

# YOUR QUESTIONS ANSWERED

## 1

### Planning for Gypsy and Traveller sites - the rules, who makes them and where you can influence them



#### What is Planning?

Planning is the national system which manages the use and development of all land, whether it's for housing, schools, shops, offices, factories, airports, community facilities or for most other purposes.

It aims to do this for the benefit of everyone. It tries to balance the need for things like new houses to be built with the need to protect the best of our environment. The idea is to create better places for people to live, work and relax in.

#### What's it got to do with you?

In the same way that the planning system covers schools, housing, factories etc, it also covers Gypsy, Traveller and Showmen's sites. Different types of planning decisions - on policy, land allocation, as well as on planning applications and permissions - affect the lives of your community and where you live. It is therefore important that you and your community understand the system and get involved in it.

#### How does the system work?

The rules of planning are set by the Government, by the Yorkshire and Humber Regional Assembly (the Assembly), and by local councils.

#### What does the Government do?

The Government makes laws and gives guidance about the way the planning system works.

- Understand the system and get involved in it



Government guidance is contained in a variety of guidance notes, statements and circulars covering subjects like 'Green Belts', 'Housing' and 'Development in Rural Areas'. Gypsy and Traveller sites and 'Travelling Showpeople' are covered by their own circulars - see below. All this guidance together adds up to the Government's national planning policies. To find out more about all these documents, see Sheet 7.

- Find out about Government guidance documents
- Contact the Assembly's housing team about the GTAA in your area
- Get yourself and others involved in the GTAA survey for your area

Since the 2004 Housing Act, the Government has required local councils to carry out Gypsy and Traveller Accommodation Assessments (GTAAs) for their area and to identify land for Gypsy, Traveller and Showmen's sites in their Local Development Frameworks (see 'What do local councils do?' below).

More recently the Government's Circulars 01/06 and 04/07 (see Sheet 7) has given councils new guidelines. They state that the GTAA will assess need and identify slab and plot requirements for each council area.

Although GTAAs produce information for individual council areas, in Yorkshire and Humber they are in practice being carried out by groups of councils, joining together to pay for the work. The surveys to assess need have been taking place since 2006, usually taking the form of interviews with individual Gypsies, Travellers and Showmen. These have to be finished by July 2008.

If you want to find out what's happening with the GTAA in your area, contact the Assembly's housing team (see Sheet 7). If you want to make sure that the GTAAs are as accurate as possible, make sure you get involved in the survey for your area and encourage others to do the same.

## What does the Yorkshire and Humber Regional Assembly do?

The Assembly has to prepare a Regional Spatial Strategy - a plan for the whole region which gives guidance to local councils about where housing, industry and other land uses should go and how much of them there should be.

The Strategy, known as 'The Yorkshire and Humber Plan', contains a policy (Policy H5) on the 'Provision of Sites for Gypsies and Travellers'. It says that local councils should carry out GTAAs and make sure there are adequate sites to meet needs.

In its present form, the policy tells local councils what the shortfall of pitches is across the region and in the four different parts of the region (North, South and West Yorkshire and Humber). This is based on a regional study carried out by Sheffield Hallam University with help from the Gypsy and Traveller community.

Policy H5 of 'The Yorkshire and Humber Plan' will be reviewed probably in late 2008. As part of this review, local councils will be given more information on what the longer term shortfall of pitches is in their local area. This review will also give you the chance to have your say on the policy, and may give you or your representative the opportunity to speak at a public examination into the Plan.

When local councils write their Local Development Frameworks their policies must be in line with what Policy H5 says and they must identify enough land to meet the shortfall of pitches for their area.

- Have your say on any new Yorkshire & Humber Plan
- Speak at a public examination if you get the chance

## The system for making sure there are enough slabs and plots for Gypsies and Travellers

Individual councils or groups of councils have to do research by July 2008 to find out about the number of slabs and plots needed in their area. They have to speak to Gypsies and Travellers as part of the research.

A Gypsy and Traveller Accommodation Assessment (GTAA) for each council area is made using the research.

The GTAA is used by individual councils to develop a local strategy to meet the slab and plot needs identified.

Each local council produces a Local Development Framework showing where land is available for slabs and plots.

The Assembly monitors the GTAAs and how councils are providing slabs and plots to meet need, to ensure target numbers are being met.

# The Local Development Framework (LDF) 'Folder'

## Development Plan Documents

### Core Strategy

May include general policy on Gypsy & Traveller sites

### Policies Document

Should include detailed policy on Gypsy & Traveller sites, with checklist of needs to make sure sites are suitable

### Site Allocations Document(s)

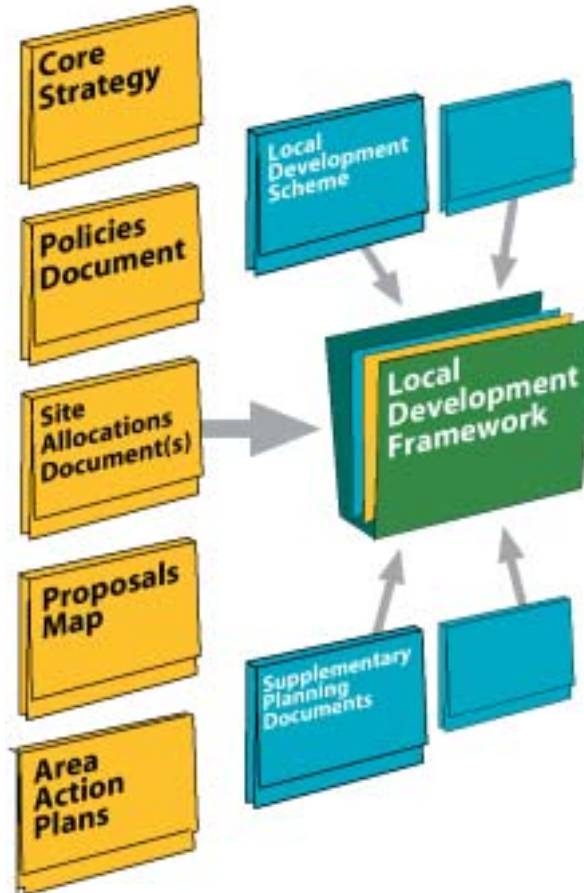
Will list land allocated for Gypsy & Traveller sites

### Proposals Map

Will show where allocated Gypsy & Traveller sites are, plus what all other land in the area can be used for

### Area Action Plans

Will give details of any Gypsy & Traveller site in plan area and show it on a map



## Non Development Plan Documents

### Local Development Scheme

Lists when all the other documents will be prepared and consulted on

### Supplementary Planning Documents

There may be a document just about Gypsies & Travellers – check!

The Assembly checks that local councils are taking the action necessary to provide the slabs and pitches needed.

## What do local councils do?

Every council in Yorkshire and Humber (see Sheet 7 for full list) has to produce planning policies that cover every part of its area. These policies, found in Local Development Frameworks (or 'old style' plans - see NOTE below), will tell you what any particular piece of land can be used for, eg countryside, park, factory, office, housing or Gypsy and Traveller site. These Frameworks have to identify enough land/sites for the slab and plot numbers which local GTAA's and the Yorkshire and Humber Plan say are needed in each council area. Councils also have to show that there is a realistic chance that the sites that they identify can be made available for development and by when.

Local Development Framework is an overall name for what is in fact a folder containing a collection of many separate documents. Of these, the Development Plan Documents are the most important for you (see Local Development Framework 'Folder' diagram above).

- Take part in council consultations on Local Development Framework documents

*NOTE: Because the current law on Development Plans was only made in 2004, the Regional Spatial Strategy and Local Development Frameworks are not yet finished, so many planning policies and proposals are still to be found in 'old style' Unitary Development Plans (South & West Yorkshire), Structure Plans and Local Plans (North Yorkshire and the Humber). This complication should however disappear within the next few years.*



Councils have to consult regularly with the public, communities, community groups and a wide range of other organisations when preparing their Local Development Framework documents. They also have to show that they have taken the comments they receive into account. If they have not, then one or other of the documents may not be accepted by the Government's inspectors.

You and your community need to take part in these council consultations in order to ensure that Local Development Framework documents contain the best possible policies and allocate the right number and size of sites in the types of places where you wish to live. This is crucial to your interests because all future planning applications for your sites will be judged against their policies and land allocations.



Local Development Frameworks don't last forever. They get out of date and have to be redone. This gives you the chance to have your say on a new Framework for your area.

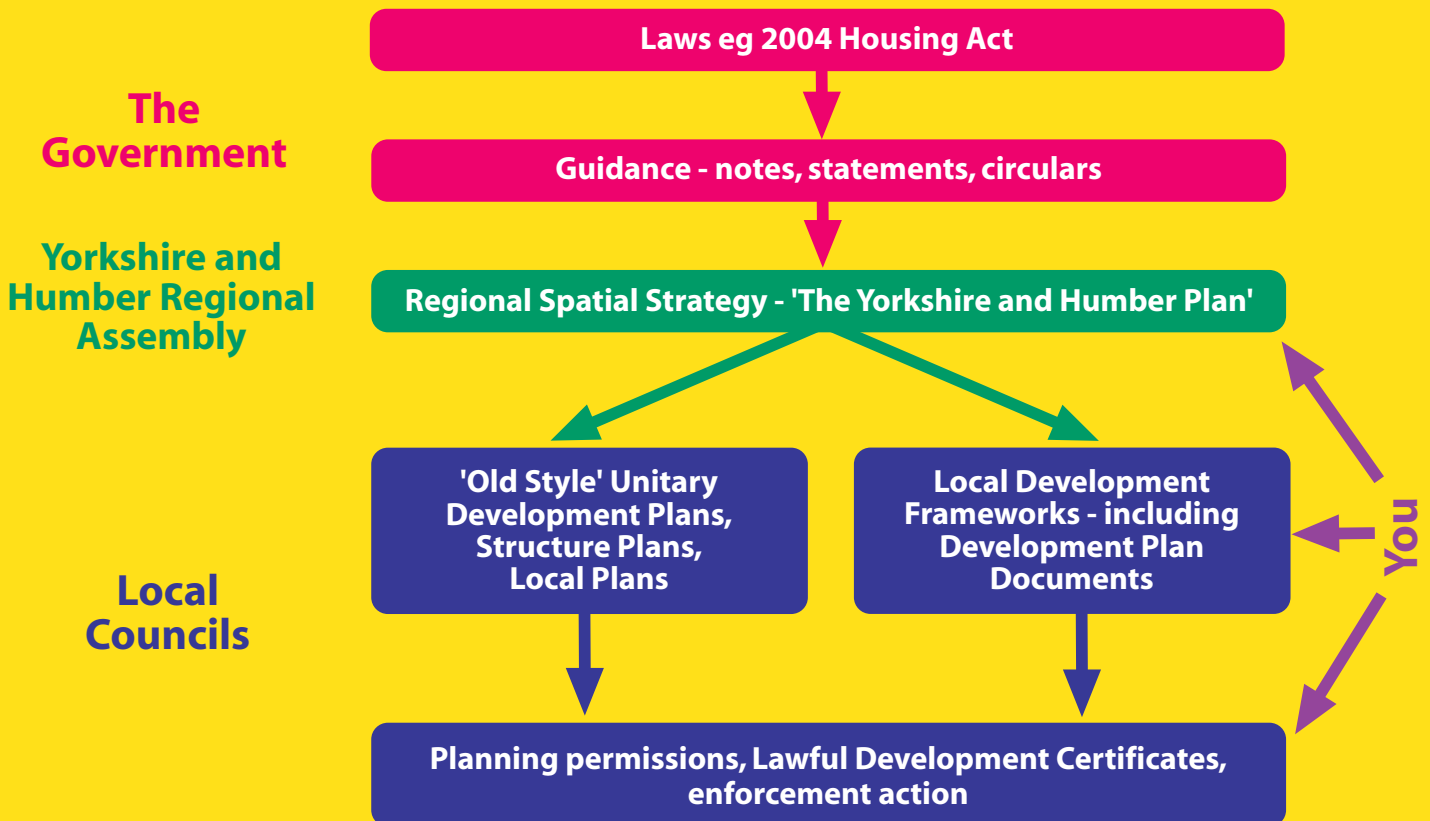
### **Tips on influencing Local Development Frameworks**

- Check on timetables for preparation of Development Plan Documents;
- Check out documents at council offices or libraries or get them sent to you direct;
- Look at documents/Proposals Map to identify any proposals/policies concerning Gypsy, Traveller or Showmen's sites;



- Get a planning officer to help you;
- Input/comment, where your interests are affected and, where appropriate, at all available consultation stages;
- Remember that the earlier in the preparation process you make your input, the more likely it is that your views will be taken on board;
- Make sure comments relate to planning matters (known as 'material considerations') - see Sheet 6;
- Submit comments in writing by the deadline given wherever possible;
- Band together with other Gypsies, Travellers or Showmen communities to strengthen local input to documents;
- See what help is available from Yorkshire Planning Aid or from other support organisations (see Sheet 7);
- Obtain copies of reports on public consultation to get feedback on how your comments have been dealt with;
- Get representative or support groups to do all of this on your behalf (see Sheet 7).

## The Planning System



# YOUR QUESTIONS ANSWERED

## 2

### Finding a site and getting planning permission for it

- Find a site and do some detective work
- Get planning permission to give you the right to live on your own land
- Apply to your local council for permission

- Follow the research tips



### What is planning permission?

Planning permission is usually needed for all new homes - even if you are not actually intending to build anything. A 'new home' means trailers and other types of mobile home just as much as a brick-built house or bungalow. So if you want to live in your trailer, on your own site, you need to get planning permission. This will give you the right to stop and live on your own land.

To get planning permission for a site, you must apply to the local council for your area (see Sheet 7 for full list of local councils). But before you do this, you need to find a site and do some detective work!

### Finding out about possible sites

If you're trying to find land on which to develop your own site, you'll have far more chance of getting planning permission if you do some planning research first. Don't be tempted to buy a piece of land until you've done the research!

### Tips on researching sites

- Decide on an area of search;
- Visit the planning department(s) of the local council(s) which cover your search area and have a chat with a local planning officer (probably a good idea to book an appointment first rather than just turning up unannounced!);
- Ask if the Local Development Framework or 'old style' plan covering the area identifies any land as Gypsy and Traveller sites and which other areas would fit Framework policy requirements -

- Don't buy land till you've done the research!
- Target a site allocated for Gypsy and Traveller use or which fits with the council's policies



- Follow the research tips

this is likely to be land close to settlements which is accessible to public transport, shops, schools and other community facilities (and where, hopefully, land is reasonably cheap!);

- Ask about the planning history of any identified sites, eg existing planning permissions and conditions, past planning applications and refusals;
- Narrow down your search to one or two possible sites and go back to the planning officer(s) to ask about their planning history and what they think of them - you should be able to tell by their reaction whether or not they are worth pursuing further;
- See what help is available from representative and support groups, Yorkshire Planning Aid or from other planning experts (see Sheet 7).

By targeting a site already allocated for Gypsy and Traveller use or one which fits the Framework policy criteria, you will stand a much better chance of getting planning permission.

### **Finding out more about your chosen site**

Once you have settled on a site, find out as much as you can about it before seeking planning permission.

### **Tips on researching your chosen site**

- Speak with the owner, landlord, agent, or someone who is living on the site to find out what they know about it. Always check any information that they tell you and ask to see copies of any permissions, licences, proof of ownership etc;
- Make sure the site is for sale and that the seller is willing to sell it to you as a Gypsy or Traveller site, because if not, you won't get planning permission - try to get something in writing;
- If you are serious about buying the site, it's a good idea to get a solicitor to do a legal search for you. This will find out whether, for example:
  - Anyone has a claim on the land;
  - There are any covenants which restrict its use;
  - It is likely to collapse because it's on top of an old mine;
- When buying the land, buy what's called 'an option' on it - this means you buy the right to buy the land later, once you've got planning permission for it. This way, you stand to lose far less money if the permission doesn't work out.

## Preparing to apply for planning permission

- Meet with council officers to talk about your plans
- Keep a record of the meeting
- Speak to local councillors about your plans
- Consult as much as possible with site neighbours and others

Before you make your planning application, ask to talk informally with council planning officers about what you want to do. You might also need to see officers from other departments (eg highways, building control). They are not always easy to contact. It can save time to see them all at the same time, so make an appointment. Take someone with you if you need help to explain what you want or to understand the information that you are given. Keep a written record of who you speak with and what they told you, with the time and date. This might help you when you come to apply for planning permission.

You can also speak with the council's elected members (councillors) and ask them for support and advice. You can get contact details for your local councillor from the council offices.

Finally, you should consult as widely as possible with site neighbours, local organisations, such as the parish council, and other groups or individuals likely to have a particular interest in what you want to do, eg local conservation and environmental groups, residents groups etc.

## Applying for planning permission

When you are ready to apply for planning permission, pick up a planning application form from your local council offices. Alternatively, you can download the form from the council website or the Planning Portal (see Sheet 7).

You can either fill the form in yourself or get an agent or planning expert to do it for you. Yorkshire Planning Aid may also be able to help (see Sheet 7).

The next sheet in this pack (Sheet 3) will help you to fill in the form and guide you on the information you will need to supply with the form.

Keep a copy of the form and all the documents that you send to the council. If you hand it over at the council offices ask the person who receives it to check that everything the council needs has been included. This will avoid unnecessary delay.

The council will write to you, or your agent, to let you know that they have received the application. If anything is missing, the form will be sent back to tell you what other information is needed. If the council asks you for more information send it as soon as you can.

SECTION 1: BASIC INFORMATION

Brief description of proposal

Full postal address of the site

Full home address and daytime contact number of the applicant and agent (if applicable)

SECTION 2: TYPE OF APPLICATION (please tick only one box)

A Full application

B Change of use

C Outline application

D Reserved matters

E Renewal of a previous grant

F Application to vary or revise a grant

G Reinstatement of an application

If you have ticked D, E, F or G, give the previous application number

If you have ticked C or D, please tick one or more boxes to show the agent approval for and show the details on your plans

Access  Issue

- Get a form from the council or Planning Portal
- Fill in the form - with help if you need it (see Sheet 3)
- Keep a copy of all paperwork you send to the council
- Respond quickly to requests for more information

- Find out when your application will be decided
- Keep in touch with your case officer

- Ask others to write in supporting your application

- Find out who will decide your application
- Make the most of any committee appearance
- Check for a councillor site visit
- Prepare for all outcomes!

## How long will it take to get a decision?

The council should give you a decision within eight weeks, but it can take longer if there is a good reason for delay. Ask the planning officer to tell you when a date has been set for the decision.

Keep in contact with the planning officer who is dealing with your application (the case officer) to find out how things are progressing.

## What happens in the meantime?

The council will contact people and organisations (eg site neighbours, parish council, the Highways Agency) that may be affected by your application. They can do this by putting a notice at the application site, by writing to them, and/or by advertising in a local newspaper.

All the information that you send with your application will be made available at the council offices for anyone to look at.

Anyone can write to the council to comment on your application, either to support or object, but they must give valid planning reasons (known as 'material considerations' - see Sheet 6) if they are to affect the decision. You can ask other people to write to the council in support of your application.

## The decision

A planning officer will deal with the application but the decision will either be made by a committee of councillors (the elected members of the council), or by a senior planner (a member of staff).

If the decision is going to be made by a committee you will be able to attend the meeting. Find out from the council when the meeting will be held. You, or your agent, might be able to speak for a few minutes in support of the application. Ask the council about their arrangements and be there for the start of the meeting. It is best to get advice about what to say. Be brief and keep to the point. There might be other people who want to speak as well, some of them against the application.

The committee does not have to make a decision if it needs more information or if it wishes to make a visit to the site to see it for themselves. Councillor site visits are private meetings made at an appointed time. The council will tell you when this will be and if you can attend and speak.

The decision can be any one of the following three:

- Planning permission granted without conditions (very rare);
- Planning permission granted with conditions;
- Planning permission refused.

Be prepared for all possible decisions!

See Sheet 4 for further information on the decision.

# YOUR QUESTIONS ANSWERED

## 3

### Filling in the planning application form

- Get help with form-filling



The previous sheet in this pack (Sheet 2) describes how to apply for planning permission and where to get the planning application form from. It also makes clear that you don't have to fill the form in yourself. This could be done by or with the help of:-

- A friend who has experience with forms;
- A planning expert or agent - but be prepared to pay for their help;
- A representative or support group;
- Yorkshire Planning Aid;
- An advice centre such as Citizen's Advice Bureau.

Contact details for most of the above can be found in Sheet 7.

### What questions does the form ask?

The form will ask you to give the following information:-

- Your name and address;
- The location of the proposed site (with postal address if it has one);
- A description of what you propose, including the number of trailer pitches;
- Details of any proposed building (hardstanding, wash rooms, stables or toilets, for example);
- Any business uses proposed;
- The size of the site, in hectares;

- Ask the council about anything you don't understand

- Fill in, date, sign and return certificate
- Seek advice if you don't know who owns the land



- Find yourself an experienced map drawer

- The type of application, for example if it is a change of use with building works;
- Details of any parking spaces, trees to be removed, public rights of way or footpaths across the land;
- Details of drainage and sewage arrangements, whether to mains or on site.

If you need any help with understanding the questions, the council's planning officer will be able to assist you (see Sheet 7 for further sources of help).

The completed form must be signed and dated.

## Certificate of Ownership

The planning application form comes with a Certificate of Ownership which must also be completed and returned with the form. You must fill in the correct section of the form as follows:-

- Section A if you own the land;
- One of either Section B, C or D if you have told the owners that you are making a planning application.

If you do not know who owns the land you might need to get further advice. The Land Registry has a record of freehold owners (see Sheet 7). Your local council's 'Land Terrier' may also be able to help. A council's 'Land Terrier' will show the boundaries of all council owned land, together with details of council land sales.

The completed certificate must be signed and dated.

## Other supporting information to include

### Maps and plans

You will need:-

- A site location map;
- A plan showing your proposed layout;
- Detailed drawings of the layout, road access and any buildings that you want to erect.

Show new fences, walls, trees and shrubs that you want to add to improve the site.

Find someone experienced to draw your plans, such as an architect or builder. They would also be able to help with drawings for other consents, such as building regulations.

- Get advice on the statement content

- Consult as much as possible with site neighbours and others
- Make a list of what they say and your response

- Follow the tips on supporting information
- Keep a copy of all paperwork

## Design & Access Statement

You will need to include a statement to explain the principles of the design and access arrangements for your site. This can include a written statement with drawings and photographs. Contact the council or look on their website for more information about what to include. CABE are another good source of advice on what to say in your statement (see Sheet 7).

## Statement of consultations

You can help your application by showing that you have contacted site neighbours and other people who might have an interest in the application. The council's planning officer will be able to tell you who should be included. For example, you can ask other people, such as the traveller education service or local health services to support your application. Make a list of the people you have consulted, with all the responses. Also include any changes that you have made to your plans to avoid conflicts with people who raised possible objections.

The council will contact people and organisations after you submit your application, as described in Sheet 4.

## Statement of supporting information

It can help your planning application to include a statement of supporting information. The box below gives some pointers on what to include.

### Tips on what to put in a supporting statement

- Say that you are a Gypsy or Traveller or a Travelling Showman;
- Say that you have had a "nomadic habit of life" and you wish to settle;
- Provide a list of the people who will live on the site and how they are related or travel together;
- Explain where you live now and what is your usual pattern of life;
- Say why you need to move to the site, stay on it, or extend your site;
- Say how the site fits your personal needs, for example, you have nowhere else to live; you need to live in the area because of family connections or for access to educational or health services;
- Provide a short list of the efforts you have made - and problems you have experienced - to find a suitable site;
- Explain how this site meets Government planning guidance and the local council's planning policies (e.g. safe access, reasonably close to shops and other services, well screened by hedges etc.) - see Sheet 1;



- Say whether you would be willing to change your application to make it more acceptable to the council;
- Describe how you intend to improve the appearance of the site and its facilities to meet the standards of Government guidance (see Sheet 7) and council policies;
- Say where and how you will live if you do not get permission;
- Say whether there is anyone who supports your application (e.g. a local councillor, site warden, health visitor, doctor, neighbours) and give details of any pre-application discussions with the council's officers. Include copies of any letters of support.

Keep a copy of all your completed forms, plans and supporting information.

## Fees

You must pay a fee when you make a planning application to the council for planning permission. They will tell you how much this is. A scale of fees is published by the Government and is available from the Planning Portal (see Sheet 7). The fee may depend on the size of the site and number of pitches. There is a standard fee for a change of use.

- Check out how much you must pay

# YOUR QUESTIONS ANSWERED

## 4

### The planning application decision - permission or refusal & what next

- Keep your Decision Notice and approved plans safe

- Check, understand and stick to any conditions



Sheet 2 describes the three possible decisions you might get on your planning application, namely planning permission without conditions, planning permission with conditions or a refusal of planning permission.

Whatever the decision, the council will send you or your agent a Decision Notice detailing that decision. You should keep this safe, whether you get a planning permission or a refusal, as either way it will be important for what you do next.

### Planning permission - what happens next?

If the council gives you planning permission, it might also send you an 'approved stamped' and dated copy of your plans with the Decision Notice. Keep these safe with the notice.

Remember that a planning permission is limited to the site which you applied for and cannot be used for a different site. You would have to apply again if you decide to move to a new site.

Although a planning permission without conditions is possible, it is very unlikely. There will almost certainly be a list of planning conditions attached to your permission. These are extra things that you'll have to do as part of your permission. You need to check these conditions and make sure you understand them and know what you have to do to satisfy them. Get advice if there's anything you're not sure of (see Sheet 7).

If there are any conditions you really don't like, you can appeal against them (see 'Appeals' below).

There are many different types of conditions which can be attached to a planning permission. The box overleaf gives a few typical examples.



## Examples of conditions

- You must start the development within a certain period of time. (If you are unable to make a start within that time for example by laying down a hardstanding, it is better to renew your permission within the time limit [three years] than to let it lapse. Otherwise you would have to apply again with no guarantee of getting a second permission).
- You must provide more information, to be approved by the council, before you can start work or move onto the site. (If you do not get the approvals in writing or keep to the condition the council can serve a 'Breach of Condition' notice - see below).
- Your use of the site is limited to a certain length of time because only a temporary permission has been given.
- The use of the site is limited to certain people who are named in the planning permission - known as a 'Personal Condition'.
- The number of trailers, slabs or plots on the site, or the number of days when extra visiting trailers are allowed on site, is limited.
- A non-residential use, such as business activity, is limited to a certain part of the site.

- Check any legal agreements you are asked to sign

- Follow approved plans and check with council first if you want to make changes
- Check out and get other permissions where needed

- Seek advice if you get a notice and do what it says

In addition, for some planning permissions you might be required to sign an extra legal agreement, called a 'planning obligation' or Section 106 Agreement. Such agreements can be used where the council wants to prevent you doing something or requires you to pay some money to make your plans more acceptable, eg to improve a nearby playground which would be used by children on your site.

## Carrying out your development

Make sure that you follow the approved plans when you develop the site. If you want to change the plans, first ask the planning officer if you need to send new drawings to be approved. Confirm your conversation in writing.

Although you have your planning permission, you may also need to obtain other approvals such as building regulations approval and a caravan site licence. Check what else is needed with the council or a representative or support group (see Sheet 7).

## Breach of Condition Notice

If you do not keep to the conditions attached to your permission, either by ignoring them or not doing exactly what the conditions require, the council can serve you with a 'Breach of Condition Notice.' You have no right of appeal against this notice. This means that you would have to put things right in the time specified by the notice. If

you get a notice, it is best to ask for advice immediately. You can contact the council to explain what you need to do. If you don't do what the notice says, the council can take you to the Magistrates' Court which can fine you up to £1,000.

## Refusal of planning permission - what happens next?

- Consider a free resubmission or an appeal
- Take advice first!

### Putting in your application again

If your application is refused you are allowed to make one free resubmission within twelve months. Speak with the planning officer and find out if there are any changes that will help you to get permission. Show these changes clearly on your resubmission if you decide to go ahead with this. Remember to update any information that you sent with your first application if there are any changes in your circumstances.

### Appealing against the refusal

You can appeal against the refusal which means that your planning application and the council's reasons for refusing it are looked at by an independent inspector. You have six months to make your appeal.

Before you decide to appeal speak with the people who helped you with your application about whether you have a good reason to appeal. You will have to pay the costs (professional fees and expenses) of your own advisors. If the inspector decides that your appeal is not justified you might be made to pay the council's costs as well.

### Appealing against conditions

If you think that any of the conditions attached to your planning permission are unreasonable or cannot be carried out, first speak with the planning officer about it. If you cannot come to an agreement with the council you can appeal, within six months of the decision. This can delay your start but can help in the long term. See below for the procedure.

## Appeals

Collect an appeal form from the council, or download one from the Planning Portal or the Planning Inspectorate website (see Sheet 7). You will have to pay a fee with your appeal.

You can ask for the appeal to be decided by written representations, public inquiry, or a hearing. The way in which you present your appeal will be different for each of these.

### Types of appeal

- A written representations appeal is done with written statements only, sent to the Planning Inspectorate and decided without a meeting. It is likely to be the quickest and cheapest option.

- Consider appealing against harsh conditions

- Get an appeal form from the council, Planning Portal or Inspectorate
- Decide on the type of appeal you want
- Apply within the time limit



- A public inquiry is a formal meeting that is open to the public. You are able to present your case to the inspector and ask the council's representatives questions. An inquiry is usually arranged for more complex or bigger developments. It can involve legal representatives and other experts being employed on both sides.
- A hearing is less formal than a public inquiry. It is likely to be better than a public inquiry for smaller or more straightforward developments.

The Planning Inspectorate is independent of the council. When your appeal is received a Planning Inspector will be appointed to look at both sides of the case and to decide whether to grant you planning permission, or to remove or change any conditions.

### **The appeal decision**

An appeal can take over a year before you get a decision. The bigger and more complex cases will take longer to decide. You will be sent a written report of the appeal with the decision and the reasons for it. If you need help to understand it, ask an expert to explain how it will affect you and what you can do next.

If you lose the appeal you might be able to challenge the decision in the courts. You will need more expert advice on the law and there are strict time limits to make a challenge. You will also need a lot of money to pay for the challenge!

- Get expert advice on your appeal decision

# YOUR QUESTIONS ANSWERED

## 5

### Living on a site without planning permission

- If you're on land without planning permission, ask to stay

- Check if you qualify for a Lawful Development Certificate
- Send in the filled-in form, plus supporting evidence, and keep copies

- Apply for permission for what you're already doing



It is not against planning law to occupy land without planning permission, but if you are living on a site that does not have permission the council has powers to move you and that can cause you a great deal of trouble (see 'enforcement action' below).

But all is not lost, because you can ask to stay. There are two ways to do this.

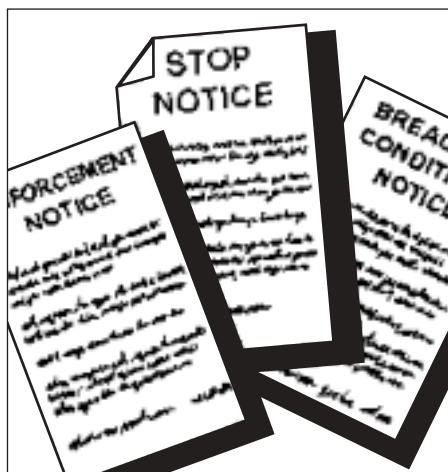
### Lawful Development Certificate

If people have been living on the site for many years you might be able to get a permit known as a 'Lawful Development Certificate.' You need to fill in a form from the council and pay a fee. You must produce evidence to show that the site has been in continuous use for ten years or more and/or that any buildings put up on the site have been there for four years or more. Remember to keep a copy of the form and anything else that you give the council with it. If the council gives you this certificate you will be safe from enforcement action (see below).

### Retrospective planning permission

If your site does not qualify for a Lawful Development Certificate you can still apply for planning permission after you have moved onto a site (known as a retrospective planning application). Follow the advice given in Sheets 2 and 3. If retrospective planning permission is refused you can appeal to the Planning Inspectorate (see Sheet 4) within six months of the decision.

- Play it by the book if you're the subject of enforcement action



- Lodge your appeal by the deadline date

## Enforcement action by a council

If you don't apply for a Lawful Development Certificate or retrospective planning permission the council has several ways (see box below) to use its planning powers to stop you from living on the site. If you do not do what the council says, you can be prosecuted. If you are given an injunction and you do not act on it you could be given a prison sentence.

### Types of enforcement action

- Temporary Stop Notice - which comes into force straight away and stops any further development for 28 days;
- Enforcement Notice - to stop development. You would have the right of appeal to the Planning Inspectorate against this sort of notice;
- Stop Notice - which can only be issued at the same time as an Enforcement Notice and is used to stop the development before the Enforcement Notice comes into effect;
- Injunction - an application to the courts to stop the development.

### Appealing against enforcement action

You can appeal to the Planning Inspectorate against an Enforcement Notice. The procedure is similar to an appeal against refusal of planning permission (see the advice in Sheet 4). The Enforcement Notice will give a date when it takes effect and your appeal must be received by the Planning Inspectorate before that date. It might be no more than 28 days, so it is important not to delay.

# YOUR QUESTIONS ANSWERED

## 6

**Other people's planning applications - what business are they of yours?**



### **You don't have to do it yourself!**

The previous four sheets have all covered different aspects of making your own planning application in order to develop your own site. But you don't necessarily have to do it for yourself. It may be that somebody else - another Gypsy/Traveller, Travelling Showman, a local council - is willing and able to do it. In such a situation, you may be able to help out by supporting what they are doing, but first of all you need to be aware of what they're doing.

### **Finding out about other people's applications**

You can find out about applications made for Gypsy and Traveller sites and sites for Travelling Showmen.

- Check the public planning register held at council planning departments - all new applications have to be entered in the register;
- Check a council's website - many councils now publish lists of new applications on their websites;
- Request that the council notify you (or your local support group or representative body) of all applications relating to such sites.

### **Commenting on other people's applications**

You (or anybody else) have the right to comment on any planning application in which you have an interest - either to support it or object to it.

When commenting on an application it is important to understand the matters which will be taken into account when the planning application is considered. These are the Local Development

- Support other people's planning applications

- Monitor Gypsy and Traveller site applications

- Have your say about other people's plans



Framework (or 'old style' equivalent) and Government planning guidance (see Sheet 1).

The Local Development Framework is the starting point but other 'material considerations' are weighed in reaching a decision. A material consideration is generally anything that is relevant to the development and use of land (see box below).

## Material and non-material considerations

Examples of material considerations are:-

- Planning history of the site
- Siting, design, external appearance, access
- Relationships to nearby buildings and uses
- Loss of privacy and overshadowing
- Housing land availability
- Noise, disturbance and pollution

The following are often thought to be planning matters but are not material considerations:-

- Loss of a private view eg over open land
- Competition between private businesses
- Devaluation of property
- Land ownership issues
- Disruption from construction works
- Moral arguments

- Check what other people are saying

- Get expert help
- Stick to planning arguments
- Say what would make the plans better
- Stick to deadlines

Bear in mind that any comments you make are open to the public, so people can see your comments, but equally you can see theirs, and comment on them if you wish. Given that some people may well object to proposed new sites, it makes sense to put in your own supporting comments if you would like a site to go ahead.

## Tips on making your comments

- Decide whether you are going to support or object to the application or whether amendments could be made to make the application better;
- See what help you can get from your local support group, representative body, Yorkshire Planning Aid or other planning experts;
- Make sure your comments relate to planning matters - 'material considerations' (see box above);
- Suggest suitable conditions which may overcome any objections you or anyone else might have or which could improve the proposed development;
- Submit your comments in writing by the deadline wherever possible.

# YOUR QUESTIONS ANSWERED

# 7

Where you can get  
help



## Organisations that may be able to help you

### Gypsy, Traveller and Showmen's support and representative organisations in Yorkshire and the Humber

#### **DOC - Hull Gypsy and Traveller Project & Hidden Voices (East Riding)**

*Support and community development services for Gypsies and Travellers in Hull and the East Riding*

Address: Community Enterprise Centre, Cottingham Road, Hull, HU5 2DH

Tel: 01482 441002

#### **'Give us a Voice' Project CEN**

*For any Gypsies, Travellers or Showmen in Doncaster wanting help on different issues such as health, education, racist incidents, or just general enquiries.*

Address: Doncaster CVS, 5-6 Trafford Court, Doncaster, DN1 1PN

Tel: 01302 343300

[www.doncastercvs.org.uk](http://www.doncastercvs.org.uk)

#### **Hull Gypsy & Traveller Exchange**

*Gypsy and Traveller Support Organisation working with Gypsies and Travellers in the Hull area around issues such as improving quality of life, health, young people's services, evictions, as well as offering cultural awareness training and engaging with service providers.*

Address: Community Enterprise Centre, Cottingham Road, Hull, HU5 2DH

Tel: 01482 441002

#### **Leeds Gypsy & Traveller Exchange (GATE)**

*A community members association for Gypsies and Travellers who live in, or resort to, Leeds.*

Address: Ground Floor, Crown Point House, 169 Cross Green Lane, Leeds, LS9 0BD

Tel: 0113 240 2444

[www.travellersinleeds.co.uk](http://www.travellersinleeds.co.uk)

#### **Showmen's Guild of Great Britain (Yorkshire Section)**

Address: 151A King Street, Drighlington, Leeds, BD11 1EJ

Tel: 0113 285 3341

#### **York Travellers Trust**

*Provide a range of services to offer practical support and advocacy for Travellers in York.*

Address: 20 Falsgrave Crescent, York, YO30 7AZ

Tel: 01904 630526

[www.ytt.worldbreak.com](http://www.ytt.worldbreak.com)

### National Gypsy, Traveller and Showmen's support and representative organisations

#### **Association of Circus Proprietors**

Address: PO Box 131, Blackburn, BN17 5LL

Fax: 01254 681 723

**Association of Independent Showmen (AIS)**

Address: 2 Upper Rose Lane, Palgrave, Diss, Norfolk, IP22 1AP

**Community Law Partnership - Traveller Advice Line**

*The partnership's Traveller Advice Team runs a 24 hour advice service giving assistance over evictions, harassments, planning and discrimination.*  
Tel: 0845 120 2980

**Gypsy Council for Education, Culture, Welfare and Civil Rights**

Address: 8 Hall Road, Aveley, Romford, Essex, RM14 4HD  
Tel: 01708 868986

**National Romani Rights Association**

Address: 10 Dudgett Close, Ferndown, Dorset, BH22 8BH  
Tel: 01202 893228

**National Travellers' Action Group**

Tel: 07890 596718

**Travellers' Times**

Address: The Rural Media Company, Sullivan House, 72-80 Widemarsh Street, Hereford, HR4 9HG  
Tel: 01432 344039  
travellerstimes@ruralmedia.co.uk  
www.travellerstimes.org.uk

**Planning support organisations****Citizens Advice**

*Possible help with filling in planning application forms at local bureaux. To find the whereabouts of your nearest Citizens Advice Bureau (CAB), either write, phone or fax using details below or use the local CAB search facility on the website.*

Address: Leeds Field Office, 5th Floor, Wade House, Merrion Centre, Leeds, LS2 8NG  
Tel: 020 7833 2181  
Fax: 020 7833 4371  
www.citizensadvice.org.uk

**Chapter 7**

*Free telephone planning advice to caravan dwellers, smallholders and other low impact dwellers.*  
Address: The Potato Store, Flaxdrayton Farm, South Petherton, Somerset, TA13 5LR  
Tel: 01460 249204  
chapter7@tio.org.uk

**UK Land Registry**

*Provides easy access to up-to-date and guaranteed land ownership information and other information about land. Fee payable. Operates via local offices of which several together cover the Yorkshire and Humber region. Use contact below to find out where your local office is located.*

Address: Land Registry Head Office, 32 Lincoln's Inn Fields, London, WC2A 3PH  
Tel: 020 7917 8888  
Fax: 020 7955 0110  
www.landregistry.gov.uk

**Yorkshire and Humber Assembly**

*Information on GTAAs and Regional Spatial Strategy.*  
Address: 18 King Street, Wakefield, WF1 2SQ  
Tel: 01924 331555  
Fax: 01924 331559  
mail@yhassembly.gov.uk  
www.yhassembly.gov.uk

**Yorkshire Planning Aid (YPA)**

*Free, independent planning advice and assistance service for individuals and groups in the Yorkshire and Humber region. Can also supply list of Royal Town Planning Institute accredited planning experts with experience of dealing with Gypsy and Traveller sites.*  
Address: The Green Sand Foundry, 99 Water Lane, Leeds, LS11 5QN  
Tel: 0113 237 8486  
Planning Advice Helpline: 0870 850 9808  
ykco@planningaid.rtpi.org.uk  
www.planningaid.rtpi.org.uk

**Local councils****Barnsley MBC**

Address: Town Hall, Barnsley, South Yorkshire S70 2TA  
Tel: 01226 770770  
www.barnsley.gov.uk

**Bradford MDC**

Address: 8th Floor, Jacobs Well, Bradford, West Yorkshire, BD1 5RW  
Tel: 01274 434605  
www.bradford.gov.uk

**Calderdale MBC**

Address: 2nd Floor, Northgate House, Halifax, HX1 1UN  
Tel: 01422 357257  
www.calderdale.gov.uk

**Craven District Council**

Address: Council Offices, Granville Street, Skipton,  
North Yorkshire, BD23 1PS  
Tel: 01756 700600  
[www.cravendc.gov.uk](http://www.cravendc.gov.uk)

**Doncaster MBC**

Address: Danum House, St Sepulchre Gate,  
Doncaster, DN1 1UN  
Tel: 01302 734444  
[www.doncaster.gov.uk](http://www.doncaster.gov.uk)

**East Riding of Yorkshire Council**

Address: County Hall, Beverley, HU17 9BA  
Tel: 01482 887700  
[www.eastriding.gov.uk](http://www.eastriding.gov.uk)

**Hambleton District Council**

Address: Civic Centre, Stone Cross, Northallerton,  
North Yorkshire, DL6 2UU  
Tel: 01609 779977  
[www.hambleton.gov.uk](http://www.hambleton.gov.uk)

**Harrogate Borough Council**

Address: Knapping Mount, West Grove Road,  
Harrogate, HG1 2AE  
Tel: 01423 500600  
[www.harrogate.gov.uk](http://www.harrogate.gov.uk)

**Kingston-upon-Hull City Council**

Address: 2nd Floor, Kingston House, Bond Street,  
Hull, HU1 3ER  
Tel: 01482 609100  
[www.hullcc.gov.uk](http://www.hullcc.gov.uk)

**Kirklees MC**

Address: PO Box B93, Civic Centre III, Huddersfield,  
HD1 2JR  
Tel: 01484 221000  
[www.kirklees.gov.uk](http://www.kirklees.gov.uk)

**Leeds City Council**

Address: The Leonardo Building, 2 Rossington  
Street, Leeds, LS2 8HD  
Tel: 0113 247 8000  
[www.leeds.gov.uk](http://www.leeds.gov.uk)

**North East Lincolnshire Council**

Address: Civic Offices, Knoll Street, Cleethorpes,  
DN35 8LN  
Tel: 01472 313131  
[www.nelincs.gov.uk](http://www.nelincs.gov.uk)

**North Lincolnshire Council**

Address: Pittwood House, Ashby Road, Scunthorpe,  
DN15 9AE  
Tel: 01724 296296  
[www.northlincs.gov.uk](http://www.northlincs.gov.uk)

**North York Moors National Park Authority**

Address: The Old Vicarage, Bondgate, Helmsley,  
North Yorkshire, YO6 5BP  
Tel: 01439 770657  
[www.moors.uk.net](http://www.moors.uk.net)

**North Yorkshire County Council**

Address: County Hall, Northallerton, DL7 8AD  
Tel: 08458 727374  
[www.northyorks.gov.uk](http://www.northyorks.gov.uk)

**Peak Park National Park Authority**

Address: Aldern House, Baslow Road, Bakewell,  
Derbyshire, DE45 1AE  
Tel: 01629 816200  
[www.peakdistrict.gov.uk](http://www.peakdistrict.gov.uk)

**Richmondshire DC**

Address: Swale House, Frenchgate, Richmond,  
North Yorkshire, DL10 4JE  
Tel: 01748 829100  
[www.richmondshire.gov.uk](http://www.richmondshire.gov.uk)

**Rotherham MBC**

Address: Bailey House, Rawmarsh Road, Rotherham,  
S60 1QT  
Tel: 01709 382121  
[www.rotherham.gov.uk](http://www.rotherham.gov.uk)

**Ryedale District Council**

Address: Ryedale House, Malton, North Yorkshire,  
YO17 0HH  
Tel: 01653 600666  
[www.ryedale.gov.uk](http://www.ryedale.gov.uk)

**Scarborough Borough Council**

Address: Town Hall, St. Nicholas Street, Scarborough,  
YO11 2HG  
Tel: 01723 232323  
[www.scarborough.gov.uk](http://www.scarborough.gov.uk)

**Selby District Council**

Address: The Civic Centre, Portholme Road, Selby,  
York, YO8 4SB  
Tel: 01757 705101  
[www.selby.gov.uk](http://www.selby.gov.uk)

### **Sheffield City Council**

Address: Howden House, 1 Union Street, Sheffield,  
S1 2HH  
Tel: 0114 273 4215  
[www.sheffield.gov.uk](http://www.sheffield.gov.uk)

### **Wakefield MDC**

Address: Newton Bar, Leeds Road, Wakefield,  
WF1 2TX  
Tel: 01924 306636  
[www.wakefield.gov.uk](http://www.wakefield.gov.uk)

### **City of York Council**

Address: 9 St. Leonard's Place, York, YO1 7ET  
Tel: 01904 613161  
[www.york.gov.uk](http://www.york.gov.uk)

### **Yorkshire Dales National Park Authority**

Address: Yorebridge House, Bainbridge, Leyburn,  
North Yorkshire, DL8 3BP  
Tel: 01969 650456  
[www.yorkshiredales.org.uk](http://www.yorkshiredales.org.uk)

## **Useful websites**

### **Department of Communities and Local Government**

A Government Department site containing copies of Government planning guidance documents.  
[www.communities.gov.uk](http://www.communities.gov.uk)

### **Friends, Families and Travellers**

A charitable organisation seeking to address the many problems facing the Gypsy and Traveller community. Website contains a useful guide to the planning system.  
[www.gypsy-traveller.org/planning](http://www.gypsy-traveller.org/planning)

### **Planning Aid**

See planning support organisations above.  
[www.planningaid.rtpi.org.uk](http://www.planningaid.rtpi.org.uk)

### **Planning Inspectorate**

[www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk)

### **Planning Portal**

A Government operated internet based service offering a wide range of services and guidance on the planning system. Planning application forms may be obtained and submitted here.  
[www.planningportal.gov.uk](http://www.planningportal.gov.uk)

## **Useful publications**

### **Independent Advice**

*Design and Access Statements: how to write, read and use them (Commission for Architecture and the Built Environment [CABE], 2006)*

Tel: 020 7070 6700  
[enquiries@cabe.org.uk](mailto:enquiries@cabe.org.uk)  
[www.cabe.org.uk](http://www.cabe.org.uk)

*Planning for Gypsies and Travellers: Good Practice Note 4 (Royal Town Planning Institute [RTPI], 2007)*

Tel: 020 7929 9494  
[online@rtpi.org.uk](mailto:online@rtpi.org.uk)  
[www.rtpi.org.uk](http://www.rtpi.org.uk)

*Planning Guide for Gypsies and Travellers (Travellers' Times, 2006)*

Address: The Rural Media Company, Sullivan House,  
72-80 Widemarsh Street, Hereford, HR4 9HG  
Tel: 01432 344039  
[travellerstimes@ruralmedia.co.uk](mailto:travellerstimes@ruralmedia.co.uk)  
[www.travellerstimes.org.uk](http://www.travellerstimes.org.uk)

*Spaces and Places for Gypsies and Travellers: How Planning Can Help (Planning Advisory Service [PAS], 2006)*

Tel: 020 7296 6880  
[pas@idea.gov.uk](mailto:pas@idea.gov.uk)  
[www.pas.gov.uk](http://www.pas.gov.uk)

*The Planning Pack (Planning Aid/Urban Forum/RTPI 2006)*

Address: Yorkshire Planning Aid, The Green Sand Foundry, 99 Water Lane, Leeds, LS11 5QN  
Tel: 0113 237 8486  
Planning Advice Helpline: 0870 850 9808  
[ykco@planningaid.rtpi.org.uk](mailto:ykco@planningaid.rtpi.org.uk)  
[www.planningaid.rtpi.org.uk](http://www.planningaid.rtpi.org.uk)

*Traveller Information Pack (Surrey Traveller Community Relations Forum, 2001)*

Tel: Woking Borough Council on 0796 883 4243

### **From the Government**

*Planning for Gypsy and Traveller Caravan Sites: Circular 01/06 (2006)*

*Planning for Travelling Showpeople: Circular 04/07 (2007)*

*The Housing Act (2004)*

Find all three at [www.communities.gov.uk](http://www.communities.gov.uk) (see 'Useful websites' above)

# YOUR QUESTIONS ANSWERED

## 8

### Planning words explained



**Appeal:** The way in which someone who has an application for planning permission refused by a local council can challenge the decision. The appeal is made to the Government (Department of Communities and Local Government) and is heard by an independent inspector appointed by the Planning Inspectorate.

**Breach of Condition Notice:** A local council enforcement (see 'Enforcement') power used where a council believes that a planning condition attached to a planning permission has not been carried out.

**Brownfield Land:** Land which has been built on before. Also known as 'previously developed land'.

**Building Control/Regulation:** Local council powers over the details and means of building construction to secure health, safety, energy conservation and access. Building control approval will be needed for most sites as well as planning permission.

**Change of Use:** A change in the way that land or buildings is/are used. Planning permission is usually necessary for anything other than small changes.

**Conditions (on a planning permission):** Attached to a planning permission to limit or control the way in which approved plans are carried out.

**Decision Notice:** A formal, written, legal document which gives the decision made by a local council in response to a planning application and the reasons for it. It will list any conditions attached to a planning permission.

**Delegated powers:** Powers given to senior officers in local councils to make decisions on planning applications on behalf of elected councillors.

**Design and Access Statement:** A short report accompanying and supporting a planning application to explain what is being proposed, the look and appearance of what's proposed and how people and vehicles will get into and around the site and any proposed buildings.

**Development Control:** The processes used by local councils to decide on planning applications, enforcement action, appeals and related work. There is usually a section in a council planning department called 'development control'.

**Development Plan Documents (DPDs):** The most important bits of a Local Development Framework (see 'Local Development Framework'). They include the Core Strategy, Site Allocations Document(s), Area Action Plans, Policies Document and Proposals Map.

**Enforcement:** Any one of a number of actions (eg Enforcement Notice, Stop Notice, Breach of Condition Notice) that can be taken by a local council against development (eg buildings, use of land) which has not got the proper planning permissions.

**Government guidance:** Written documents issued by the Government detailing national planning policy and the way it is to be put into practice. Various called Planning Policy Statements (PPSs), Planning Policy Guidance (PPGs) and circulars.

**Green Belt:** The planning name given to land around certain cities and large built up areas, which local councils aim to keep permanently open or largely undeveloped.

**Gypsy and Traveller Accommodation Assessment (GTAA):** Surveys of Gypsies and Travellers in each local council area to find out numbers of people, numbers of slabs/plots, how many more are needed and where.

**Highways/Highway Authority:** The 'highway' is usually taken to mean the roadway plus any adjoining pavements, for which the Highway Authority has responsibility. The Highway Authority (part of the local council, except in North Yorkshire where it's part of North Yorkshire County Council) has to be consulted on planning applications.

**Injunction:** A power of the courts to stop building or use or activity on land taking place. A fine or imprisonment can result if an injunction is ignored.

**Land allocation:** The use for which a piece of land is identified in a Local Development Framework (see 'Local Development Framework') or equivalent 'old style' plan (see 'Local Plan' and 'Unitary Development Plan').

**Land Terrier:** A map and/or computer based record system showing a local council's land and property holdings. It may also show details of council land sales.

**Lawful Development Certificate:** A local council permit which protects against enforcement action. Can be issued where the continuous use of land for a particular purpose for 10 years or more can be proved, or where the existence of buildings on land for 4 years or more can be proved.

**Local Development Framework:** The overall name for a folder of planning documents prepared by local councils, containing policies and proposals showing what each piece of land in a council area can be used for and guiding the way in which new buildings and uses can take place.

**Local Plan:** 'Old style' version of Local Development Frameworks (see 'Local Development Frameworks') still in force in North Yorkshire and The Humber.

**Local Planning Authority:** The authority (in most cases the local council) that is empowered by law to exercise planning functions. These include city, borough, metropolitan, district and county councils, plus national park authorities (see full list in Sheet 7).





**Local search:** Legal search carried out by solicitors to find out if there are restrictions on the use of a piece of land, or any other problems with that land, eg mining subsidence. Normally done on behalf of someone wanting to buy a piece of land.

**Material Considerations:** Things which are 'material' (relevant) to planning, such as sustainability, amenity, design, traffic and pollution impacts.

**National Parks:** Nationally important parts of the countryside where the main aim is to conserve and enhance beauty, wildlife and cultural heritage, and to promote opportunities for enjoyment and public understanding of this heritage.

**Parish Councils:** Elected local government bodies operating within many local council areas at parish level. They provide a limited range of local public services and make representations on behalf of the community to other organisations such as local councils. Particularly significant to planning in that they can make submissions on behalf of their communities on planning applications submitted within the parish.

**Planning application:** An application to a local council for planning permission. Can either be in 'full' (showing full details of the proposal), in 'outline' (showing only enough detail to decide if the idea is acceptable or not), for 'reserved matters' (a follow-on to an outline application showing all details not submitted at 'outline' stage), or for 'change of use' (usually not involving new building).

**Planning committee:** A group of elected councillors which makes decisions on planning applications on behalf of a local council, except where delegated powers apply (see 'delegated powers').

**Planning Inspectorate:** The body which appoints inspectors to make decisions on 'appeals' and hold 'public examinations' on 'Regional Spatial Strategies' and 'Local Development Framework' documents (see definitions elsewhere in this sheet).

**Planning Obligation:** Also known as a Section 106 Agreement. The local council can negotiate with an applicant for planning permission for additional benefits or safeguards, normally for the benefit of the community.

**Planning Portal:** A Government operated website offering a wide range of online services and guidance on the planning system. Planning application forms may be obtained and submitted here.

**Planning permission:** Permission given by a local council, to a person or organisation, to use land or build something on land. This is normally in response to a planning application - for example, permission to live in or build a bungalow on a piece of land.

**Policy:** The attitude taken on something by Government or a local council, eg 'we will not allow buildings on green belt land' (see 'Green Belt').



**Public Examination:** The meeting in public (normally lasting many days or weeks) at which an independent inspector, appointed by the 'Planning Inspectorate', takes a close look at a 'Regional Spatial Strategy' or 'Local Development Framework' documents, and any public comments on them, before deciding whether they should be approved.

**Regional Assembly:** A group of organisations including local councils, voluntary bodies and businesses in the region that is paid by Government and local councils to do regional planning, housing, transport and other regional work.

**Regional Spatial Strategy:** A plan for a whole region which gives guidance to local councils about where housing, industry and other land uses should go and how much of them there should be. It does not identify particular pieces of land for particular uses.

**Retrospective planning application:** An application to a local council for planning permission, after the use or building for which permission is sought has already happened.

**Structure Plan:** 'Old style' version of Local Development Frameworks (see 'Local Development Frameworks') still in force in North Yorkshire and The Humber.

**UK Land Registry:** A Government agency dealing with land registrations and title deeds for property in England. Source of information on land ownership.

**Unitary Development Plan:** 'Old style' version of Local Development Frameworks (see 'Local Development Frameworks') still in force in West and South Yorkshire.

**Written Representations:** Also known as 'written reps'. One way in which appeals against refusal of planning permission are handled by independent inspectors.