

Legislation and Regulations in Planning Permission Process

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Legislation and regulations play a crucial role in the planning permission process. Understanding the legal framework within which planning decisions are made is essential for professionals working in the field of urban planning. This glossary will provide an overview of key terms related to legislation and regulations in the planning permission process.

1. Building Regulations

Building regulations are a set of standards that must be met when constructing or altering buildings. They cover various aspects of building work, including structural stability, fire safety, energy efficiency, and accessibility. Compliance with building regulations is a legal requirement and is enforced by local authorities.

2. Certificate of Lawful Development

A Certificate of Lawful Development is a document issued by a local planning authority to confirm that a proposed development is lawful and does not require planning permission. This can be useful for homeowners or developers who want to ensure that their plans comply with permitted development rights.

3. Conservation Area

A conservation area is an area of special architectural or historic interest that is designated for protection and enhancement. Development within a conservation area is subject to additional planning controls to preserve the character and appearance of the area.

4. Development Plan

A development plan is a document that sets out the policies and proposals for land use and development in a particular area. It includes local plans, which are prepared by local planning authorities, and regional plans, which are prepared by regional planning bodies.

5. Environmental Impact Assessment (EIA)

An Environmental Impact Assessment is a process that evaluates the potential environmental effects of a proposed development. It considers factors such as air and water quality, noise, biodiversity, and cultural heritage. EIAs are required for certain types of development under the Town and Country Planning (Environmental Impact Assessment) Regulations.

6. Listed Building

A listed building is a building of special architectural or historic interest that is protected by law. Any alterations or extensions to a listed building require listed building consent, in addition to planning

permission.

7. Local Development Framework (LDF)

The Local Development Framework is a set of documents that together form the local planning policy for an area. It includes the core strategy, site allocations, and development management policies. The LDF guides decisions on planning applications and development proposals.

8. National Planning Policy Framework (NPPF)

The National Planning Policy Framework is a government document that sets out the overarching planning policies for England. It provides guidance on sustainable development, the use of land, and the protection of the environment. Local planning authorities must have regard to the NPPF when making planning decisions.

9. Permitted Development Rights

Permitted development rights are a set of rights that allow certain types of development to proceed without the need for planning permission. These rights are set out in the Town and Country Planning (General Permitted Development) Order and cover minor alterations and extensions to buildings.

10. Planning Conditions

Planning conditions are conditions attached to a planning permission that must be complied with by the developer. They can cover a wide range of matters, such as the materials to be used, the timing of development, and the landscaping of the site. Failure to comply with planning conditions can result in enforcement action.

11. Planning Obligations

Planning obligations, also known as Section 106 agreements, are legal agreements between developers and local planning authorities that require the developer to provide certain benefits or contributions in connection with a development. These could include affordable housing, infrastructure improvements, or environmental enhancements.

12. Planning Permission

Planning permission is permission granted by a local planning authority for a proposed development. It is required for most types of development, including new buildings, changes of use, and alterations to existing buildings. Planning permission is granted in accordance with the development plan and other material considerations.

13. Section 73 Permission

Section 73 permission is a type of planning permission that allows a developer to make minor changes to an existing planning permission without submitting a new application. This is useful for making amendments to a scheme that do not alter the fundamental nature of the development.

14. Tree Preservation Order (TPO)

A Tree Preservation Order is an order made by a local planning authority to protect specific trees or woodlands from being cut down or damaged. Development that affects trees covered by a TPO requires consent from the local authority. Failure to comply with a TPO can result in fines or prosecution.

15. Use Classes Order

The Use Classes Order is a set of regulations that categorize different types of land uses into classes, such as residential, commercial, and industrial. Changes of use within the same class do not require planning permission, while changes between different classes may require permission from the local planning authority.

16. Viability Assessment

A Viability Assessment is an assessment carried out by developers to demonstrate the financial viability of a proposed development. It considers factors such as construction costs, land values, and market conditions. Viability assessments are often required for large-scale developments that involve affordable housing contributions.

These key terms related to legislation and regulations in the planning permission process provide a foundational understanding of the legal framework that governs development in the UK. Professionals working in the field of urban planning must be familiar with these terms to navigate the planning system effectively and ensure compliance with legal requirements.