

DO I NEED PLANNING PERMISSION?

Not all development requires planning permission. Traditionally advice has been given by planning staff over the telephone or by letter confirming whether or not planning permission is required. However, this service is now being over-stretched by a change brought about by the Mortgage Lenders guidelines for Solicitors. These guidelines recommend that any development should have written confirmation that planning permission, if needed, was obtained or if planning was not required, that this also should be confirmed. Each request requires a thorough research into the planning history of the site and more often than not, more information than is submitted to us. In any event we would only confirm up to a point that planning was not required as no site visits are carried out to verify information given, which can lead to problems, particularly when the property is being sold.

Accordingly, to give this work the same priority as a fee paying planning application, the Government has established a process called a Certificate of Lawfulness. This procedure follows a similar route to a full planning application, although in the case of proposed works the application is not advertised and there is no consultation with neighbouring properties. In the case where the development has already taken place, this is advertised and consultation with neighbouring properties is carried out.

The fee for proposed works is half the current planning application fee at that time, but a full fee is required for existing development. Application forms are available for completion in both cases and the following plans are required, drawn to a recognised metric scale:

Two copies of:

Location Plan	Showing the application property and two named streets. This aids finding the property on site, drawn to a scale of (1:2500 or 1:1250)
Site Plan	Plan showing the immediate neighbours (1:1500)

Block or Layout Plan	Showing the siting of the proposed development in relation to the main house and all other existing sheds, greenhouses etc drawn at a scale of 1:200
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Elevations	Showing all sides of the proposed/existing development 1:50 and existing elevations (which may be shown using photographs)
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For simplicity these can be drawn on the same plan. A good example can be seen overleaf (please note that the scales depicted are not correct owing to the photocopy reduction that has taken place).

Please incorporate all existing development as stated above, including greenhouses, extensions, garages and the original dwelling.

In the event that the development is determined as not lawful, this would necessitate the submission of a formal planning application in order to regularise the matter. The initial fee paid for the Certificate of Lawfulness would be offset from the cost of a planning application in the case of proposed works.

The main benefit of ensuring that you have either a Certificate of Lawfulness or Planning Permission should that be required, is when ownership of the property is transferred to another party there are no unnecessary delays in respect of planning matters, which appear to be the case at the present time.

Whether planning permission is required or not, it will be necessary for you to contact the Building Control Section at this office in order to obtain any approval which may be required under the Building Regulations.

For any further information please contact:

Planning Services, Development Control Section, Seaclose Offices, Fairlee Road, NEWPORT, Isle of Wight, PO30 2QS

☎: 01983 823552
E-mail: development@iow.gov.uk
Website: www.iwight.com/living_here/planning

DEVELOPMENT CONTROL

ADVISORY NOTE DC2

CERTIFICATE of LAWFULNESS



PLANNING SERVICES

EXAMPLE OF PLANS FOR EXTENSIONS OR CONSERVATORIES



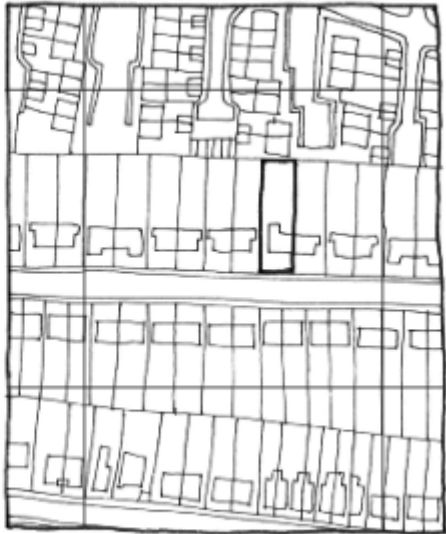
EXISTING REAR ELEVATION



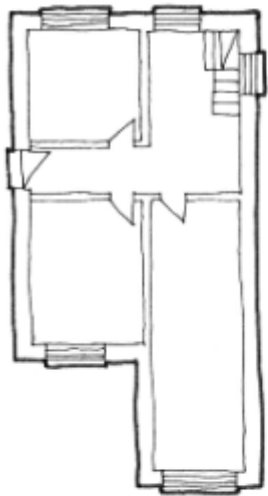
PROPOSED REAR ELEVATION



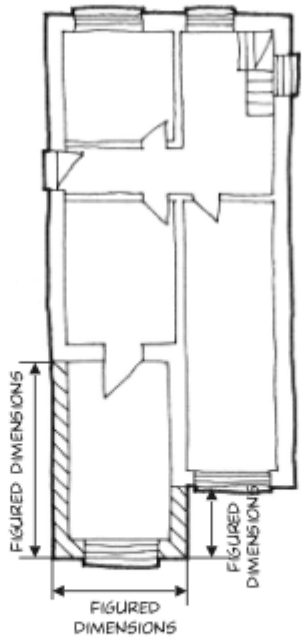
PROPOSED SIDE ELEVATION



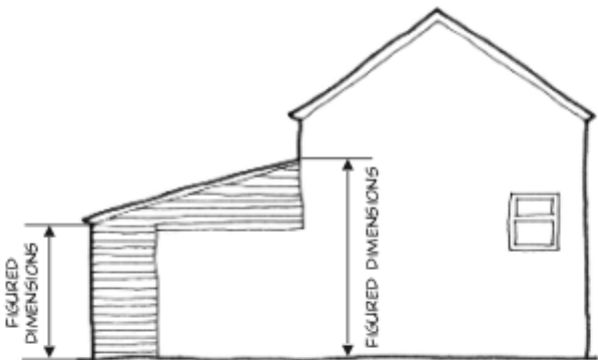
1:2500 SITE PLAN



EXISTING GROUND FLOOR PLAN



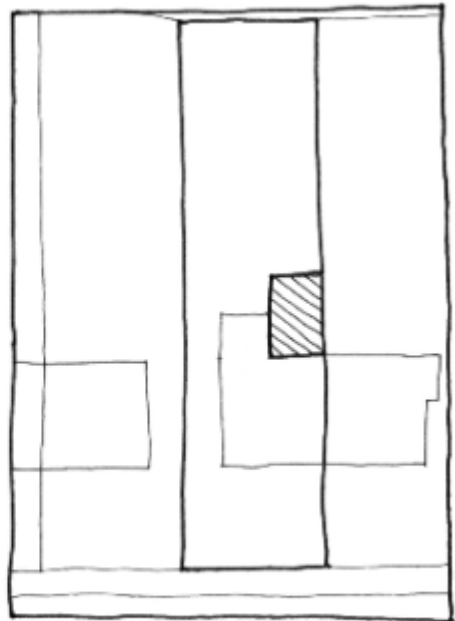
PROPOSED GROUND FLOOR PLAN



PROPOSED SIDE ELEVATION

MATERIALS MUST BE ADEQUATELY DESCRIBED, EG. ROOF: TILES TO MATCH EXISTING ELEVATIONS; BRICKS TO MATCH EXISTING WINDOWS: PAINTED SOFT WOOD

OUTLINE THE PROPERTY IN RED ON EACH SITE PLAN. SHADE THE PROPOSED BUILDING WORK IN RED ON THE 1:500 SITE PLAN



1:500 SITE PLAN

SCALE 1:100