**Plenary Worksheet answers**

**1. What are the differences between delegated and permitted development?**

Delegated powers allow planning officers to make decisions on certain applications (such as minor home extensions) without going through the full planning committee. Permitted development refers to specific types of building work or alterations that do not require planning permission, as long as they meet certain conditions (e.g. small extensions or installing solar panels).

**2. What types of home improvement typically fall under permitted development?**

Home improvements, such as single-storey rear extensions, loft conversions, garage conversions, outbuildings (sheds, garages) and installing solar panels typically fall under permitted development if they meet the size and location criteria. It is, however, always advised to find out what the local regulations are.

**3. What is the purpose of the Party Wall Act 1996?**

The Party Wall Act 1996 aims to prevent and resolve disputes between neighbours regarding work that affects shared or boundary walls, as well as excavations near neighbouring properties. It ensures both parties agree to the work and outlines how disputes are resolved.

**4. What are the key steps in the planning application process?**

* The planning application process typically begins with pre-application advice, where the applicant seeks guidance from the local planning authority before officially submitting their application.
* Once ready, the application is submitted along with the necessary documents and fees.
* The next step is validation, where the local authority checks to ensure the application meets all legal and technical requirements.
* After validation, the consultation stage takes place, allowing neighbours and other stakeholders to provide feedback on the proposed development.
* Once feedback is considered, the decision-making phase begins, during which the planning authority evaluates the application against local planning policies.
* Following this, the decision is issued, either granting approval or refusal.
* If the application is refused, the applicant has the option to appeal the decision.

**5. Who is responsible for serving a Party Wall Notice?**

The building owner planning to carry out work on or near a party wall is responsible for serving a Party Wall Notice to the adjoining owner before starting the work.

**6. How do conservation areas and listed buildings affect planning applications?**

Conservation areas and listed buildings have stricter rules for development. In these cases, even minor changes,such as changing windows or doors, may require planning permission to ensure that the character of the area or the historic integrity of the building is preserved.

**7. Explain the significance of the Building Safety Act 2022.**

The Act establishes a new regulatory framework focused on risk management, accountability, and oversight throughout the lifecycle of a building. Key features include the creation of the **Building Safety Regulator**, stricter duties for those responsible for design and construction, and the introduction of a new building control system for higher-risk buildings**.** The Act also enhances the rights of leaseholders.

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| **Key term** | **Definition** |
| delegated powers | Authority given by a local planning authority to officers to make certain planning decisions without requiring a full committee meeting. |
| permitted development | Building work or changes to a property that can be carried out without applying for planning permission. |
| planning application | A formal request submitted to a local planning authority seeking permission for building works, change of use, or developments that fall outside permitted development rights. |
| party wall | A shared wall or structure that stands on the land of two adjoining owners and forms part of a building, or stands solely on one owner's land but is used by both. |
| building owner | The person intending to carry out works affecting a party wall or boundary, as defined under the Party Wall etc. Act 1996. |
| adjoining owner | A neighbouring property owner whose land or building is directly affected by proposed works under the Party Wall etc. Act 1996. |
| Party Wall Notice | A legal notice served by the building owner to the adjoining owner, informing them of planned works to a party wall or structure under the Party Wall etc. Act 1996. |
| Party Wall Agreement | Also called a Party Wall Award, it is a legally binding document prepared by surveyors that sets out how the proposed works should proceed and protects both parties’ rights. |
| Party Wall Surveyor | A qualified person appointed under the Party Wall etc. Act 1996 to act independently in resolving disputes between building and adjoining owners. |
| easement | A legal right that allows a person to use another’s land for a specific purpose, such as a right of way or drainage. |
| wayleave | A legal agreement allowing a utility provider to install and maintain equipment (e.g. electricity cables) on private land. |
| infrastructure | The basic physical systems and structures needed for the operation of a society, such as roads, water supply, electricity, and telecommunications. |
| retrospective planning permission | Permission granted after work has already been carried out without prior approval; it legalises the unauthorised development |