

Appendix D: Draft version of “Local Validation Guidance – Chapter 2: Householder Prior Notification Applications”

Key

Blue highlight = hyperlink to be inserted to link to relevant page/section in the Local Validation List (Appendix B)

Yellow highlight = hyperlink to be inserted to link to the relevant page in another chapter/section of the Local Validation Guidance (Appendices C to R)

Pink highlight = hyperlink to be inserted to the webpage on which the List and Guidance documents will be published

Green highlight = hyperlink to be inserted to link to the Index document which is to be published alongside the List and Guidance Documents (Appendix S)

Chapter 2: Householder Prior Notification Applications

Introduction

There are currently two types of extension that can be put forward under the Householder Prior Notification Process, the first relates to larger [householder rear extensions](#) and the other relates to [upwards extensions](#).

Prior to the submission of an application for a larger householder rear extension, it is recommended applicants and/or their agents check if the proposals would meet the requirements of Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), and if the property benefits from those 'Permitted Development Rights' or if they were removed by a condition on an earlier planning permission or an Article (4) direction.

Prior to the submission of an application for an upwards extension, it is recommended applicants or their agents check if the proposals would meet the requirements of Class AA of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), and if the property benefits from those 'Permitted Development Rights' or if they were removed by a condition on an earlier planning permission or an Article (4) direction.

For confirmation as to whether these 'Permitted Development Rights' exist on the property and/or if the proposal complies with the requirements of Class A or Class AA of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), there is the option to submit a ['Pre-application enquiry'](#) prior to submitting the Prior Notification application.

For these types of application, the Local Planning Authority cannot insist upon any plans or document over and above those required in Classes A and AA of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), which are listed below with additional guidance and recommendations to assist those submitting such applications.

For guidance on the submission requirements for other types of Prior Notification Applications please refer to that section of the [Local Validation Guidance](#).

Personal or Sensitive Data

Please note all Planning and Planning related applications (including Prior Notification Applications) are held in the public domain. The majority of plans and other documents submitted with an application, and any consultee responses received during the consultation process are required under The Town and Country Planning Act 1990 (as amended) to be held in a Public Register, which in the case of East Suffolk is held electronically and can be accessed by anyone via the [Public Access](#) pages of our website.

Therefore, please bear in mind that anything you submit is likely to be published online. We do redact certain personal details such as personal contact phone numbers and email addresses, but if you are making statements of a personal nature revealing certain personal details such as the reasoning behind a proposal for an extension being linked to a disabled member of the family, they will not necessarily be redacted from the application description (see [below](#)) and whilst in accordance with our [Privacy Statement](#) we will seek to redact such references from separate reports/documents it is useful if you can highlight this at the submission stage.

In terms of those commenting on applications, as explained in our [Privacy Statement](#), we publish the postal addresses of those making representations. These are required to enable those reading them to understand and applicants/agents to potentially seek to overcome any objections or concerns raised. For example, if the neighbour objects on the basis that an extension would result in a loss of light to their living room, the reader needs to know which property is concerned about light loss to see if it is something that can be overcome by amending the scheme by say moving the extension away from the boundary with that property.

Application descriptions

Whichever form of Householder Prior Notification is being applied for the description should avoid being too long, but long enough to include sufficient detail to be clear on what is being applied for and should avoid including any personal information.

For example, a description in the following form would be too brief as it is unclear where on the property the extension is proposed or that it is seeking householder prior approval:

“Erection of extensions”

A description in the following form would also be inappropriate as it is far longer than is needed. It also refers to internal works that do not require consent or form part of the application, and includes personal reasoning for proposals, which in most cases cannot be considered in the determination of the application (see [personal information section above](#)):

“Householder Prior Approval for the erection of single-storey rear extension which would be 3m wide by 5m deep with pitched roof with 6 rooflights and a gabled roof. The extension will be finished in pink render with an artificial slate roof.”

The extensions are proposed to create a utility room, and an enlarged living room with new internal doorways on the ground floor and removal of internal walls.

These are required due to a growing family, with a disabled child and to modernise the property.”

A more appropriate form of description would be along the lines of:

“Householder Prior Approval for the erection of single-storey rear extension”

Or

“Householder Prior Approval for an upwards extension to provide an additional storey”

Application types

Larger Rear Extensions - The national requirements

Paragraph A.4 of Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) requires Householder Prior Notification Applications for Larger home extensions to include the following:

- a) A written description of the proposal including –
 - i. How far the enlarged part of the dwellinghouse extends beyond the rear wall of the ‘original dwellinghouse’;
 - ii. The maximum height of the enlarged part of the dwellinghouse; and
 - iii. The height of the eaves of the enlarged part of the dwellinghouse’
- b) A plan indicating the site and showing the proposed development;
- c) The addresses of any adjoining premises;
- d) The developer’s contact address; and
- e) The developer’s email address if the developer is content to receive communication electronically.

Guidance

Note – ‘Original dwellinghouse’ means as originally constructed. In the case of homes constructed since 1 July 1948 that is as built by the developer prior to first occupation (i.e. excluding any previous extensions even if they did not require planning permission). In the case of homes constructed prior to 1 July 1948, it means as the building existed on that date excluding any extensions constructed since that date, even if those extensions did not require planning permission.

The application form which can be downloaded from or submitted via the Planning Portal includes questions that cover a), c) d) and e) of the above, so the only additional document would be b) a plan indicating the site and showing the proposed development.

Whilst this could be in the form of a **block plan** showing the position of the extension in relation to the original dwellinghouse, it would be beneficial if you could also include at least one **elevational drawing** showing:

- the heights of the proposed eaves,
- the overall maximum height of the extension,
- the height of the existing eaves on the dwellinghouse,
and
- with the existing and proposed materials labelled.

This additional plan(s) with these details is recommended in order to enable the Local Planning Authority to fully understand your proposals because in order for such applications to be granted the extension has to comply with all the criteria relating to size and external materials, and where we have insufficient information to enable the authority to establish whether the proposal complies with these criteria it can refuse the application.

Please note:

- **submitted plans must be drawn to scale, and a photograph of a plan is not acceptable, as the process results in the photograph showing an image which is not at the same scale as that stated in the image. All plans must therefore be either drawn to scale electronically or drawn by hand and if being submitted electronically then scanned to scale, not photographed. Therefore, if photographs are submitted of plans (e.g. *.jpg *.png *.gif) they will not be accepted as valid plans, and the application will be invalid until 'to scale' drawings are submitted.**
- **It is the applicant's responsibility to ensure that all submitted plans/drawings are drawn accurately, including in terms of how any surrounding buildings and trees are presented in relation to the application site and the proposals. They must be sure that development could proceed fully in accordance with the drawings/plans that are submitted. Inaccurate representation of the size or position of neighbouring buildings and/or buildings within the application site and/or the proposals could invalidate any consent. It is therefore recommended that all plans are drawn based upon measured surveys or in the event that an Ordnance Survey plan is used, that they are checked on the ground by the applicant/their agent for accuracy prior to submission.**
- **Although not a validation requirement, it is recommended that existing and proposed drawings/plans of the same type are drawn to the same scale as one another, in the interests of clarity and ensuring that it is as easy as possible to understand what the proposed changes are.**

Upwards Extensions - The national requirements

Class AA of Part 1 of Schedule 2 of the Town and Country Planning General Development Procedure Order (2015) (As amended), allows for certain upwards extensions to existing dwellinghouses constructed between 1 July 1948 and 28 October 2018, which are outside article 2(3) land (Suffolk & Essex Coast & Heaths National Landscape (formerly the AONB), Conservation Areas, National Parks (including the Broads) and World Heritage Sites) and are not within Sites of Special Scientific Interest, where a number of criteria are met and subject to the developer applying to the Local Planning Authority for Prior Approval, prior to any works commencing.

Paragraph AA 1 (3) (b) of Class AA of Part 1 of Schedule 2 of the Town and Country Planning General Development Procedure Order (2015) (As amended), states that *“before beginning the development, the developer must provide the local planning authority with a report for the management of the construction of the development, which sets out the proposed development hours of operation and how any adverse impact of noise, dust, vibration and traffic on adjoining owners or occupiers will be mitigated;”*. Therefore, if/once Prior Approval is granted through the Prior Notification process, the developer would still need to supply this report before they can proceed.

The requirements of Paragraph AA 1 (3) (c) of Class AA of Part 1 of Schedule 2 of the Town and Country Planning General Development Procedure Order (2015) (As amended) should also be noted, as they require the development to be ‘completed’ within 3 years from the date on which approval is granted (not 3 years for commencement, as per a normal planning permission).

Paragraphs AA.3. (1) of Class AA of Part 1 of Schedule 2 of the Town and Country Planning General Development Procedure Order (2015) (As amended), sets out the requirements for what has to be submitted for such applications in order for them to be valid submissions. The following are currently a requirement of that section of the regulations:

- “a) a written description of the proposed development, including details of any works proposed;
- (b) a plan which is drawn to an identified scale and shows the direction of North, indicating the site and showing the proposed development; and
- (c) a plan which is drawn to an identified scale and shows—

- (i) the existing and proposed elevations of the dwellinghouse, and
- (ii) the position and dimensions of the proposed windows.

Together with any fee required to be paid.”

Guidance

Guidance on what is expected on **Block Plans** and **elevational plans** is not provided in the above regulations but is provided at a local level.

Whilst the above is the minimal level of information required to be submitted in order for the application to be ‘valid’ and the process commenced, applicants/developers should bear in mind that the Regulations allow the Local Planning Authority to refuse an application where in its opinion the proposed development does not comply with, or the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with any conditions, limitations or restrictions specified in paragraphs AA. 1 and AA.2 of the Regulations. Therefore, it may be in an applicant’s/developer’s interest to provide additional information over and above those listed above, in order to demonstrate how the scheme would meet the criteria of the regulations. This may include:

- photographs of the existing external materials of the building along with a schedule of proposed materials and/or annotation of precise materials on the **elevational drawings** (including manufacturer, colour, finish and material)
- and
- a **cross section(s)** to demonstrate proposed floor to ceiling heights.

Please note:

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