requirement to formulate proposals for Conservation Areas. Such statements are a material consideration in determining a planning application. The Statements include a townscape analysis of the area and give an indication of what developments such as roof additions, may or may not be acceptable.

Consultation

- LPAs are required to publicise and consult various bodies on receipt of certain planning applications, e.g. adjoining Local Authorities, the local Water Authority, Department of Transport, English Heritage, and to take their comments into consideration.
- The type of consultation required will depend on the nature of the development involved.
- Applications for the demolition of listed buildings must be notified to English Heritage

Core strategy

- A Development Plan Document setting out the spatial vision and strategic objectives of the planning framework for an area, having regard to the Community Strategy

Costs in Planning Appeals

- The normal rule is that each side to an appeal pays its own costs. However, where one party can show to have behaved "unreasonably", and secondly, that the unreasonable behaviour has caused the other party to incur unnecessary costs as a result, that party is entitled to make an application for an award of costs to be made.
- The decision will be made by the Planning Inspector.
- Applications for costs can only be made where an appeal is dealt with by a public inquiry or a hearing (and on written representation for enforcement appeals).
- A costs award may be made against any party, even exceptionally against a third party to an appeal and can be a full or a partial award.
- There is no right of appeal against an award of costs
- Guidance on the sort of behaviour likely to give rise to an award of costs is given in Circular 8/93

Current Planning Applications

- An application for planning permission which has been accepted as valid, where a decision to grant or refuse permission has not yet been reached.

Daylight/Sunlight Assessment

- In circumstances where there is a potential adverse impact upon the current levels of sunlight/daylight enjoyed by adjoining properties or building(s), including associated gardens or amenity space then applications may also need to be accompanied by a daylight/sunlight assessment. Further guidance is provided in, for example, BRE guidelines on daylight assessments (Building Research Establishment Guidelines).

Department of Communities and Local Government

- The Department of Communities and Local Government which is responsible for planning, local government, housing and regional development.

Discharge of Conditions

- Where an application for planning permission is approved conditions may be attached where some details need to be approved by the Local Authority before works can commence.

Eight Week Statutory Period

- The LPA is required on receipt of a valid application to notify the applicant of the date that the 8 week period (for minor applications) expires or 13 weeks for major applications. (This is often misunderstood as a statutory requirement on the LPA to issue the decision within that time.) On the expiry of 8 weeks/13 weeks from the submission of a valid application, if the LPA has not issued a decision, the applicant can appeal to the Secretary of State against non-determination.
- Once an appeal against non-determination has been submitted, the application is deemed to have been refused, and the LPA no longer has jurisdiction to decide the application, even if it is minded to grant permission..
- The DCLG also use the 8 week period as a measure of the performance of LPAs who are required to send to the DCLG, and to publish locally, quarterly reports of the percentage of applications determined within 8 weeks and 13 weeks.

Enforcement Notice

- A Notice served by the local planning authority stating that there appears to have been a breach of planning control and setting out the steps which need to be taken to remedy the breach; the requirement may be the complete cessation of use or development.
- The power to take enforcement action is discretionary and there must be planning grounds for issuing the Notice.
- The Notice is normally not immediately effective as a minimum of 28 days is required before this date. The period given for compliance with the Notice (i.e. carrying out the steps required) starts from the date the Notice becomes effective. The person who receives the notice can appeal to the Planning Inspectorate and submission of a valid appeal suspends the period for compliance.
- It is an offence to fail to comply with an effective Enforcement Notice.
- An Enforcement Notice remains effective forever unless quashed on appeal or withdrawn by the LPA

Environmental Impact Assessment (EIA)

- Applicants for certain types of development, usually significant schemes, are required to carry out an Environmental Impact Assessment ("EIA") and then submit an Environmental Statement with planning applications as required by the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999.
- Proposals which require EIA include the following
 - (i) Schedule 1 proposals such as power station, oil refineries, long-distance rail lines, radioactive waste disposal plant have to have an EIA.
 - (ii) Schedule 2 proposals (e.g. extraction of minerals ironworks, brewery, tannery, holiday village or "urban development project") require EIA if they are likely to have significant effects on the environment. Guidance on this is given in Circular 2/99

Environmental Statement

- This is the document that follows the EIA. Headings under which the development may be assessed against include Heritage, Noise, Air Pollution, Ecology, Soil, Human Health etc.

Existing and Proposed Elevations

- Should be drawn at a scale of 1:50 or 1:100 and show clearly the existing situation and the proposed situation. Submission in Conservation Areas should be at 1:50.
- All sides of the proposal must be shown and indicate the proposed building materials and finish of the windows and doors
- Where a proposed elevation adjoins another building or is in close proximity, the drawings should clearly show the relationship between the buildings and detail the positions of the openings on each property.

Existing and Proposed Floor Plans

- Should be drawn at a scale of 1:50 or 1:100 and show the proposal in detail. Any existing walls or buildings to be demolished should be shown as well as details of the existing buildings and the proposed development.

Existing and Proposed Site Sections

- Should be drawn at a scale of 1:50 or 1:100 and should show a cross section through the proposed buildings. Where a proposal involves a change in ground levels, illustrative drawings should be submitted to show both existing and finished levels to include details of foundations, eaves and how encroachment onto adjoining land is to be avoided.

Fees

- A fee is required for applications for planning permission, advertisement consent, Certificates of Lawful Use or Development, Discharge of conditions and for approval of reserved matters but not for Listed Building Consent or Conservation Area Consent.
- The fee amounts are at present set nationally through Regulations, which are periodically updated by the Government.

First Secretary of State

- The Lead Minister for all issues dealing with Town and Country Planning who has powers of intervention on development and planning applications.

Flood Plain

- Generally low lying areas adjacent to a watercourse or tidal lengths of a river or sea which are susceptible to flooding.

Flood Risk Assessment

- An assessment of the possibility of flooding in a particular area so that development needs and mitigation measures can be carefully measured.

Footfall/Pedestrian Flow

- The commercial health of a shopping centre can be assessed by the numbers and movements of people that visit that shopping centre while also informing potential businesses of likely passing trade.

Full Planning Application

- A planning application for full planning permission for a development. This can include applications for change of use, the creation of additional units, new shopfronts, extensions to commercial buildings and air conditioning units to commercial properties as well as operational and changes of use for residential and other types of land.

General Permitted Development Order

- Grants planning permission (i.e. called "permitted development rights") for a range of development including extensions/alterations to dwellings (but not flats), erection of walls/fences, telecommunications installations works by statutory undertakers. This is generally referred to as permitted development.

Geographical Information Systems

- Computer based system whereby mapping and data are linked together to display information in a series of layers on a map.

Habitable Room

- These are living rooms, bedrooms and large kitchens. Excluded from this definition are generally enclosed spaces such as bathroom facilities, small kitchens utility rooms, corridors, laundries or similar spaces.

Heritage Statement

- Should be submitted with all applications for Listed Buildings. The scope and degree of detail necessary vary according to the particular circumstances of each application. Generally they include details of proposed works, analysis of significance of archaeology, history and character and appearance of the building/structure, its setting and principles and justification for proposed works.

High Court Challenge

- Following an appeal decision by a Planning Inspector or Secretary of State, the appellant or LPA have the right of appeal on a point of law, to the High Court within 6 weeks or in the case of enforcement appeals where planning permission is not being sought, 28 days

High Demand Housing Areas

- Areas which have a high demand for housing resulting in increased prices and rents, thus making it more difficult for one to enter the housing market.

Highway

- A way over which all members of the public have a right to pass including the footway as well as the carriageway.
- A highway can be maintained by the Local Highway Authority or can be privately owned highway over which members of the public have the right to pass.

Historic Parks and Gardens

- A park or garden of special historical interest which may be Graded I, II* or II through designation by English Heritage.

Householder Planning Application

- Application which should be submitted for any works to a residential building that requires planning permission such as extensions or external works to the property.

Incineration

- The controlled burning of waste.

Independent Retailer

- A Retailer operating separately from a larger retail chain

Infill Development

- Development which generally occurs in relatively small gaps in between other existing buildings.

Informative

- Wording which is added to planning decisions for information/guidance/explanation. They are not legally enforceable but may indicate what other permissions or consents are required in addition to planning permission.

Injunction

- Is a remedy which can be obtained from the courts if the LPA considers it necessary or expedient against any actual or apprehended breach of planning control. This might be appropriate in cases where urgent action needed, e.g. listed buildings, or where there are persistent, flagrant breaches of planning or listed building control.

Invalid

- Where an applicant submits a planning application which does not meet the minimum requirements set out in both the national and local validation lists, for example the correct fee may not have been paid.

Judicial Review

- Any decisions or exercises of discretion by a LPA (including the grant of planning permission) is open to challenge or review by the courts by way of an application for judicial review.
- An applicant for judicial review will need to seek leave to apply for judicial review as a pre-requisite.
- However where a statutory method of appeal is available, the appeal process should generally be exhausted before an application for judicial review is made.

Landscaping Details

- Applications may be accompanied by landscaping details and include proposals for long term maintenance and landscape management.
- There should be reference to landscaping and detailed landscaping proposals which follow from the design concept in the Design and Access Statement, if required.
- Existing trees and other vegetation should, where practicable, be retained in developments and protected during the construction of a development.

Lighting Assessment

- Proposals involving the creation of publicly accessible developments, in the vicinity of residential property, a listed building or a conservation area where external lighting would be provided or made necessary by the development, should be required to be accompanied by details of external lighting and the proposed hours when the lighting would be switched on. These details shall include a layout plan with beam orientation and a schedule of the equipment in the design.

Limits of Development

- Limits of development identify the area within which development proposals would be acceptable, subject to complying with other policies contained in the Development Plan.

Listed Buildings

- A building of special architectural or historic interest. Listed buildings are graded I, II* or II, with grade I being the highest. Listing includes the interior as well as the exterior of the building, and any buildings or permanent structures (e.g. wells within its curtilage).
- English Heritage is responsible for designating buildings for listing in England.
- The council can advise on whether a building in the Borough is listed.

Listed Building Application

- Listed building consent is required for works of demolition, alteration or extension (internal or external) affecting the character of the building as a building of special architectural or historic interest. It is a criminal offence to carry out such works without consent, unless one of several defences applies.
- Any object or structure fixed to the building or forming part of the land within the curtilage is treated as part of the building.

Listed Building Enforcement Notice

- A notice issued by a local planning authority if work is carried out on a Listed Building without consent, and requiring that the building be brought back to its former state of other remedial works.

Local Development Framework

- The Local Development Framework (LDF) is a non-statutory term used to describe a folder of documents, which includes all the local planning authority's local development documents. An LDF is comprised of:-
- Development Plan Documents (which form part of the statutory development plan)
- Supplementary Planning Documents

The local development framework will also comprise:

- The Statement of Community Involvement
- The local Development Scheme
- The Annual Monitoring Report
- Any Local Development Orders or Simplified Planning Zone that may have been added

Local List

- A list selected from the recommended national list of additional information which local planning authorities may require to validate an application

Location Plan

- All planning applications must have a site location plan included in the application to a scale of 1:1250 with the application site clearly outline in red and any other land close to or adjoining the application site owned by the applicant outlined in blue.
- The plan should illustrate the application site in relation to surrounding properties and streets.

London Plan

- The Mayor of London is responsible for producing a new planning strategy for the capital. This replaces the previous strategic planning guidance for London (known as RPG3), issued by the Secretary of State. The London Plan is the name given to the Mayor's spatial development strategy. Regional Spatial Strategies are made outside London

Maisonette

- A flat with more than one level.

Material Consideration

- A matter that should be taken into account in deciding a planning application or on an appeal against a planning decision.

Noise Assessment

- Developments that raise issues of disturbance by noise to the occupants of nearby existing buildings, and for developments that are considered to be noise sensitive and which are close to existing sources of noise should be supported by a noise assessment prepared by a suitably qualified acoustician.

Open Space Assessment

- For development affecting open spaces, application proposals should be accompanied by plans showing any areas of existing or proposed open space within or adjoining the application site.
- Planning consent is not normally given for development of existing open spaces which local communities need. However, in the absence of a robust and up-to-date assessment by a local authority, an applicant may seek to demonstrate through an independent assessment that the land or buildings are surplus to local requirements.

Outline Planning Application

- A general application for planning permission to establish that a development is acceptable in principle, subject to subsequent approval of detailed matters. You cannot make an outline application for to changes of use.

Parking Provision

- Plans or a statement accompanying an application to provide details of existing and proposed parking provision.

Permitted Development Rights

- *See GPDO*

Personal Planning Permission

- It is possible in exceptional circumstances, to limit the benefit of permission to a named person, usually only where the identity or circumstances of the applicant are crucial to the decision to grant, and the alternative is refusal of permission.

Photographs and Photomontages

- Photomontages provide useful background information and can help to show how developments can be satisfactorily integrated within the street scene.
- Photographs should be provided with all planning applications.

Planning Application

- An application submitted to the LPA requesting permission to make alterations to or change the use of a property or land.

Planning Contravention Notice

- Requests information about a suspected breach of planning control, including when works/uses started, who controls the land or buildings, or is responsible for the activity. It is a criminal offence for a recipient not to respond within 21 days.

Planning Obligation and Agreements

- Legal agreements between a planning authority and a developer, or undertakings offered unilaterally by a developer, that ensure that certain extra works related to a development are undertaken. For example, improvement of highways.

Planning Statement

- A planning statement which is prepared by an applicant for planning permission and identifies the context and need for a proposed development and includes an assessment of how the proposed development accords with relevant national, regional and local planning policies. It may also include details of consultations and wider community/statutory consultee's undertaken prior to submission.

Registers

- The LPA is required to maintain, for public inspection, registers of current planning applications and past planning decisions, including appeal decisions and enforcement notices.

Repairs Notice

- This a prerequisite measure to the compulsory purchase of a listed building in need of repair. Compulsory acquisition is a reserve power and the repairs notice gives the owner the opportunity to carry out necessary repairs. The Notice specifies the repairs "reasonably necessary for the proper preservation of the building".

Revocation

- If the LPA wishes to withdraw a grant of planning permission, a revocation order may be issued up until the time the development permitted is completed. Orders usually have to be confirmed by the Secretary of State and have no effect against any parts of the development already completed. Compensation may be payable.

Roof Lights

- A window on the roof of a building that generally is set into the angle of the roof.

Roof Plans

- A roof plan is used to show the shape of the roof and is typically drawn at a scale smaller than the scale used for the floor plans. Details such as the roofing material and any rooflights are typically specified on the roof plan.

Section 106 Agreement

- A legal agreement under Section 106 of the 1990 Town & Country Planning Act. Section 106 agreements are legal agreements between a planning authority and a developer, or undertakings offered unilaterally by a developer, that ensure that certain extra works related to a development are undertaken.

Site Visit

- A visit which is carried out by a planning officer, Councillor or Planning Inspector, to the site of a proposed development in order to clarify the appearance or condition of the site in order to assess the effects of a development proposal.

Site Waste Management Plan

- Proposed new development should be supported by site waste management plans of the type encouraged by the code of practice published in 2004 by the Department of Trade and Industry now the Department for Business Enterprise and Regulatory Reform ***Site Waste Management Plans: guidance for construction contractors and clients***. These do not require formal approval by planning authorities, but are intended to encourage the identification of the volume and type of material to be demolished and/or excavated, opportunities for the reuse and recovery of materials and to demonstrate how off-site disposal of waste will be minimised and managed.

Statutory Period

- The time period, usually 8 weeks within which the LPA is expected to make a decision on a planning application. This time period is 13 weeks for a Major Planning Application.

Stop Notice

- Allows the LPA to impose a ban, almost immediately, on activities which are in breach of planning control and are accompanied by an enforcement notice.
- Like other enforcement, the issue of a Stop Notice is discretionary, and because the implications are more serious for the recipient, they have to be used with care. Compensation may be payable for loss of revenue if, a stop notice is subsequently withdrawn or quashed as invalid.

Structural Survey

- A structural survey may be required in support of an application if the proposal involves substantial demolition. The survey would be expected to describe in detail, the structural state of the buildings to be demolished.

Sui Generis

- Uses of land or buildings which do not fall into any of the use classes specified by the Use Classes Order are considered Sui Generis. These uses include taxi businesses, nightclubs, theatres and petrol filling stations etc.

Sustainable Development

- Development that meets the needs of the present without compromising the ability of future generations to meet their own needs (ref: World Commission on Environment and Development 1987)

Time Limits (Planning Applications)

- The Planning Act recognises that it is undesirable for there to be an accumulation of unimplemented planning permissions. Each permission is deemed to be subject to a condition that it be implemented within 3 years, unless the LPA applies a different period on appropriate planning grounds.

Travel Plan (sometimes called a 'green travel' or 'commuter' plan)

- A travel plan aims to promote sustainable travel choices (for example, cycling) as an alternative to single occupancy car journeys that may impact negatively on the environment, congestion and road safety. Travel plans can be required when granting planning permission for new developments.

Tree Preservation Order (TPO)

- A TPO prohibits the unauthorised cutting down, topping, lopping, uprooting, wilful damage, or wilful destruction of trees. Notice has to be served on owners and occupiers of land, and objections to confirmation of an Order have to be formally considered by LPA. Applications to fell or prune a TPO tree must be made to the LPA

Tree Survey/Arboriculture Implications

- Where there are trees within an application site, or on land adjacent to it that could influence or be affected by the development (including street trees), information will be required on which trees are to be retained and on the means of protecting these trees during construction works. This information should be prepared by a qualified arboriculturist.

Tree Works Application

- Application which should be submitted to fell or prune trees which has a TPO placed on them or are located within a Conservation Area.
- Six weeks notice must be made in writing to the LPA of any proposal to fell or prune a tree in a Conservation Area.

Unauthorised Development

- Development that has or is taking place without the benefit of planning permission. It may then risk being the subject of enforcement action.

Unitary Development Plan (UDP)

- The Unitary Development Plan (UDP) is a land use plan. It provides the statutory planning framework for the local planning authority setting out the objectives, policies and proposals for the use of land and buildings in the area for the next 10 years

Use Class Order

- The Town and Country Planning (Use Classes) Order (amendment) 2005 puts uses of land and buildings into various categories. Planning permission is not needed for changes of use within the same use class unless a condition has been imposed on a planning permission and restricts such a change.

Withdraw an Application

- Occasionally, after an application has been made circumstances will lead to that application being withdrawn. For example an application may be withdrawn as planning permission may not originally have been required or the applicant may have withdrawn the application as they may no longer want to go ahead with that particular development.

Validation

- The process whereby a planning application is checked to ensure it is valid i.e. correct fee, correct number of forms, correct number of scaled drawings, design and access statement, site location plan etc by the planning registrations team. An application is deemed valid if it meets all of the relevant requirements set out in the national and local validation lists.

Ventilation/Extraction Statement

- Details of the position and design of ventilation and extraction equipment, including odour abatement techniques and acoustic noise characteristics, will be generally required to accompany all applications for the use of premises for purposes within Use Classes A3 (i.e. restaurants and cafes – use for the sale of food and drink for consumption on the premises), A4 (i.e. drinking establishments – use as a public house, wine-bar or other drinking establishment), A5 (i.e. hot food takeaways – use for the sale of hot food for consumption off the premises), B1 (general business) and B2 (general industrial).
- This information (excluding odour abatement techniques unless specifically required) will also be required for significant retail, business, industrial or leisure or other similar developments where substantial ventilation or extraction equipment is proposed to be installed.