

DOMESTIC DEVELOPMENTS



Clackmannanshire Council

www.clacksweb.org.uk

Adopted July 2016

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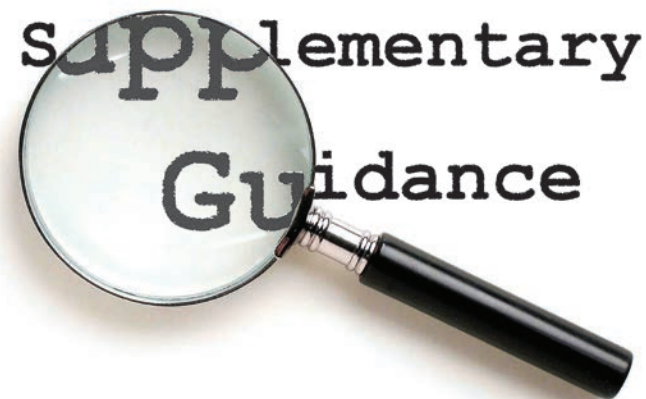
1. Introduction

- 1.1 The Scottish Government is seeking to create successful communities where people can live healthy lives and enjoy their living environment. The planning system seeks to encourage an efficient use of resources in a high quality design solution to foster the distinctive character of buildings and their surroundings and create a positive sense of 'place'.
- 1.2 Scottish Planning Policy (SPP) provides the framework for sustainable development to serve a VISION which includes that "...We live in sustainable, well-designed places and homes which meet our needs...".
- 1.3 Whilst the above mainly relates to new development, the focus is not restricted to large scale forms of development, like national or major developments.
- 1.4 The planning system seeks, therefore, to both safeguard established residential amenity, and to ensure that any enhancement of the domestic built environment is achieved in an acceptable way.
- 1.5 Planning legislation can, however, be rather complex, and that includes for modest scale proposals for extending a house or flat or for erecting minor structures in a garden. **The Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2011** provides the statutory context. This guidance seeks to clearly identify when a domestic development requires planning permission and guide parties through the processes involved.

1.6 This guidance is intended to allow those planning to alter or extend their house, to establish what they will be required to do. It will take you through the pre-application and application process, and provide examples of good practice on layout, design, energy efficiency and construction. The use of a reputable architect or design company to prepare drawings and/or to obtain planning permission and a Building Warrant is encouraged.

1.7 This Guidance should be read in conjunction with the **Clackmannanshire Local Development Plan** and the associated policy guidance, notably:

- ▶ SG3 - Placemaking
- ▶ SG4 - Water
- ▶ SG7 - Energy Efficiency and Low Carbon Development



1.8 It is advisable to contact the Council's Development Quality Team (Planning Service) to discuss your proposal before the submission of an application for planning permission. This can be handled as an informal enquiry or as a more formal approach for pre-application advice. There is no fee payable for this service. This advice from officers is informal, and has no legal status.

1.9 If you wish to discuss any aspect of this Guidance, or to speak to someone about works relating to your property. The Council's Development Quality team is happy to give free informal advice and can be contacted by telephone on 01259 450000 or by e-mailing planning@clacks.gov.uk.



2. Is Planning Permission Required?

2.1 Before you start any work, it is important that you obtain any necessary permissions that may be required, including planning permission and a building warrant (see Section 5). Not all development requires planning permission. Certain 'permitted development' rights, which describe when development does not require planning permission, are granted, including for some householder developments. The scope for householders to enhance their property without requiring planning permission is detailed in [The Town and Country Planning \(General Permitted Development\) \(Scotland\) Amendment Order 2011](#).

2.2 We can advise you on the need for planning permission. Alternatively, you can request a formal Council decision on the matter, and apply for a Certificate of Lawfulness for either a Proposed Use or Development or an Existing Use or Development. There is a fee payable for these type of certificates and an application form is available from the Council's website. A certificate of this nature may be useful, particularly when you come to sell your house.

2.3 [Government Circular 1/2012](#) - This provides Guidance on Householder 'Permitted Development' Rights and whether planning permission is likely to be required, and includes diagrams and illustrations to aid understanding. The Government has also published guidance on categories of householder permitted development with [flowcharts](#) to determine whether permission is needed for the following types of development:

1. **Class 1A** - Single storey ground floor extension
2. **Class 1B** - Ground floor extension of more than one storey
3. **Class 1C** - Construction or alteration of a porch
4. **Class 1D** - Alteration to the roof of a house
5. **Class 2A** - Access ramp
6. **Class 2B** - Changes to the appearance of your house
7. **Class 3A** - Other development within the curtilage of a dwellinghouse such as outbuildings, sheds, greenhouses and garages
8. **Class 3B** - Other building work
9. **Class 3C** - Hard surfaces: paving, patios, driveways
10. **Class 3D** - Decking and raised platforms
11. **Class 3E** - Gates, fences, walls and other means of enclosure
12. **Class 4A** - Flats

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2.4 As a general rule, alterations and extensions to the front of a house, or between a house and a road, will require planning permission i.e. development is not permitted if "...any part of the development would be forward of a wall forming part of the **principal elevation** (red) or side elevation that fronts on to a road..." (see Figure 1). To the side and back of the house, planning permission may be required, depending on the size and position of the extension, and it's relationship to neighbouring property. It should be noted that in conservation areas, permission is almost always required for any alteration or extension to a house.

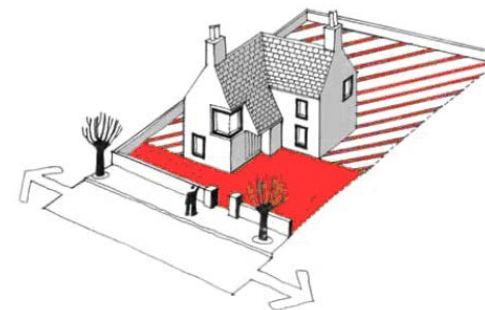
Figure 1: Examples of principal elevations



Source: Circular 1/2012, Scottish Government (February 2012)

2.5 The front curtilage (garden) is all the land in front of the principal elevation (the shaded area). The rear curtilage is the remainder of the curtilage of the original dwellinghouse (the cross-hatched area). This is illustrated in Figure 2, but please keep in mind that there are no two houses or gardens the same.

Figure 2: Example of front and rear curtilage



Source: Circular 1/2012, Scottish Government (February 2012)

2.6 The rules for flats are different than those for houses. While there are some developments permitted as of right, it is worth checking with the Council's Development Quality team for advice on development that will affect a flat.



Energy efficient housing enclosing communal space, providing security and shelter - Queen Street, Alva - Image courtesy of Machin Dunn + Macfarlane Architecture and Design

3. Making A Householder Planning Application

3.1 How to apply for planning permission

3.1.1 The Householder Planning application form is available on the Council's website under the Planning and Building Standards section/Submit a planning application. This will allow you to electronically submit an application (including electronically paying for the application) or download a paper copy of the form. Paper copies can be submitted to the Council by Post or by hand at the Council Offices at Kilncraigs, Greenside Street, Alloa. There are also guidance notes on our website that outline what is required for an application.

3.2 Application content

An application for planning permission comprises:

- ▶ the householder application form
- ▶ a certificate of land ownership
- ▶ relevant plans and drawings
- ▶ an application fee

The application form, and guidance to filling it out correctly, can be found on the Council's website. The Certificate of land ownership has multiple sections but in most cases part 'A' will be filled out if you are the owner of the property.

Relevant Plans and Drawings include:

A **Location Plan** at a scale of 1:2500 (commercially available online) showing;

- ▶ the application site in red,
- ▶ any other land owned by the applicant in blue,
- ▶ a north point,
- ▶ a scale bar

A **Site Plan** at a scale of 1:500 or larger showing;

- ▶ the existing house and any other buildings in the garden,
- ▶ a scale bar,
- ▶ the proposed development in relation to site boundaries, existing buildings, adjoining buildings (including neighbours where possible), and contain dimensions including distance to the boundaries,
- ▶ access arrangements, car parking and landscaping,
- ▶ the extent and type of any hard surfacing,
- ▶ boundary treatment including walls or fencing where this is proposed.

Existing and proposed Elevations at a scale of 1:50 or 1:100 showing;

- ▶ the proposed works in relation to what is already there,
- ▶ all sides of the proposal,
- ▶ the proposed building materials, windows and doors, the relationship between the proposed building(s) and any neighbouring building that is close by,
- ▶ proposed ground and floor levels.



Existing and proposed Floor Plans at a scale of 1:50 or 1:100 showing;

- ▶ any existing buildings and walls to be demolished,
- ▶ details of the existing building(s) as well as those for the proposed alterations or extensions,
- ▶ new buildings in relation to adjacent buildings.

Existing and proposed site Sections where necessary to illustrate any difference in levels within the property and between the property and adjacent properties.

The fee for the application needs to accompany the application. This can be paid on-line, over the phone or by a cheque. Planning fees are detailed on the [Councils website](#).

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3.3 Application Process

- 3.3.1 Once an application is received it is assessed to see if it is **valid**. At this time, if further information is required or information is missing, a letter will be sent out describing what is required. Once this information is received, the application is entered into our record management system. All applications are held electronically and details are available from the Council's website.
- 3.3.2 Once an application is valid, the Council **notifies** relevant neighbours with an interest in the development. This sets out basic information about the application and the time available to submit representations on the application. Representations can be received from anyone i.e. you do not need to be an adjoining neighbour. At the same time the Council will **consult** relevant statutory authorities such as the Roads Service or your Community Council.



- 3.3.3 A **site visit** will be undertaken by the case officer within two weeks of the application being validated. If necessary, contact will be made with the home owner before the site visit takes place.
- 3.3.4 Following the expiry of the publicity period, the Service will proceed to conclude its initial assessment of the planning application. This will assess the proposal against the Clackmannanshire Local Development Plan, its Supplementary Guidance, and any representations and responses from consultees. We will normally write to the applicant or agent if any key issues emerge. If necessary, a meeting could be arranged to discuss any potential problems that have been identified.
- 3.3.5 A relatively straight forward application should normally be decided within a 4-5 week period. The Council is required to issue a decision within 8 weeks of validation, unless an extension of time is agreed between the applicant and the Council. In almost all cases, the application will be decided under **the Council's Scheme of Delegation for Local Developments**, by Appointed Officers of the Council. Applications may be decided by the Planning Committee of the Council where the application involves land where the Council has an interest or when an Elected Member requests a committee decision.



- 3.3.6 The Appointed Officer will produce a report, then a **decision notice** will be issued. Some decisions may have conditions attached. If the application is refused, the notice will explain the reasons for the decision. If the applicant is unhappy with the Appointed Officers' decision, an appeal (Notice of Review) can be made to the **Local Review Body**. This consists of at least three Councillors who make a decision whether to uphold the decision of the Appointed Officer, or approve the application or modify a condition.
- 3.3.7 Work must start on a development within 3 years of the date of the decision. If no work has started, the permission lapses.
- 3.3.8 If there are proposed changes to the development, these should be sent to the Service to decide whether the changes can be treated as a non-material variation to the original permission or whether a fresh application is required. Contact should be made with the Service to discuss any proposed changes.

4. Other Permissions

4.1 In addition to the need for planning permission, other considerations that you may wish to check are listed below.

Legal position - Check the legal position to ensure there are no restrictions on the land or for the type of work proposed e.g. any restriction that removes 'permitted development' rights for the specific property, either in a legal title, or any matter under other legislation other than planning.

Building Standards - It is likely the proposed work will need to comply with the Building (Scotland) Acts and a '*Building Warrant*' may be required before any work is started. This is mainly to ensure any construction work, and materials used, are safe and durable.

Planning history - An earlier planning permission for your house or flat may have conditions or other restrictions prohibiting the type of work proposed. If in any doubt please check with the Council's Development Services (*Development Quality Team*).

Listed Buildings - if the building is a Building of Special Architectural and Historic Interest (a Listed Building), listed building consent may be required for a development. Please contact the Council's Development Services if there is any doubt about the status of a building. The latest *listing of Buildings of Special Architectural and Historic Interest* is also available on Historic Environment Scotland's website.

Conservation Areas - If the property is within a designated Conservation Area then planning permission will almost certainly be required for any development. The 'Designated Sites Map' in the Local Development Plan shows the extent of the *Conservation Areas*.

Scheduled Monuments and archaeological sites - work in or near a Scheduled Monument or archaeological site may be restricted. A planned approach to avoid impact on the feature and its setting, if possible, or alternatively to minimise impact, is required. Key agencies should be consulted at the earliest stage and before any site works commence. Where a site is not scheduled, certain precautions may still be required. Please contact the Council's Development Services if there is any doubt about the status of a building or potential proximity or impact on a Scheduled Monument or archaeological site.

Other consents - Check if any other permission is required e.g. (a) Road Construction Consent or Minor Roadworks Consent, (b) written permission from the Council regarding the protection and preservation of trees and (c) written consent from the Council's Housing Services, when appropriate, such as proposals for a former Council house.

5. The Development Plan And Planning Policy

5.1 The Development Plan

5.1.1 Where planning permission is required, the Council must be sure that the proposal is in accord with the policies of our Local Development Plan, unless other 'material considerations' indicate otherwise. This Supplementary Guidance will form part of the Clackmannanshire Local Development Plan (LDP) and will therefore be a 'material planning consideration'.

5.1.2 The Clackmannanshire LDP includes **Policy SC8 - Domestic Developments**, which applies specifically to proposals for existing house and flats. Policy SC8 is quoted opposite:

Policy SC8 - Domestic Developments

This policy sets out the criteria for the assessment of domestic developments.

Planning applications for domestic developments, including for alterations, extensions to houses and flats, developments in the curtilage of houses and flats, means of enclosure and domestic micro-generation will normally be approved provided they meet the following criteria:

- ▶ The development by virtue of its siting, design, scale or massing does not adversely affect the residential amenity enjoyed by occupants of surrounding domestic properties, including in the case of micro-generation through noise or shadow flicker.
- ▶ The development by virtue of its siting, design, scale or massing does not detrimentally affect the character or appearance of the building, the site or surrounding area.
- ▶ The development by virtue of its siting or scale, does not result in the over-development of the plot or a loss of garden ground, parking, or bin storage, that would be detrimental to the levels of amenity enjoyed by occupants of the property or surrounding domestic properties.

The development demonstrates high standards of energy efficiency and water efficiency.

(Copy extract from Clackmannanshire Proposed Local Development Plan)

5.2 Considerations to ensure Policy criteria are addressed

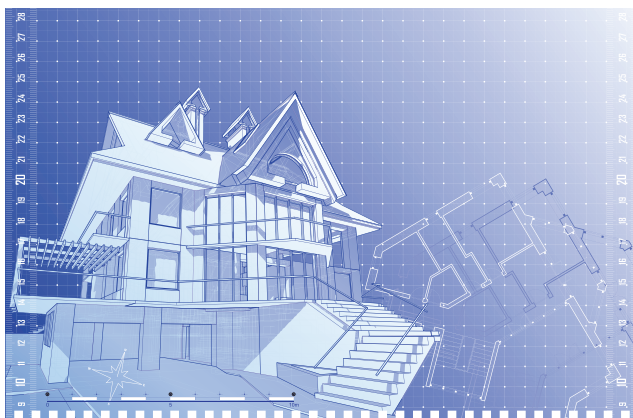
5.2.1 Impact on the established *amenity of neighbours*

Any proposed development should seek to avoid any significant overshadowing of neighbouring property, or loss of privacy. In reaching a balanced judgement on these issues, the Council will have regard to a variety of issues, including existing structures and standards of amenity, building height, proximity to boundaries and neighbouring properties, and the position, size and orientation of proposed windows.

5.2.2 Character and appearance of *the building, site, and surrounding area*

The planning system seeks to encourage innovative design solutions for buildings that respect their character and surroundings, be it for traditional or modern designs. The key is to achieve design solutions that enhance the original buildings and their setting by:

- ▶ identifying the key characteristics of the buildings,
- ▶ understanding the relationships with surrounding properties,
- ▶ acknowledging any particular themes to the character of the street,
- ▶ thinking about these factors when considering options for the siting of an extension or the scale of the proposed changes.



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5.2.3 **Over-development** of the site resulting in unacceptable loss of amenity, parking, bin storage and waste recycling capability

The scale of any development should avoid any unreasonable loss of private garden ground, and safeguard the reasonable enjoyment of neighbouring households. Generally any loss in off-street parking should be avoided. The capability to store and recycle waste from the household must be safeguarded and continue on site to contribute to the Council's waste reduction and recycling targets.



5.2.4 Guidance contained in **Supplementary Guidance 7 - Energy Efficiency and Low Carbon Development**, explains the forms of domestic technologies that are permitted development under the Planning Acts and Regulations e.g. micro-technology, passive solar gain. It explains that the Council seeks generally to secure that existing buildings can contribute positively towards Council climate change targets. (Please refer to SG7, Existing Buildings).

5.2.5 **Supplementary Guidance 4 - Water**, explains that hard standings within the curtilage of a house must be of porous construction or to have direct run-off to a permeable surface. Householders are also encouraged to recycle rainwater, bathwater, etc. for suitable 'greywater' purposes, e.g. flushing toilets or watering gardens. Domestic improvement projects may, however, require a **Building Warrant** and to meet the standards for insulation values and other measures in construction.

5.2.6 The **High Hedges (Scotland) Act 2013** provides a solution to the problem of high hedges which interfere with the reasonable enjoyment of domestic property, where the issue has not been able to be resolved amicably between neighbours. It does so by giving home owners and occupiers a right to apply to the local authority for a high hedge notice and empowers local authorities to make and enforce decisions in their area. Advice is available from landserve@clacks.gov.uk.



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6. The Proposal: Architecture And Design

6.1 Architecture

6.1.1 The Council wishes to encourage imaginative, sensitive and innovative design in the right places. A few basic design considerations are mentioned below and although not a 'rule book', they are first principles for good design in any planning submission.

6.2 Extensions

6.2.1 In terms of design all extensions should respect and complement the character of the existing house and surrounding area. Some extensions blend in with the existing house, whilst others are distinct additions with unique characteristics. Both options can be successful provided they have been well designed.

Matters to consider include:

- ▶ the scale and position of the extension which can impact on the amenity of neighbouring properties and the character of the street.
- ▶ continuing the front and rear building lines of the house, and any themes that contribute to the pattern of development in the area.
- ▶ including finishes respecting the character of a traditional house. In modern designs, colour and scale of materials needs to be carefully considered.

6.3 Windows and Doors

6.3.1 The replacement of windows and doors is normally permitted development. Permission will be required to alter a listed building or a house or flat in a Conservation Area. In such circumstances, original doors and windows should be retained and repaired where possible.

6.3.2 The enlargement of window openings and the removal of traditional features can change the character of the house. Replacement windows should replicate original windows in terms of sizes of window, pane size, opening style, proportion of astragals and colour of frames.



6.4 Dormers and Rooflights

6.4.1 All dormer extensions should respect and compliment the character of the existing house and surrounding area. Accordingly, dormers should;

- ▶ be well below the ridgeline of the roof,
- ▶ be finished in materials to match the existing roof,
- ▶ match the style and materials of any existing dormer,
- ▶ be constructed back from the eaves,
- ▶ not extend right up to the gable end, and
- ▶ align with windows in the existing house where possible.

6.4.2 Rooflights can be considered as an alternative to dormers as they can have less of a visual impact on a property, and they are less likely to overlook neighbouring properties.

6.5 Raised Decks, Terraces and Balconies

6.5.1 Consideration should be given to the design and location of these developments to ensure the character of the house is preserved and the amenity of the neighbouring properties is not adversely affected through overlooking. Additional screening should be considered if this would reduce the overlooking of neighbouring properties. However, impacts on the amount of sunlight/daylight received in the neighbouring property from screening, will also need to be considered.

6.6 Outbuildings, including Garages, Sheds and Greenhouses

- 6.6.1 All outbuildings should respect and compliment the character of the existing house and surrounding area. The main issues to consider are the choice of materials, the size in relation to the house and garden, and the relationship to neighbouring property. Any building should be used for domestic purposes, ancillary to the use of the house.
- 6.6.2 Outbuildings should not normally be situated in front of domestic properties. There are restrictions on the amount of any garden that can be covered by outbuildings and you should check with the Council's Development Quality section if a large building is proposed or there will be multiple buildings.
- 6.6.3 You may need to check with The Council's Building Standards section to see whether a building warrant is required for a large building or one close to the house/boundary.

6.7 Boundary Treatments - Walls, Railings, Fences and Gates

- 6.7.1 The type of boundary treatment, its materials and its height help to define the character and appearance of an area.
- 6.7.2 New boundary treatments close to road junctions must not obstruct the views of drivers. Boundary treatments besides driveways must not obstruct your view when exiting your driveway.

6.8 Driveways

- 6.8.1 A new driveway must be constructed so no material or surface water is discharged onto the street. The use of cut-off drains or porous materials should be included in any design.
- 6.8.2 To ensure that your car does not block the footpath whilst entering/exiting your garage, garages should be set back at least 6 metres from public footpaths.



6.9 Security

6.9.1 A dwelling that is safe and secure provides a positive contribution to the quality of life of its occupants and contributes to the delivery of a more sustainable community. 'Secured by Design' information is readily available from the Police.

6.10 Construction materials

- 6.10.1 External finishing materials must be carefully chosen so they enhance the character of the original property. The location of the building is an important and fundamental consideration in that regard, be it within an area of typical Scottish domestic architecture, a modern suburban neighbourhood, or in an area of special architectural or historic interest. Homes of traditional construction and materials require sensitive treatment and the selection of materials such as slate, stone or cement harling will often be appropriate.
- 6.10.2 Innovative design that uses materials from sustainable sources is encouraged and materials that add to the energy efficiency and life-time expectancy of the building are recommended. Materials that can take advantage of the orientation of the building e.g. for passive solar gain, to retain internal heat with walls that face predominantly to the north and east of the building should be incorporated. Early discussion with Building Standards is recommended for advice and guidance in choosing the right construction materials and for any climate change mitigation measures that could prove valuable for the building.

6.11 Water management

6.11.1 Scottish Water provide some good advice for conserving water and water quality in the home. Householders and developers are encouraged to contact Scottish Water to undertake a property search in order to ascertain whether any proposed extension, or buildings, are constructed over or adjacent to its existing underground pressurised water mains as access is required to allow sewers to be maintained or repaired.

6.12 Energy efficiency and energy conservation

6.12.1 The cumulative effects of global warming means that we should all try to contribute towards more sustainable living wherever possible. The effects of climate change and the risk of over-cooling or over-heating of buildings can be minimised through the inclusion of design elements such as high thermal mass, insulation, passive solar gain, using renewable energy source e.g. micro-wind turbine, and sustainable drainage and water efficiency measures.

6.12.2 Domestic developments ought to examine the scope for the efficient use of resources and to conserve energy when opportunity allows while meeting Building Regulations. Supplementary Guidance 7, Energy Efficiency and Low Carbon Development contains more details of these measures.

6.12.3 Please refer to the [Energy Saving Trust](#) website for fuller details on how to make improvements and to ascertain if any funding can assist your project.

7. Appendices

7.1 Frequently Asked Questions (FAQ's)

How much does it cost to apply for planning permission? - A list of the fee scales for planning and similar applications is published on the Council website."

<http://www.clacksweb.org.uk/site/documents/planning/planningapplicationfeescale/>

What is "permitted development"? - the Town and Country Planning (Scotland) Act, 1997 defines "development". Development that is exempt from requiring planning permission is called "permitted development". The Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2011 as amended, indicates when development is permitted. There are different categories of development, e.g. extension, building, etc. and different rules apply in each category.



To what height can I erect a gate, wall or fence, or other means of enclosure within the curtilage of my household? - a fence/wall/gate requires planning permission if it exceeds 1 m in front of the house or between a side elevation and a road. Outside these areas a fence/wall/gate can be erected upto a height of 2 m without needing planning permission. In Conservation Areas planning permission is required for any means of enclosure.

Do I need planning permission to change my integral garage to a habitable room? - not normally required but please consult with Building Standards to check if prior consent is required.

Does re-covering my roof require planning permission? - only where it is judged to materially affect the character or appearance of the roof or is in a Conservation Area or is a Listed Building. Please consult with the Council's Development Services before starting.

Do I have to consult with my neighbours before submitting a planning application? - the Council's Development Services will carry out the necessary notification to neighbours when a planning application is made, however you may wish to inform them you are intending to submit an application and discuss your proposals with them before submission.

7. Appendices (continued)

How long does it take to get planning permission? - the statutory decision making period is 2 months, however we will aim to issue a decision within 4-6 weeks.

Will someone come out to see my property? - a site visit by a delegated planning officer will take place for every planning application.

How do I determine if any development is lawful? - prepare and submit an application for (1) a Certificate of Lawfulness of Existing Use or Development (2) a Certificate of Lawfulness of Proposed Use or Development. There is a [Fee](#) in each case.

Do I always require a Building Warrant? - not always but please consult with the Council's Building Standards to determine the appropriate action.

How do I get permission to form a driveway to my property? - an access to a classified road requires planning permission. Otherwise a driveway may not require planning permission, but consent under the Roads Acts for a footpath crossing is required. There is a Fee for this. Please contact the Council's Development Services (Roads and Transportation) for initial guidance.

7.2 Useful Addresses And Links

Scottish Government Built Directorate, Planning

For legislation, policy and related guidance on Householder Developments

Web: <http://scotland.gov.uk/Topics/Built-Environment/planning/Development-Management/householder-permitted-development-rights>

Clackmannanshire Council

Development and Environment,
Kilncraigs, Greenside Street, ALLOA, FK10 1EB
Tel: 01259 450000

E-mail: planning@clacks.gov.uk

Web: <http://clacksweb/property/>

The Royal Incorporation of Architects in Scotland

To search for a professional suited to your needs.

15 Rutland Square, EDINBURGH, EH1 2BE

Tel: 0131 229 7545

E-mail: info@rias.org.uk

Web: <http://www.rias.org.uk/services/why-use-an-architect/choosing-an-architect/>

Scottish Water

Scottish Water, PO Box 8855, Edinburgh, EH10 6YQ

Tel: 0345 601 8855

E-mail: customer.services@scottishwater.co.uk

Web: <http://www.scottishwater.co.uk/you-and-your-home/connecting-your-property/planning-your-development>

Energy Saving Trust

Home Energy Scotland

Tel: 0808 808 2282 (freephone and callback)

Web: <http://www.energysavingtrust.org.uk/scotland/domestic/improving-my-home>



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7.3 Glossary

The 1992 Order

The Town and Country Planning (General Permitted Development) (Scotland) Order 1992, which gives permitted development rights to classes of development.

The main amendments for the purposes of householder development are:

- ▶ Town and Country Planning (General Permitted Development) (Domestic Micro-generation) (Scotland) Amendment Order 2009
- ▶ Town and Country Planning (General Permitted Development) (Domestic Micro-generation) (Scotland) Amendment Order 2010
- ▶ Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2011

Conservation Area

An area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance and designated under Section 61 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

Conservation Area Consent

The separate permission required for the demolition of any unlisted building within a conservation area.

Class

A type of development to which permitted development rights apply because planning permission is granted by the planning legislation.

Curtilage

Land which is used for the comfortable enjoyment of a building and which serves the purpose of that building in some necessary or reasonably useful way. It need not be marked off or enclosed in any way. Normally the curtilage would relate to the property or garden boundary of the dwellinghouse.

Domestic micro-generation

Means the production of electricity or heat for domestic consumption using microgeneration equipment.

Dwellinghouse

A residential property, not including a building containing one or more flats, or a flat contained within such a building.

Flat

A separate and self-contained set of premises whether or not on the same floor and forming part of building from some other part of which it is divided horizontally.

Greywater

Wastewater generated from wash hand basins, showers and baths, which can be recycled on-site for uses such as toilet flushing, landscape irrigation and constructed wetlands. Greywater often also includes waste water from clothes washing machines but doesn't include discharge from dishwashers and kitchen sinks.

Listed Building

A building of special architectural or historic interest included in a list compiled or approved by the Scottish Ministers under Section 1 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, any object or structure fixed to the building or which, while not fixed, forms part of the land within its curtilage since before 1 July 1948 and still in that curtilage at the date of listing.

Listed Building Consent

Consent granted under the above mentioned Act for demolition of a listed building, or alterations that would affect its character.

Local Development Plan (LDP)

The Clackmannanshire Local Development Plan prepared under the Planning etc. (Scotland) Act 2006 and its associated guidance referred to as Supplementary Guidance (SG).

Material consideration

Any issue that relates to the use or development of land and is relevant to the planning process, in the determination of a planning application, in the determination of a planning application.



Micro-generation

Has the meaning given in section 82(6) of the Energy Act 2004 which equipment has an output of up to 50 kilowatts of electricity or 45 kilowatts of thermal (heat) energy.

Permitted Development (PD)

Planning permission granted for certain classes of development by the 1992 Order. Also known as Permitted Development Rights (PDR).

Road

As defined by Section 151 of the Roads (Scotland) Act 1984. A road is any way over which there is a public right of passage including its verge. A road is therefore not confined to only publicly adopted roads used by motor vehicles.



**Clackmannanshire
Council**

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