

Neighbour Notification Guidance

The Council believes that local people have a key role to play in shaping the quality of their environment and is committed to involving the community in planning decisions. This guidance note specifically details how notifications on planning applications are carried out and how comments are dealt with.

The Council will notify residents as owner/ occupiers in accordance with this guidance note:-

- On applications for planning permission, listed building consent, advertisement consent, certificate of lawfulness etc.
- On significant amendments to applications
- On appeals against Council decisions

Notification of immediate neighbours is required on most applications by legislation. This process will normally include direct letters to immediate neighbours as owner/occupiers potentially affected by planning proposals. For major schemes or proposals in a Conservation Area site notices and notices in newspapers are also used to publicise applications.

Statutory bodies will be consulted as required by the planning legislation, including Parish Councils.

The Council will notify the City's **Conservation Advisory Panel (CAP)** in accordance with the adopted constitution and will notify **Worcester Civic Society** on relevant applications.

The Council produces a weekly list of applications received and it is available to view on the Planning pages of the Worcester City Council website.

How notifications will take place

For most applications the legislation requires the Council to notify adjoining properties by letter **OR** to put up a site notice. Adjoining properties are defined as only those that have a boundary touching the application site.

The Council will normally use letters. The notification letter to a neighbour:

- Provides details of what is being applied for
- Gives the deadline for responses to be submitted to the council
- Gives the name of the case officer dealing with the application

Owners and occupiers: Letters are sent to 'The Occupier' at the addresses of the properties as they appear on Ordnance Survey mapping held by the council as part of its Geographical Information Systems (GIS). The Council uses this mapping software to carry out neighbour notification and generate letters. Site visits carried out by planning officers are used to check that the correct neighbour notification has been undertaken.

Please see below for a summary of application types and the minimum notification normally undertaken by Worcester City Council. The right hand column shows which properties will be notified.

General Household Developments

| | |
|---|---|
| Rear extension | All adjacent properties and 3 properties to rear if not adjoining |
| Rear roof extension | All adjacent properties and 3 properties to rear if not adjoining |
| Front roof extension | All adjacent properties and 3 properties opposite |
| Side extension | All adjacent properties and 3 properties opposite |
| Material alterations to front elevation or buildings to the front of the property | All adjacent properties and 3 properties opposite to front |
| Erection of boundary fencing | All adjacent properties and properties directly opposite |
| Vehicular Crossovers | All adjacent properties and 3 properties opposite |
| Erection of garden sheds, covered swimming pools and outbuildings | All adjacent properties |

Commercial Developments (non major)

| | |
|-----------------------------|-------------------------|
| All commercial developments | All adjacent properties |
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Residential Development - Conversions

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| All conversions | All adjacent properties, 3 properties opposite and 3 properties at the rear if not adjoining |
| Conversions involving alterations to front elevation | All adjacent properties, 3 properties opposite and 3 properties at the rear if not adjoining |
| Conversions involving rear alterations/ground floor extensions | All adjacent properties, 3 properties opposite and 3 properties at the rear if not adjoining |

Residential Development

| | |
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| New build residential (<10 units) All new build residential development sites | 5 adjacent properties on either side and 5 properties opposite and to rear of site. |
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Major applications vary in size and as such the Council adopts a policy of treating each major application differently depending on proposal and scale. This often means that the notification area is wide to ensure that anyone possibly affected will have an opportunity to voice their concerns through written comments.

Major residential development (>10 units)

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| All major residential development (10+ units) | 10 adjacent properties on either side of site, 20 opposite and 20 rear |
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| All major commercial /retail Development (1,000 sq m+) | 10 adjacent properties on either side of the site, 20 opposite and 20 to the rear of the site |
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Change of Use

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| All change of use applications | 3 adjacent properties on either side of the site, 6 opposite and 6 properties to the rear and if appropriate above and below. |
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Advertisements

For applications for Advertisement Consent, the Council can only take into account visual amenity and highway safety. It cannot take into account competition with other signs, or the contents of an advertisement. There is no legal requirement for neighbour notification, or other publicity. The Council will however normally notify residential properties directly affected, for example by illuminated signs.

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| Advertisements | Residential properties affected |
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Listed Building Consent applications

Listed Building Consent (LBC) often involves external works and extensions affecting neighbours. The rules for planning applications will apply.

Some LBC applications involve only internal works, not affecting neighbours or the immediate area. In these cases, no neighbour notification will be carried out.

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| Applications for Listed Building Consent for external alterations or extension | All adjacent properties |
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Applications for Certificate of Lawfulness - Existing

These are applications seeking a determination as to whether a planning permission is required for an existing development or not.

There is no legal requirement for notification on applications for Certificates of Lawfulness. However, we will notify on these applications to aid with the decision making process. Objections to the use or development itself cannot be taken into account. Only factual information and documentary evidence about the history of the development or use, that support or contradict evidence submitted as part of the application can be taken into account.

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| Applications for Certificate of Lawfulness - Existing | All adjacent properties and 3 opposite |
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Applications for Certificate of Lawfulness - Proposed

Under regulations issued by the Government some types of building works and some changes of use do not require the express permission from the Council. This "Permitted Development" includes many extensions and alterations to houses (but not flats), some extensions to factories, changes from restaurants to shops, and many structures like telecommunications masts and walls.

These developments are outside the Council's normal planning controls. The schemes can go ahead without an application being submitted to the Council or any notification to neighbours. There is no legal requirement for notifications on applications for Certificates of Lawfulness and we will not notify on these applications because the lawfulness of this type of development is a technical exercise and not something that includes consideration of the merits of what is proposed or a judgment on whether what is proposed complies with planning policy.

Approval of Details

These are applications which provide details required by a condition attached to the grant of planning permission. Neighbour notifications will not be carried out.

Applications for Prior Approval

Prior approval applications relate to a broad range of developments including change of use from shops or offices to residential, change of use to nurseries or schools, demolition or proposals for new telecommunications equipment. Direct notification will be sent to properties immediately adjoining the site and beyond where appropriate. As prior approval applications have to be dealt with within 56 days they are determined under delegated powers by planning officers even if objections have been received.

Notification will extend to a 100m radius of all mobile phone base station applications.

Consultation by adjoining Council

Councils are required to consult neighbouring authorities where residents may be affected by a proposal. The City Council will not carry out any additional neighbour notification over and above that already carried out by neighbouring local planning authorities.

Applications submitted by the City Council

These applications are dealt with in exactly the same way as others of their type and the level of neighbour notification will be decided in accordance with the above guidelines.

Works to trees in Conservation Areas and/ or the subject of a Tree Preservation Order

The Planning Service will only consult the Council's Tree and Landscape Officer on these applications.

Telecommunications applications

Currently applications for masts under 20 metres in height do not have to follow the full planning application process. Notifications will extend to a 100m radius of all mobile phone base station applications.

Non-material amendments

The Council will not notify neighbours of non-material amendment applications. By their very nature, they relate to minor matters that do not require notification of neighbours.

Notification of appeals

The Council will notify the same neighbours who were notified for the original application. This gives interested persons an opportunity to put their concerns directly to the Planning Inspector who will normally decide the appeal. For householder type applications that follow a fast-track appeal process there is no opportunity for further third party representations. Letters received at application stage are copied to the Planning Inspectorate and the Inspector will be taken into account any concerns raised that relate to material planning considerations.

What happens to comments?

All third party comments received within the 21 day consultation period will be taken into account in deciding any application provided they relate to land use planning matters and are material to the application being considered by the council. Please take note of the following when commenting on a planning application:

We will only consider comments where the name and address of the person making the comments is provided. Anonymous comments may not be taken into account, unless there are exceptional reasons to do so. Letters and emails of comment (including petitions) will form part of the public register of planning applications and will be published on the City Council's website, including names and addresses provided.

If you are submitting written comments on an application, you should not include any personal information in your letter, email or online submission which you are not happy to have displayed on the website. Your name and address must be given, but other information such as your telephone number, email address or signature is not required and should not be included.

Re-notification

There is no legal requirement to re-notify neighbours where changes are made to an application. In many cases changes are made to resolve objections raised. The Council will re-notify neighbours where this is considered necessary having regard to the following:-

- Were the earlier objections substantial? Are the changes significant?
- Did the earlier views cover the matters now under consideration?
- Do the changes mean others not previously notified might now be concerned?

How to contact the Planning Service

You can contact the Planning Service for advice or information in any of the following ways:

By Post:
Planning Services
The Guildhall
High Street
Worcester
WR1 2EY

By Phone: 01905 722233

By E-mail: planning@worcester.gov.uk

On the Website: www.worcester.gov.uk/planning