

Making a planning application

A guide for anyone who is making a planning application. It answers some of the questions that many people ask and tells you how to get more help and information.

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What is planning permission?

In Birmingham, the City Council is the planning authority that manages the development and use of building and land. To do this, we consider planning applications and decide whether to give planning permission or not.

Our aim is to protect and improve the quality of the environment by making sure all new development is acceptable. For example, we check that development is well designed, is in an appropriate place and will not cause harm to the amenities of neighbours.

What permission might I need?

This depends on what works you want to do. You may need:

- Planning Permission.
- Building Regulations.
- Listed Building Consent.
- Advertisement Consent.
- A combination of the above.
- Prior approval.

What is building regulations?

Building regulations lay down standards for the construction of all types of buildings. They cover all aspects of construction, including foundations, drains, damp-proofing, the overall stability of the building, insulation, ventilation, fire protection and means of escape in case of fire. They also ensure that adequate facilities for people with disabilities are provided in certain types of building. Building regulation approval is the means by which we check that a building is built to required health and safety standards, to protect the people who use the building.

It is your responsibility to find out what you need. Please visit the Planning Portal for advice but if you are in any doubt please ask us. Contact details are given at the end of this guide and we do not charge for this advice.

Other permissions

In some circumstances, you may need other permissions. Again, it is your responsibility to find out.

- If your property is listed, you will need Listed Building Consent for any work that will affect the character of your building.
- If you want to display an advertisement, for example over your shop, or a business sign, you may need Advertisement Consent.
- If your property is leasehold, you may need your landlord's permission. Also, in some areas, such as Bournville Village and the Calthorpe Estate, you may need the estate manager's permission.
- If you are buying the property with the help of a loan such as a mortgage, you may need the permission of your building society or other lender.

What type of works need planning permission?

Below are some examples of the type of works that need planning permission, to give you an idea.

Some alterations to business premises do need planning permission, including:

- Shop and office extensions.
- Alterations to shop fronts.
- External security shutters or grilles.
- Change the use of your business premises.

Some alterations and extensions to a house can often be carried out without the need for planning permission. This is known as permitted development, although in some cases these rights may have been removed in order to retain control in some parts of the City.

It is your responsibility to find out if planning permission is required, for more information visit:

[planningportal.gov.uk](https://www.planningportal.gov.uk)

What type of works need building regulations approval?

Examples of when building regulations approval is needed include:

- Building an extension.
- A loft conversion.
- Internal alterations that affect the means of escape in case of fire.
- Structural alterations.
- Underpinning of your building.
- Replacement windows.

For further details see: [acivico.co.uk](https://www.acivico.co.uk)

IMPORTANT

Please remember that planning permission is entirely separate from building regulations approval. You must apply separately for both, if both are needed.

Can I get professional advice?

If you are considering a building project at your property, you may wish to find someone with the right professional experience to help you draw up plans and apply for the permissions you may need. A qualified surveyor or architect should be able to provide this kind of service, for example. If your application is straightforward you may be able to do the drawings yourself. However, they must be clear, accurate and drawn to a metric scale.

Can I get more help before I submit an application?

We do offer pre-application advice, which is a way of finding out whether you are likely to get planning permission before the submission of a formal planning application. For further details visit:

[birmingham.gov.uk/preappadvice](https://www.birmingham.gov.uk/preappadvice)

How do I make a planning application?

The quickest and easiest way to submit an application is here:

[planningportal.gov.uk/apply](https://www.planningportal.gov.uk/apply)

You can get further assistance on what to submit with your application at either:

[planningportal.gov.uk/apply](https://www.planningportal.gov.uk/apply) or [birmingham.gov.uk/planningchecklists](https://www.birmingham.gov.uk/planningchecklists)

but as a general guide and as a minimum all applications will require:

- A form including ownership certificates.
- A fee.
- A location plan.
- A site plan.

How much will I have to pay?

You will usually be charged a fee when you make your application. Fees are set nationally by the Government and the amount you have to pay will depend on what you want to do. For further details visit:

[birmingham.gov.uk/planningforms](https://www.birmingham.gov.uk/planningforms)

What happens to my application?

Acknowledgement

When we receive your application we will send you (or your agent) an acknowledgement letter (usually within 3 working days). This letter is important so please keep it. It tells you the reference number that we have given to your application, the date by which we aim to make a decision and contact details of the case officer. It is also a receipt for your fee.

Checking your application is complete

If we do not have all the information we need we will contact you to ask for the missing information (which may delay your application). Please note that if you are using a professional agent we will always contact them about your application.

Consultation

We will tell any neighbours who we think may be affected by what you want to do. We will give them 21 days to make comments although comments may be accepted up until a decision is made. It is always a good idea to tell your neighbours of your plans before you make an application. For some applications we may ask other Council services and other organisations for their views. If your application is within a Conservation Area, is a Listed Building, or may affect the setting of a Listed Building, site and press notices may also be displayed.

Site visit

The case officer dealing with your application will visit the application site to check that the drawings you have sent us are correct and to make sure what you want to do is acceptable. The case officer may also visit adjacent properties to assess the impact of the proposed development on neighbouring occupiers.

Making a decision

We assess your application, taking into account policy guidelines, site features and any comments people have made about your application. We decide whether to recommend that the application be approved or refused. In most cases, if your application is straightforward, the final decision will be made by the Chief Planning Officer.

If your proposal is complicated or a significant number of objections have been received the decision may be made by the Planning Committee.

The Planning Committee is made up of 15 local Councillors who meet twice monthly on a Thursday morning in the Council House to discuss planning applications. Meetings are open to the public and you are welcome to attend. Further details about the Planning Committee process can be found at: [birmingham.gov.uk/planningcommittee](https://www.birmingham.gov.uk/planningcommittee)

How long will my application take?

We will deal with your application as quickly as possible. Our target is to deal with the majority of our applications within 8 weeks. More complicated major developments can take up to 13 weeks.

How can I check the progress of my application?

The quickest and easiest way to check on the progress of your application is online at:

[birmingham.gov.uk/planningonline](https://www.birmingham.gov.uk/planningonline)

This will advise you of important dates such as when the consultation period expires and when a decision is expected. It will also be updated once a decision has been made on the application. If you do need to contact the case officer directly it is recommended you do this once the consultation period has expired. Again the quickest and easiest way to contact the case officer is by the email address given on the acknowledgement letter.

What considerations are taken into account when processing a planning application?

The main considerations can vary depending on the type of proposal and its location. The main things a planning officer will consider are:

- The scale and design.
- The impact on the existing property.
- The impact on the street scene and the visual amenity of the surrounding area.
- The effect on the amenities (eg light, privacy) of neighbouring occupiers.
- Traffic and parking if appropriate.
- Hours of use if appropriate.

There are a suite of planning policy documents available to help manage the planning process which are available at:

[birmingham.gov.uk/planningpolicies](https://www.birmingham.gov.uk/planningpolicies)

How do I find out what the decision is?

We will send you or your agent (if one has been used) a copy of the decision notice. This will be sent by email unless otherwise stated.

As a guide this is what you should do next:

My application has been approved

Work must be carried out exactly as shown on the approved plans and in accordance with any conditions attached to the decision notice. Normally, work must start within 3 years or the approval will lapse. You cannot extend an existing planning application.

If you are aggrieved by the conditions attached to the approval, you can appeal to the Planning Inspectorate.

My application has been refused

You can discuss the reasons for refusal with the case officer as well as discussing whether a different proposal might be acceptable. You may wish to resubmit a revised application that attempts to overcome the previous reasons for refusal, this would incur a nil fee if submitted within 12 months of the date of refusal. The applicant has the right to appeal against the Council's decision but there is no third party right of appeal. More information on how and when to appeal is available at:

[planningportal.gov.uk/planning/appeals](https://www.planningportal.gov.uk/planning/appeals)

For more detailed information on what to do once a decision has been made please visit:

[birmingham.gov.uk/planningdecisionleaflet](https://www.birmingham.gov.uk/planningdecisionleaflet)

Other useful information

The Party Wall Act

If you want to carry out building work which involves:

- Work on an existing wall shared with another property.
- Building on your boundary.
- Excavating near a neighbouring building.

You must find out whether the Party Wall Act 1996 applies to you. If it does, you must notify all neighbours who would be affected. More information including a free explanatory booklet is available at:

[planningportal.gov.uk](https://www.planningportal.gov.uk)

What if I start work without permission?

It is not advisable to start work before you have got all the permissions you need. If the work is not acceptable, you could be asked to put it right at your own expense and/or be fined.

What if I want to alter my plans after a decision has been made?

If you change your plans, either before or after work has started, you must be sure to get both planning permission and building regulations approval for the changes. This is very important. For example, you will not always get planning permission for changes you have to make to meet building regulations. However, we will always work with you to try and find a solution.

How do I apply for building regulations approval?

For all applicants, there are 2 ways to make an application:

1. Full plans

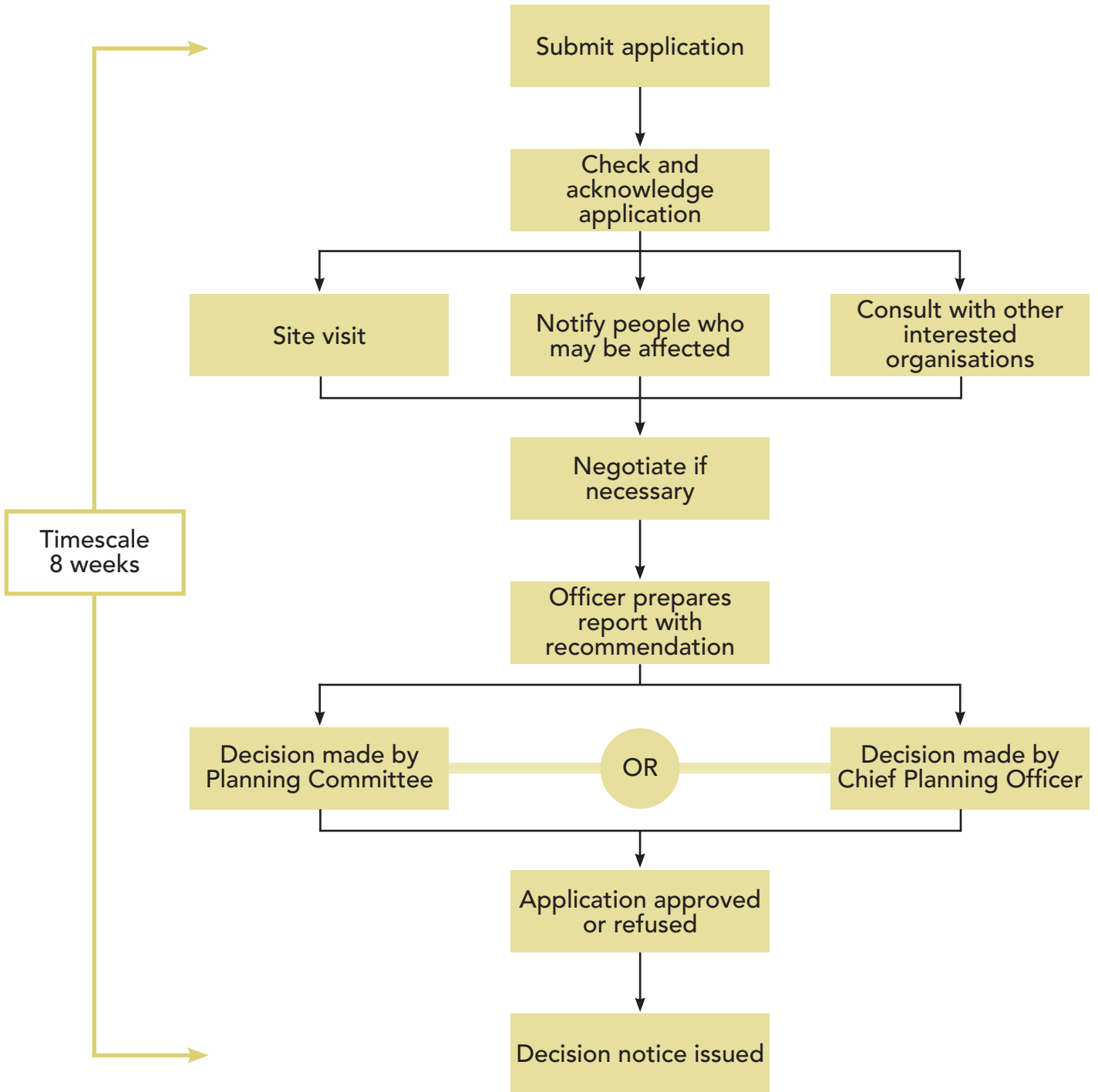
This is the route most people choose. You complete a building regulations application form and submit this with full plans showing in detail what you want to do. We then check the details to see if they comply with the regulations. We issue an approval notice when the plans are satisfactory. If you are borrowing from a bank or building society to finance the work, they may ask to see an approval notice (or other evidence of building regulation approval) before advancing you the money. Full plans may also help builders to give you a more accurate price for the work.

2. Building notice

You may alternatively complete a building notice application form and provide a site plan only. Work is checked as it is carried out. This places a greater burden on you and your builder to ensure the work complies with the regulations. It is best to talk to us first if you are thinking of applying in this way. People rarely use this route unless the works are only minor. Either way you choose, once the building work is underway a building control officer will visit at various stages to check that building regulations are being met. When the works have been completed satisfactorily, we will issue a completion certificate.

Please visit: [acivico.co.uk](https://www.acivico.co.uk) for more information and advice about how to make an application for building regulations approval, and for application forms.

How the process works



If application is refused, applicant can appeal to the Planning Inspectorate

Getting in touch

The quickest and easiest way of getting in touch:

Web

Submit your application here:
planningportal.gov.uk/apply

Further guidance available here:
birmingham.gov.uk/planningchecklists

Checking on the progress of your application:
birmingham.gov.uk/planningonline

Pre Application advice:
birmingham.gov.uk/preappadvice

Do I need Planning Permission:
planningportal.gov.uk

E-mail

Help with submitting your planning application:
planning.registration@birmingham.gov.uk

Call

Planning and Regeneration general enquiries:
(0121) 303 1115

Your views

Let us have your comments, compliments or complaints:
birmingham.gov.uk/yourviews

Other useful contacts

Submitting a planning appeal

Web:
planningportal.gov.uk/planning/appeals

Party Wall Act

Web:
planningportal.gov.uk

Building Regulations - Building Consultancy at:

Web: acivico.co.uk
E-mail: building.consultancy@acivico.gov.uk

For a copy of this leaflet in large print, alternative format or another language, please contact us.

If you have a speech impairment, are deaf or hard of hearing you can contact Birmingham City Council by Next Generation Text (also known as Text Relay and TypeTalk). Dial 18001 before the full national phone number.

Minicom: (0121) 303 1119 or (0121) 675 8221

You can call the council's Contact Centre using your own advocate to translate for you without written notice. If you need to arrange for this service, go to Brasshouse Translation and Interpreting.