

Jargon Corner

Whilst we all try our best to avoid the use of jargon it is inevitable unfortunately! Here is a glossary of terms used within planning spheres to aid your understanding.

Affordable Housing Development / Advice for Developers

When negotiating Affordable Housing as part of residential development, the Council will have regard to its Local Plan and Strategic Market Housing Assessment. Further details can be found here:

<https://www.southsomerset.gov.uk/planning-and-building-control/spatial-policy/south-somerset-local-plan-2006-2028/adopted-south-somerset-local-plan/>
[https://www.southsomerset.gov.uk/planning-and-building-control/spatial-policy/evidence-base/district-wide-documents/strategic-housing-market-assessment-\(shma\)-taunton--south-somerset-housing-market-areas/](https://www.southsomerset.gov.uk/planning-and-building-control/spatial-policy/evidence-base/district-wide-documents/strategic-housing-market-assessment-(shma)-taunton--south-somerset-housing-market-areas/)

Definition from the NPPF:

Affordable housing: *Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.*

Social rented housing is owned by local authorities and private registered providers (as defined in section 80 of the Housing and Regeneration Act 2008), for which guideline target rents are determined through the national rent regime. It may also be owned by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency.

Affordable rented housing is let by local authorities or private registered providers of social housing to households who are eligible for social rented housing.

Affordable Rent is subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges, where applicable).

Intermediate housing is homes for sale and rent provided at a cost above social rent, but below market levels subject to the criteria in the Affordable Housing definition above. These can include shared equity (shared ownership and equity loans), other low cost homes for sale and intermediate rent, but not affordable rented housing.

Homes that do not meet the above definition of affordable housing, such as “low cost market” housing, may not be considered as affordable housing for planning purposes.

Agricultural Building

In the context of permitted development this has a specific meaning and definition relating to actual use (“solely in agricultural use as part of an established agricultural unit”) at a specific date.

Area of Outstanding Natural Beauty (AONB)

Nationally designated area of high scenic quality – within South Somerset this applies to the Cranborne Chase and West Wiltshire Downs and the Blackdown Hills.

<http://www.ccwwdaonb.org.uk/about/the-aonb/>

<http://www.blackdownhillsaonb.org.uk/>

Agricultural Appraisal / Agricultural Worker’s Dwellings

In broad terms there are two primary tests; a functional test (which deals with why there may be an essential need) and a financial test (which deals with whether the business is making sufficient profit and is likely to remain financially sustainable).

Application Fee

The correct fee must accompany the application. A fee calculator is available on the Planning Portal <https://1app.planningportal.co.uk/FeeCalculator/Standalone?region=1>.

Please contact us for assistance in calculating fees via planning@southsomerset.gov.uk

Application Forms

In common with all Local Planning Authorities, South Somerset District Council uses the national standard application forms, these can be accessed via the Planning Portal.

Archaeological Assessment

Archaeology advice can be found on the South West Heritage Trust's website <http://www.swheritage.org.uk/> or within the SCC Heritage Service Archaeological Handbook available here <http://www.somersetheritage.org.uk/downloads/publications/SomersetHandbook.pdf>. Relevant information on Listed Building, Conservation Areas and Historic Environment Records (HERs) can be found on Somerset Historic Environment Record website <http://www.somersetheritage.org.uk/>.

Change of Use

A form of development of a building (or land) which involves changing its use but without needing any operational development / building works. Some changes of use are allowed as "permitted development".

Planning Condition

See Planning Condition

Community Infrastructure Levy (CIL)

Planning approvals granted for residential dwellings, hotels, supermarkets and retail warehouses on or after 1st April 2015 will be liable to pay the Community Infrastructure Levy (CIL). CIL will also apply to building works that do not require planning approval where works commence on or after 1st April 2015. For further CIL information and forms please see SDC's Community Infrastructure Levy (CIL) webpages <https://www.southsomerset.gov.uk/cil>

Conservation Area

An area valued for its special architectural or historic interest, the character of which it is desirable to preserve and enhance – designated under the Planning (Listed Buildings and Conservation Areas) Act 1990. Relevant areas can be checked on SSDC's Interactive Map <https://www.southsomerset.gov.uk/your-area/>

Contaminated Land

Contaminated land can occur for a number of reasons, these include past land uses, current land uses and incidents such as spills of chemicals or oil etc.

Curtilage

The area, usually enclosed, encompassing the ground and outbuildings which serve a dwelling-house (or other building). In the case of PD for the change of use of agricultural buildings "curtilage" is specifically limited to being "no larger than the land area occupied by the agricultural building".

Datum Point

In planning, a datum point is a fixed/known point of reference on the basis of which further measurements or analysis can be made e.g. a manhole cover.

Design and Access Statement

Is a concise report accompanying certain applications for planning permission and applications for listed building consent. It provides a framework for applicants to explain how the proposed development is a suitable response to the site and its setting, and demonstrate that it can be adequately accessed by prospective users and is required for:

- Major Developments; or
- Listed Building Consent; or
- Where any part of the development is in a Conservation area, development consisting of –
 - The provision of one or more dwellinghouses; or
 - The provision of a building or buildings where the floor space created by the development is 100 square metres or more

Further details can be found under The Town and Country Planning (Development Management

Procedure) (England) Order 2015 Part 3 Article 9
<http://www.legislation.gov.uk/uksi/2015/595/article/9/made>

Environment Agency (EA)

The government agency with responsibilities relating to the protection and enhancement of the environment in England, including flood risk management. <https://www.gov.uk/government/organisations/environment-agency>

Environmental Impact Assessment (EIA) also referred to as Environment Statement (ES)

A compilation of the relevant environmental information necessary to support an application. Further information can be found here -

<http://planningguidance.communities.gov.uk/blog/guidance/environmental-impact-assessment/>

Ecology Report

Planning authorities have a duty to consider biodiversity when assessing planning applications. Where there is a reasonable likelihood that a planning proposal might affect important protected species or habitats, the council will require information on the species and habitat likely to be affected, and an assessment of the impacts of the proposals. This information will need to be provided before a planning decision is made.

Further information and guidance can be found on the below websites:

- Defra's magic mapping tool contains information about the natural environment
<https://magic.defra.gov.uk/home.htm>
- Planning Practice Guidance on Biodiversity, Ecosystems and Green Infrastructure
<http://planningguidance.communities.gov.uk/blog/guidance/natural-environment/biodiversity-ecosystems-and-green-infrastructure/>
- The Biodiversity Planning Toolkit created by the Association of Local Government Ecologists (ALGE) in partnership with a wide range of conservation and planning organisations across the United Kingdom
<http://www.biodiversityplanningtoolkit.com/default.asp>
- Gov.uk Protected species and sites: how to review planning proposals
<https://www.gov.uk/guidance/protected-species-and-sites-how-to-review-planning-proposals>
- European Commission The Habitats Directive - The Habitats Directive ensures the conservation of a wide range of rare, threatened or endemic animal and plant species. Further details can be found on their website
http://ec.europa.eu/environment/nature/legislation/habitatsdirective/index_en.htm

Flood Risk Assessment (FRA)

A site-specific assessment of the flood risk to and from a development site. The assessment should demonstrate how flood risk will be managed now and over the development's lifetime, taking climate change into account, and with regard to the vulnerability of its users.

SSDC have created a specific Householder Flood Risk Assessment Information sheet and form available on our website [LINK](#), (in development)

It is advisable to review the Environment Agency Guidance on Flood risk assessment for planning applications <https://www.gov.uk/planning-applications-assessing-flood-risk> and flood risk assessment: standing advice can be accessed via this link <https://www.gov.uk/guidance/flood-risk-assessment-standing-advice>.

Flood Zones

Are land areas identified by the Environment Agency (EA). Each flood zone describes that land area in terms of its risk of flooding. Everyone lives in a flood zone—it's just a question of whether you live in a low, moderate, or high risk area.

Flood Zones can be checked using the Environment Agency Flood Map for Planning <https://flood->

map-for-planning.service.gov.uk/

General Permitted Development Order (GPDO)

A shorthand reference to the suite of statutory instruments which provide for “permitted development”, the first is The Town and Country Planning (General Permitted Development) Order 2015 available via <http://www.legislation.gov.uk/ukxi/2015/596/made>.

Heritage Statement

A report to describe the significance of any heritage assets.

Definition from the NPPF:

Heritage Asset: *A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).*

A heritage statement is required for all applications affecting listed buildings; unlisted buildings in Conservation Areas or locally listed buildings, including applications affecting the setting for any of the above, or within an AONB.

Relevant information on Listed Building, Conservation Areas and Historic Environment Records (HERs) can be found on Somerset Historic Environment Record website

<http://www.somersetheritage.org.uk/>

Highway Authority

See Local Highway Authority

Highways England (formally Highways Agency)

Operates, maintains and improves England's motorways and major A roads such as the A303.

Historic England (formally English Heritage)

Are the public body that looks after England's historic environment, provides expert advice, helping people protect and care for it, and helps the public to understand and enjoy it.

<http://historicengland.org.uk/>

See Conservation Area and Listed Building.

Interactive Mapping Online

Provides mapped information within South Somerset e.g. Planning History, Conservation Areas, Listed Buildings and Tree Preservation Orders and can be accessed via this link <https://www.southsomerset.gov.uk/your-area/>

Land Drainage Consent

It is advisable that developers apply to Somerset Drainage Boards Consortium for land drainage consent if a proposed development is likely to be sited close to or impede a watercourse or require works to be sited within 9.0 meters of a watercourse.

<http://www.somersetdrainageboards.gov.uk/development-control-byelaws/land-drainage-consents/>

Landscape Plan

A landscape plan is a plan which details the proposed landscaping of a site and must usually be submitted and approved prior to the commencement of buildings and works.

Lead Local Flood Authority (LLFA)

Lead Local Flood Authorities (unitary authorities or county councils) are responsible for developing, maintaining and applying a strategy for local flood risk management in their areas and for maintaining a register of flood risk assets. See SRA.

Local Highway Authority (LHA)

The organisation responsible for advising South Somerset District Council Planning Department on highway matters - in South Somerset's case this is Somerset County Council based in Taunton. The LHA are consulted on planning applications and provide expert advice. This is also the authority whom adopt and maintain roads, footpaths and street lighting.

Local Plan

Local planning policy document (South Somerset's Local Plan was adopted in March 2015. The Local Plan can be accessed at:

<https://www.southsomerset.gov.uk/planning-and-building-control/spatial-policy/south-somerset-local-plan-2006-2028/adopted-south-somerset-local-plan/>

Listed Building (LB)

A listed building is a building, object or structure that has been judged to be of national importance in terms of architectural or historic interest and is included on the Statutory List of Buildings of Special Architectural or Historic Interest under the Planning (Listed Buildings and Conservation Areas) Act 1990. This can be checked on SSDC's Interactive Mapping Online:

<https://www.southsomerset.gov.uk/your-area/>

Listed buildings are classified into grades as follows:

- Grade I - buildings of exceptional interest (approximately 2 per cent of all listed buildings)
- Grade II* - particularly important and more than special interest (approximately four per cent)
- Grade II - buildings of special interest, warranting every effort being made to preserve them (94 per cent)

See National Heritage List for England (NHLE)

Local Planning Authority (LPA)

The local council that is empowered by law to exercise statutory town planning functions for a particular area (in this area: South Somerset District Council).

Major Developments/Applications

The following types of application are classed as 'major':

- Residential applications for 10 or more dwellings
- Outline residential applications on a site of 0.5 hectares or more.
- Commercial development site of 1 hectare or more or involving floor space of 1000m² or more

Natural England

Government adviser for the natural environment in England, helping to protect England's nature and landscapes.

National Heritage List for England (NHLE)

The Heritage List is the only official and up to date database of all listed buildings, scheduled monuments, protected wrecks and registered parks, gardens and battlefields and sites in England. <https://historicengland.org.uk/listing/the-list/>

National Planning Policy Framework (NPPF)

A document which sets out government's planning policies for England (published 27 March 2012)

<http://planningguidance.communities.gov.uk/blog/policy/>

Noise

Noise needs to be considered when new developments may create additional noise or would be sensitive to the prevailing acoustic environment. When preparing plans there may also be opportunities to consider improvements to the acoustic environment. For further information about Noise please see the Noise Guidance as provided by National Planning Policy Framework <http://planningguidance.communities.gov.uk/blog/guidance/noise/noise-guidance/>

Ownership Certificate

This now also incorporates the Agricultural Land Declaration:

- Complete Certificate A if you own all of the land (freehold or leasehold of more than 7 years) and do not have agricultural tenants.
- Complete Certificate B, C or D if you do not own all the land or if you have agricultural tenants on the land. This includes situations where the development overhangs the boundary with the adjoining property/land.
- Certificate B – Complete this if you know who the owners/agricultural tenants are. State the names and addresses of these people on the application form.

- Certificate C – This is a combination of the circumstances described in Certificates B and D and should be completed accordingly.
- Certificate D – Complete this if you do not know any of the owners. Specify the steps you have taken to find the owners e.g. land registry search. You must advertise the application in a local newspaper and provide evidence of the advertisement with the application.

Permitted Development (PD)

Certain building works and changes of use which can be carried out without having to make a planning application because planning permission is deemed to be granted by central Government under The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Planning Condition

As an alternative to outright refusal, the LPA may grant permission subject to conditions, for example, restricting what you can do on the premises, or requiring you to get specific approval for aspects of the development, such as the materials to be used, before you can proceed. Conditions can enhance the quality of development and enable development proposals to proceed where it would otherwise have been necessary to refuse planning permission, by mitigating the adverse effects of the development. [Paragraph 203](#) of the National Planning Policy Framework states “Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions”. [Paragraph 206](#) of the National Planning Policy Framework states “Planning conditions should only be imposed where they are:

1. necessary;
2. relevant to planning and;
3. to the development to be permitted;
4. enforceable;
5. precise and;
6. reasonable in all other respects.”

Planning Portal

The UK Government's online planning and building regulations resource for England and Wales
<https://www.planningportal.co.uk/>

Planning Practice Guidance (PPG)

PPG is technical guidance to help local planning authorities implement the National Planning Policy Framework <http://planningguidance.communities.gov.uk/blog/guidance/>

Planning Statement

A planning statement identifies the context and need for a proposed development and includes an assessment of how the proposed development accords with relevant national, regional and local planning policies. It may also include details of consultations with the local planning authority and wider community/statutory consultees undertaken prior to submission. A good planning statement will include a justification for the proposal. Alternatively, a separate statement on community involvement may also be appropriate.

Pre-Application Advice

A service offered by SSDC whereby the merits of a proposed development can be rehearsed with the planning department prior to incurring the full costs and time of submitting a complete planning application. All advice given is made without prejudice to the final decision of the LPA but a pre-app allows key issues and the need additional information to support an application to be identified.

Recycling and Waste Management - Developers Guidance

Waste and recycling collections are essential services for households and must be considered when designing a new development or even converting an existing property. Failure to do so can lead to poor services for future residents and could result in objections to planning applications. SWP have produced a Developer's Guidance document based around Document H6 of the Building Regulations 2010, and draws on Best practice as outlined in BS5906 Waste Management in Buildings Code of Practice, which can be found on their website
<http://www.somersetwaste.gov.uk/business/developers/>

Somerset County Council (SCC)

The elected administrative body governing an area known as a county, in this case Somerset, of which South Somerset is one district along with Mendip, Sedgemoor, West Somerset District Councils and Taunton Deane Borough Council. Amongst other functions SCC govern Minerals and Waste, Education and Transport and Highways and act as the LLFA.

<http://www.somerset.gov.uk/>

Scheduled Ancient Monument

A 'nationally important' archaeological site or historic building, given protection against unauthorised change – designated under the Ancient Monuments and Archaeological Areas Act 1979. The location of Scheduled (Ancient) Monuments can be checked at

<http://www.magic.gov.uk/MagicMap.aspx> - in the "Table of Contents" panel expand "Designations" > "Land-Based Designations" > "Historic Statutory" and select Scheduled Monuments (England) and then zoom in to your location.

South Somerset District Council (SSDC)

www.southsomerset.gov.uk

Sequential Test

A planning principle that seeks to ensure that a sequential approach is followed to steer new development to certain areas. For example the area with the lowest probability of flooding.

<http://planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/the-sequential-risk-based-approach-to-the-location-of-development/>

Strategic Flood Risk Assessment (SFRA)

A study carried out by one or more local planning authorities to assess the risk to an area from flooding from all sources, now and in the future, taking account of the impacts of climate change, and to assess the impact that changes or development in the area will have on flood risk. South Somerset's current SFRA is available on the website at

<https://www.southsomerset.gov.uk/planning-and-building-control/spatial-policy/evidence-base/district-wide-documents/south-somerset-strategic-flood-risk-assessment/>

Secretary of State

A Cabinet Minister in charge of a Government Department. The SoS has call-in powers and automatic referral for some major applications.

Somerset Waste Partnership (SWP)

Somerset Waste Partnership is the local authority team managing waste and recycling services for Mendip, Sedgemoor, South Somerset and West Somerset District Councils, Taunton Deane Borough Council and Somerset County Council. SWP work for all six local authorities and report to Somerset Waste Board. <http://www.somersetwaste.gov.uk/>

Somerset Historic Environment Record (HER)

The Historic Environment Record (HER) throughout Somerset has been digitised and is available online. It provides comprehensive information about hundreds of historic sites and localities throughout the county based on historic and contemporary research and surveys.

<http://www.somersetheritage.org.uk/>

Somerset Rivers Authority (SRA)

Launched in January 2015 as a response to the floods of winter 2013/14 in Somerset. Establishing the SRA was a key Action of the Somerset Levels and Moors Flood Action Plan, which was developed at the Government's request, and signed off by the Secretary of State in March 2014. The SRA's remit includes the whole of Somerset, not just the flooded areas of the Levels and Moors.

See LLFA.

South West Heritage Trust

Are an independent charity committed to protecting and celebrating Somerset and Devon's rich

heritage <http://www.swheritage.org.uk/>

Site of Special Scientific Interest (SSSI)

A nationally important nature conservation site (notified for biological and/or geological interest). The exact boundaries of SSSI's can be found on the Local Plan Proposals Map or at <http://www.magic.gov.uk/#> - in the "Table of Contents" panel: expand "Designations" > "land-based designations" > "statutory" and scroll down the list to select "Sites of Special Scientific Interest (England)" and then zoom in to your location.

The Town and Country Planning (Development Management Procedure) (England) Order 2015

This Order prescribes procedures connected with planning applications, consultations in relation to planning applications, the determination of planning applications, appeals, local development orders, certificates of lawful use or development and the maintenance of registers of planning applications and related matters. <http://www.legislation.gov.uk/uksi/2015/595/made>

Tree Preservation Order (TPO)

A Tree Preservation Order is an order made by a local planning authority in England to protect specific trees, groups of trees or woodlands in the interests of amenity. An Order prohibits the cutting down; topping, lopping, uprooting, wilful damage or wilful destruction of trees without the local planning authority's written consent. Trees and woodlands that are considered important to amenity, and can be protected by a tree preservation order (TPO). Tree Preservation Orders and associated mapped information within South Somerset and can be accessed via SSDC's Interactive Mapping tool <https://www.southsomerset.gov.uk/your-area/>

Use Classes

The Town and Country Planning (Use Classes) Order 1987 (as amended) puts uses of land and buildings into various categories known as 'Use Classes'. It is generally the case that you will need planning permission to change from one use class to another, although there are exceptions where the legislation does allow some changes between uses. For further information please https://www.planningportal.co.uk/info/200130/common_projects/9/change_of_use