

Guidance on Your Plans & Council Applications

Introduction

We have prepared these notes in order to keep you informed of some important information regarding the plans we have prepared and the process of obtaining the necessary Local Authority consents.

It is not an exhaustive document but covers many of the questions clients raise and we hope it will be helpful. Should you wish to discuss any aspect of your particular proposal, or require any further information, please contact us on:-

Telephone: Chelmsford (01245) 493020

Fax: Chelmsford (01245) 350044

In writing at: The Gate House
116 Rainsford Road
Chelmsford
Essex CM1 2QL

On-Line: www.pascott.co.uk

Planning Permission

This consent is always required for certain proposals for example most front extensions. It would be needed for any application on your property once the permitted development rights have been used.

The usual householder type application fee is £150.00 (zero rated VAT) and this will usually be shown on our first fee account to you. Certain applications attract a higher fee.

The application will be judged against the relevant Council policies and if acceptable to the Council it will be recommended for approval. Most applications are then determined by the Director of Planning under the delegated powers process. Others may have to go through the full Committee process.

Some Local Authorities with whom we deal will contact us if they are not happy with any aspect of the scheme and usually give us the opportunity of making the necessary alterations to the submitted application with the clients agreement, in order to obtain an approval. Not all Authorities however are so helpful so we monitor all applications and usually make a courtesy call a few weeks after the application has been submitted to see how it is progressing. This *may* help short circuit a refusal being issued without warning by the Council and without having been offered the opportunity of making any adjustments to gain approval. Increasingly, Planning Departments ask us to withdraw the application if they have concerns, then alter the drawing and re-submit for Planning Permission as they claim they do not have the time to re-consult neighbours and other interested parties and still determine the application within the eight week target date.

Certain proposals do not require Planning permission and, in the event that we believe Planning permission is not necessary and only Building Regulations is necessary, we nevertheless normally send a copy of the drawings to the Planning Department with a covering letter asking for confirmation by the Council that Planning permission is not required. Not all Councils are prepared to do this and more and more are insisting upon on a Certificate of Lawful Use application.

P A Scott Associates will use our best endeavours to secure Planning consent for your proposals, but consent cannot be guaranteed.

Re-applications following a refusal of Planning permission or withdrawal of an application can be made within 12 months with no application fee payable to the Local Planning Authority.

In the event that the application is refused you have the right of appeal within three months of the date of refusal to the Planning Inspectorate. This process can take several months. Alternatively, we can modify the scheme to one acceptable to the Council following discussions and negotiations and re-submit the application, assuming the revised scheme also meets the clients needs.

Building Regulations

A Building Regulations application is necessary for structural alterations, material change of use etc. In practice this means most extensions, loft conversions, internal alterations and so on require Building Regulations approval.

Generally, a Building Regulations approval can be guaranteed providing the drawings show compliance with all the relevant Regulations.

All Building Regulations applications attract fees. Most domestic extension projects fall into the 6-40 sq. metres floor area category which currently has an application fee of approx. £125.00 (inc. VAT), although each Local Authority have their own fee scale.

Some time after building is commenced on site, the client will be invoiced direct by the Council for the Building Regulations Inspection fee. This is the second and final Building Regulations fee and covers all subsequent inspections by the Council's officers.

Certain projects are exempt from the Building Regulations and an application is not necessary. For example a conservatory of less than 30 sq. metres or a detached garage of less than 30 sq. metres.

The drawings will show sufficient information in order to obtain Building Regulations approval. The Regulations do not require detailed information on lighting and electrical installations, details of hot and cold water supplies or radiator positions etc. Similarly decorating and wall and floor finishes are not shown. All of these items are usually discussed and agreed between the client and the builder.

Construction Monitoring

The usual amount of work we undertake for clients is preparing the design drawings and obtaining the appropriate necessary statutory consents e.g. Planning Permission, Building Regulations Consent, Listed Building consent and so on.

However, we can be involved on site during the construction phase.

This is not a formalised Contract Administration role, as the Contract will be between the client (Employer) and the builder.

However, our informal involvement seeks to ensure that the work is carried out in accordance with the clients requirements.

Our fee for this is based on our usual competitive hourly rate and in turn depends upon the amount of time spent undertaking this activity. We should be able to provide you with an anticipated fee for this stage prior to any instruction.