

Planning and Building Control



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Planning applications

We consider applications from property owners and developers who want to:

- Build new structures
- Make alterations to existing buildings
- Change the use of land and buildings
- Carry out engineering operations or erect signs and advertising
- Undertake work to protected trees or listed structures

We make sure that new development is considered against the Councils planning policies and seek the views of neighbours and others who may be affected by proposals.

Do I need planning permission?

Planning permission may be needed before you build a new building or other structure, or if you want to make alterations to an existing structure.

You may also need planning permission if you change the way a building or land is used, for example, to use a residential dwelling for business.

How do I make a planning application?

You can submit an application online at www.northern-derbyshire.gov.uk or you can download the forms and send them, along with the items listed below, plus the correct fee through the post to **North East Derbyshire District Council, District Council Offices, 2013 Mill Lane, Wingerworth, Chesterfield, S42 6NG.**

To request copies of the forms by post, please contact us on the number below.

There are three main types of planning application:

Outline applications

This allows you to seek permission in principle to undertake development, without having to submit detailed drawings.

Full applications

If you want to erect building /structures or change the use of land or buildings you will need to make a full application. With this we will need all the details of the development as set out below.

Reserved matters applications

Once outline planning permission has been granted, you then need to give us more detailed information.

What we need:

In making your application we are likely to require from you the following (this is the basic level of information, for more complex applications you are advised to contact us to clarify the requirements).

- A location plan
- A site layout plan

- Drawings (these will not normally be needed in the case of outline applications)
- Design and Access statement

If you would like help, please contact us via email or on the number below.

I've submitted my planning application, what happens next?

We aim to 'determine' or decide on applications within eight weeks of validating them. In the case of major developments, we have 13 weeks to make a decision.

We will publicise the application in accordance with our Statement of Community Involvement. This means we place a notice on or close to the site advertising the fact we have received the application and we will also contact the people who live or occupy business premises next to the site, the local parish council and any other consultees who we feel may wish to comment on the application.

One of our officers will then visit the site to assess your proposal.

How are planning applications considered?

After we've received comments from interested parties we will make a decision on the application.

Most applications are determined by council officers (under what are known as delegated powers). The rest are determined by the Planning Committee. People who have commented on applications will be offered the chance to speak at this meeting if the application is determined by Planning Committee.

What happens after a decision has been made?

We will issue a decision notice saying whether permission has been granted or refused.

We often grant planning permission subject to certain conditions, and a development may not go ahead until after these conditions are 'discharged' or dealt with. There is a charge for dealing with or approving these conditions - please see the website for more information.

Can I appeal against a decision?

If your application has been refused or has been approved subject to conditions with which you disagree, you can appeal against this decision to the Planning Inspectorate. You will need to submit a form and other information, including plans of what you want to do.

How can I view an application and make comments?

Anyone can view or comment on a submitted planning application - you can do this online at www.ne-derbyshire.gov.uk or contact us on the number below to arrange to view the application at our offices. Comments can be submitted via the website, via email on developmentcontrol@ne-derbyshire.gov.uk or in a letter.

Contact us

For more information contact our Planning Team on **(01246) 217159** or visit the website at www.ne-derbyshire.gov.uk

Planning enforcement

Building or other development work which is carried out without planning permission - or that does not comply with any planning permission that has been granted - is known as 'unauthorised development.'

This can cover a range of things, from new buildings and engineering works to unauthorised advertisements or tree felling.

How do I report an unauthorised development?

If you think someone has or is carrying out development which may not have valid planning permission, you can submit a complaint online at www.norfolk.gov.uk, via email to: enforcement@norfolk.gov.uk or in a letter.

If I make a complaint, what information do I need to submit?

We will ask you to put your complaint in writing, giving us your name, address and contact number. If you do not want your details to be disclosed to other parties, please let us know.

Please provide a clear statement of what you think is wrong and provide evidence if possible, for example, records of activity. Where possible, we will ask you to help us reach a solution with other affected parties.

How will my complaint be investigated?

We will seek to carry out an initial investigation within 10 working days of receiving your complaint. We will then let you know of the action we intend to take. The most common outcomes are:

No further action

This will happen if we find there is no breach of planning permission or if we determine that further action is not justified. If this is the case we will contact you and explain why.

The submission of a retrospective application

If an application for planning permission for the unauthorised development is submitted after our investigation, we will consult you on this

Negotiating a solution between affected parties

Sometimes there is no breach of planning permission, but other issues need to be addressed. In such cases we will pass the complaint onto the relevant authorities.

Formal enforcement action

We may ask you if you are willing to provide evidence in writing, or by acting as a witness at a planning appeal or court hearing.

Please note that some cases may take many months to resolve. We will keep you informed of likely timescales.

Someone has made a complaint against my development. What happens now?

If we receive a complaint about your development we ask that you work with us to resolve the problem where possible.

We will visit the site as part of our initial investigation, and ask for your full co-operation. Following this we will discuss our findings with you, and listen to your views on the complaint which has been made.

You may be asked to supply us with information as part of our investigation and we will ask that you do this within a specified time.

What happens after the initial investigation?

If no breach of planning permission is found, we will take no further action.

If we find that you have an unauthorised development, but that it may be acceptable, we will invite you to submit a retrospective planning application for formal consideration where we consider this to be appropriate.

As a last resort, we will take formal enforcement action. A planning enforcement notice will be issued and you will be asked to remove the structure, or stop using it, or stop using the land for the unauthorised use. There is a right of appeal against this notice but, should it be upheld, failure to comply with this is a criminal offence.

Contact us

For more information contact our Planning Team on **(01246) 217159** or visit the website at **www.ne-derbyshire.gov.uk**

Building Control

Building Regulations are rules that make sure all new construction, conversions, alterations and extensions meet building, health and safety standards.

These are enforced by our building control service, BCN Consultancy - a partnership between NE Derbyshire District, Chesterfield Borough and Bolsover District councils.

Do I need approval for my development?

If you want to make changes to the structure or use of a building you may need Building Regulations approval before you start work. This is in addition to any planning permission you may need for your proposed development.

To discuss your proposals, or for information, contact us on the numbers below or visit the website at www.bcnconsultancy.co.uk

How do I make an application?

There are different ways to make a Building Regulations application, depending on the scale and type of work you want to carry out:

Full Plans application

This application is suitable for both domestic and commercial developments. You must submit plans and details of your proposal together with an application form and fee.

The details are checked to make sure they comply with the regulations. Once the application is checked and found to be satisfactory it will be approved.

If not a letter we will notify you, and advise what amendments and or additional information is required to enable an approval to be issued.

Building Notice application

This method should only be used for work which is not complex and by people experienced in construction. It can only be used for domestic and not commercial work.

A Building Notice application must be submitted at least 48 hours before you start work. The notice will be checked for accuracy, type of work and correct information. If everything is satisfactory an acceptance letter will be sent.

Regularisation procedure

If you have already carried out building work without approval, in most cases you can make a Regularisation application and carry out the work required to comply with the regulations.

We will inspect the work and any necessary remedial measures as it progresses and issue a regularisation certificate once the works are satisfactorily completed.

Most applications carry a charge. Application forms, along with a list of fees, are available online at www.bcnconsultancy.co.uk or call us on the numbers below.

Dangerous structures

If you are concerned that a building or structure may be dangerous, please contact us on the numbers below during office hours.

Our building control officers do offer an emergency service and are on call 24 hours a day to give immediate attention to dangerous structures if required.

In emergencies - where there is serious risk of harm being caused to you or other people - contact us **(01246) 471574**. If an officer is unavailable you should call the emergency services on 999.

Contact us:

**BCN Consultancy
Town Hall
Rose Hill
Chesterfield
S40 1LP**

Tel: (01246) 345817 or 345905

Email: building.control@bcnconsultancy.co.uk

Listed buildings, conservation areas and tree preservation

Listed buildings are those of special architectural or historic interest, and have varying degrees of protection from development. There are 487 listed structures within North East Derbyshire.

Conservation areas are those of unique historic character or appearance, and again, can be protected from development which is seen as harmful to this character. There are 30 conservation areas in our district.

Through the planning process, we have a role in preserving and enhancing North East Derbyshire's historic built environment for both residents and visitors.

We provide advice and guidance to people who want to carry out work to listed buildings, as well as guidance on developments within conservation areas.

Do I need permission to carry out work on a listed building?

You may well need planning and /or listed building consent before you carry out alterations or other work, either internally or externally, on a listed property or within the area surrounding it.

What rules apply in conservation areas?

As a planning authority we must pay special attention to the character and appearance of our conservation areas when considering applications for planning permission.

Special planning controls exist in these areas and so we strongly advise you to discuss proposals with us before starting any work.

Do I need permission to fell or lop trees?

Many important trees are protected along with all the trees in a conservation area. You need to give us six weeks notice if you want to fell, lop or undertake other work on a tree in a conservation area.

You also need permission to carry out work to a tree that is protected by a Tree Preservation Order. You can contact us to find out if a tree is protected.

Contact us

For more information call us on **(01246) 217180** or visit the website at **www.ne-derbyshire.gov.uk**

Application forms can be downloaded or submitted online at: **www.ne-derbyshire.gov.uk**

Sustainable development

We are committed to sustainable development, and we continuously improve our services, policies and practices to contribute to a better quality of life for everyone - both now and for future generations. This is supported by many of our services and functions, including:

Environmental services

We protect the health and wellbeing of people, places and animals across North East Derbyshire through a range of functions including food hygiene inspections, infectious disease control, food poisoning investigations, animal welfare issues, licensing and pollution control.

We also support and promote environmental sustainability through a range of services and functions, e.g. minimising waste and increasing recycling rates in the district.

Street cleansing

We clean roads, footpaths, car parks and other public areas across the area to keep our district clean and healthy. We are responsible for:

- Removing of litter and detritus
- Sweeping roads and footpaths
- Removing fly-tipped waste
- Removing dead animals from the highway

- Cleansing highway surface water drainage gullies
- Emptying litter and dog waste bins

We are also responsible for the maintenance and care of the district's green environments including parks and recreation grounds, play areas, cemeteries and churchyards.

Planning service

Our planning policies are designed to make sure development is acceptable, and protect the best of the urban and rural environment from inappropriate development. It is against these policies, along with national guidance, which planning applications are considered.

Economic development

We play an important part in economic development and regeneration - designed to enhance the social, economic and environmental aspects of our communities.

Priorities include town centre regeneration, the development of major employment sites, business support, tourism and to support the rural economy.

Contact us

For more information contact our Planning Team via email on: developmentcontrol@ne-derbyshire.gov.uk