

Publicity and Neighbour Consultation Procedure

Note 3

There are three types of publicity:

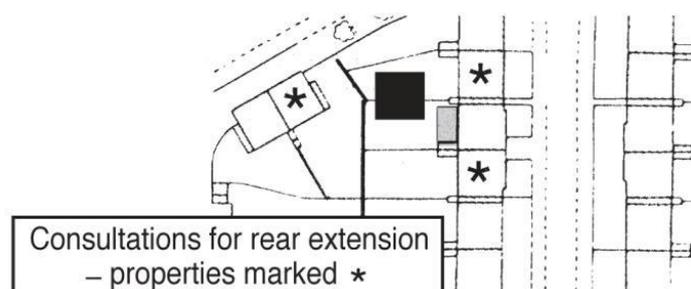
- publishing a notice in a newspaper circulating in the locality
- posting a site notice visible to the general public
- neighbour notification - to occupiers and owners of adjoining properties by individual letters.

For some types of application, local planning authorities are required by law to carry out certain publicity – statutory publicity – whereas in other cases it is left to the individual authority to decide which is the most appropriate method. Welwyn Hatfield Borough Council aims to assist the public by making clear what kinds of publicity will be given to the different types of application, hence this code of practice. **The local publicity standards are above the minimum guidelines recommended by central government**, are set out below under the main categories of development type.

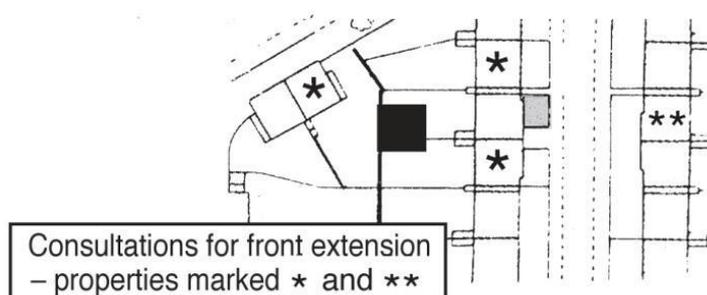
(A) Extensions to dwellings/development within the boundary of a dwelling

The Council will:

- Consult properties with a common boundary to the application site as if a common boundary exists (see * on map)



- Where appropriate, consult properties across a road or an alley/access way as if a common boundary exists (see ** on map)



- Post a site notice as an exception to the above when the proposed development is remote from neighbouring properties.



(B) Single dwellings

The Council will:

- Consult properties with a common boundary to the application site
- Consult properties across a road from the site as if a common boundary exists (see ** on map)

(C) Minor residential developments [up to 10 units or site area up to 0.5 hectares]

The Council will:

- Consult as for single dwellings (see B above)
- If the application site is off an existing private access road, or requires the formation of a new access to a public highway, consult properties served from or possessing a common boundary with the access

(D) Major residential developments [over 10 units, or building or buildings where the floorspace to be created is 1000m² or more, or site area in excess of 0.5 hectares (1.23 acres)]

The Council will:

- Consult as for minor residential developments (see C above)
- Publish a statutory newspaper advertisement
- Post a site notice

(E) Change of use

The Council will:

- If within residential premises, consult in the same way as for single dwellings (see B above)

(F) Development affecting listed buildings or setting of a conservation area

The Council will:

- Publish a statutory newspaper advertisement
- Consult neighbours as required by the type of development

(G) Advertisements

The Council will:

- Post a site notice

(H) Re-consultations on amended plans

The Council will

- Re-consult only those people who responded to the original plans where the amendments have a significant impact
- When the change will affect a neighbour
- Proposed change does not overcome a problem previously raised

(I) Previous Objectors

Previous objectors to a planning application relating to a particular property or site *may be* notified about a further application because they fall within the neighbour notification arrangements described above. The Council will not notify previous objectors as a matter of course

(H) Discretionary consultations

- Additional, discretionary consultations (over and above those mentioned above) will be undertaken if this is considered appropriate in respect of a specific proposal

Site Notices/Advertisements

In addition to the above, site notices and newspaper advertisements are required for those applications:

- Affecting the character or appearance of a conservation area, a listed building or its setting
- Representing a departure from the Borough's development plan
- Accompanied by an Environmental Statement
- Affecting a Public Right of Way

Consultation Response Time

The normal time allowed for comments to be made on a planning application is 21 days from the date of the letter or site notice, and 14 days from the date of the press advertisement. For re-consultations on amended plans, 10 days is the norm. Late representations will be taken into consideration provided no decision has been made on the application.

Where/when plans may be inspected

Applications may be viewed on-line at the Council offices in Welwyn Garden City: Council Offices, The Campus, Welwyn Garden City, AL8 6AE between the hours of 9-5pm Monday to Thursday and between 9-4.30 on Fridays. They may also be viewed on the Council's website <http://planning.welhat.gov.uk/>

How to comment

Having inspected the application and plans, residents may wish to comment on the proposal. If you wish to comment, they must be made via this link <http://planning.welhat.gov.uk/>, by email or letter. Verbal representations on their own cannot be considered. We cannot enter into correspondence on representations due to the number received. All those who make written comments will be informed of the outcome of the application once the Council has reached a decision. It is important to remember that the Borough Council can take into account only representations made about planning matters, which mainly cover issues relating to the built environment. There are a number of concerns which are often raised which cannot be taken into account; these include:

a) Property values

The planning system cannot legitimately concern itself with property values for owner-occupiers. Whilst the impact on the amenities and character of an area is a valid consideration, the effect on property prices is not a justifiable objection.

b) Land ownership

Planning legislation is not concerned with land ownership and planning applications can be made by persons other than the landowners, provided that the correct notice is served. Similarly, planning decisions do not take account of land ownership and permission can be given, even if the owner of the land in question does not wish the development to proceed. Granting of permission does not however convey, or imply, any consent to build without the approval of the landowners.

c) Civil matters

Planning considerations are entirely separate from civil matters and planning is not, therefore, concerned with such issues as boundary disputes, encroachment on to adjoining land and ancient rights of light. Hopefully, the majority of such civil disputes can be resolved amicably between neighbours.

How applicants can help

Since the Borough Council will consult neighbours, applicants are recommended to advise their neighbours first of their intentions. Please note that any representations received cannot be treated as confidential and will be published on the Council's website.

For further information, or comments on this procedure, please contact the Development Management Service.

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