



YORKSHIRE DALES
National Park Authority

PLANNING ADVICE



The planning application process

Introduction

The planning process can sometimes appear to be quite complicated. It is important that you understand how the system works, so that you know what to expect and to help the process run as smoothly as possible. The purpose of this advice note is to help guide you through the different stages of making a planning application.

Pre-application advice

The Authority always encourages pre-application discussions for a number of reasons.

Some forms of development are exempt from the need to formally apply for planning permission. We can advise if this is the case and so save you time and effort in making unnecessary applications. The most common proposals that fit into this category are minor householder developments (eg. sheds, small extensions, conservatories, satellite dishes, solar panels, new/replacement windows). A separate advice note 'Do I need planning permission?' gives more information about these exemptions. We also have dedicated [enquiry forms](#) that you can fill in, which help to ensure that we have all the information we need to decide if you need to make an application.

If you do require planning permission, by discussing your proposal with us before making an application, we can offer suggestions for ways in which it can be improved. This will increase the likelihood of your proposal getting planning permission when you come to make an application, therefore saving you both time and money in the long run.

The Development Control Service is divided into two teams – one covering the southern (Craven) and one covering the northern (Richmondshire & South Lakeland) part of the National Park. Contact details are provided at the end of this advice note. Planning Officers are available to speak to over the phone, but please bear in mind that it may be difficult for them to offer advice without prior knowledge of a particular site or a clear idea of what it is you are proposing to do.

In order that we may give you the most constructive advice possible, you will need to have a good idea of what you want to do before approaching us. We will only be able to give very general advice if you do not have any firm proposal in mind. We normally encourage you to send details of your proposal either by e-mail or in the post, enclosing any relevant drawings, layouts, photographs or other information you feel may be relevant. We will then provide you with written response detailing our advice.

Alternatively you can make an appointment at one of our planning surgeries and speak to a Planning Officer face to face. Details of these surgeries can be found on our [website](#).

It may be necessary for a Planning Officer to visit the site in order to offer advice, in which case he/she will make the necessary arrangements.

All of our pre-application advice is offered free of charge. It is however offered as an informal service, and so any advice given represents a professional opinion only, and is not binding on any subsequent formal decision of the Authority.

Things to consider

In deciding whether a proposal should receive planning permission, the Authority has to weigh up a number of different factors. It is useful to think about some of these factors from the very outset of your proposal, so that you can try to anticipate where issues may arise. The following list is not exhaustive, but highlights some common issues that may occur.

- Planning Policy

Planning policy sets out the general principles that help guide development. The Yorkshire Dales Local Plan contains the policies that form the starting point from which we will assess any proposal in the National Park. It helps to ensure that we adopt a consistent approach to decision making on all proposals.

The Local Plan is organised into different chapters and policies according to different types of development. Each policy sets out the requirements that will need to be satisfied if planning permission is to be granted. Some of these requirements are quite clear cut, such as the list of towns and villages within which new housing will be allowed. Others are a matter of judgement, for example design.

Only very rarely where special circumstances apply will the Authority depart from the policies contained in the Local Plan. You can view the [Local Plan](#) through the Authority's website or on the [Planning Portal](#).

- Visual impact & design

National Park designation recognises the attractiveness of the area's landscapes, settlements and buildings. Some smaller areas of the National Park, together with individual buildings, are further protected as either Conservation Areas or Listed Buildings, in recognition of their special architectural and historic interest. The whole National Park is therefore sensitive to change. This does not mean that new development cannot be accommodated, but that it needs to be very carefully and sympathetically designed.

All development proposals need to take account of their surroundings and this should be the starting point for any design. This does not mean that we expect all new development to be hidden from view, or that it should try to replicate exactly what has gone before. It means thinking carefully about what impact a new development will have upon its surroundings and designing a proposal that can complement and be assimilated, rather than one that jars with and detracts from the characteristics of an area. This will involve considering what the prevailing orientation, proportions, scale, materials and architectural detailing of surrounding buildings are, and designing something that responds to this context. Appropriate hard and soft landscaping and boundary treatments will also have an important role to play.

Good building design will also include consideration of how energy efficiency can be maximised, how it will be accessed and used by people of different ages and abilities and how it will impact on neighbouring properties. It is often best to secure the services of a qualified architect, particularly for more complex and larger scale developments. A

list of architects who are accredited by the Royal Institute of British Architects would be a good starting point. The Authority has a Design Guide that provides more detailed advice on all of these matters.

While the National Park Authority is responsible for assessing the visual aspects of design, the District Councils are responsible for health and safety aspects of design through the Building Regulations (e.g. structural stability, fire escapes etc). Separate Building Regulations approval for many structures and uses will be required from the District Council. This usually takes place after obtaining planning consent.

- Access, Parking & Highway Safety

All new developments must be capable of being accessed safely, and have adequate parking capacity to serve users. While access by motorised vehicles will undoubtedly be a factor in the design of many developments, consideration should also be given to access by public transport, pedestrians and cyclists. The Authority will usually take advice from the relevant County Council Highways section in these respects and so it may be advisable to seek their advice before submitting an application;

- Impact on Neighbours

The Authority must consider the way in which neighbouring properties will be affected by a proposal, for example through overshadowing, overbearing impact, loss of privacy, odour or noise disturbance. Some of these issues can be overcome through design, for example by considering where windows are located, ensuring adequate separation between properties. It is always beneficial to talk to your neighbours in advance of an application out of courtesy and so that any concerns can be addressed at the earliest possible stage;

- Flood Risk and Run-off

In areas prone to flooding, planning permission may be withheld if it is deemed that there is an unacceptable risk to users of the site. Some types of development are categorised as more vulnerable recipients of flood risk, while some areas are more prone to flooding than others. In some cases, flood risk will be an insurmountable constraint, while in others it may be overcome through suitable mitigation, for example raising floor levels and electrical fittings. It will also be necessary to consider the impact on downstream flood risk, for example if flood water would be displaced by development in the floodplain.

Flooding from rivers and streams is a well established issue, however flooding caused by direct run-off from fields and roads, or from drains with limited capacity, is known to be a problem in some localities. The advice of the Environment Agency, and local knowledge of past flooding issues, will be an important consideration where flooding is an issue;

- Contaminated Land

Areas of previously developed land can often pose a hazard when they are being considered for redevelopment. Former petrol stations, industrial and waste disposal

sites are examples where contaminants may be present. Where this is likely to be an issue, you should contact the Environment Agency or the District Council's Environmental Health Department to seek further advice;

- Protected Trees

Some trees, such as those that are within a Conservation Area or that are the subject of a Tree Preservation Order, are protected against felling, lopping, cutting or other works that would affect their special interest. The Authority has Trees and Woodlands Officers who will be able to advise further where trees may be affected by a development, and how measures such as root protection zones could be designed into a scheme;

- Drainage

Adequate provision for foul and surface water drainage must be made to meet the needs of all new developments. In some cases this will be through connection to mains drains, however in many parts of the National Park it may necessitate non-mains drainage solutions.

In cases where non-mains foul drainage is proposed, such as septic tanks and package treatment plants, it will be necessary to provide further details with your application so that we can assess whether it will not result in any adverse environmental effects.

Non-mains drainage for surface water can include a variety of measures such as infiltration trenches and permeable surfacing. If designed appropriately, these can help to reduce the risk of flooding, however care is required to adapt these solutions to specific site characteristics, for example soil permeability and local hydrology. The Environment Agency can provide further advice about 'sustainable drainage systems';

- Nature Conservation

Many areas of the National Park are protected by national or international nature conservation designations, while some species are also legally protected from disturbance. The impact of new development upon both protected and non-protected species needs to be carefully considered. A key example is where the conversion of buildings or works to roofs may affect potential bat roosts. These factors need not always prevent development from taking place, since there are often opportunities to create or enhance habitats as part of any development. Our Wildlife Team will be able to provide you with further guidance.

- Archaeology

The Yorkshire Dales is incredibly rich in historic landscapes and archaeological remains. These may include single monuments, or entire field systems. Traditional buildings may also contain important features that contribute to an understanding of its past use or function. The Authority maintains a full Historic Environment Record of all known features which can be consulted by prospective applicants. Where there is a likelihood that archaeologically important features or remains may exist, a survey to

ascertain their presence/extent will normally be required. Our Historic Environment Team can advise further.

- Rights of Way

The Authority is responsible for all public footpaths, bridleways and other rights of way within the National Park. Development should not obstruct or result in the loss of these rights of way, nor should there be disruption to users during construction works. It may be necessary to secure diversion or a temporary stopping up of rights of way where this is unavoidable. Our Definitive Map and Ranger Teams will be able to advise further on these issues.

- Planning History

Some sites may have been the subject of previous planning applications which will give clues as to the likely issues that future development may raise. We hold records of all historic planning applications and our Planning Technician Team will be able to help with enquiries about site histories.

Types of application

You will need to establish which type of application is appropriate for the development you are proposing. In some cases, you may be required to apply for more than one type of consent, for example full planning and listed building consent. The main types of application are as follows:

Full planning application – This is the most common type of application and is suitable for most types of development, including householder developments, extensions and alterations to properties, new buildings, changes of use (including barn conversions), some agricultural buildings and so on.

Householder applications for domestic alterations and extensions will need to follow the full planning permission route. Since these applications will generally require less information to be submitted, there are simplified householder application forms for you to complete.

Outline and reserved matters applications – These applications effectively split the full application into two stages. An outline planning application is first submitted to establish the acceptability of some (but not all) aspects of the development. This must then be followed by a reserved matters application to establish the acceptability of the remaining parts of the development. This application is typically used for larger scale developments, for example an outline application for several houses can be submitted to establish the acceptability of the development in terms of access and overall layout, followed by a reserved matters application setting out the detail of the external appearance of the houses. Please note that the outline/reserved matters route cannot be used for changes of use.

Listed Building Consent – Works that affect the architectural and historic interest of a Listed Building require a separate type of consent. Please note that if a building is listed, then the whole building is protected both internally and externally. In some cases outbuildings and other detached structures surrounding a listed building will also be protected.

Conservation Area Consent – Demolition within a Conservation Area may require specific consent.

Agricultural notifications – Some types of agricultural development can follow a simplified application procedure dependent on certain criteria such as the size and location of the building.

Advertisement consent – Some signs and advertisements require a separate application for advertisement consent.

Certificates of lawfulness – This type of application is used to determine whether an existing or proposed development is lawful for planning purposes. These applications can be used to formally establish whether planning permission is required for a proposal, or to regularise unauthorised development.

Submitting your application

Once you have determined which type of application you are required to make, you will then need to prepare all the relevant details to accompany your application. All application forms and further guidance are available on our [website](#). The Authority must have all of the relevant information to enable us to make an informed decision about the proposed development. This process is called validation. You should try to ensure that all of the relevant information is submitted with your application otherwise it may cause delays.

Our Planning Technician Team is available to assist you in completing the forms and putting together the other information you need to make your application. This service is available either in person at our Bainbridge office, or over the telephone. Contact details can be found at the end of this advice note.

The type of information required with your application will vary according to application type and the nature of development, but typically will involve the following:

- 1) Pre-validation questionnaire – this is a checklist to help both you and us to make sure that all the necessary information has been included with your application.
- 2) Application form – fully completed and accompanied by the relevant certificate of ownership.
- 3) Fee – payable to the Authority for most types of development and further details can be found in the scale of fees accompanying the application forms. There are some exemptions from the need to pay a fee.
- 4) Location plan – an Ordnance Survey plan at a scale of 1:1250 or 1:2500 to show the location of the application site, which should be outlined in red.
- 5) Site plan – a more detailed plan showing the application site in relation to boundaries and other features in the immediate vicinity.
- 6) Drawings – consisting of existing and proposed elevations, floor plans and sectional drawings, drawn to scale (1:50 or 1:100).
- 7) Design and access statement – most applications require a statement describing how the design has been arrived at and how it takes account of the needs of all people in gaining access.

Other details may be required depending on the nature and complexity of the development. For example, if you intend to convert a traditional building, you may require surveys to establish whether the building is structurally sound and capable of conversion without significant rebuilding, or whether protected species such as bats are present. Full details of all of the above aspects can be found in the guidance attached to application forms and are also available through our [website](#).

We encourage you to consider submitting your application online using the Government's [Planning Portal](#) website, which offers a step-by-step guide to submitting your application, including a facility to create site plans, make online payments and submit plans online (although you are also able to forward hard copies separately).

Alternatively, you can submit hard copies of your application by post, or in person at either our Grassington or Bainbridge offices – see contact details at the end of this advice note.

What happens next?

Once your application has been validated, it will be formally registered and allocated to a Planning Officer. The Planning Officer will then make a site visit and will usually display a site notice at the location of the development.

We will also carry out a consultation process by notifying a number of bodies such as Parish Councils, the Highways Authority, Environment Agency, Area Rangers and so on. It is also usual to notify neighbours who may be affected by the development. Consultees normally then have 21 days in which to make any representations on an application.

When the Authority has all the relevant consultation responses, we can begin the process of making a decision. In some cases we may request that a proposal is amended to make it more acceptable. In such cases it may be necessary to re-consult interested parties.

How long will it take?

The Authority will determine the vast majority of applications within a period of eight weeks. It may take longer to determine applications for more complex or controversial proposals.

You can check the progress of your application at any stage either using our [online planning register](#) or by contacting us. Our Planning Technician Team will be able to advise you on the general progress of the application, including consultation responses to date, or alternatively if you wish to discuss more complex matters relating to your application you should ask to speak to the Planning Officer who is dealing with it.

How are applications assessed?

All planning applications will be assessed against the relevant policies within the Yorkshire Dales Local Plan. This ensures that we adopt a consistent approach to all applications. You can view the [Local Plan](#) through the Authority's website or on the [Planning Portal](#).

The Planning Officer will also have regard to any representations received from neighbours and other consultees in making their decision, provided they relate to relevant planning matters.

How will the application be decided?

The majority of applications are determined under 'delegated powers'. In these cases the Planning Officer will prepare a report making a recommendation for approval or refusal of the application. The Deputy Head of Planning will then determine the case.

Planning Committee

In a minority of cases, planning applications will be referred to [Planning Committee](#) for a decision. Circumstances where applications are referred to Committee include those that are particularly high profile or controversial, or where the Planning Officer's recommendation is contrary to that of a statutory consultee (such as a Parish Council).

Planning Committee is held monthly (usually the second Tuesday) and is made up of appointed members of the Authority (County Council, District Council and Secretary of State Appointees, including Parish Council Appointees).

When an application is referred to Committee, the Planning Officer will prepare a report and make a recommendation for approval or refusal in the same way as they would for a delegated decision. These reports together with the full [Committee Agenda](#) are available for the public to view at our offices and on the website five working days before the date of the meeting.

Members of the public are welcome to attend Committee meetings and may also make their views known at the meeting, provided they notify the Authority of their wish to do so by noon of the day before the meeting. The Planning Officer will make a verbal presentation using photographs of the site, outlining the application and the issues raised. The application will then be debated by the Committee and a resolution to approve, refuse or defer the application will be made. Deferrals are sometimes made to enable members of the Committee to attend a site visit or where further information is required.

If the Committee resolve to determine an application contrary to the Planning Officer's recommendation, it will be subject to the 'reference back' procedure. This means that the application will be reported to the next planning committee so that the reasons for the decision can be discussed and recorded before the final decision is issued. This process ensures transparency and accountability in the decision making process.

Types of decision

The Authority will issue a decision notice to confirm the outcome of the application. The decision will normally be either an approval or refusal of permission. Split decisions can only be issued for applications for advertisement consent.

Approvals

Approvals are normally subject to certain conditions. These conditions will vary according to the type of approval, but usually cover such matters as the time period within which the development must commence, materials to be used and other restrictions as appropriate. In some cases further approval of particular details will be required, for example approval of a particular stone sample. These details should be agreed in writing in order for the condition to be formally 'discharged'. Other conditions require continued compliance throughout the lifetime of the development. Please note that all conditions must be complied with for the development to be lawful.

You can apply to make minor amendments to schemes after permission has been granted by filling out the relevant forms and supplying us with details of the changes. Applications for significant changes will not be accepted as minor amendments, and will need to be the subject of a new planning application.

Refusals

Refusals are accompanied by a statement of the reasons for refusal. You may then choose to re-apply for planning permission having amended your proposal to overcome the reasons given. If you re-apply in these circumstances within a year of the date of refusal, no fee will usually be payable for the second application.

Alternatively, you have the right of appeal to the [Planning Inspectorate](#) who are a government body that deal with appeals. Appeals should only concern the planning merits of a case. Other grievances - for example concerning the Authority's conduct in handling the application - should be resolved through the Authority's complaints procedure by writing to the Head of Planning.

If not satisfied by the Authority's response, the complaint may then be forwarded to the [Local Government Ombudsman](#). The Ombudsman does not have powers to overturn planning decisions, but can address any procedural or structural failings where these are found to exist.

The planning appeal process allows both the applicant and the Authority the opportunity to state their case to an Inspector who will then arrive at a final decision. Appeals are typically conducted using the written representations procedure, where both parties submit a written statement of their case to the Inspectorate. Sometimes, however, an informal hearing or more formal inquiry will be held to determine the appeal.

Further details of the appeal process can be found on the [Planning Inspectorate's](#) website or through the [Planning Portal](#).

Contact details

Telephone

Planning Technicians – (for help with submitting and validating planning applications)
Tel. 01969 652345

Area Planning Teams – (for pre-application advice, current application and enforcement queries)

North Team (Richmondshire, South Lakeland)
Tel. 01969 652349

South Team (Craven)
Tel. 01969 652350

Post

Planning Department
Yorkshire Dales National Park Authority
Yoredale
Bainbridge
North Yorkshire
DL8 3EL

Fax

01969 652399

E-mail

planning@yorkshiredales.org.uk

Websites

Yorkshire Dales National Park Authority: www.yorkshiredales.org.uk

Planning Portal: www.planningportal.gov.uk

Planning Inspectorate: www.planning-inspectorate.gov.uk

Local Government Ombudsman: www.lgo.org.uk

Environment Agency: www.environment-agency.gov.uk

Richmondshire District Council: www.richmondshire.gov.uk

Craven District Council: www.cravendc.gov.uk

South Lakeland District Council: www.southlakeland.gov.uk

North Yorkshire County Council: www.northyorks.gov.uk

Cumbria County Council: www.cumbria.gov.uk