Your guide to making an application for Listed Building Consent

Introduction
This guide is to help you make your application. We can’t cover everything, planning can be complex, so please contact us if you need more information or advice.

When to make an application for listed building consent
Listed Building Consent is needed for ANY alterations, extensions or demolitions which affect the character or fabric of a listed building. This applies to ALL PARTS of the building, interior and exterior, regardless of the listing grade and whether the feature to be altered is mentioned in the official list description. This will include boundary walls. It may also apply to associated buildings which are within the curtilage of the principal building. Curtilage buildings are ones which form part of the land and have done so since before 1 July 1948.

If your proposal affects a listed building which is also a Scheduled Ancient Monument, you will need to make an application to English Heritage for Scheduled Monument Consent. This supersedes the requirement for Listed Building.

Please note that it is an offence in law to carry out unauthorised works to a listed building.

You will need a different form for other types of joint planning application, or for applications combining with planning permission. If you are not sure which form to use for your application, please contact us – we are happy to help.

Before you make your application
Pre-application advice can often help to resolve issues and save you time and expense. We offer a pre-application advice service to provide advice on policy and design issues. For pre-application advice it is expected that you will submit your proposals in writing, describing your proposals and the site with sketch plans and relevant photographs.

A Duty Planner is available to discuss very minor proposals, between 9.00am and 5.00pm, Monday to Thursday and between 9.00am and 4.00pm on Fridays. This service is provided on a first come-first served basis. Appointments with a Duty Planning Officer are not available. Appointments to deal with current applications need to be made directly with the case officer.

When planning permission is granted, it is on the basis of the detailed plans submitted. It is therefore imperative that you make sure that the details you submit are those that you want to undertake, as even minor changes from the approved plans can require a fresh planning application, which will be subject to exactly the same process as before.

Making your application
There are two ways to make an application:
- online via the Planning Portal at www.planningportal.co.uk/apply
- printable application forms at www.planningportal.co.uk/info/200126/applications/61/paper_forms
For hard copy submissions, it is important we receive **one original and one duplicate copy of the form, plans and documents.** In addition, if available, it would be helpful to receive an electronic copy of documents and plans.

All information submitted as part of an application is available for public inspection. If you intend to provide information that could be sensitive or breach your data protection rights, please contact us for further advice before proceeding. Prior to submitting your application please read our privacy statement for details of how your data is used. This can be found at [www.kettering.gov.uk/privacy](http://www.kettering.gov.uk/privacy)

**Completing the application form**
The application form is designed to provide a base level of information about you and your proposal. Please ensure that you complete all of the questions.

**Ownership Certificate and Agricultural Land Declaration**
Every application for Planning Permission must be accompanied by a two part signed statement confirming that notice of the making of the application has been given to any other owners and / or tenants of agricultural holdings on the site.

There is a range of four certificates to choose from, known as A, B, C and D. The guidance below will help you to choose the right one. Contact the Planning Department if you are unsure - this may save you time later.

An "owner" means a person or body having a freehold interest, or a leasehold interest with more than seven years unexpired. There is no need to serve notice on other tenants (except tenants of agricultural holdings), or on mortgage lenders.

"Agricultural holding" and "Agricultural tenant" have the meanings given by reference to the definition of "agricultural tenant" in Section 65(8) of the Town and Country Planning Act 1990. The land will not meet this definition unless it is (a) agricultural land, and (b) occupied by others under some form of agricultural tenancy.

- If the applicant is the sole owner of the land to which the application relates and "None of the land to which the application relates is, or is part of, an agricultural holding" Certificate A should be completed. This Certificate is not appropriate unless you are the sole freehold owner of all of the land within the application site.
- If the applicant is not the sole owner of the land or if any part of the application site goes outside land in their ownership (even if only foundations), and/or there is an agricultural tenant on any part of the land, notice needs to be served in one of the following forms:
  - Where notice has been served on all other owners and agricultural tenants (if any), **Certificate B** should be completed.
  - Where notice has been served on some other owners and agricultural tenants, but you do not know the identity of all of them, you will need to complete the Notice and publish it in a local newspaper. Then **Certificate C** should be completed.
  - If you cannot identify any of the other owners and/or agricultural tenants, then you will need to complete the Notice and publish it in a local newspaper. Then **Certificate D** should be completed.

Knowingly or recklessly submitting a false certificate is an offence.
Design and Access Statements
These statements help you to think about the best design solution for your proposal and to explain how you have chosen the design which you submit. They are used by us to help assess your proposals. All applications for Listed Building Consent require a Design and Access Statement to be submitted with the application.

Drawings and documents to accompany your application
In addition to the application form, you will need to submit plans and possibly other documents to describe your proposal. Applicants for listed building consent must be able to justify their proposals. You will need to show why the works which would affect the character of a listed building are desirable and necessary.

You will need to provide the local planning authority with sufficient reasons why your proposals are desirable and necessary to secure the long term future of the building. This may include a specialist surveyor’s or structural engineer’s report.

Further information as to what is required is set out in the application form and in our “Local Requirements” which should be checked before submission of the application. A bespoke list of “Local Requirements” relevant to this type of application is attached. Failure to submit all necessary plans and documents will delay consideration of the application.

It is your responsibility to ensure that you have the consent of the copyright owner before you make copies of any plans.

You can buy copies of Ordnance Survey maps, to use as site location plans and block plans from us (telephone 01536 410333 or customerservices@kettering.gov.uk). You can also buy them from Ordnance Survey Siteplan agents. Unauthorised copying of these or other plans constitutes a breach of copyright, against which legal action could be taken.

Fees
There is currently NO FEE for Listed Building Consent applications.

Other consents
By completing this application you are applying only for Listed Building Consent. In many cases, building works will also require Building Regulations Approval. This is the control of building works for fire resistance, structural stability, ventilation, thermal insulation and drainage. This application will be dealt with separately from any application submitted for Building Regulations Approval (which would involve additional forms, plans and fees). It is possible that Listed Building Consent could be refused and Building Regulations Approval given for a specific proposal (or vice-versa).

You can speak to someone about Building Regulations when you phone about planning permission, or by contacting the Building Control Service on 01536 534250.

It is up to you to ensure that you have ALL necessary consents before starting work. Work will not be authorised by the consent unless and until any pre-commencement conditions attached to the consent have been complied with. Granting consent does not give you the right to enter land or carry out work on land that you do not own. Consent is only the approval of your proposal by the Council as Local Planning Authority. You will still need to obtain the landowner’s permission where necessary and any
other civil consents ie covenants contained within your Deeds or Party Wall Act matters. This is your responsibility. It is always a good idea to talk to your neighbours about your proposal before submitting your application.

**Contacting Development Services**

**Address:** Kettering Borough Council, Development Services, Municipal Offices, Bowling Green Road, Kettering, NN15 7QX.

**Phone:** 01536 534316.

**Email:** planning@kettering.gov.uk.

Planning Reception is open between **9.00am** and **5.00pm** Monday to Thursday and between **9.00am** and **4.00pm** on Fridays.
Local Requirements for Planning Applications
## Contents

<table>
<thead>
<tr>
<th>Page no.</th>
<th>Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>General Requirements for Plans, Drawings and Documents (Article 7, DMPO)</td>
</tr>
<tr>
<td>1</td>
<td>Drawings Necessary to Describe (Article 7, DMPO)</td>
</tr>
<tr>
<td>4</td>
<td>Design and Access Statements (Article 9, DMPO)</td>
</tr>
<tr>
<td>8</td>
<td>Heritage Statement</td>
</tr>
<tr>
<td>10</td>
<td>Structural Survey</td>
</tr>
</tbody>
</table>

National Requirements

Local Requirements
Local Requirements for Planning Applications

Please note – For the purposes of this guidance, ‘Major Applications’ are applications of 10 or more dwellings (or over 0.5 hectares) and 1000sqm (or 1.0 or more hectares).

NATIONAL REQUIREMENTS: No’s 1 - 3

1. General Requirements for Plans, Drawings and Documents (Article 7, DMPO)
   - All plans and drawings submitted must be clear, legible and able to be viewed electronically once scanned
   - All plans and drawings must be drawn to an appropriate metric scale, which should clearly be identified on the drawing, e.g. 1:100 @ A1/1:200 @ A3.
   - Vertical and horizontal scale bars assist with measuring from enlarged or reduced drawings
   - Drawings should be accurate. Ambiguous statements such as "Do not scale" "Not to scale" or similar call into question the accuracy of the drawing and therefore cannot be accepted. Any quoted dimensions must scale
   - Electronic documents must be no larger than 15MB
   - Electronic drawings can only be accepted in pdf format

For paper submissions, one original and one copy of all documentation should be submitted. For larger applications further copies may be requested at pre-application stage.

2. Drawings Necessary to Describe (Article 7, DMPO)
   - Plans to identify the site (location plan) – for all applications other than tree works.
     - The application site (including access to the highway) must be shown by red edging; any adjoining land that you have an interest in must be edged in blue
     - The scale of the location plan must be appropriate to sufficiently identify the site. In most cases an up to date map to a scale of 1:1250 or 1:2500 will be adequate
     - Should normally be A4 sized
     - Include a "North" point
     - Show surrounding buildings; and
     - Ideally show two named roads

Site layout / block plan – for all applications except prior notification applications.
   - The plan must be to a scale appropriate to the site and development (normally 1:500 or 1:200, although for particularly large sites, other scales may be more appropriate). If in doubt, check with your Local Planning Authority.
   - All site layout/block plans to include a “North” point.
The plan should show your proposals for:

- The new works in relation to the site boundaries and other buildings within and surrounding the site;
- New buildings should be shown in context with adjacent buildings including property numbers/names where applicable and roads and footpaths adjoining the site;
- On-site access, parking, and turning arrangements and facilities for cycle parking;
- Vehicle access visibility splays at the highway boundary;
- The species, position and spread of all trees within 12 metres of any proposed building works;
- The extent and type of any hard surfacing;
- Boundary treatment (including all heights and materials);
- Applications for new developments must include provision for the storage and collection of waste and recyclables;

Floor plans - for applications altering/creating floor space or use of floor space;

- These should show the existing and proposed floor layouts of each storey to be built or altered;
- They should normally be to a scale of 1:50 or 1:100;
- New works should be clearly identified and show all openings;

![Floor plans example](image)

Elevations - for applications erecting or altering exteriors of buildings.

- These should show the existing and proposed elevations of each storey to be built or altered;
- They should normally be to a scale of 1:50 or 1:100
- New works should be clearly identified and show all openings
- These should show all faces of the building affected by the works, including blank walls
- Where the elevation adjoins or is in close proximity to another building, drawings should show the relationship between the buildings and the position of openings on each property
- Existing and proposed drawings should be submitted. Again, they may be drawn separately or the new work may be indicated by shading etc;
- Each elevation should be labelled to show its compass orientation
Site Levels and Site Cross Sections and Finished Floor Levels
- Plans should show existing site levels, final ground and finished floor levels (with levels related to a fixed datum point off site) and also show the proposals in relation to adjoining buildings.
- In the case of householder development, the levels may be included on floor plans and elevations, but particularly in the case of sloping sites it will be necessary to show how proposals relate to existing ground levels or where ground levels outside the extension would be modified.
- Levels should also be taken into account in the formulation of design and access statements.

Site survey. This should show existing:
- Built features including walls, buildings and other structures
- Natural features on or close to the site including trees, hedges, ponds and water courses.

AND ANY OTHER PLANS NECESSARY TO DESCRIBE THE PROPOSALS
3. **Design and Access Statements (Article 9, DMPO)**

It is a statutory requirement that Design and Access Statements are prepared to accompany some types of planning applications. Please refer to Article 9 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 or Regulation 3 of the Listed Building Regulations 2006.

**What are they?**

Reports that explain the design thinking behind a planning application, and justify what is being applied for.

**Why are they required?**

For qualifying developments these statements help you to think about the best design solution for your proposal and to explain how you have chosen the design which you submit. They are used by us to help assess your proposals. Larger planning applications require a Design and Access Statement to be submitted with the application.

**When are they required**

The only types of applications that will need to be supported by a Design and Access Statement (DAS) are:

- Major applications for planning permission ANYWHERE
- Where any part of the development would be within a CONSERVATION AREA: Applications for planning permission for one or more dwelling houses or a building / extension creating 100 sqm or more of floorspace (which could include flats within buildings)
- Any application for Listed Building Consent will require a Design and Access Statement, with those proposing no external alterations to the building not requiring the Access part.

**In what format should they be?**

- A written description and justification of the planning application.
- Photos, maps and drawings may be needed to illustrate points made.
- An explanation of the design principles and concepts applied to the development.
- An explanation of how issues related to access have been dealt with. A statement of what consultation has been carried out on access and account taken of it.
- In relation to applications for Listed Building Consent the statement should describe the significance of any heritage assets affected and explain the special regard that has been given to preserving the architectural or historic interest of any such assets.

**What should the statement include?**

- The amount of detail they contain should reflect how complex the application is. They need not be long for a relatively small development.
- A Design and Access Statement should not be two separate documents. The design
and access components should be interrelated, with each element helping to inform the other.

- For applications within conservation areas, the statement should consider the impact of the proposals on the conservation area and how the proposal relates to the desirability of preserving or enhancing the character or appearance of that area.
- As a general guide the following issues should be covered within the statement, although this will vary depending on the nature of the proposal, whether the application is in full or outline and whether it relates to an application for Listed Building Consent.

**The Statement**

The statement should explain the design principles and concepts that have been applied to the development, and how access to and within the development has been dealt with. This should include the following:

a) **Design principles**

   Explain the design principles and concepts that have been applied to the development.

b) **Context**

   Demonstrate the steps taken to appraise the context of the development and how the design of the development takes that context into account.

c) **Access**

   Explain the policy adopted as to access, and how policies relating to access in relevant local development documents have been taken into account.

d) **Consultation**

   State what, if any, consultation has been undertaken on issues relating to access to the development and what account has been taken of the outcome of any such consultation.

e) **Specific Issues**

   Explain how any specific issues which might affect access to the development have been addressed.

**Applications for Listed Building Consent**

- The statement should explain the design principles and concepts that have been applied to the works, how the design principles and concepts that have been applied to the works take account of the special architectural or historic importance of the building; the particular physical features of the building that justify its designation as a listed building; the building’s setting; and how access issues have been dealt with.
Designing out Crime

- Design and Access Statements should demonstrate how crime prevention measures have been considered and what measures have been applied to help prevent crime and disorder issues in the design of the proposal. How the design reflects the seven attributes of safe, sustainable places set out in Safer places – the Planning System and Crime Prevention, the principles of the Secured By Design scheme plus the Council’s Supplementary Planning Guidance: Planning out Crime in Northamptonshire (2004).

Waste Management

- Proposals should have regard to waste arisings associated with development and the management of waste in residential developments including bin storage, recycling facilities and collection points.

For more detailed information on preparing a Design and Access Statement consult “Design and access statements, “How to write, read and use them” produced by Design Council CABE.

http://www.designcouncil.org.uk/resources/guide/design-and-access-statements-how-write-read-and-use-them

LOCAL REQUIREMENTS: No’s 4 - 5

4. Heritage Statement

If the proposal will affect an historic asset, an Historical Survey or an Impact and Justification Statement will be required to accompany your application.

(a) Historical Survey

Required for applications for planning permission involving operational development affecting historical sites i.e. within or adjacent to:

- a listed building/structure
- the curtilage of a listed building/structure
- a conservation area
- an historic park or garden
- a Scheduled Ancient Monument
- an historic battle field

Sometimes this information may be included within a Design and Access Statement. If an application affects such a site an applicant may need to commission an assessment of existing information and submit the results as part of the application in accordance with advice in section 12 the National Planning Policy Framework:

(b) **Listed Building / Conservation Area Impact and Justification Statement**

Statements will be required to support all applications for Listed Building Consent.

**Impact and Justification Statements**

In accordance with section 12 of the National Planning Policy Framework applicants for Listed Building Consent must justify their proposals. They will need to show how the works would affect the special architectural and/or historic interest of the building and its setting. You will need to provide the Local Planning Authority with full information to enable them to assess the likely impact of your proposal. This will involve demonstrating an understanding of the part(s) of the building affected, using annotated drawings and photographs as necessary.

You may submit an assessment of the nature, history and construction of the building to which your proposals relate in order to support your application. Your assessment need only relate to the scope of the proposed works.

You will need to demonstrate to the Local Planning Authority how your proposals contribute to the long term future of the building. This may include a specialist surveyor’s or structural engineer’s report, full schedule of works or method statement detailing the effects on the fabric of the listed building, for example - wiring, plumbing and other services.

In some cases you may be required to provide additional information before your application can be fully considered.

5. **Structural Survey**

**Applications for Planning Permission**

A structural survey will be required to be submitted with applications for barn conversions. In the open countryside proposals for replacement dwellings will require special justification which may include a structural survey. A survey will also be required for applications involving demolition in a conservation area, demolition of any building identified as being of local historic importance or a building covered by an Article 4 Direction.

**Applications for Listed Building Consent**

A structural survey will be required for works involving demolition or loss or historic fabric, or when structural works are proposed e.g. roof strengthening or large openings in stone walls.
Ordnance Survey map extracts for any location within the UK may be provided to any person upon request.

Copies can be provided in one of two formats, either printed paper copies or emailed as a tiff image. If a tiff image is requested the data is provided under an Internal Business Use licence that expires 12 months from the date of receipt. Where paper copies are requested, they will generally be in packs of 6 per request.

Please complete this form which should be returned to the Planning and Building Reception Desk together with the appropriate fee. A receipt will be issued.

Your Name: .................................................................................................................... ...................

Your Address: ................................................................................................................. ..................
...........................................................................................................................................................

Telephone Number: ............................................................................................................. ............

Site address/location (including postcode): ................................................................................... ...
...........................................................................................................................................................
...........................................................................................................................................................
.......................................................................................  Postcode .............................. ..................

Please state which copies are required by ticking the appropriate box(es) in the table below:

**Paper copy**
Location plan (always required for planning applications)

<table>
<thead>
<tr>
<th>Scale</th>
<th>Area</th>
<th>Paper Size</th>
<th>Price (inc VAT)</th>
<th>Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 to 1250</td>
<td>200m x 200m</td>
<td>A4</td>
<td>£25</td>
<td></td>
</tr>
<tr>
<td>1 to 2500</td>
<td>400m x 400m URBAN</td>
<td>A4</td>
<td>£60</td>
<td></td>
</tr>
<tr>
<td>1 to 2500</td>
<td>400m x 400m RURAL</td>
<td>A4</td>
<td>£25</td>
<td></td>
</tr>
</tbody>
</table>

Block plan (may be required additionally to a location plan)

<table>
<thead>
<tr>
<th>Scale</th>
<th>Area</th>
<th>Paper Size</th>
<th>Price (inc VAT)</th>
<th>Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 to 500</td>
<td>80m x 80m</td>
<td>A4</td>
<td>£15</td>
<td></td>
</tr>
</tbody>
</table>

**Email copy**

<table>
<thead>
<tr>
<th>Scale</th>
<th>Area</th>
<th>Paper Size</th>
<th>Price (inc VAT)</th>
<th>Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 to 500</td>
<td>80mx 80m</td>
<td>A4</td>
<td>£30.00</td>
<td></td>
</tr>
<tr>
<td>1 to 1250</td>
<td>200m x 200m</td>
<td>A4</td>
<td>£36.00</td>
<td></td>
</tr>
<tr>
<td>1 to 2500</td>
<td>400m x 400m URBAN</td>
<td>A4</td>
<td>£89.95</td>
<td></td>
</tr>
<tr>
<td>1 to 2500</td>
<td>400m x 400m RURAL</td>
<td>A4</td>
<td>£36.00</td>
<td></td>
</tr>
</tbody>
</table>

☐ I would like to collect my map copies from Planning Reception after 12 noon on the next working day.
☐ I would like my map copies to be posted first class on the next working day after the receipt of this order.
☐ I would like my map copy emailed to me at ...........................................................................

(For office use only: Receipt Number: ………………………..….…… Date: …………………..)

01.06.12 - VAT 20%