

# MALVERN HILLS

*Neighbour notification code*



2017

# Introduction

This Code of Practice sets out the publicity which the council will carry out as part of the process of dealing with applications for planning permission, listed building consent, approval of reserved matters, amendments to conditions, hazardous substances consent, certificates of lawfulness, advertisement consent and works to trees subject to Tree Preservation Orders.

The code also sets out the publicity that will be undertaken for 'Prior Notifications'.



## Advertising in a local paper and statutory site notices

Advertisements will be placed in the local papers - Ludlow Tenbury Advertiser, Malvern Advertiser and Berrows Worcester Journal (which are published each week).

These advertisements do not include all applications made to the council.

They will include those types of application set out below which are also the subject of a statutory site notice, together with those applications where there are no known adjoining owners/occupiers.

Site notices will be placed on or near sites which are the subject of applications for the following types of development:

- Development affecting the setting of a listed building.
- Applications for listed building consent.
- Applications for development which are accompanied by an Environmental Statement at submission stage.

- Applications for development which departs from the development plan.
- Development which affects a public right of way.
- Development affecting the character and appearance of a conservation area.
- Residential development of 10 or more dwellings or development on sites of 0.5 hectares or more.
- Other developments which create floor space of 1,000 square metres or more on sites of 1 hectare or more.
- Applications for the winning and working of minerals or the use of land for mineral
- Working deposits.
- All waste developments (meaning any development designed to be used wholly or mainly for the purposes of treating, storing, processing or disposing of refuse or waste materials.
- Developments carried out on a site having an area of 1 hectare or more.
- Applications for development where there are no known owners or occupiers adjoining the land to which the application relates

## Non-statutory site notices

In addition to the developments listed above which will have statutory site notices, the council will post site notices where the owner or occupier of the land is unknown and in relation to developments which, in the opinion of the case officer, are likely to have a significant impact on a wide area.

## Parish council consultations

Parish and town councils will be notified of all applications for development and of any amendments to current applications which, in the opinion of the case officer, are not trivial.



## Neighbour notification

The council will give written notification of all proposed developments to:-

- Known occupiers of properties the subject of the application, other than the applicant;
- Known occupiers of all adjacent properties sharing a common boundary to the site curtilage;
- Additional neighbour notifications may be sent after the case officer's site visit. The decision on which properties may be affected by the proposed development is made by the case officer. This is based on professional assessment of the proposal and its likely impacts on the area surrounding the site.

## Council's web site



Weekly lists of all new applications received by the council will be posted on the council's web site [www.malvernhillsgov.uk](http://www.malvernhillsgov.uk).

For security purposes, the intention is that all signatures, e-mail addresses and telephone contact details will be withheld from publication on our website. However, these may still be open to inspection by personal visitors at our offices. We do not accept anonymous representations. As a minimum all representations should contain the home address.

N.B any comments / objections posted directly to our website will include all the information which you provide (including personal contact details such as signatures, e-mail addresses and telephone contact details). if you do not wish these personal contact details to appear on our website, please do not include them in your on-line comments and alternatively make your comments on an attachment to an email.

All comments made automatically appear on our website. Make sure that your comments are relevant and not defamatory or offensive, because you remain personally and legally responsible for them. We reserve the right to remove from this website the entirety of any comment which contains any words which are or may be defamatory or offensive.

## Time for submission of representations

The council will allow parish and town councils 21 days for submission of comments in relation to initial notification of applications for development. Fourteen days will be allowed for submission of comments on amendments.

In respect of other third party comments the following periods will apply:-

- Newspaper advertisements - 21 days from the date of publication
- Site notices - 21 days from the date of notice.
- Initial neighbour notification - 21 days from the date of the letter.
- Re-notification letters (i.e. in relation to amendments to plans, etc.) - 14 days (see section on 'Notes on Neighbour Notification').

## Publicity for prior notifications

In cases where the council receives 'prior approval' applications (under Parts 6 and 24 of the Town and Country Planning General Permitted Development Order 1995 The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013 and Hedgerow Regulations 1997 respectively or other legislation), the council will notify the relevant parish or town council. A period of up to 14 or 21 days will be allowed for comments. The parish or town council will be advised of the expiry date at the time of consultation.



## Notes on site notices

Site notices will normally be displayed on the road frontage to a site. If a site abuts properties in adjoining roads, a notice will normally also be displayed in each road containing properties which abut the site.

## Notes on neighbour notification

- Known occupiers will initially be established by use of Ordnance Survey maps. Case officers will subsequently seek to establish any additional occupiers when site visits are carried out and establish when additional notification may be necessary.

- Although there is no statutory requirement to re-notify neighbours when plans are amended or substituted after the initial submission, discretionary re-notification will be undertaken, having regard to the effect of the change, any earlier representations and the significance of the change in relation to the characteristics of the originally submitted development.
- Neighbour notification will not be carried out in relation to applications for new advertisements.



## Further information

For further information and advice please contact us by visiting our web site at:

[www.malvernhillsgov.uk](http://www.malvernhillsgov.uk) or

by e-mailing us at:

[developmentcontrol@malvernhillsgov.uk](mailto:developmentcontrol@malvernhillsgov.uk)