

Report for Resolution

Report to Planning Applications Committee
2 April 2009

Report of Head of Planning and Regeneration

Subject Notification and publicity of applications

Item
7

Purpose

Members will recall that current methods of publicising planning and related applications were discussed at the training session on 19th February. There is a need for a consistent policy to be applied across the whole city and for guidelines and Council policy to be published on the internet for clarity for everyone to understand. It was suggested that a written policy and guidelines be agreed at a future Committee. The proposal is to extend the neighbour notification beyond the statutory minimum but retain the minimum only for press and site notices.

Recommendations

That the criteria in the report relating to press, site notices and neighbour notification be agreed and be used in publicising all applications received by the Council from 6 April 2009.

Financial Consequences

The financial consequences of this report are generally neutral. There may be a modest increase in neighbour letters issued but a decrease in site and press notices and the overall cost implications are neutral or a modest reduction in overall costs.

Strategic Priority and Outcome/Service Priorities

The report helps to meet the strategic priority "Strong and prosperous city – working to improve quality of life for residents, visitors and those who work in the city now and in the future" and the service plan priority to improve service delivery and efficiently and expeditiously determine applications.

Contact Officers

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Background Documents

None

Report

Methods of publicising applications

1. It is proposed that the following criteria be used in advertising all planning and related applications registered from 6 April 2009. It should be noted that they exceed the statutory minimum required by the Regulations in a number of areas.

Neighbour notification

2. There is a requirement under the Regulations to notify neighbours **or** erect a site notice for all planning applications. In all but exceptional circumstances then neighbour notification rather than site notice will be undertaken as it provides direct notification to people's homes and contact details to occupiers. In most cases it would normally be more cost effective than the erection of site notices.
3. The definition of 'neighbours' is based on the advice in Circular 15/92 Publicity for Planning Applications, but with key additions to go beyond the immediately adjoining property in some cases:
 - land which is coterminous with the boundary of the land for which development is proposed, plus one additional property where such property's curtilage is less than 10m from the edge of the application site boundary
 - in the case of a multi-occupied building it shall include units immediately above and below the unit being proposed for development
 - if the property fronts a road, the width of the road will be disregarded when assessing neighbouring land opposite (except where the development is at the rear and would not be visible from properties on the opposite side of the road) i.e. neighbours opposite a site would be notified in most cases.
 - In the case of telecommunications development, all properties which fall within 40m of the proposal (when measured from the proposed site of the facility to the curtilage of the property)
4. The additional property(ies) notified under bullet point one and the telecoms applications under bullet point 4 are beyond the minimum required by central government.
5. Letters will be sent by TNT addressed to "the Occupier" in envelopes clearly branded with the message "Important planning documents enclosed".

Site notices

6. These will be utilised in lieu of direct notification to neighbours in very limited circumstances (e.g. where there are no obvious neighbours (such as a rural site), or a very large site with a complex site boundary and with wide implications for the area, (such as Anglia Square) or where the application is of

nature which means individual notification is impractical (such as window and door replacement applications for several properties in one area). In these cases site notices rather than neighbour notification will be undertaken and be more practicable than neighbour letters.

7. In addition there is a statutory requirement to advertise on site the following:

- Applications accompanied by an Environmental Statement;
- Developments affecting the setting of a listed building;
- Developments affecting the character or appearance of a conservation area;
- Applications considered to be a departure from the Development Plan;
- Major developments - only in cases where neighbour notification is not practicable;
- Applications affecting a public right of way.

Press notices

8. There is also a statutory requirement to advertise some applications in a newspaper circulating in the locality. These are currently published in the Evening News on a Wednesday. Although this is a statutory requirement (at present), this may change following expected government consultation on changes to secondary legislation later this year:

- Applications accompanied by an Environmental Statement;
- Developments affecting the setting of a listed building;
- Developments affecting the character or appearance of a conservation area;
- Affecting a public right of way;
- Major developments (i.e. developments of 10 dwellings or more, or 0.5 ha in area or 1,000sq.m of development);
- Applications considered to be a departure from the Development Plan.

Website

9. All applications are listed in a weekly list on the website and in addition the weekly update can be e-mailed automatically to any email address. All applications are available to view on the Public Access part of the website.

Other applications

10. Advertisement applications:

- There would be no neighbour notification or press /site advertising.

10. Listed Buildings and Conservation Area Consent applications:

- Required to publish in the press and put up a site notice. No requirement to notify neighbours.

11. Applications for Hazardous Substances Consent:

- Applicants are required to carry out pre-submission publicity.

- Due to the sensitivity of the applications no further publicity to be carried out post submission, and will not be included in the weekly list or viewable via the website.

References

Town and Country Planning General Development Order 1988 (as amended)

Circular 15/92 Publicity for Planning Applications