



NOTIFICATION PROCEDURE FOR PLANNING APPLICATIONS

Publicity for Major Development

For residential development, major development is defined as the erection of 10 or more dwellings and/or a proposal for a site area of over 0.5 hectares. For other forms of development (offices, industry, retail etc) the definition refers to the development of over 1,000 sq metres of floor space and/or over 1 hectare or more of site. Major development also includes the mining or working of minerals and all waste developments. These definitions are those specified for form PS2 returns to the Office of the Deputy Prime Minister.

Procedure: *Notify all adjoining occupiers having a common boundary with an application site as well as those properties on the opposite side of any road. A site notice to be displayed on or near the site for a period of 21 days and a notice to be published in the local newspaper currently the Darlington and Stockton Times (published Fridays).*

Publicity for Minor Development

Minor development is defined as the erection of 9 or less residential units and/or residential development of less than 0.5 hectares in area. For other forms of development minor development is defined as less than 1,000 sq metres of floor space and/or less than 1 hectare in site area.

Procedure: *Notify all adjoining occupiers having a common boundary with the application site as well as those properties on the opposite side of any road. Consideration will also be given to the need to display a site notice in cases where there may be some doubt as to who the interested parties are, perhaps because the occupation of adjoining land is uncertain; or because the development is likely to be of interest to more than immediate neighbours.*

Publicity for Change of Use

Change of use applications can sometimes also involve building operations, in which case the relevant requirements identified above will apply. Where applications are solely to change the use of land and buildings, the following guidelines apply.

Procedure: *Notify all adjoining occupiers having a common boundary with the application site including those within the application site itself (e.g. upper floor) if identifiable and appropriate, and those occupiers of land and buildings directly opposite. Consideration will also be given to the need to display a site notice where ownership of land or buildings may be uncertain, or where a development may be of interest to more than immediate neighbours.*

Publicity for Householder Development

Householder developments are defined as those within the curtilage of residential property which require an application for planning permission and are not a change of use. These include extensions, alterations, swimming pools, walls, fences, vehicular accesses and porches.

Procedure: Occupiers will be notified as follows:

- rear extensions: *occupiers on both sides plus any properties to the rear that might be affected.*
- side extensions: *occupiers on both sides, plus any properties to the front and rear that are affected.*
- front extensions: *occupiers on both sides and those directly opposite.*
- porches: *occupiers on both sides and those directly opposite that are affected.*
- garages, sheds and other forms of domestic development: *occupiers directly adjacent to the proposal.*

Publicity for Other Development

Publicity for other proposals (for example applications to undertake works to protected trees): All occupiers of land which have a common boundary with the proposed site will be notified. Where there are no clearly identifiable adjoining occupiers, the Council will display a site notice and, where necessary under statutory publicity requirements, place a press advert.

In respect of hedgerow removal applications, only the Parish Councils will be consulted where applicable, because of the short timescale allowed for determination.

Minor Amendments

Minor changes are often proposed to an approved scheme that will be of such limited impact that adjoining occupiers would not have a material interest of acknowledged importance that could result in a material planning objection e.g.

- changes to external materials which do not significantly affect the overall appearance of the development.
- the re-siting of a dwelling where this does not adversely affect the privacy distances for occupiers of nearby properties, or where it will not significantly alter the visual appearance of the development.
- alterations to approved elevations, where they do not adversely affect the privacy or amenity of the occupiers of nearby property.
- the re-alignment or other alterations to access roads within a development where this will cause no disturbance or other impact to the occupiers of nearby property.

Procedure: *These matters can be dealt with as a non material amendment, approval being given by letter. However, this power is used with caution and a formal submission for a variation will be required where the amendment would increase the size or alter the former character of the proposed development significantly. Following receipt of such an application, all adjoining occupiers originally notified will be re-consulted.*

Note: The onus will be on the applicant to identify the amendments to the revised plans by clear notation on the plans and/or clear description of changes in an accompanying letter. Such details may be circulated to affected neighbours in appropriate circumstances.

Scope of Notification Procedure

The above notification procedure applies to all full applications, outline applications, Certificates of Lawful Use (existing use) and submissions of reserved matters, applications for advertisement consent, listed building consent, applications to demolish buildings in conservation areas, variations or modifications to planning permissions, applications for work to protected trees, applications for prior approval for telecommunications apparatus.

It will not apply to agricultural or other 28 day determinations (because of the short timescale involved) nor to Certificates of Lawful Use (Proposed Use or Development) because these applications are solely decided on an interpretation of the law.

Note: The Council will address correspondence to the occupier of the property but will not be responsible for notifying owners of land or property who do not occupy the affected land, e.g. if a dwelling is rented, the tenants will be notified but the landlord will not be separately notified by the Council

The above publicity will be supplemented by site notices posted by the applicant (e.g. telecommunications, overhead power lines etc) and the circulation of the weekly list of applications received.

General Service Standards

The notification letters, site notices and advertisements will request that all representations be returned to the Council within 21 days from the date of the letter, or the date that the site notice is erected, or the date when the advertisement appears in the newspaper. With respect to notification on amendments, a period of 14 days from the date of the letter is considered adequate because people will have some general knowledge of the proposal already. A decision on any application is not likely to be made before the expiration of the stated consultation period.

Late Representations

Any representations received outside the timescale of the publicity timetable but received prior to a decision on an application being made will normally be taken into account. However, disclosure of correspondence received on the day of a Planning Committee (including faxes and e-mails) cannot be guaranteed to be reported.

Representations received after a decision has been made cannot be taken into account.