

This Information guide explains the difference between the development management function of planning and the controls found in the Building Regulations. It sets what the two areas cover and gives general advice on what each piece of legislation allows a householder to do without the need to make an application.

What is Building Control?

The main purpose of Building Control and the Building Regulations is to protect the health and safety of people in and around buildings. More recently, the welfare and convenience of building users and the conservation of energy have been included.

The Building Regulations set minimum standards for the design and construction of buildings. More information on Building Control and the Building Regulations is to be found in the Government's Building Control explanatory booklet, 'Building Regulations' at <http://www.communities.gov.uk/publications/planningandbuilding/buildingregulationsexplanatory>

If you want to carry out building work, you may require both Planning Permission and Building Regulations approval. Planning and Building Control are separate; if you get one you are not guaranteed the other.

If a Building Regulations application is not required for proposed works, you must nevertheless ensure that you have checked whether planning permission or Listed Building consent is necessary.

Building Control aims to ensure that the building satisfies its functional requirements and provides reasonable health, safety and comfort for the building users.

Planning deals with the appearance of a building or an extension to a building and how it relates its surroundings.

How to obtain advice on whether approval is needed

The Building Control service will be able to tell you whether you need Building Regulations approval and how to apply. A free explanatory booklet, 'Building Regulations' and other guidance notes are available from our reception at Sycamore House. Further advice can be obtained from:

Building Control:
Waltham Forest Council
Sycamore House
Town Hall Complex
London E17 4JF
Phone: 020 8496 3000
Email: buildingcontrol@walthamforest.gov.uk

What is Development Management?

Development Management is the part of the planning system where the Council regulates the provision of new buildings and other developments, and the change of use of land or existing buildings. Regulation ensures that proposed developments comply with planning legislation and the local plan that has been adopted by the Council for that location; balancing the use of land and buildings for homes, shops, offices, factories and schools.

Other considerations include the conservation of both the built and the natural environment with the provision of development that is necessary for economic prosperity or social need. We also seek to ensure that new development is environmentally sustainable. The aim of the process is to make the best decision on each application in accordance, where possible, with Government and locally determined timescales.

When is planning permission required?

You usually need to apply for planning permission if you carry out “development”. This generally means erecting, extending or altering buildings, and/or changing the use of land or buildings. Advice on whether a proposal is “development” can be obtained from the Duty Planning Officer.

The need for other planning consents

Under the Town and Country Planning Act 1990, and other pieces of planning legislation, there are a number of other activities that may require approval from the Development Management Service. These include:

- Listed building consent for carrying out works to a listed building
- Conservation Area consent to demolish certain buildings in Conservation Areas
- Advertisement consent to display certain advertisements
- Consent to carry out works to a protected tree

These are explained in another information guide: **‘What Planning Approvals Do I Need for My Proposals?’**

What can you do without planning permission?

Planning legislation specifies types of development that do not require a specific grant of planning permission, but which can be carried out as ‘permitted development’ without requiring Council planning approval. The most common of these permitted development rights relate to dwellinghouses, although certain rights also apply to industrial, agricultural and other types of development. Certain changes of use can also be carried out without formal planning permission.

How to obtain advice on whether permission is needed

Householders can contact the Duty Planning Officer or visit our reception at Sycamore House where we can give you general advice as to whether permission is needed or supply you with a copy of the free government booklets entitled ‘Planning: A Guide for Householders’ or ‘Planning Permission: A Guide for Businesses’.

While there is no charge for providing pre-application advice on householder developments, advice on other types of development proposals may be subject to a charge (see details on our website).

There are formal procedures for seeking a legal determination on the need for planning permission. This is done by making an application for a Lawful Development/Use Certificate. More information is contained in our Information Guide **‘Applications for Lawful Development Certificates’**.