A guide to making a planning application
Introduction to the Planning Application process

- What is Planning Permission?
- Is Planning Permission needed?
- Removal of 'Permitted Development' rights
- Article 4 Directions
- Types of planning application
- How to submit an application
- What happens after an application has been submitted?
- How long does the process take?
- What other consents might be needed?
- What if the application is refused?
- What if the application is approved with conditions?

Advice and Resources

- Submitting plans - what plans are needed with a planning application.
- Planning Application Requirements (PARs) - what you need to submit with a planning application.
- Planning application forms - for use within Leicester.
- Submitting an application electronically - the Planning Portal provides forms which you can fill in on-line, then either send electronically, or print off and post to the Council
- Planning application fees - details of fees that need to be submitted with applications.
- Ordnance Survey maps - how to obtain Ordnance Survey map extracts to be submitted with applications.
- Developer contributions - the Council's adopted protocol for developer contributions.

After a planning application

- Discharging planning conditions - There is now a fee payable for this.
- Appealing against a planning decision - details of how to appeal against a planning decision.
What is Planning Permission?

Planning permission is a legal document, issued by the Council, which allows specific development at a particular site, for example building works or a change of use.

The planning permission is "attached" to the land and can normally be implemented by anyone, not necessarily the person who has applied for the permission in the first place.

The Council tries to ensure that in dealing with applications for planning permission, its planning policies are implemented and the views of local communities are heard.

The planning process also includes several other forms of consent, for instance consents to alter listed buildings, to display advertisements, and to carry out works to protected trees. See our page: Types of Planning Application.
Is Planning Permission needed?

When is Planning Permission needed?

Planning permission is required for the development of land, the definition of which is wide ranging and includes:

- changing the use of land and/or buildings
- construction or alteration of buildings
- most other construction and engineering works
- some forms of demolition

When is Planning Permission not needed?

Certain works don't need Planning Permission, for instance internal alterations to non-listed buildings. However, most structural building works will need consent under the Building Regulations: contact our Building Control section for advice.

Planning land uses are defined in the Use Classes Order. Use Classes are complicated, but there is a summary of the Use Classes Order on the Planning Portal web site. Changes of use within a single 'Use Class' don't need planning permission - for instance, planning permission isn't needed to change from a pet shop to a hairdresser's or vice versa. In case of doubt, always check with our Planning service before changing the use of premises or land.

Some types of development don't need formal approval from the Council, as they are granted blanket approval by Government regulations: there's a wide range of these, which are called 'Permitted Development'. They cover operational development such as minor alterations to buildings, and some changes of use.

Some minor alterations to dwellinghouses, including small extensions and porches, garden sheds, may fall under the definition of 'Permitted Development' and therefore may not need express planning permission. For further information relating to dwellinghouses, please view our page: Guidance for Householders. You are always advised to check with our Planning service first before carrying out such works. Again, many of these works will need separate Building Regulations approval.

In some instances, the Council removes 'Permitted Development' rights, in which case you must apply for planning permission:
Removal of Permitted Development rights

What is 'Permitted Development'?

'Permitted Development' is a blanket permission, granted by Government regulations, to carry out certain minor types of development without the need to make a planning application to the Council. On our webpage: www.leicester.gov.uk provide more information on whether a planning application might be needed, and you are always welcome to check with the planning service before carrying out such works.

When are permitted development rights removed?

In certain circumstances, the Council removes Permitted Development rights:

Article 3 Directions take the form of a condition on a planning permission, which restricts further extensions, alterations or uses. To check on such conditions you can search our Planning Database and view the Decision Notices relating to your property.

Article 4 Directions apply to a group of properties and often cover a large area, and are most frequently, but not always, used in conservation areas. They usually remove rights to make minor alterations to houses, including the replacement of doors and windows.
Article 4 Directions

What is an Article 4 direction?

'Permitted Development' is a blanket permission, granted by Government regulations, to carry out certain minor types of development without the need to make a planning application to the Council. For instance, householders can normally make minor alterations to their houses without having to submit a planning application, and there are also Permitted Development allowances for many other types of development, including some commercial categories.

However, in some areas, most notably in Conservation Areas, the council has removed these "permitted development" rights by making an Article 4 Direction. The areas affected are available on the council website or by contacting planning. You can also view copies of the original documents. Open our File Director software. All the Article 4 Directions are displayed. You can search by date, or click on the column headings to reorder the search results.

The effect of an Article 4 Direction

The effect of an Article 4 Direction is that planning permission is likely to be required for works which affect the appearance of the outside of the properties. The restrictions may differ slightly from area to area, but typically in housing areas, they would include extensions to the property; outside alterations such as new windows or door; re-roofing or alterations to chimneys, ridge tiles etc; porches; covering gardens in concrete or tarmac or taking down garden walls or fences to make car parking spaces; putting up gates, fences or walls; and covering the walls by rendering or painting the brickwork. In commercial areas, Article 4 Directions have removed the rights to demolish, alter and extend buildings.

If your premises are affected by an Article 4 Direction, and you are not sure whether work you are intending needs planning permission always check with us before you start work. If any of the controlled alterations are made without planning permission, the Council could take action to restore the original appearance of the property at the owner's expense.

Repair and maintenance work which does not change the appearance of the property will not need planning permission provided that the same types of materials
are used.

For further information and guidance, please contact our Conservation Team.

Areas covered by Article 4 Directions:

- Ashleigh Road Conservation Area
- Aylestone Village Conservation Area (40-42 Old Church Street)
- Belgrave Hall Conservation Area
- Castle Conservation Area (15-21 The Newarke)
- Daneshill (West End Conservation Area)
- Evington Footpath Conservation Area
- Loughborough Road Conservation Area (Shaftesbury Avenue)
- New Walk Conservation Area (Holy Trinity: the area bounded by Regent Road, Welford Road, Lancaster Road and Waterloo Way)
- South Highfields Conservation Area
- Spinney Hill Park Conservation Area
- Stoneygate Conservation Area
- Westcotes Drive (West End Conservation Area)
- 201-247 Aylestone Road
- 2 Upperton Road, CPH Building
- Abbey Park Street, Former Shonki Building
- Former Abbey Meadows Mill
- Houses in Multiple Occupation.
Types of Planning Application

There are three types of planning permission:

**Full Permission**: A full application will include full details of the proposals, including detailed drawings showing the site and the proposed works. These applications can be for ‘operational development’ such as new buildings or extensions, or engineering works; or for changes of use of buildings or land; or a combination of these.

**Outline Permission**: An outline application can be submitted to establish the principle of the proposed development. Such an application will contain a broad outline of the size and scale of the development, but will not necessarily include detailed drawings. These applications are not normally permissible if the application affects a listed building, or if the site is in a conservation area.

**Reserved Matters**: Where outline planning permission has been granted, a "Reserved Matters" application is submitted for approval of the detailed plans before the development starts.

There are other types of Planning Application including:

**Advertisement Consent**: The Council has powers to control the display of many advertisements in the interests of amenity and road safety. Most illuminated signs and many non-illuminated ones require advertisement consent.

**Demolition within a Conservation Area**: Some areas of Leicester have been designated as conservation areas where it is the aim to preserve and enhance the built environment. The total or partial demolition of most buildings and structures in these areas requires planning permission.

**Demolition consent**: Demolition of most types of building now requires a separate application to check whether the Council requires prior approval of the method of demolition and any restoration of the site.

**Listed Building Consent**: Many buildings in Leicester have been listed due to their architectural or historic interest. The planning system is concerned with protecting the features and character of these buildings. Listed building consent is required for works for the total or partial demolition of a listed building, or for internal or external alterations or extensions. Note that Planning Permission will also be needed for most external alterations.

**Lawful Development Certificates**: Some uses and buildings evolve over time without having the benefit of planning permission. Lawful Development Certificate applications provide the possibility of obtaining a statutory document confirming that an existing use, operation or activity named in it is lawful and so is immune from planning enforcement action. A certificate may also be granted for a proposed use that is considered permissible without the need to make a planning application.
**Works to Trees:** Two types of planning consent may be required for works to trees:

- If the trees are protected by a Tree Preservation Order, an application for the works must be made.
- If the trees are located in a conservation area, you made need to formally notify the Council of the proposed works.
How to submit a planning application

To make a planning application, you will need to send us completed application forms; a location plan and detailed drawings; a certificate of ownership, and the appropriate fee. Note also that there are detailed planning application requirements (PARs) for the various types of application.

The simplest way to submit a planning application is online via the Planning Portal. However, you can also submit applications by post, using the application forms available on our web site.

Guidance on how to complete the forms is included in the notes accompanying them. One thing you will need to decide is whether to have the plans drawn up and the application submitted by an architect or other professional agent.
What happens after an application has been submitted?

Registration and validation

When a planning application is received, we will register and check that it is "complete" (valid) and that any required fee has been received. If we have everything we need, we will send the applicant or agent an acknowledgement within a few days. If not, we will write to say what else is needed. The application cannot be determined until it is technically "complete".

Publicity

We have to publicise most planning applications, and we are required to hold all applications on a public register. Any information supplied in connection with the application will be placed on a public file and will be available to members of the public and organisations to inspect. The application will also be posted on the internet. We will redact (blank out) telephone numbers, email addresses and signatures before posting the application on the internet.

We also publish a 'Weekly List' of applications received, and for most applications, we will write to all adjoining owners and occupiers. In some cases a notice will be fixed near to the site and sometimes the application will be advertised in the Leicester Mercury. For applications requiring formal publicity, we have to allow at least 21 days for people to make comments.

Site inspection

The officer dealing with the application will need to visit the site. It would be helpful if the applicant can give a daytime contact name and number on the application form so that arrangements can be made for access if necessary.

Requests for amendments

If the case officer thinks that the proposals are unsatisfactory but could be changed to make them more likely to be approved, the applicant will normally be asked to amend the plans. The applicant does not have to agree to this but the case officer will always try to explain the situation and help when he/she can. An unsatisfactory proposal is likely to be recommended for refusal.

Officer's report

The case officer will write a report which will recommend whether the application should be approved and if it is, what conditions should be attached, or whether the application should be refused.

Decision
The vast majority of decisions are made by senior officers who have 'Delegated Powers' to decide applications on behalf of the Council, although a small proportion of decisions are made by a Committee of Councillors - usually major applications or those with a high public interest. The Decision Notice will be sent to the applicant's agent if an agent has been used.
How long does the planning application process take?

The law says that councils should aim to decide most applications within eight weeks. We always try to do this but like all other councils, we cannot promise to meet that target every time.

We may be able to give a rough idea of how long an application will take if we know what the proposals are and when the application will be submitted. The case officer dealing with the application should be able to give more precise information about 3 weeks after the application has been submitted. Applicants are welcome to contact the case officer at any time to discuss the application (case officer details are in the acknowledgement letter).

Because of the requirement to publicise applications and with essential administrative work it is not possible to decide even straightforward applications in less than about 5 weeks. If we need to ask the applicant for more information or suggest amendments this will add to the time and if the application has to go to Committee the process will generally take longer - especially at times of the year when there are fewer Committee meetings scheduled.

We will normally only delay the application when this is unavoidable or when we believe it is in the applicant's interest to help get an approval.
What other consents might be needed?

Other planning consents

Apart from planning permission, other consents might be needed within the Planning regime. See our page Types of Planning Application for more information. If you think you might need other planning consents, you are welcome to contact Planning for advice.

Building Regulations

Many proposals also need to conform with the Building Regulations. This is separate from the need for planning permission. The applicant should always check with the Council to see what approvals are needed. For enquiries about Building Regulations, please contact Building Control.

Licensing Act

If you are providing alcohol, regulated entertainment or late night refreshment it is likely that you will need a licence under the Licensing Act 2003. This is, of course, in addition to making sure that your business or other activities meet other legal requirements.
What if the application is refused?

If the application is refused, and the applicant thinks that the proposal could be altered to make it more acceptable it can submitted again with different plans. In certain circumstances another application fee may not be needed. If the applicant wishes to try another application, they should discuss this with the case officer.

Alternatively, the applicant may wish to appeal against the refusal to the Planning Inspectorate.
What if the application is approved with conditions?

What if the applicant does not agree with Conditions attached to a planning permission?

The applicant could make another application to try and get planning permission without such conditions; however the Council will have put the conditions on for a good reason and the alternative is likely to have been a refusal. Unless circumstances have changed since the planning permission was granted it is likely that the conditions will have to remain. The applicant should discuss this with the case officer.

Alternatively, the applicant may wish to appeal against the conditions to the Planning Inspectorate.

Conditions requiring approval of details

Some planning permissions will be granted subject to a condition that the applicant agrees certain matters (e.g. building materials) with the Council before the scheme is started. Since 2008, this is now a formal process for which a fee is payable. For more details, go to our page: Discharging planning conditions. The applicant must allow adequate time to discharge all relevant conditions before work starts.
Submission of plans with planning applications

This note explains the requirements regarding the submission of planning applications and the quality and detail shown on plans submitted to the City Council. The Council has a legal duty to ensure that planning applications are complete and valid, and that members of the public are able to examine, understand and comment on them.

Submitting plans electronically

There are special requirements for submitting plans electronically, whether by email, CD or DVD, or via the Planning Portal. Their web site address is www.planningportal.gov.uk.

You can also submit your applications electronically via email, CD or DVD. When applications are submitted electronically, we must be able to plot documents exactly as you submit them. We also have to place your application on our web site for public inspection, so files must not be too large.

To ensure the smooth processing of your application:

No individual file should be larger than 5mb.

Please avoid large emails (substantially over 5mb), because of restrictions on the capacity of email systems. We recommend that you ask for an acknowledgement of receipt if your email is a large one.

We recommend that you supply all drawings and supporting information in Adobe's PDF (Portable Document Format) format.

Photographs should be in JPG / JPEG or PDF format.

Ensure that all drawings and plans include the print (paper) size; the relevant scale at that print size (e.g. 1:200 etc); and key dimensions.

Preferable drawing sizes are A3 or A4 (where appropriate).

Multiple drawings should not be grouped on A2 paper size or larger.

The whole drawing, including all text, must be legible when viewed as a PDF at 100%.

Only use colour where essential. However, location plans should be colour, at a scale of 1:1250 with the development boundary marked in red and adjoining land owned by the applicant outlined in blue.
Hatched lines should be used rather than grey shading. Documents must have a white background.

Please ensure that all drawings are orientated so that the drawing appears correctly when viewed on screen.

Text documents, eg letters and supporting information, can be submitted in PDF, Word (DOC) or text (TXT) formats, up to a maximum file size of 5mb.

Do not submit .exe files or use zip utilities to condense file sizes. These will not be accepted in any circumstances.

All drawings should include a scale bar indicating the length of 1 metre and 10 metres where appropriate, and the scale at a given page size, e.g. "1:50 at A3". Drawings submitted electronically must also have a selection of dimensions scaled on the drawing, so that we can check when we plot them that they are to the correct scale.

We will ask applicants to supply as many paper copies of plans as necessary to be able to deal with the application, if the conditions above are not complied with.

Location plan

Four copies of an up-to-date location plan, preferably taken from an Ordnance Survey sheet and to a scale of 1:1250, clearly showing the location of the application site in relation to the adjacent properties, must be submitted with all applications. You must use a valid licensed plan for this purpose. Extracts from Ordnance Survey sheets may be purchased from licensees of the Ordnance Survey. To use plans from non-licensed sources will be in breach of Ordnance Survey copyright.

Site boundary

The boundary of the application site must be outlined in red and all adjoining land in the control of the applicant outlined in blue. This must correspond with ownership details given on the application form and ownership certificate.

Scale

All plans must be drawn to metric dimensions and to a recognised scale such as 1:10, 1:20, 1:50, 1:100, 1:200 and 1:500.

Relationship to boundary features of the site and adjoining properties

The submitted plans shall clearly show the relationship and distance of the proposal to all site boundaries, including the highway boundary, and the relationship to all adjoining buildings including any windows. This will require a plan to a scale of a minimum of 1:500 in addition to a location plan. Existing trees, buildings, change of level and other features of the site should also be shown.
Building plans and elevations

Where required, these must show existing and proposed elevations and floor plans, sections, roof plans, and floor and site levels. These plans should normally be to scale 1:50 or 1:100.

Quality and clarity of plans

Existing and proposed situations should be clearly and accurately shown. This can be on separate "Survey" and "Proposed" drawings, or by shading new work and showing demolitions with broken lines. New, retained and removed features should be similarly shown.
Planning Application Requirements

The Government has introduced a National List of Planning Application Requirements (PARs) which is a legal requirement for all planning applications.

To go with this, all local authorities should formally have adopted a Local List of PARs. Local authorities across Leicester, Leicestershire and Rutland have joined together to produce a Local List of Planning Application Requirements. These requirements will be statutorily required for any submitted applications in addition to the National List. When a submitted application does not meet the requirements set out in both the National and Local List it may be considered to be invalid.

Leicester, Leicestershire and Rutland authorities have adopted a Revised List of Local PARs, which came into force on 1 July 2013. The list of National and Local PARs is combined into a single document, and you can view this by opening the attachment on this Charnwood Borough Council web page:


See also:

Government guidance on the Validation of Planning Applications.
Leicester City Council prefers that you submit planning applications electronically using the Planning Portal. If you make an application in this way, the process automatically guides you to use the correct form. Alternatively, at the bottom of this page are links to the national Standard Planning Application Forms (often referred to as 1APP) which became mandatory from 6 April 2008. These files are in PDF format. You can download and print these if you wish, but in most cases you will only be able to fill these in manually; most of these forms cannot be completed on-line or on a computer. Note also that these forms are intended for submission to Leicester City Council only; if you are intending to make an application to another council, go to that council's web site to get the forms.

For some types of application, it is not currently possible to make an on-line application via the Planning Portal. You can download forms direct from the Planning Portal web site for these applications:

- Application for non-material amendments following planning permission.
- Application for a Certificate of Lawfulness of Proposed Works to a listed building.
- Prior Approval of a Proposed Larger Home Extension.
- Prior Approval of a Proposed Change of Use of Offices (Class B1(a)) to Dwelling(s) (Prior Approval).
- Prior Approval of Proposed Change of Use to State Funded School.
- Prior Approval of Proposed Change of Use of an Agricultural Building to a flexible use within Shops, Financial and Professional services, Restaurants and Cafes, Business, Storage or Distribution, Hotels, or Assembly or Leisure.
- Prior Approval of Proposed Change of Use of Agricultural Building to a Dwellinghouse (Use Class C3), and for Associated Operational Development.
- Prior Approval of Proposed Change of Use of a building from a Retail (Use Class A1or A2) Use or a Mixed Retail and Residential Use to a use falling within Use Class C3 (Dwellinghouse), and for Associated Operational Development.
- Prior Approval of Proposed Change of Use of Agricultural Building to a State-Funded School or Registered Nursery.

Note that all the application forms are provided by the Government, and the Council has no control over their format or content.
Index to Standard Planning Application Forms
(see below to download the forms)

- **001** Householder Application for planning permission for works or extension to a dwelling
- **EX1** Notification of a Proposed Larger Home Extension (Prior Approval)
- **002** Householder Application for planning permission for works or extension to a dwelling and for demolition of an unlisted building within a conservation area
- **003** Householder application for planning permission for works or extension to a dwelling and listed building consent for alterations, extension or demolition of a listed building
- **004** Application for planning permission
- **005** Application for outline planning permission with some matters reserved
- **006** Application for outline planning permission with all matters reserved
- **007** Application for planning permission and for demolition in a conservation area
- **008** Application for planning permission and listed building consent for alterations, extension or demolition of a listed building
- **009** Application for planning permission and consent to display an advertisement(s)
- **010** Application for planning permission for demolition of an unlisted building within a conservation area
- **011** Application for listed building consent for alterations, extension or demolition of a listed building
- **012** Application for consent to display an advertisement(s)
- **014** Application for a Lawful Development Certificate for an Existing use or operation or activity including those in breach of a planning condition
- **015** Application for a Lawful Development Certificate for a Proposed use or development
- **016** Application for prior notification of proposed agricultural or forestry development - proposed building
- **017** Application for prior notification of proposed agricultural or forestry development - proposed road
018 Application for prior notification of proposed agricultural or forestry development - excavation/waste material
019 Application for prior notification of proposed agricultural or forestry development - proposed fish tank (cage)
020 Application form for prior notification of proposed development in respect of permitted development by telecommunications code systems operators
021 Application for Hedgerow Removal Notice
022 Application for prior notification of proposed demolition
023 Application for approval of reserved matters following outline approval
025 Application for removal or variation of a condition following grant of planning permission
027 Application for approval of details reserved by condition
031 Application for tree works: Works to Trees Subject to a Tree Preservation Order (TPO) and/or Notification of Proposed Works to Trees in Conservation Areas (CA)
034 Application for Non-Material Change to Planning Permission previously granted

More information

For more information on 1APP, please visit:
www.planningportal.gov.uk/planning/applications
Or visit the Planning Portal Help Centre at:
www.planningportal.gov.uk/general/contact/helpcentre

Download Standard Planning Application forms:

001 : Householder Application for planning permission for works or extension to a dwelling
Town and Country Planning Act 1990

- Link to Application Form 001
- Link to Help File 001
EX1 : Notification of a Proposed Larger Home Extension:

Town and Country Planning (General Permitted Development) Order 1995 (as amended) Schedule 2, part 1 (Class A.1(ea))

- Link to Application Form EX1
- Link to Guidance Notes

002 : Householder Application for planning permission for works or extension to a dwelling and for demolition of an unlisted building within a conservation area

Please note that you should use this form only if the application includes the demolition of an unlisted building within a conservation area. You can use form 001 for householder applications outside conservation areas, or if no demolition within a conservation area is involved.

Town and Country Planning Act 1990

- Link to Application Form 002
- Link to Help File 002

003 : Householder application for planning permission for works or extension to a dwelling and listed building consent for alterations, extension or demolition of a listed building

Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas Act) 1990

- Link to Application Form 003
- Link to Help File 003

004 : Application for planning permission

Town and Country Planning Act 1990

- Link to Application Form 004
- Link to Help File 004
005 : Application for outline planning permission with some matters reserved

Town and Country Planning Act 1990

- Link to Application Form 005
- Link to Help File 005

006 : Application for outline planning permission with all matters reserved

Town and Country Planning Act 1990

- Link to Application Form 006
- Link to Help File 006

007 : Application for planning permission including demolition within a conservation area

Please note that you should use this form only if the application includes the demolition of an unlisted building within a conservation area. You can use form 004 for planning applications outside conservation areas, or if no demolition within a conservation area is involved.

Town and Country Planning Act 1990

- Link to Application Form 007
- Link to Help File 007

008 : Application for planning permission and listed building consent for alterations, extension or demolition of a listed building

Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas Act) 1990

- Link to Application Form 008
- Link to Help File 008

009 : Application for planning permission and consent to display an advertisement(s)

Town and Country Planning Act 1990
Town and Country Planning (Control of Advertisement) Regulations 1992

- Link to Application Form 009
- Link to Help File 009

010 : Application for planning permission for demolition in a conservation area

Town and Country Planning Act 1990

- Link to Application Form 010
- Link to Help File 010

011 : Application for listed building consent for alterations, extension or demolition of a listed building

Planning (Listed Building and Conservation Areas) Act 1990

- Link to Application Form 011
- Link to Help File 011

012 : Application for consent to display an advertisement(s)

Town and Country Planning (Control of Advertisement) Regulations 1992

- Link to Application Form 012
- Link to Help File 012

013 : Application for consent to display an advertisement and Application for listed building consent

Planning (Listed Buildings and Conservation Areas Act) 1990

Form 013 is not currently available - Under review. Please make two separate applications using forms 011 and 012.

014 : Application for a Lawful Development Certificate for an Existing use or operation or activity including those in breach of a planning condition
Town and Country Planning (Development Management Procedure) Order 2010

- Link to Application Form 014
- Link to Help File 014

015: Application for a Lawful Development Certificate for a Proposed use or development

Town and Country Planning (Development Management Procedure) Order 2010

- Link to Application Form 015
- Link to Help File 015

016: Application for prior notification of proposed agricultural or forestry development – proposed building

Town and Country Planning (General Permitted Development) Order 1995 schedule 2, parts 6 & 7

- Link to Application Form 016
- Link to Help File 016

017: Application for prior notification of proposed agricultural or forestry development – proposed road

Town and Country Planning (General Permitted Development) Order 1995 schedule 2, parts 6 & 7

- Link to Application Form 017
- Link to Help File 017

018: Application for prior notification of proposed agricultural or forestry development – excavation/waste material
Town and Country Planning (General Permitted Development) Order 1995
Schedule 2, parts 6 & 7

- Link to Application Form 018
- Link to Help File 018

019 : Application for prior notification of proposed agricultural or forestry development – proposed fish tank (cage)

Town and Country Planning (General Permitted Development) Order 1995
Schedule 2, parts 6 & 7

- Link to Application Form 019
- Link to Help File 019

020 : Application form for prior notification of proposed development in respect of permitted development by telecommunications code systems operators

Town and Country Planning (General Permitted Development) Order Schedule 2, part 24

- Link to Application Form 020
- Link to Help File 020

021 : Application for Hedgerow Removal Notice

The Environment Act 1995
The Hedgerows Regulations 1997 Schedule 4

- Link to Application Form 021
- Link to Help File 021

022 : Application for prior notification of proposed demolition

Town and Country Planning (General Permitted Development) Order 1995
Schedule 2, Part 31

- Link to Application Form 022
- Link to Help File 022
Site Notice to be displayed by the Applicant, and Declaration: [Site Notice]

023 : Application for approval of reserved matters following outline approval
Town & Country Planning (Development Management Procedure) Order 2010 - Article 5
- Link to Application Form 023
- Link to Help File 023

025 : Application for removal or variation of a condition following grant of planning permission
Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act 1990
- Link to Application Form 025
- Link to Help File 025

027 : Application for approval of details reserved by condition
Town and Country Planning Act 1990
Planning (Listed Buildings and Conservation Areas) Act 1990
- Link to Application Form 027
- Link to Help File 027

031 : Application for tree works: Works to Trees Subject to a Tree Preservation Order (TPO) and/or Notification of Proposed Works to Trees in Conservation Areas (CA)
Town and Country Planning Act 1990
- Link to Application Form 031
- Link to Help File 031

032 : Application for listed building consent for alterations, extensions or demolition of a listed building and consent to display an advertisement(s)
Planning (Listed Buildings and Conservation Areas) Act 1990
Town and Country Planning (Control of Advertisement) Regulations 1992
Form 032 is not currently available - Under review. Please make two separate applications using forms 011 and 012.

034 : Application for Non-Material Change to Planning Permission previously granted

Town and Country Planning Act 1990
Town and Country Planning Act 1990
- [Link to Application Form 034]
- [Link to Help File 034]
- [Link to Guidance Note 034]

Planning applications: Certificates of ownership

When making a planning application you must complete a Certificate, which provides details of the ownership of the site. The certificate you complete should relate to all the land you have included in the application site by outlining the site in red and this should contain all the works and changes covered by the application.

The Certificates of Ownership are normally included on the standard application forms.

If the applicant is the sole owner of all the land to which the application relates and no part of it is an agricultural tenancy:

You should complete Certificate A. ("Owner" means a person having a freehold interest or a leasehold interest with at least seven years unexpired).

If the applicant is not the sole owner of the application site, or part or all the land is an agricultural holding, and you know the names of all owners and tenants:

You should complete Certificate B and submit this to the council with your application; and

You must give a formal notice to the owner before making the application. This is done using an Article 6 Notice.
You can download Certificate B and Article 6 Notices from the links at the bottom of this page. Note that there is a separate Article 6 Notice for 'Householder' development.

If you do not know the name and address of all the owners of the application site:

You will need to complete either Certificate C or D, and publicise the application in the Leicester Mercury. Copies of these Certificates in PDF format can be downloaded from the links at the bottom of this page. You can contact Planning for advice on these procedures.
Making a Planning Application via the Planning Portal

Leicester City Council recommends that you submit planning applications (including plans and fees) electronically via the Planning Portal:

- **Create or work with a planning application on the Planning Portal**
  
  The benefits of applying online include:

  - You can work on your applications in draft before submission
  - Immediate delivery and acknowledgement
  - Savings on postage and printing costs
  - Online help function when completing applications
  - Online record of your completed applications

  If you prefer you can complete your application form online and submit supporting documents and fees by post.

  Planning Portal support is available on this web page: [www.planningportal.gov.uk/helpcentre](http://www.planningportal.gov.uk/helpcentre).

  Applications submitted via the Planning Portal will guide you to use the correct national standard planning application form (1APP form). The Planning Portal service also provides a link to purchase Ordnance Survey map extracts for the application.

If you are making an application via the Planning Portal, you can also pay your fee electronically: the Planning Portal will direct you to the council's secure payment system. Alternatively, you can submit your fee by cheque, or pay by cash at one of the council's customer service centres, in which case you must quote the Planning Portal Reference Number.

After you have submitted your application through the Planning Portal, we will collect the application, check that it is valid, and either confirm that this is complete, or we will ask you for the further information we need to be able to deal with the application. Once complete, your application will be processed and we will notify you of the decision in due course. For most planning applications, this takes less than 8 weeks.
Requirement for a fee

Planning applications must be accompanied by the appropriate fee as laid down in Government regulations. **An application not accompanied by the required fee will not be proceeded with until the correct fee has been received.**

How to calculate the planning fee

The Planning Portal has published a [Schedule of Fees in PDF format](#). The [Planning Portal's web site](#) also has a [Fee Calculator](#) for the most common categories of application fee.

If you need advice

Please email Planning@leicester.gov.uk or phone 0116 454 1000

How to pay

If you are making an on-line application via the Planning Portal, you can pay your fee electronically: the Planning Portal will direct you to the council's secure payment system. Alternatively, you can submit your fee by cheque (payable to Leicester City Council), or pay by cash at one of the council's customer service centres, in which case you must quote the Planning Portal Reference Number.

If you are delivering the application **by post**, please attach the cheque to the application.

If you are delivering the application **by hand** to one of the council's customer service centres, you may pay by cheque or by cash. You will be given a receipt for your payment.

You can also pay by [debit or credit card](#) by telephoning us on 0116 454 3000. We accept payment by most cards. If you are paying by this method, please tell us the location of the development, Applicant and Agent details, and the Planning Portal Reference if applicable.
**Provision of Extracts from Ordnance Survey Maps**

With your Planning or Building Regulations application, you must submit copies of a location plan, preferably taken from an Ordnance Survey sheet and to a scale of 1:1250, clearly showing the location of the application site in relation to the adjacent properties. **You must use a valid licensed plan for this purpose.** See information regarding copyright at the bottom of this page.

**The City Council does not supply these plans.** You can purchase extracts from Ordnance Survey maps from the following sources:

- If you are making an on-line planning application via the Planning Portal, the Portal provides a link to purchase Ordnance Survey map extracts for the application: go to page [www.planningportal.gov.uk/buyaplan](http://www.planningportal.gov.uk/buyaplan) for further details. This page also contains useful guidance on what plans you need to submit.
- In Leicester, you can buy customised sets of Ordnance Survey maps for planning and building applications from the [Official Ordnance Survey Maps Agent](#).
- Some Leicestershire County Council libraries (but not City Libraries at present) provide an Ordnance Survey Mapping service for planning applications. Go to the County Council's web site: [www.leics.gov.uk/os_mapping_service](http://www.leics.gov.uk/os_mapping_service) for details.

**Copyright**

Applicants and agents must use a valid licensed plan to submit with Planning or Building Regulations applications.

Copying Ordnance Survey maps (which includes faxing, tracing and freehand copying) without a valid licence breaches OS copyright and could lead to proceedings being taken by Ordnance Survey against such breaches. Maps submitted with planning applications should be from recognised, approved sources that clearly show where the copy was obtained.

Note that downloading maps from the following sources for submitting with applications will be in breach of Ordnance Survey copyright:

- Maps copied from this web site.
• Maps copied from existing online planning applications, or from previously
determined planning or building regulation applications.

• Local plan documents.

Other maps

Commercial street maps and Ordnance Survey maps are available from bookshops
and on-line suppliers.
Guidance on Developer Contributions

The Guidance on Developer Contributions and Completing Section 106 Agreements gives the basic information about developer contributions and what is required to complete a Section 106 agreement or unilateral undertaking. Developer contributions are often referred to as Section 106 planning obligations. These planning obligations provide a means of ensuring that developers contribute towards the infrastructure and services needed to make proposed developments acceptable in land use planning terms. Contributions may be financial payments or in direct works. Click the link at the bottom of this page to view the Guidance.

Where an applicant claims a scheme cannot support the required works and/or other contributions, developers are required to submit a Development Appraisal. This will enable the council to assess and comment on the viability of the development proposal. Guidance on the preparation of development appraisals is available by clicking on the link below.

Where a proposed development scheme is likely to involve developer contributions, pre-application discussions with the planning service are strongly recommended to enable the Council to assist in resolving any foreseeable problems which may arise during the planning process. Please contact our Planning Service to discuss these.

Standard templates for both Agreements and Unilateral Undertakings are available to assist in this process. Please contact planning@leicester.gov.uk or phone 0116 454 1000 to receive a copy of these.

Please note that developers should be sure to submit all necessary documents to enable the City Council to deal with your application.
Discharging planning conditions

Planning permissions are usually subject to conditions which either control the use or require certain things to be done before the development is commenced or occupied.

From April 2008, a statutory national fee was introduced for discharging conditions. We will not be able to consider the discharge or compliance with conditions unless this fee has been paid. The fee is per request, not per condition, so you may want to submit for all of the conditions in one go. Details of current fees can be found on our Planning Fees page.

A request for the Discharge of Conditions, or confirmation that conditions have been discharged, can be made in any written form which is clear and legible. This includes letter, email or an application form. You can use a form available from the Planning Portal, or you can use the Planning Portal for online submission of the application.

We will acknowledge your request and give you the name and contact details of the officer who will be dealing with it.

Your application must include all the details needed to check whether a condition can be discharged or is complied with. These could be details of materials, specifications, plans or a written statement detailing what has, or will be done to comply with the condition.

If the matter is straightforward, you have supplied all the details we need and your proposals are acceptable we should be able to give you a response in about three weeks. If we need to consult other people, it may take 8-12 weeks (of receipt of the fee and necessary details) to respond.

If the details are insufficient or unacceptable, we will inform you within twelve weeks that the condition(s) cannot be discharged. You would then have to resubmit new proposals for compliance with a further fee.
If we cannot confirm that the condition is (or is not) complied with within twelve weeks of receipt of necessary details and the fee, we will refund your fee.

Frequently Asked Questions

Q. Planning permission has been granted, what do I need to do now?

A. Check your Planning Permission carefully to ensure that there are no errors in it. If there are errors, contact the Planning Management & Delivery Group immediately quoting the reference number and setting out clearly what you think is wrong.

Identify which conditions require you to submit further details or information, and when these have to be complied with. Some conditions must be complied with before a development is started, some regulate how the work is undertaken, others require actions before the development is occupied or a use commences, whilst certain conditions will seek to regulate how the completed development is to be used or control possible changes in the future. Consult with your advisors how best to comply with those conditions.

Q. What can I do if I disagree with the attached conditions?

A. If you are unhappy about any of the conditions imposed you can challenge them but you must appeal within 6 months of the date of the decision. You may contact the case officer to discuss the conditions, in terms of the requirement of the condition/s if not clear and to seek advice if there is possibility of relaxation to that condition before you choose to appeal.

However, you are advised that any commencement during the appeal process without discharging the relevant condition(s) may invalidate the permission. Please see the notes attached to the decision notice, which give details on how to appeal conditions.
Q. Which conditions need complying with?

A. All of them.

The first condition will usually limit the length of time that the permission is valid; if work is not started within this time the permission will lapse.

Before starting work on site you must comply with all conditions that specify 'prior to commencement details are to be submitted...' or are similarly worded. These are known as "pre-conditions".

Q. How do I discharge the conditions?

A. A request for the Discharge of Conditions, or confirmation that conditions have been discharged, can be made in any written form which is clear and legible. This includes letter, email or an application form. You can use a form available from the Planning Portal, or you can use the Planning Portal for online submission of the application.

You should ensure that the information submitted is comprehensive and meets the requirements of the condition. You should complete the form fully and submit it with the appropriate fee to Leicester City Council. For further details please the Planning Portal provides a Help file.

Q. What if the details are inadequate?

A. The City Council will reject submissions for condition compliance where the details are inadequate. Therefore you should read the condition and reason carefully and in full prior to the submission. If you are unclear about what is required or if the details would be likely to be acceptable, please seek advice from your Agent or contact the case officer that dealt with your application for an informal opinion.
Q. How long does it take for the condition to be discharged?

A. Article 30 of the Town and Country Planning (Development Management Procedure) Order 2010 provides that the local planning authority shall give notice to the applicant of its decision on the application for discharge of planning condition within a period of eight weeks from the date when the authority received the application, or any longer period agreed in writing by the applicant and the authority. In most cases the City Council will endeavour to respond within 21 days for simple approvals. However, if the case officer needs to consult with another service of the Council or external agencies such as the Highway Authority or Environment Agency, the application will normally be dealt with within 56 days (8 weeks).

If you commence the development, without having received any written approval, you do so at your own risk and it could result in enforcement action.

Q. When should I submit the information?

A. You should not leave the discharge of conditions until the last moment. You should allow adequate time for the Council to respond to your request to discharge conditions, as the Council may need to seek specialist advice.

Q. How do I vary an approved scheme?

A. Discharge of condition does not grant consent to vary the original approved drawings. It is more likely you would need to submit a formal planning application for the revised scheme. You may contact the case officer and submit revised drawing/s for an informal opinion.

Q. Where will I get advice on what to submit?
A. The Council can only offer general advice and cannot be regarded as a free consultancy service funded at public expense. You are urged to seek advice from your agent or other specialist where appropriate.

Q. I have already submitted the details to the relevant body (e.g. Environment Agency, Highway Authority) do I still need to submit the application to planners?

A. Because the conditions require the details to be agreed with the City Council as local planning authority, conditions can only be discharged by City Council (Planning Management & Delivery Group).

You may have to submit details relating to the construction of development to other bodies such as the Building Control Service, Highway Authority, Environment Agency, Severn Trent Water and these details may be the same or similar to details required to comply with a planning condition, for example drainage details. You will still need to submit such details to the Planning Management & Delivery Group in addition to the other bodies. The condition is not considered discharged until you receive notification from us.

Q. What happens if I do not comply?

A. Failure to discharge conditions correctly can invalidate a planning permission rendering the site without benefit of consent. It could lead to formal enforcement action by the City Council. Failure to comply with conditions can lead to the service of a Breach of Condition Notice (BCN) with a maximum fine of £1000 and against which there is no appeal.

Q. How much does an application for discharge of condition/s cost?
A. There is a standard charge of £25 for discharge of planning condition/s attached to planning permission for house extension/s or any other works within the curtilage of a house, and £85 for all other developments, per request.

Q. Are there any exceptions to charges?

A. No fee will be payable where an application for discharge of condition/s relates to:
- Listed Building Consent
- A planning permission, which was required due to an Article 4 direction or removal of ‘permitted developments rights’.

Q. If I have more than one condition to discharge, will I have to pay a fee for each condition?

A. No, a fee is charged for each “request”. Therefore if you apply for discharge of all your conditions at once, you will only be charged one fee. However, if you send in details for each condition separately, these will be counted as separate “requests” and you will have to pay further fees.

Q. What do the charges apply to?

A. The charges apply to all requests for approval of details to discharge conditions attached to planning permissions and requests for confirmation that conditions have been complied with, regardless of when permission was granted.

Q. How do I make a request for confirmation of compliance with conditions?

A. Requests for confirmation of compliance with conditions should be made in writing to Planning Management and Delivery Group. The appropriate fee must be provided with the request.
Q. What happens if I don’t provide the fee?

A. The Council will write to you to advise you that a fee is required. If it is not received, no response will be provided.

Q. Will I be charged again if you do not approve details submitted for discharge of conditions and I submit revisions or further information?

A. No, where exchange of information / correspondence is on-going a further fee will not be required. However, once the City Council has made a decision on your application a revised request will need a fee and a decision has to be made within 8 weeks.

Q. Will I be charged again for discharge of a part of the condition where details were not submitted before?

A. Yes, because the fee is charged for each “request”, you are advised to submit all details at the same time to save time and fee.

Q. Will I be charged again if I want to revise details already approved for discharge of conditions?

A. Yes, you will be charged again. There is no “free go” or discount.

Q. Why are you introducing charging?

A. Charging for handling written requests has been made mandatory by the Government and will achieve the following customer benefits:-

- Guaranteed response within 12 weeks, or your money back.
- Written response that can be used in Home Information Packs (HIPs) or to satisfy purchaser’s solicitors.
- Enable us to dedicate more officer time to each request.
Enable us to keep a record of approved details so that if we receive any queries from your neighbours when you start work we can advise them what is happening and help to avoid neighbour disputes.

Q. Who sets the fee?

A. The fees have been set nationally by the Government.

**Applications and further information**

Applications for discharge of planning conditions or confirmation of compliance with planning conditions should be sent to:

Planning
2nd Floor Halford Wing
City Hall
115 Charles Street
Leicester
LE1 1FZ

Telephone 0116 454 1000
Email: planning@leicester.gov.uk
Appeals against planning decisions

Who can appeal?

Appealing against a planning decision

Only the person(s) who made the planning application can appeal. If you as Applicant are not happy with the Council’s decision, you can appeal to the Planning Inspectorate. You can appeal:

- Against a planning refusal.
- Against conditions applied to a planning consent.
- Against "non-determination": if the council has not determined your application within the statutory period (details of this period are in the acknowledgement letter to your application).

Details of how to appeal, including the time within which you can lodge your appeal, are given in the Notes on the planning decision notice, or in the acknowledgement letter. Also see our page: How to lodge an appeal.

Before making an appeal

The Applicant should think of an appeal as a last resort. Consider talking things over with the planning officer to overcome any problems. Contact our Planning service for details. We advise that you talk to a reputable agent about the likely costs and your chances of success before you appeal.

How to lodge an appeal

The Notes issued with the Decision Notice, and the Acknowledgement Letter to the application, give details on how to obtain appeal forms from the Planning Inspectorate. The Inspectorate now encourage most types of appeal to be submitted on-line. Details are on the Planning Portal web site. The Planning Inspectorate can also send you paper forms if you contact them. Their address is:

The Planning Inspectorate
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
Telephone: (0117) 372 6372
The appeal process

The appeals system gives you as the Applicant the chance to have your proposal looked at again by someone independent. This is done by a Government Inspector. The Planning Inspectorate is independent from the City Council but is aware of the Council's planning policies. It will not allow your appeal (overturn the Council's decision) if it believes that the Council’s decision was correct.

Appeals can be made in four different ways:

For the most complicated applications a Public Inquiry can be held at which you and your agent need to attend, usually with legal representation.

An Informal Hearing is quicker than a Public Inquiry and is more relaxed, normally being an open discussion led by the Inspector.

Most appeals are dealt with by an exchange of Written Representations where you and the City Council submit your case in writing to the Inspectorate who then makes a decision after visiting the site.

Appeals against refusal of planning permission for 'Householder' development (for instance, house extensions) are dealt with through the Householder Appeal Process. This is a speedier process than the other forms of appeal; however you only have twelve weeks after the decision in which to make the appeal instead of the usual six months.

Please remember that decisions can take many months and even longer after a Public Inquiry. There is no charge for the appeal itself, but you will have to pay your own costs including others such as your agents. Written representations are the cheapest way of dealing with an appeal. A hearing and especially an inquiry will be much more expensive.

Another important point to note is that those involved in the appeal may apply for costs due to the 'unreasonable behaviour' of the other party. Check this with your agent.
You can withdraw your appeal at any stage by writing to the Inspectorate before it sends out the decision, but you could still be made to pay the costs of other people involved in the appeal.

**Householder Appeals**

Most **Householder appeals** (that is, those concerned with alterations and extensions to dwellinghouses) will now follow the Planning Inspectorate's **Householder Appeal Process**. The scheme allows you as Applicant to submit an appeal to the Planning Inspectorate electronically, with simpler documentation. The Inspectorate will deal with the appeal electronically so they can make a decision more quickly.

A detailed guide to the Householder Appeals procedure, and a link to the on-line Appeal Form, can be found on the **Planning Portal web site**.

For more information or guidance, please contact [planning@leicester.gov.uk](mailto:planning@leicester.gov.uk) or phone 0116 454 1000

**Appeals Information**

All planning and enforcement appeals in Leicester are included in our on-line Planning Database.

**Appeals database** : Search our comprehensive [database](#) for details of appeals against planning decisions in Leicester. The database also contains details of planning applications and enforcement cases.

You can search for planning appeals **nationally** from the **Planning Portal web site**.