

Advice Guide 1

# How to make a Valid Planning Application

Ag freastal ar an Dún  
agus Ard Mhacha Theas  
Serving Down  
and South Armagh



Comhairle Ceantair  
**an Iúir, Mhúrn agus an Dúin**  
**Newry, Mourne and Down**  
District Council

## Introduction

The purpose of this guidance is to help applicants understand the type and extent of the information that will be required from them when applying for planning permission, or for other types of planning consent. It will also seek to ensure that all the relevant information needed to determine an application has been submitted from the outset. It is important to note that this guidance is not an exact statement of the law. After reading this note, if you are still in doubt, you should contact Newry, Mourne and Down District Council for further advice.

## Which form should I complete?

### **For most types of applications for planning permission - Form P1**

Whilst not prescribed in legislation, this form can be used for making an application for most types of planning permission, including:

- Outline Planning Permission
- Full Planning Permission
- Reserved Matters Applications
- Renewal of Planning Permission
- Applications for Mineral Workings

The P1 form provides information on certain supplementary forms that may be required alongside your application, depending on your proposal.

### **For applications for Householder development (extensions or alternations to domestic dwellings) - Form PHD**

This form should only be used for applications seeking full planning permission for works to alter or extend a dwelling or other development for domestic purposes, within the curtilage of a dwelling.

# Completing the planning application form (P1):

## Q1a. Applicant Name and Address

**1a. Applicant's** name and address

**1b. Agent's** name and address (if any)

|           |  |           |  |
|-----------|--|-----------|--|
| Name:     |  | Name:     |  |
| Address:  |  | Address:  |  |
| Town:     |  | Town:     |  |
| Postcode: |  | Postcode: |  |
| Tel:      |  | Tel:      |  |
|           |  | Ref. No.: |  |

It is a requirement by legislation to complete the Applicant Details, including full name and title. Please also enter the house or flat number, name (if applicable) and street name in the street address field. The town, county and full postcode should also be entered. If the application is being submitted by an agent, such as someone who is acting on the applicant's behalf, all correspondence, including the decision letter, will be sent to him/her.

## Q1b. Agent Name and Address

Please enter the Agent Details, including full name and title. Please also enter the house or flat number, name (if applicable) and street name in the street address field. The town, county and full postcode should also be entered. If the application is being submitted by an agent, such as someone who is acting on the applicant's behalf, all correspondence, including the decision letter, will be sent to him/her.

## Q2. About the Application Site

### About the Application Site

2. Give the full postal address of the site to be developed  
(outline in red on site location map and give townland if known)

Please provide the full postal address of the application site. Enter the house or flat number, name (if applicable) and street name in the street address field. The town, county and full postcode should also be entered. If the application relates to open ground, describe its location as clearly as possible, for example, 'Land approximately 160m north east of 2 Newry Street'.

The application site must be edged clearly with a red line on the location plan. It should include all land necessary to carry out the proposed development. For example, land required for access to the site from a public highway, visibility splays (access around a road junction or access, which should be free from obstruction), landscaping, car parking and open areas around buildings.

A blue line must be drawn on the plan around any other land owned by the applicant, close to or adjoining the application site. If a building is to be replaced it should be included within the red line and coloured green. Each plan should show the direction of north.

## Q3. Site Area

3. What is the area of the site in hectares?

Please submit the site area in hectares. It is essential that this measurement is accurate as it will be utilised to assess whether the application will be a major development under The Planning (Development Management) Regulations (Northern Ireland) 2015. This measurement should include everything outlined in red on the site location plan.

## Q4. The present use of the land

Please include an accurate description of the current use of the land.

## Q5. Provide details of the proposed development

5. Please give details of the proposed development, including purpose for which the land / buildings are to be used. (It is vital that a full and accurate description of the proposal is provided. Give as much detail as possible including number of houses / apartments etc)

Please give an accurate description of the proposal that you are applying for.

For example:

- Outline application for a dwelling and garage (on a farm).
- Full permission of 300 dwellings, new access and road widening to the existing Belfast Road.
- Full permission for a retail superstore (food), car parking and associated landscaping.

The descriptions of development should be as concise as possible while still describing accurately the development sought. For single houses in the countryside, the main description should be outlined or full permission for a dwelling and garage. The policy under which you wish for it to be assessed should be included in brackets adjacent to the main description as above.

## Q6. Specifying what the current proposal Involves.

6. Do the current proposals involve: (tick as appropriate)

|   |                          |                                      |                          |
|---|--------------------------|--------------------------------------|--------------------------|
| new buildings                                 | <input type="checkbox"/> | alteration or extension of buildings | <input type="checkbox"/> |
| change of use                                 | <input type="checkbox"/> | retention of development             | <input type="checkbox"/> |
| development without complying with conditions | <input type="checkbox"/> | other operational development        | <input type="checkbox"/> |

Tick **all** the appropriate boxes which applies to your application.

## Q7. Pre-Application Discussion

If you have received pre-application advice from the Council's Planning Authority, please indicate the reference number of any correspondence. If you do not know these details, then please state 'Unknown'. This will assist the council in dealing with your application as quickly as possible.

## Q8. Major Development

### 8. Major Development

Does the proposal involve a class of development listed in the Schedule of The Planning (Development Management) Regulations (Northern Ireland) 2015?

Yes  No

If Yes has a Proposal of Application Notice been submitted for this development?

Yes  No  If Yes please provide Reference No:

If a Proposal of Application Notice has been submitted, has a Pre-Application Community Consultation report been submitted along with this application?

Yes  No

This question prompts you to decide on whether this application meets the criteria for a Major application. If you require advice on the thresholds contained within The Planning (Development Management) Regulations (Northern Ireland) 2015, please contact the Council's Planning Department who will be able to help.

If your application is for planning permission (outline or full permission) for a major or regionally significant development, you must consult the local community about your proposals before making your application. This is known as 'pre-application community consultation' and details of how this is to be achieved must be set out within the 'pre-application notification' (PAN). This must be submitted to the council 12 weeks prior to the submission of the planning application. Your application must include a 'pre-application community consultation report'.

Please note that sections 26, 27 and 28 of The Planning Act (Northern Ireland) 2011 and the contents of The Planning (Development Management) Regulations (Northern Ireland) 2015 will also help ensure you meet the legislative details required.

## Q9. Temporary Permission

Please advise if the permission is required for a temporary period or not. If a temporary permission is required, please advise for how long it is required and the reason why.

## Q10. Type of Application

10. Please tick the appropriate box below to indicate the type of application:

- Outline permission
- Full permission
- Renewal\*
- Reserved Matters\*

\* Please provide the reference number of the previous application and date when permission was granted

Ref. No.:  Date:

Please advise whether the application is for outline permission, full permission, approval of reserved matters or renewal of planning permission. If the application is for Reserve Matters or renewal of a previous planning permission, please submit the outline reference number and the date on the decision notice.

## Q11. Previous Planning Permissions

If there are relevant previous planning history on the application site, please include the reference number at this point.

## Q12. Access Arrangements

12. Do the access arrangements for this development involve: (tick as appropriate)

- Use of an existing unaltered access to a public road?
- Construction of a new access to a public road?
- Alteration of an existing access to a public road?

  
  

Is the access for:    Vehicular Use             Pedestrian Use             Both

**NOTE:** If you propose to construct a new access or alter an existing one you must include full drawings with your application.

Your proposed sites access to the public road must be included in red on the site location map. You must indicate on your form whether you propose to use an existing access or create a new one, showing the location of these on your plans at a 1:500 or 1:200 scale. Any public highway or footpath that crosses, adjoins or affects the site must be shown clearly on the plans, including any proposals that may require a closure or diversion.

If you are proposing to undertake any works that will affect the pavement or roadway then it is advisable to seek advice from DFI Roads.

## Q13. Ownership or Control of Adjoining Land

You must show any adjoining land that is within your ownership or control in blue on the site location map.



## **Q14. Wildlife (NI) Order 1985**

It is important to highlight to the council the existence on the application site of any species protected under the Wildlife (NI) Order 1985. Where a development proposal is likely to significantly affect features of biodiversity or geological conservation interest, it will be necessary to not only submit this with the application, but also include sufficient information on what those effects are, for the council to determine it. The council have provided further guidance on this point in a separate advice guide called "Front Loading Your Application".

## **Q15. Public Rights of Way**

You must indicate on your drawings any public highway or footpath that crosses, adjoins or affects the site on the proposed development. This must be shown clearly on the plans (coloured green). Include any proposals that may require a closure or diversion.

## **Q16. Source of Water Supply**

Please indicate the source of water supply. In most instances water supply will be from the mains system. If not, please provide further details.

## **Q17. Surface Water Disposal**

Please provide a brief description of how surface water will be disposed of, such as existing drainage system, drainage ditch, soakaway etc.

## **Q18. Foul Sewage Disposal**

You must indicate how foul sewage is to be disposed of. If 'other' please provide additional details.

## **Q19. Assessment of Flood Risk**

Owners have the primary responsibility for assessing the flood risk to and from their property. The applicant or agent has a responsibility to carry out pre-application assessments to identify whether this application site is located within the flood plain. Site-specific Flood Risk Assessments (FRAs) are generally carried out by prospective developers for specific development proposals, providing they meet the exceptions identified in Planning Policy. If you have any queries about this, please seek advice from the Council's Planning Department prior to lodging an application.

The Rivers Agency Flood Map which shows the flood zones can be viewed at:  
<https://www.infrastructure-ni.gov.uk/topics/rivers-and-flooding/flood-maps-ni>

## **Q20. Persons Involved in Agriculture**

Please advise if the applicant is a person involved in agriculture. If the answer is 'Yes' you will be required to complete Form P1C in addition to the Form P1. You should give as much information as possible on the P1C form to clearly demonstrate the level of agricultural activity.

## **Q21. Industrial Development**

If the proposal involves industrial development you must provide as much information as possible regarding the processes, products, type of plant and machinery that is likely to be operated.

## **Q22. Daily Water Requirement**

Please provide an estimate of envisaged daily water usage.

## Q23. Disposal of Trade Effluent and Trade Refuse

Please describe the type, quantities and means of disposal of any trade refuse or effluent. If there is to be none, please mark as 'N/A'.

## Q24. Detail of Floorspace

24. Please detail floorspace as indicated below

| Floorspace uses | Existing area (m <sup>2</sup> ) |     | Proposed addition or replacement (m <sup>2</sup> ) |     | Total |     |
|-----------------|---------------------------------|-----|--|-----|-------|-----|
|                 | Gross                           | Net | Gross  | Net | Gross | Net |
| Production      |                                 |     |  |     |       |     |
| Sales           |                                 |     |  |     |       |     |
| Offices         |                                 |     |  |     |       |     |
| Storage         |                                 |     |  |     |       |     |
| Ancillary uses  |                                 |     |  |     |       |     |
| Total           |                                 |     |  |     |       |     |

Gross floorspace is measured externally, for the purposes of fees, and should include circulation and service space. This includes lifts and floorspace devoted to corridors, toilets, storage, etc. It does not include any area external to the building(s).

Where more than one use class is proposed as part of any development, floorspace should be specified for each separate planning unit (by Use Class). To do this please submit separate pages and detail the information in a table like the table above. All floorspace figures should be provided in square metres.

## Q25. Projected Numbers of Visitors and Vehicles Visiting the Premises

25. Indicate in the grids below answers to the following

| Average No. of vehicles at premises daily from | Existing | Expected increase | Total |
|--|----------|-------------------|-------|
| Staff  |          |                   |       |
| Visitors/Customers                             |          |                   |       |
| Goods  |          |                   |       |

| Average No. of persons attending premises daily | Existing | Expected increase | Total |
|---|----------|-------------------|-------|
| Employees                                       |          |                   |       |
| Others Attending*                               |          |                   |       |
| Total   |          |                   |       |

For commercial, industrial, education, health and civic proposals, please populate the two tables to show estimated daily visitor and vehicle numbers visiting the application site. Please ensure that the existing numbers, including the estimated daily increase, are demonstrated and provide a total figure.

## Q26. Council Employee or Elected Member Interest

You must declare whether the applicant or agent is a member of the council's staff, an elected member of the Council or related to a member of staff or elected member of the Council.

*Serving elected members or planning officers who submit their own planning applications should play no part in their determination. Such applications should be determined by the planning committee rather than by planning officers under delegated powers.*

For the purposes of this question 'related to' means related by birth or otherwise closely enough that a fair-minded and informed observer. Having considered the facts, there would be a real possibility of bias on the part of the decision-maker in the council.

## Q27. Planning Application Certificate of Ownership

An ownership certificate must be completed stating the current ownership of the land to which the application relates, under Section 42 of the Planning Act (Northern Ireland) 2011.

It is an offence to knowingly or recklessly complete a false or misleading certificate.

**Certificate A** should be filled in if you own all the land or have a tenancy of 40 years or more left on all the land.

**Certificate B** should be filled in if the application is being made on behalf of a beneficiary of a trust or settlement. This applies if they're in actual possession of the land that affects all the land of the application site.

**Certificate C** should be filled in if you do not own all the land outlined in red on the application site. You are required by law to serve notice on the relevant land owners for a period of 21 days prior to submitting the planning application.

**Certificate D** should be filled in if there is no registered land owner to part or all the land contained within the application site. You will be required to demonstrate that you have followed in Section 42 (d) of The Planning Act (Northern Ireland) 2011.

## Q28. Neighbour Notification

Neighbour Notification is now a legislative requirement of the Planning Act 2011 and Article 8 (1) and (2) of The Planning (General Procedure) Order (Northern Ireland) 2015. Therefore, it is imperative that you give accurate details and addresses on this section of the form. Your neighbours must be told about your application to give them the opportunity to make representations if they so wish.

Your failure to correctly identify notifiable neighbours is likely to delay consideration of your application.

To help the council notify the correct people you must complete the neighbour notification section, giving the addresses of all identified occupiers of adjoining premises, provided they know about the application site. Occupiers of buildings

which would adjoin the boundary of your site, but for an entry or a road less than 20m wide, are also regarded as neighbours.

**Please also ensure to sign and date the application form and submit the appropriate fee. For further information about calculating fees correctly please see our advice guide, “Calculating Your Planning Fee”.**

## What drawings are required?

To fully assess your application, a range of drawings are required. These are detailed below:

**The site location map** should be submitted at a 1:1250 or 1:2500 scale, clearly outlining the entire site in red. The access should also be outlined in red to the public road, including any land required for visibility splays. If the application is for a replacement house you should colour this building in green. All land which you own adjacent to the site should be outlined in blue.

**The site layout plan** should be submitted at a scale of 1:500, showing the location of the proposed or existing building on site and detailing the access requirements including visibility splays. It should include details on all structures which are required to be removed or set back to clear the visibility splays, together with any other works required, such as dropped kerbing etc. This plan should also detail parking and turning provisions and the proposed landscaping scheme if it is a small/local proposal. For bigger schemes it may be appropriate that a separate landscaping scheme is submitted. Proposed and existing ground levels should be shown for the whole site, including the access laneway.

**Elevation and floor plan** drawings should be submitted at a scale of 1:100 or 1:50. These drawings should clearly label all proposed material finishes and the floor plan must match the elevation plan for window and door openings.

**Miscellaneous plans** detailing elevations of any walls or fences proposed should be submitted, including cross sections of any retaining walls proposed. Cross

sections throughout the site should also be submitted if you propose to alter the ground level by more than 0.5m at any point throughout the site.

**Four copies of all forms and all drawings are required to make a valid planning application.**

## Design and Access Statements

Design and Access Statements (D&AS) are required following the introduction of new legislation in 2015. Sections 40 (3) and 86 (2) of the 2011 Act requires that certain descriptions of applications for planning permission and all listed building consent applications are to be accompanied by a D&AS. Details of the applications for planning permission must be accompanied by a D&AS and the form and content of such statements are prescribed in The General Development Procedure Order 2015. The Listed Building Regulations as amended set out the form and content of a D&AS for listed building consent applications.

### When is a D&AS required?

The following planning applications must be accompanied by a D&AS:

- An application which is a major development.
- An application where any part of the development is in a designated area (World Heritage Site, AONB, Conservation Area, ATC/VTC).
- A development consisting of the provision of one or more dwelling houses.
- A development with the provision of a building or buildings where the floor space created by the development is 100m<sup>2</sup> or more.

## When is a D&AS not required?

Planning applications that do not require to be accompanied by a D&AS are:

- Outlined in Section 54 of the 2011 Act. This focuses on applications to develop land without compliance with conditions previously attached, unless those conditions specifically relate to a design and access issue.
- For engineering or mining operations.
- A material change in the use of land or buildings. This applies if the new use will necessitate access by an employee or involves the provision of services to the public or section of the public, with or without payment. The relevant article applies to the application for access only.
- For development which is waste development.

## Form and content of a design and access statement

Article 6 (3) of the GDPO prescribes that a D&AS must explain the design principles and concepts that have been applied to the development. This should include how issues relating to the access of the development have been dealt with. It must also demonstrate how the proposed development's context has influenced the design. The statement must explain the policy or approach adopted regarding access to, from and within the development. Any policies relating to access in the relevant local development plan and any specific issues which might affect access to the development for disabled people should be considered and explained.

The D&AS must also describe how features which ensure access to the development for disabled people will be maintained. It must 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. Explain how any specific issues which might affect access to the development have been addressed and what design principles and concepts have been applied to take into account environmental sustainability.

A D&AS is also required for Listed Building Consents. This will be detailed in the advice guide "Making an Application for Listed Building Consent." The D&AS for Listed Building Consent has different requirements, however providing that the



D&AS covers the legislative requirements in both the Listed Buildings Regulations as amended, The Planning Act 2011 and The General (Development Procedure) Order 2015 and a single combined statement should address the requirements of both.

## Things to consider prior to submitting your application:

- Do I need advice about my proposal or on making the application?
- Am I applying for the correct type of permission?
- Have I completed the correct forms fully and accurately?
- Have I enclosed all the correct documentation, number of copies and necessary detail?
- Have I enclosed the correct fee?
- Have I signed all the forms that should be signed?
- Have I included all the addresses of neighbours to be notified?
- Do I need to discuss my proposal with other bodies?

## When are other permissions or consents required?

There are other types of applications and consent which may be required. These are detailed below:

**Permission to develop land without compliance with conditions previously attached - Form RVC1** This form should be used for applications for full planning permission submitted under Section 54 of the Planning Act (Northern Ireland) 2011.

**You may need one or more of the following consents either without needing to apply or planning permission or in conjunction with a planning application.**

**Listed Building Consent - Form LBC 1** Listed Building Consent is required before the carrying out of any work for demolition, alteration or extension of a listed building (including internal works or objects attached to the structure). This would affect its character as a building of special architectural or historical interest. It is important to note that you may also be required to apply for planning permission for external and substantial works.

**Conservation Area Consent - Form PCAC 1** This form is to be used only for applications for consent to demolish (whether in whole or in part) unlisted buildings within a conservation area.

'Building' includes any structure, erection and any part of a building. This means items such as walls, fences, gates, railings, flights of steps are buildings for the purposes of Conservation Area Consent.

**Advertising Consent - Form A1** Under the Planning (Control of Advertisements) Regulations (Northern Ireland) 2015, certain outdoor advertisements require consent before they can be displayed. Applicants should refer to the Regulations for details. It is a condition of the Regulations that before the advertisement to which the consent relates is displayed, the permission of the owner of the land or building, or other person entitled to grant permission, must be obtained.

**Hazardous Substances Consent - HSC Form** Hazardous Substances Consent is required for the presence of a hazardous substance over, on or under land. This is unless the aggregate quantity of the substance(s) present is less than the controlled quantity for that substance, see Section 108 of the Planning Act (Northern Ireland) 2011. An application for consent must be accompanied by a completed HSC Form, which is a declaration of land ownership.

**Certificate of Lawful Use or Development Forms - LDC 1 and LDC 2** These forms should be completed when an applicant is seeking a written determination that an existing or proposed use of land, operational development, or activity in breach of a planning condition is lawful.

## Fees

It is essential that the correct fee is paid for your application. Failure to do so will result in an invalid application and will result in it being returned to you. Details of fees are set out in the Council's Advice Guide, "Calculating Your Planning Fee" or the leaflet "Planning Fees - Explanatory Note for Applicants" which can be viewed on the NI Planning Portal, [www.planningni.gov.uk](http://www.planningni.gov.uk)

**The Council has also issued advice guides on:**

**Listed Building Consent**

**Conservation Area Consent**

**Calculating your Planning Fee**

**Non-Material Changes**

**Houses of Multiple Occupancy**

**These may be relevant, and issues may overlap.**



**Ag freastal ar an Dún  
agus Ard Mhacha Theas  
Serving Down  
and South Armagh**



0300 013 2233 (Council)  
0300 200 7830 (Planning)  
council@nmandd.org  
www.newrymournedown.org

**Oifig an Iúir  
Newry Office**  
O'Hagan House  
Monaghan Row  
Newry BT35 8DJ

**Oifig Dhún Pádraig  
Downpatrick Office**  
Downshire Civic Centre  
Downshire Estate, Ardglass Road  
Downpatrick BT30 6GQ