



Department
for Transport

Applying for planning permission to develop new lorry parks and driver welfare facilities

This is a [transcript of the wording in a video on GOV.UK](#).

Introduction

Our nation's HGV drivers keep industry going and goods on the move. It's really important that they have somewhere to rest and recover before carrying on their journeys.

The Department for Transport is encouraging HGV parking and driver facility operators to develop new and improved sites for drivers.

In this video we'll provide you with guidance on how to make a successful planning application, from the pre-planning stage all the way to submission. We will also look at who can help you and what issues may come up along the way.

You can use the timestamps along the bottom of this video to skip ahead or go back to relevant sections.

Safe driving takes skill and concentration, and the law requires drivers to take regular breaks.

HGV drivers deserve a safe place to park:

- on level ground
- in well-marked bays
- with good lighting
- and with appropriate security measures in place

They also deserve high quality facilities including:

- a warm welcome
- clean toilet and washing facilities
- something good to eat
- reliable wifi

Truck stops, service areas and lorry parks can all provide parking and hospitality for HGV drivers.

We want you to feel confident when going through the planning process and applying for planning permission to develop these essential facilities.

Who will be involved?

Throughout the planning process you will need to engage with different people and bodies, let's take a quick look at who they will be.

First is the local planning authority. Local planning authorities are responsible for processing and ultimately determining your application based on policies in their development plan and the evidence you provide. In 2-tier council areas (where you have a County Council and a District Council) the relevant local planning authority is part of the District Council. However, you can always check who your local planning authority is via the GOV.UK website

Next, a case officer will be assigned to handle and assess your application. They are your main point of contact within the local planning authority.

Also, planning consultants have specialist knowledge and will be able to help you iron out the finer details of your planning application.

There are also local people, this might include local councillors who sit on the planning committee. It's important to engage with local people to get a feel of what is important at ground level.

Next, we have statutory consultees. These are organisations or bodies which local planning authorities are legally required to consult

with before making a decision on a planning application. This can include bodies like National Highways and the Environment Agency.

Finally, we have the local highways authority. They are the body responsible for the maintenance of public roads and the safety and free flow of traffic. They are consulted on any planning applications that impact the local highways network. In 2-tier council areas they sit at the county level.

What makes a good planning application?

So, now let's consider the ingredients that make up a successful planning application.

Before you begin, you should consider whether you or your organisation have the skills, experience and expertise needed to fully engage with the planning process.

You shouldn't underestimate the value that can be added to the planning process by working with the right people with the right skills who can manage the process for you.

Because of this, you might want to consider using a planning consultancy or other specialist professionals to help with your application.

Early engagement with these consultancies is key to making sure the planning process runs smoothly.

The [Royal Town Planning Institute](#) has a [directory of planning consultants](#) which you may find helpful in selecting a consultant that meets your needs.

Make sure you only engage with a consultant who you are confident has the right knowledge and a proven track record of delivering successful applications.

What matters most is having the relevant experience and access to specialist advice.

Planning issues

Secondly, it is important to say that successfully engaging with the planning process doesn't just start when you submit your planning application and pay the fees.

You should be thinking about planning issues and their potential solutions at the earliest possible stages of your development – and this can even be at the point you select a site to develop.

When thinking about possible sites to develop, it is essential that you consider any, and all, site constraints that may have an impact on a future application, this can include:

- any site contamination
- current or previous uses of the site
- local planning controls and any relevant development plan policies – for example, is the site in the green belt?
- you should also consider the site's planning history
- any historic or environmental protections – for example are there any listed buildings or protected trees?
- you will also need to consider current access arrangements to the site – is it directly accessible, or does it require access over third party land?

Carrying out these checks can also highlight if you need any additional expertise to support your application.

It's important to check the development plan for the area and familiarise yourself with relevant planning policies that may be material to your application. This is essential, as planning law requires decisions on planning applications must be taken in accordance with the development plan unless there are material considerations that

indicate otherwise. Developments that run contrary to the development plan carry a higher risk of refusal.

Pre-application planning

Where possible, engage with the local planning authority early. This can greatly assist in helping you assess site constraints or other issues that might affect it.

Even if you cannot directly engage with planning officers, local planning authority websites have a wealth of information that can help you to identify the right sites for development that have the best chances of securing planning permission.

The success of many development proposals relies on thorough and positive collaboration with your local planning authority.

Early engagement is essential and the path to planning permission starts with good pre-application advice.

It is never too early to touch base with the local planning authority and keeping in regular contact is advised as you're unlikely to get all the information you need in one letter, email or meeting.

There are a number of ways you can engage with the local planning authority.

This can range from informal contact via correspondence, or in-person meetings as you begin to develop your application through to more formal channels like applying for pre-application advice when your application is at a more mature stage.

Some local planning authorities charge for their pre-application advice, so always check what pre-application services they offer and factor any costs and time into your development programme. The feedback you receive from them will be critical in helping you through the planning process.

It may also prompt a process of engagement with communities and other bodies to resolve local issues as part of the design process.

You may also want to consider talking with other statutory bodies like National Highways or the Environment Agency – there might be other site constraints affecting the site that these bodies need to examine.

Application documents

As you prepare to submit your application, it is essential that you gather together all of the information you need to support it. You (or your consultant) will need to check with the local planning authority for a full list of information required. This will certainly include:

- completed application forms
- payment of the correct fee
- plans and drawings
- ownership certificate and agricultural land declaration
- a design and access statement

And there may be specific requirements in relation to applications that are subject to:

- environmental impact assessments
- tree or ecological surveys
- transport assessments
- and flood risk assessments

However, as well as these documents, planning authorities may have their own local information requirements which are often listed in a local validation list, which should be available online.

A local validation list will inform you of exactly what documents and information you will need to supply to the local planning authority so that your application can be registered and determined within the statutory time limit.

Submitting your application

Once you are satisfied you have all of the information and documents you need, you are then ready to submit your application.

Applications are typically submitted online with electronic versions of all your documents. However, in certain circumstances you may be required to provide physical copies as well.

A planning fee is payable when you submit your application. The fee for different types of applications is set nationally according to regulation. A schedule of fees can be found in the [planning practice guidance on GOV.UK](#).

Once your application has been checked by the authority it will be registered and you will be assigned a case officer who will handle and assess your application. The statutory timeframe for determining your application will only begin once an application has been registered. And you will be notified of this in writing.

The case officer will be your principal point of contact to understand any emerging issues, or the status of your application.

Determination and public consultation

Now follows the determination period.

The local planning authority should decide on the application as quickly as possible, and within statutory time limits, unless a longer period has been agreed with you in writing.

The statutory time limits for determination are:

- 13 weeks for major developments
- 8 weeks for all other types of development

If your development requires an environmental impact assessment this will be extended to 16 weeks.

The local planning authority is required to carry out a formal period of public consultation prior to its decision.

Consultation letters will be sent to any affected properties and statutory consultees at the point the application is registered.

Typically, the consultation period lasts no less than 21 days.

Public and statutory bodies are free to raise objections to your development at the consultation stage. These objections will need to be considered in the determination of your application.

If objections to the proposal are thought to be of sufficient concern, this should be discussed with your case officer and you may be offered an opportunity to address these concerns by altering the development or by submitting additional information.

This may take time to address and require a number of different versions of supporting documents.

Any changes to the development may also require re-consultation with interested parties including statutory consultees. Your case officer will advise you of this.

This may delay the determination of the development and push timescales beyond the statutory period.

You may see this as an inconvenience or a frustration, but sometimes a delay in decision-making to allow negotiation may be a benefit to the development.

However, it is important to note that the local planning authority are under no obligation to negotiate on individual developments, which is why early engagement and formal pre-application is so important to address any potential issues before you submit your application.

It is really important to collaborate positively with all interested parties.

Decisions

Decisions on planning applications are made either under delegated authority by a case officer or by a planning committee. Who makes the decision will depend on the size of the development. Major applications (that is applications of 10 residential units or more or 0.5 hectares or more in area) will typically be determined by a planning committee. However, the committee may also choose to call specific applications in where there is an overriding reason to do so.

When your application is referred to the planning committee, planning officers will prepare a report and submit this to the committee for consideration. The report should form the basis for their discussion and will weigh up all material considerations, including the compliance of the development with the development plan, and will recommend a decision.

The committee consists of democratically elected councillors and sits in public.

The planning committee meet on a regular basis and officers will present individual developments to the members for discussion. You should expect members to make comments and ask questions before making a decision to approve or refuse a development by a majority vote. Members are also free to defer making a decision to a later date if they think they need more information to consider the merits of the development.

Planning conditions

Decisions to approve planning applications will typically be made subject to a number of planning conditions.

Some planning conditions may include restricting the work needed to build the development or changes to the use or operation of the site once it's complete. This can include things like restrictions on working hours, vehicle movements and parking numbers.

There may be other planning conditions that you will need to address before, during or even after the construction of your development. For example, you may be asked to submit details of building materials, environmental management, traffic management and the construction process, as well as providing ongoing monitoring data for assessment.

These conditions will require you to formally submit subsequent applications.

Each application will be subject to a fee so we recommend that you consider whether or not you are able to bundle conditions together to reduce the number of applications you will need to make.

Positive engagement and collaboration is critical to understand the information requirements needed to successfully discharge planning conditions as, typically, you will only be allowed to start construction or operate from the site once you have discharged these conditions.

Legal agreements

You may also be required to enter into a legal agreement with the local council. Commonly referred to as Section 106 agreements, these legal obligations are private agreements made between local authorities and developers to reduce the impact of unacceptable development and make it acceptable in planning terms.

Such measures may include financial contributions to the building of infrastructure needed to support the development, or may seek compensation for loss, or damage, created by the development, for example the loss of open space.

Legal agreements take time to draft and agree which is why early engagement with the local planning authority and relevant statutory bodies to understand the scope and content of the Section 106 agreement is invaluable. It can also reduce any delay in decision making, as no decision will be issued until an agreement is in place.

Make sure that you have appropriate legal expertise in place to draft and negotiate on the content of the agreements.

A community infrastructure levy may also be payable before a development is completed. This is a non-negotiable levy and charged at a locally defined rate often based on the size in square metres of your development. Not all local authorities operate a levy and some exemptions apply, so always check with the local planning authority to understand what may be payable.

You may also be expected to enter into a legal agreement with the relevant highways authority where the development requires permanent alterations or improvements to the public highway. This is called a Section 278 agreement. It is essential that you speak with the highways authority as soon as possible, preferably at the pre-application stage. They can help you understand the scope and content of the Section 278 agreement, as this will have financial implications and will need to be costed as part of the development programme.

Planning refusal

If your application for planning permission is refused, you must carefully review and consider the reasons why the local planning authority came to its decision. Often, the reasons for refusal are a useful indication of what may need to change in a development proposal to make it acceptable in planning terms.

By discussing the reasons for refusal with your case officer, you can make an informed decision about your next steps. This may mean that you continue to work with the local planning authority to reach a solution and resubmit the planning application.

There is a better chance that your application will be approved at a later date if you continue to have an open dialogue and positive negotiations with the local planning authority.

If you think the local planning authority have made the wrong decision, you may wish to consider appealing the decision to the

planning inspectorate. [Guidance on how to do this](#) can be found on GOV.UK

Getting planning permission may not be the end of the story. Depending on the nature of your development, the location of your site or it's wider impact, there may be a range of licenses or other consents you will need to secure to implement your planning permission. This can include environmental licenses, building control and highways licenses.

It is critical that you work with all relevant statutory bodies responsible for these additional consents (including utilities providers) to plan and programme in any subsequent consenting processes.

To summarise, making a successful planning application requires more than filling in forms, paying fees and adhering to a procedure.

These are clearly important, but must be combined with thorough site appraisal, securing relevant expert advice and experience, and most importantly, early and meaningful engagement at each stage of the process.

A willingness to engage positively with your local planning authority and all interested parties to resolve any issues at the earliest possible stage will make the planning application process as smooth as possible, and give you the best chance of success.

If you want more information on planning your application, contact your local planning authority. You can find them by searching '[find local authority](#)' on GOV.UK or for further detailed information on the planning process search '[planning practice guidance](#)' on GOV.UK.

Thank you.