

## **Publicity for Planning Applications – Code of Practice (Revised – February 2008)**

### **General Principles**

1. The object is to ensure that those neighbours (principally residential) who are likely to have a material planning interest in the application receive notification. This includes **all those with a boundary adjoining the application site**.
2. The following practice will therefore apply but be supplemented at the case officers discretion where it is considered additional neighbours should be notified.
3. The main means of notification is by individual letter to the occupiers of adjoining and nearby dwellings. Where, in the opinion of the case officer, wider publicity is needed, a site notice may be used. Site notices may also be preferable where there are difficulties identifying neighbours, eg flats or HMOs and are required by law for certain types of application (eg Major applications; those affecting a PROW; listed buildings etc).
4. **Where the adjoining site is vacant land and ownership is unknown, a site notice must be used.**
5. Where an application for planning permission is received following a refusal, permission or withdrawal of a similar scheme within the preceding 12 months, all those who made individual representations to the earlier scheme will be notified of the new application. At the case officer's discretion contributors to earlier schemes may also be notified. This will not include those who signed petitions or submitted standard photocopied letters of objection/support as this is usually impractical.

### **Domestic applications**

Notify properties with boundary adjoining application site. See attached examples A-C.

### **New housing**

When an application is received for residential development it may be necessary to give wider notification than just the adjoining properties.

All properties sharing a boundary with the application site will be notified together with other properties which are close to the boundary or front access roads, which the case officer considers could have a material planning interest in the development. At the case officer's discretion a site notice may be an appropriate alternative.

(see attached example D)

## **Commercial Development**

### ***Extension or change of use for factory/warehouse/offices/shops etc***

All properties sharing a common boundary with the application site will be notified together with other properties which are close to the boundary which the case officer considers could have a material planning interest in the development.

(see attached example E)

Where the application is for development which because of its size, noise or smell could affect a greater area around the site, the extent of neighbour notification may need to be increased or a site notice used.

In some cases of minor development (eg shop fronts) a site notice will usually be posted in preference to neighbour notification and this will be decided on an individual basis.

### ***Advertisements***

No neighbours are to be notified unless the case officer considers nearby properties could have a material planning interest in the development.

### ***Trees and TCA's***

All dwellings sharing a boundary with the application site will be notified.

If a tree is at the front or side of the property also notify the dwelling opposite the tree(s).

If no neighbours, a site notice will be used.

### ***ELD's/PLD's***

Whilst neighbours are not notified of such applications a letter will be sent to those properties/people who may be able to assist in providing information material to the determination of the application.

### ***Other types of application***

See attached Summary of Publicity.

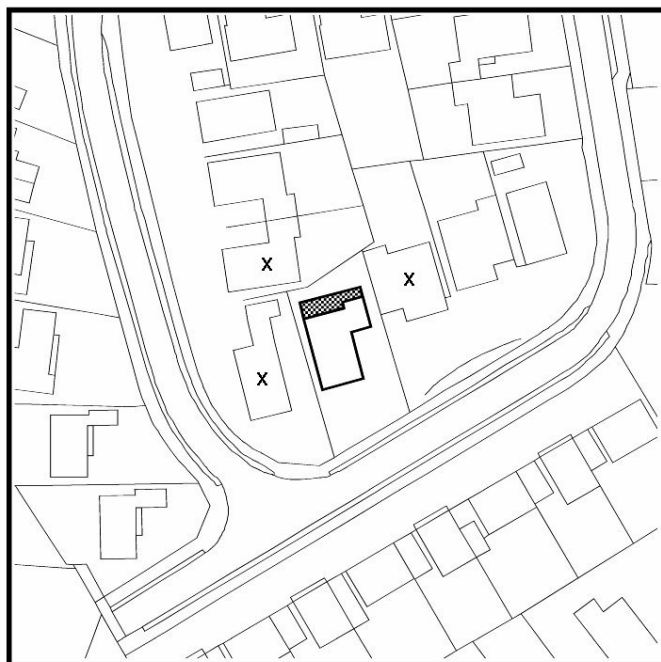
**A**



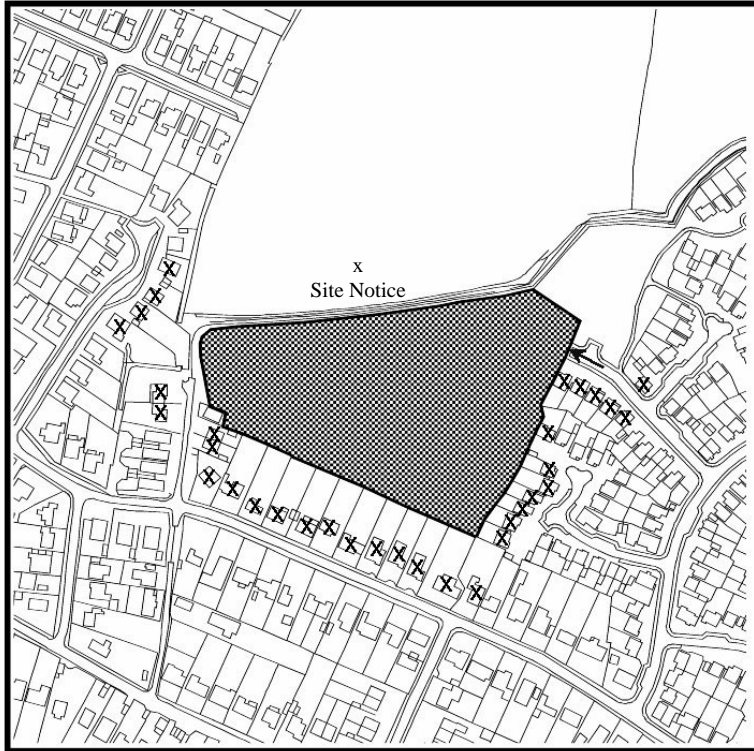
**B**



**C**



D



E



## Publicity for Substitute Plans

1. There is no statutory requirement to re-notify neighbours or parish Councils when substitute plans are received but clearly it is good practice to do so and officers will take into account the advice in Circular 15/92 (paragraph 25) which asks the following questions:
  - (a) were objections or reservations raised at an earlier stage substantial and, in the view of the local authority enough to justify further publicity?
  - (b) are the proposed changes significant?
  - (c) did earlier views cover the matters now under consideration?
  - (d) are the matters now under consideration likely to be of concern to parties not previously notified?
2. Who to notify is a matter for the case officers assessment. If, for example, the substitute plans only alter the impact of the development on one neighbour it will generally be unnecessary to notify all adjoining neighbours. Also, if the change is minor, or easily understood, it is unnecessary to allow a further 21 day period for comment (14 days will be sufficient).
3. Where the amendment is more fundamental it will usually be necessary to re-notify all those notified in the first place (including the Parish Council via the weekly list of application), together with those who have made representations and any others which as a result of the amendment may now have a material planning interest in the development.
4. Further to the advice in the Circular in making an assessment of whether to re-notify the case officers will apply the following:
  - ~ having regard to the scale and context of the development does the amendment alter materially the proposal?
  - ~ does the amendment alter materially the impact on a nearby neighbour(s)?
  - ~ does the amendment concern a particular element of the proposal which has been of concern to a person making representations on the application?

### Summary of Publicity – revised 1 February 2008

|              | Types of Application                               | Parish List | Neighbour Notification | Newspaper (non-stat) | Site Notice Unless statutory |
|--------------|--|-------------|------------------------|----------------------|------------------------------|
| <b>ADV</b>   | Advert Application                                 | Yes         | Yes**                  | Yes                  | No                           |
| <b>AGR</b>   | Agricultural Application (following PNO)           | Yes         | Yes                    | Yes                  | No*                          |
| <b>CMA</b>   | County Matter Application (minerals)               | No≠         | No                     | No                   | No                           |
| <b>CAC</b>   | Conservation Area Consent                          | Yes         | No                     | Yes                  | Yes                          |
| <b>COU</b>   | Change of Use                                      | Yes         | Yes                    | Yes                  | No                           |
| <b>CPO</b>   | Consultation by County Planning (County Reg 3)     | Yes         | Yes‡                   | Yes                  | No                           |
| <b>DEM</b>   | Demolition Application (following PNO)             | Yes         | Yes                    | Yes                  | No                           |
| <b>DOM</b>   | Domestic Application (Householder)                 | Yes         | Yes                    | Yes                  | No                           |
| <b>ELD</b>   | Existing Lawful Development                        | Yes         | Yes**                  | Yes                  | No                           |
| <b>FUL</b>   | Full Application                                   | Yes         | Yes                    | Yes                  | No                           |
| <b>GVT</b>   | Government Department Application                  | Yes         | Yes                    | Yes                  | No                           |
| <b>HSC</b>   | Hazardous Substances Consent                       | Yes         | Yes                    | Yes                  | No                           |
| <b>LBC</b>   | Listed Building Consent                            | Yes         | No                     | Yes                  | Yes                          |
| <b>OHL</b>   | Overhead Electricity Line                          | Yes         | Yes                    | Yes                  | No                           |
| <b>OUT</b>   | Outline Application                                | Yes         | Yes                    | Yes                  | No                           |
| <b>PLD</b>   | Proposed Lawful Development                        | Yes         | Yes**                  | Yes                  | No                           |
| <b>PNO</b>   | Prior Notification (agr, dem)                      | No≠         | No†                    | No†                  | No†                          |
| <b>REG3</b>  | District Application – Reg 3                       | Yes         | Yes                    | Yes                  | No                           |
| <b>REG4</b>  | District Application - Reg 4                       | Yes         | Yes                    | Yes                  | No                           |
| <b>REM</b>   | Approval of Reserved Matter                        | Yes         | Yes                    | Yes                  | No                           |
| <b>REN</b>   | Renewal (of Temporary Permission)                  | Yes         | Yes                    | Yes                  | No                           |
| <b>TCA</b>   | Tree in Conservation Area                          | Yes         | Yes                    | Yes                  | Yes***                       |
| <b>TEL56</b> | Telecommunication                                  | Yes         | Yes                    | Yes                  | No                           |
| <b>TPA</b>   | Works to tree subject of a Tree Preservation Order | Yes         | Yes                    | Yes                  | Yes***                       |

≠Special letter to local member

\*SN by applicant

† (insufficient time)

‡ Publicity by us on behalf of West Sussex County Council

\*\* Yes if appropriate

\*\*\* Yes where no neighbours notified