

Application For Householder Development

Guidance Notes

Town and Country Planning (Scotland) Acts and Subordinate Legislation

The Householder Planning Application Form allows householders to apply for consent to alter their dwelling, build a garage, alter or form an access etc. This form is to be submitted as part of your proposal. These guidance notes provide clarification and further information to help you complete the form and submit your application.

When To Use This Form

1. The householder form should be used for proposals from house owners or tenants to alter or enlarge their dwellings, or for the erection of buildings within the curtilage of a dwellinghouse. It should not be used for change of use or for a new dwellinghouse. Our standard application form for Planning Permission should be used for non-householder proposals and for any applications for planning permission in principle.
2. The following are common examples of when you may need to apply for planning permission using this form:
 - For external additions or extensions to a flat or maisonette including those converted from houses. (N.B. You do not need planning permission to carry out internal alterations or work which does not affect the external appearance of the building, unless that building is a Listed Building).
 - For making material alterations to the exterior, such as enlarging windows.
 - To build decking, a garden shed or a greenhouse.
 - To erect a garage for domestic use.
 - Formation of a vehicular access.
 - To install some forms of solar panel, rooflights or dormer windows.
 - To erect a windmill for domestic use.
 - Where any work you want to do to walls and fences might obstruct the view of road users.

Permitted Development Rights and Pre-application Guidance

3. Before you go to the trouble of submitting an application you should check if planning permission is required. There is a basic guide on our website (<http://www.falkirk.gov.uk>), but with changes to the rules on permitted development scheduled for introduction within the next year, it is always best to check with a planning officer. We have a Duty Officer available during normal office hours on 01324 504748.
4. If you live in a house, you can make certain types of minor changes to your home without needing to apply for planning permission. These rights are called "permitted development rights". You may make alterations to your house, put up a fence or a wall, or paint the walls of your house under permitted development rights.
5. If you live in a flat, your rights are more restricted. In some areas of towns or countryside permitted development rights are also restricted. For instance, if you live in a Conservation Area you will need to apply for planning permission for certain types of minor works which do not need an application in other areas. There are also different requirements if your house is a listed building. You may need to submit an application for Listed Building Consent as well as an application for planning permission. In some new housing areas, permitted development rights have been restricted by planning conditions.
6. Often in sensitive areas the planning authority has removed some of your permitted development rights through an "Article 4 Direction". This will mean that you have to submit a planning application for work which normally does not need one. Article 4 directions are most common in conservation areas. You will probably know if your property is affected by such a direction, but you can check with us if you are not sure.

7. It is often helpful to discuss your proposal as early in the process as possible, perhaps even before having plans drawn up. We welcome the opportunity to offer pre-application advice as this can often lead to better design and positive outcomes for both you and the wider community. Our Duty Officer can offer basic advice, but site specific proposals should be discussed with an officer from the appropriate area team who will have a more in-depth knowledge of the site, surrounding area and perhaps other local factors.

Plans and Information Required

8. You will need to submit a location plan. It is recommended that this is at a scale of 1:1250 or 1:2500 (or larger), showing at least two named roads and surrounding buildings. The properties shown should be numbered or named to ensure that the exact location of the application site is clear. It would greatly assist us in the validation and processing of your application if you could provide a checkable list of neighbours and a plan showing the location of owners/occupiers of neighbouring land. Recent changes to planning legislation mean that if there are no buildings on neighbouring land to which a notice can be sent, we have to place a notice in the local press intimating that an application has been submitted. We then cannot determine the application until the cost of placing the notice has been met by the applicant. With your assistance, we may be able to help you avoid this additional cost.
9. The application site must be edged clearly with a red line. It should include all land necessary to carry out the proposed development - for example, land required for access to the site from a public road, visibility splays, landscaping, car parking and open areas around buildings.
10. A blue line must be drawn around any other land owned by the applicant, close to or adjoining the application site.
11. In addition, you must provide adequate drawings to illustrate clearly the nature of your proposals. The following are suggested.
 - Existing and proposed elevations where changes are to be introduced such as new windows.
 - Existing and Proposed floor plans - showing new floor areas in relation to existing.
 - Cross sections - showing existing and proposed ground levels.
 - Block plan - showing the position of the proposals in relation to the existing house, outbuildings, trees and the whole garden. This is required for garages, garden sheds and house extensions. You may also show site levels on this plan.
 - Roof plan - showing the position of dormers and rooflights, or how extensions will fit in with the existing house.
12. The submission of photographs and photomontages may also be helpful, but these cannot be a substitute for annotated drawings with clear dimensions. However if you are applying for minor alterations (e.g. to change windows) a photo may be acceptable. Where you are providing details of alterations to an existing building, you should show all new work in colour so that it is clear to the planning authority exactly what your proposals are.
13. All plans should be to a recognised metric scale (i.e. 1:50, 1:100, 1:500) and any numeric dimensions given in metres. Each plan should include a scale bar and should identify the paper size the plan is printed on (e.g. A0, A1, A2,..)
14. Additional information or a full explanation and justification for your proposals is welcome. This should be provided in either a Design Statement, a Supporting Statement or, in exceptional cases, both. Such statements should clearly explain the design objectives which the proposals seek to address and can help us to better understand the design which is being presented.

Unless clearly marked as “Confidential, not for Public View”, all material submitted in support of an application will be made available for public inspection both in the planning register and in our online planning pages.

15. Your proposals may have an impact on wildlife. For instance, your proposals may affect trees on your site and in some cases a tree survey may be needed. A significant number of householder applications can affect bats. Discovering this after the application is submitted can lead to lengthy delays. Bats and their resting places are protected by law and it is an offence to damage or destroy them. If you think your proposed works could affect a bat roost you should speak to a

planning officer and find out what information you need to provide with your application. You may need a licence from Scottish Natural Heritage to carry out a survey or obtain a development licence from the Scottish Government.

Certificate of Ownership

16. Within the form you must complete the appropriate Certificate of Ownership. The procedures for making a planning application apply equally to owners, tenants and lessees of houses, flats and maisonettes. You may apply for permission if you are not the owner, but you are required to serve a notice on the owner. In completing this question you must take care that you are providing accurate information. You must also ensure that where you need to serve a notice on an owner that this is carried out in accordance with the legal requirements.
17. Recorded Delivery is the preferred method of sending out notices since the receipt provides proof of delivery in the event of a dispute. First class post or hand delivery is also acceptable.

What does the Planning Authority take into account in making a decision?

18. The Council must make an assessment of your proposals in relation to relevant planning policies and guidelines. We may grant planning permission - either with or without conditions attached - or if it is considered that the proposals are unacceptable we may refuse consent. In either case we must provide reasons for the refusal or imposition of conditions.
19. You should check the planning policies which are relevant to your proposals on our website (<http://www.falkirk.gov.uk>). You may also wish to discuss your proposal before you submit your application by seeking pre-application advice. We welcome the opportunity to discuss proposals prior to an application being made. The Development Management Duty Officer can give general advice on the making of an application, but where a proposal is site specific, it is best to make an appointment to see a planning officer from the appropriate area team.

In all cases, initial contact should be made through the Duty Officer by calling 01324 504748.

Notices Required in Some Cases after the Grant of Planning Permission

20. Notices of Initiation and Completion of Development are a new requirement for all proposals receiving planning permission under the Development Management Regulations. These have been introduced in order that Councils are made aware that development is underway and in due course completed. The Council will refer to these requirements in conditions in order that the statutory requirements can themselves be enforced.

Templates for use by applicants will be issued with all planning approvals, and these will be made available online.

What happens if Consent is Refused or if the Conditions of the Consent are to be Contested?

21. If an applicant is aggrieved by the decision on an application, or wishes to contest any or all conditions attached to a planning permission, the right of appeal is available. Recently introduced Regulations determine how such an appeal is heard. In the case of "local" applications or applications determined under the Council's approved Scheme of Delegation, appeals are made to the Planning Review Committee.
22. On applications which are determined outwith the scheme of delegation, or which are determined either by Full Council or the Planning Committee, the appeal will be made to the Scottish Ministers.

The changes to the planning appeal system include the removal of the automatic right to appear before and be heard by a person appointed by Scottish Ministers; a restriction on the introduction of new material in the appeal process; and confirmation that it will not be possible to vary a proposal once an appeal has been made.