

Neighbour Notifications on Planning and Related Applications

1. The Council will notify the owner or occupier of all properties that have a common boundary to the application site. Unless the proposed development is confined to an area behind an existing building, the Council will also notify the owner or occupier of any properties immediately opposite the site. This level of notification is considered appropriate for the majority of applications including those for domestic extensions, houses on infill plots and most changes of use.

2. Some applications for more major development will be of wider interest and possibly affect more than immediate neighbours. In these circumstances, notification will be given to owners/occupiers in the near vicinity of the site. A subjective judgement has to be made as to the extent of consultation given the circumstances of the case and the geography of the local area. Examples of applications where wider neighbour notification maybe appropriate are proposed developments that have a visual or traffic impact that extends well beyond the immediate locality of the site. Only with redevelopment schemes of strategic significance might it be appropriate to consult a whole street or local community.

3. The level of neighbour consultation on more major development as detailed in paragraph 2 above will depend on the circumstances of each individual case and it is not possible to be specific in this note. However in deciding the boundaries of the neighbour consultation the Council will have regard to the local pattern of settlement, geographical and physical boundaries and local characteristics. The fact that an application site is visible from a property does not automatically mean that a neighbour notification is appropriate.

4. If an owner or occupier has previously been notified of a similar application on the site then the Council will carry out the same level of notification on a revised application. Likewise the Council will endeavour to notify correspondents who have made representation on a previous application of similar description, even if their property is beyond the area of consultation considered necessary.

5. Responses are required within 23 days of the consultation being initiated. Any representations received after that time might not be taken into account.

6. Where there is no apparent postal address to contact the owner/occupier of adjoining land, the Council will display a site notice on or as close to the site frontage as possible giving details of the application. Examples where a site notice would be appropriate are a proposed house in the countryside surrounded by fields, a site next to a vacant plot or next to premises with no obvious point for mail delivery. While the Council will endeavour to identify postal addresses where buildings contain a number of properties, it may be necessary in some circumstances to post a site notice as an alternative to notifying all owners or occupiers. Likewise flats and apartments over a commercial premises do not

always have clearly identifiable independent postal addresses and in these circumstances a site notice may be displayed as an alternative to a neighbour notification.

7. Some types of application, such as major development and those potentially affecting a conservation area, require the display of a site notice and an advertisement in the local paper. This can bring applications to the attention of the wider public who may wish to make representations within the prescribed timescales given in the publicity. The Council will welcome representations from interested members of the public who have not directly received a consultation letter. However it will not normally extend the period for making representations beyond that which has been publicised unless it was in error in not sending a neighbour notification letter in the first instance.

8. With regard to applications for the display of advertisements the Council will normally only notify the owner or occupier of properties adjoining and directly opposite the site.

9. Publicity for applications for listed building consent will be by site and press notice only, and for internal works to listed buildings by site notice only, in accordance with the legislation.

10. For applications for prior approval of agricultural development and demolition there will be no publicity.

11. Applications for prior approval for changes of use and larger householder extensions will be in accordance with the requirements set out in the Town and Country Planning (General Permitted Development) Order 2015.

12. The procedure for neighbour consultation on applications for works to trees protected by Tree Preservation Orders will be as per paragraph 1 above. For prior notifications to carry out works to trees in conservation areas, publicity will be by site notice only.

13. The procedure for notifications relating to telecommunications equipment will be in accordance with either paragraph 1 or 2 above depending on the scale and nature of the proposal. The Council will also advertise telecommunications applications by displaying a notice on site.

14. It may be appropriate for the Council to carry out neighbour notifications in connection with applications for certificates of existing lawful use or development as this maybe of assistance in determining the facts about the history of a site. The Council will not normally undertake neighbour notifications for applications for certificates of proposed lawful use or development as these cases revolve around issues of planning law.

15. The Council may carry out additional neighbour notification, giving 14 days to respond, where revised plans and/or additional information is submitted prior to the determination of the application. A decision as to whether this additional period of consultation is necessary will depend on the circumstances of the case and in particular whether the amendments or additional information supplied raises new issues. This is a matter of judgement for each case but for example further notification would not normally be required if a proposed extension or building had been reduced in size or minor changes made to its design. Likewise further information dealing with technical requirements might not need to be subject of further consultation if just adding minor detail to the material that has already the subject of consultation.

16. Requests by applicants that minor changes are made to plans after planning permission has been granted will be dealt with on their merits and judgements made by the Council will have to be proportional to the development permitted. There are two categories of possible amendment, non material and minor material amendments. Non material amendments are changes that do not have any impact on neighbour residents or the visual amenity of the area. The Council will not notify the owners or occupiers of neighbouring properties of such amendments. Minor material amendments are more significant but should not result in a development which is substantially different from the one which has been approved. These are dealt with under Section 73 of the Town and County Planning Act (as amended) and neighbour notifications will be carried out in accordance with this neighbour notification procedure note.

17. No neighbour notification will be carried out for the discharge of conditions on a planning permission relating to items such as landscaping details, proposed materials or other technical requirements, unless specifically identified at the planning application stage as being appropriate for a particular reason. The Council will carry out neighbour notification in accordance with this procedure note in connection with applications for the approval of reserved matters for the design and layout of new buildings following the grant of outline planning permission.

18. The Council is not responsible for notification letters once they have been passed over to Royal Mail. Once this has occurred the Council has fulfilled its duty to notify residents unless there is evidence that a letter has not been delivered. Where letters are returned by the Royal Mail as being undeliverable the Council will consider the reason why their notification letter has been returned and whether or not it is appropriate in the circumstances to hand deliver the letters or display a site notice as an alternative.

Disclaimer

While the Council will use reasonable endeavours to follow the practice set out in this procedure note, it can not guarantee that all persons that may be interested in a given planning application will be notified by letter.