

GLASGOW CITY COUNCIL
DEVELOPMENT & REGENERATION SERVICES, DEVELOPMENT MANAGEMENT

Notes for Guidance for Applicants on Prior Notification

What is prior notification?

1. Prior notification is a new type of application where you have to apply to the planning authority to find out if the planning authority's approval is required for the development you propose to undertake. These notes are provided as a general guide to help you in the preparation of your application for prior notification.

When must prior notification be given to the planning authority?

2. An application for prior notification is needed in the following cases:-

(a) Where it is proposed to demolish:-

- (i) a dwelling house;
- (ii) a building containing one or more flats; or
- (iii) a building adjoining a dwelling house;

or, if the cubic content of the building, measured externally, exceeds 50 cubic metres.

An application for prior notification is not required where demolition is:-

- (i) urgently needed in the interests of health and safety, provided you submit a written justification for the demolition;
- (ii) taking place on land for which an application for redevelopment has been granted and demolition is needed in order to implement the consent;
- (iii) required by a demolition order;
- (iv) required as a result of an Enforcement Notice;
- (v) required because of a Section 50 Agreement;
- (vi) required or permitted under any other legislation;
- (vii) required as a result of an order requiring the removal of the building made under Section 49 of the 1997 Act which has been confirmed.

(b) Where a public gas supplier or an electricity statutory undertaker propose to erect, on their operational land, a building solely for the preparation of plant or machinery.

(c) Where toll road developer proposes to erect or alter facilities for the collection of tolls.

(d) Where it is proposed to build or significantly alter or extend a farm or forestry building.

A significant alteration is one which would result in:

- (i) the cubic content of the original building being increased by more than 10%;
or
- (ii) the height of the building exceeding the height of the original building.

What forms are to be used?

- 3. Form PN1 is to be used to notify the planning authority of the intention to demolish a building, as described in (a) in paragraph 1.

Form PN2 is to be used in all other cases where prior notification is required.

- 4. On the relevant form (PN1 or PN2) every section should be answered. If you consider certain questions to be inapplicable, this should be stated.
- 5. Please write clearly and legibly. Postal codes should be provided with addresses, and STD dialling codes with telephone numbers.
- 6. Question 2 asks applicants to state their ethnic background and first language. This is to assist in the monitoring of Glasgow City Council's policy of equality.

What else do you need to submit?

- 7. Where prior notification is required, the application must be accompanied by a £61 fee.

Please do not send cash by post. Cheques or Postal Orders should be made payable to 'Glasgow City Council' and crossed 'A/C Payee Only'. The address of the application site must be marked on the back. **Please note that cash cannot be accepted at the Reception desk but credit card facilities are available.**

Do you need to notify neighbours?

- 8. Where prior notification is required for demolition, the applicant must notify neighbours having an interest in neighbouring land. In other cases where prior notification is being given to the planning authority, neighbour notification is not required.
- 9. Where neighbours are to be notified, the applicant must serve a copy of the Form on Page 5, together with a copy of the plan showing the location of the development, on all parties with a 'notifiable interest in neighbouring land'.
- 10. The parties holding a 'Notifiable Interest' in neighbouring land are:

(i) Non-Domestic Property

You are required to notify a named individual owner, occupier or lessee for neighbouring non-domestic property. Where information on the names of owners, occupiers or lessees cannot be obtained from the Valuation Roll, the developer is required to send notices addressed to 'The Owner', 'The Occupier' and 'The Lessee' at the premises concerned.

Where the developer is unable to meet this requirement, because there are no premises on the land to which the notices can be sent, the developer should then include within the planning application, a certification:-

- identifying the neighbouring land which has not been the subject of neighbour notification; and
- stating the reason for non-notification was that set out in Article 9(4), ie that no premises existed on the land.

The planning authority is then required to publish a notice in the Evening Times in a form prescribed in Schedule 5 of the Order, for which the applicant is liable to a fee as shown in the scale of fees.

(ii) Domestic Property

With the domestic Valuation Roll no longer being updated, it has become increasingly difficult to identify the names of owners, occupiers and lessees of domestic property. The notification requirements for domestic property have therefore been changed. Applicants must now send two notices to the property concerned, one addressed to 'The Owner' and the other to 'The Occupier'. In most cases, the occupants will be owners/occupiers, but the double notification will assist in ensuring that non-resident owners are notified.

11. You should first ascertain what is the neighbouring land. The definition of neighbouring land is given on Page 6. As a very crude guide, this could be all the properties immediately adjacent to, or within four metres of, the application site. For the purposes of identifying adjacent properties, roadways, verges and pavements should be ignored. You will, therefore, be serving notice on properties on the other side of the road.
12. The applicant must also include with the notification to neighbours a location plan of the development which should be sufficient to identify the site.
13. A location plan should also be included with the application showing the site of the proposed development and indicating the neighbouring properties which have been notified, and where appropriate, listing the names of those notified. This will be an additional safeguard, allowing the planning authority to spot any property which has not been notified, although it should be stressed the authority are under no duty to check that certificates are valid. Applicants are reminded that false certification is an offence and subject to a fine.
14. Once you have carried out neighbour notification procedures, you should complete Section 6 on the application form (PN1).

What plans and drawing are to be submitted?

15. Prior notification for:
 - (i) the erection of buildings by public gas suppliers and electricity undertakers;
 - (ii) the erection or alterations of facilities for the collection of tolls; and

(iii) the erection, alteration or extension of a farm or forestry building should be accompanied by:

(a) a site plan of not less than 1:1250 scale, showing the site to which the application refers, marked in red.

(b) elevation drawings, of not less than 1:100 scale, to give a clear picture of any new building or alteration to a building.

16. All plans and drawings should include a north point, scale and reference number.
17. Two sets of the completed application form and three sets of plans should normally be submitted to:

Development and Regeneration Services
Development Management
229 George Street
G1 1QU

What happens next?

18. Development Management has 28 days from receipt of the notification to respond. The applicant should receive an acknowledgement informing them of the date of receipt. Work cannot begin within the period of 28 days from the date on which the Department received the notification unless the applicant is given written notification that prior approval is not required. If Development Management do not respond within this 28 day period, then the development can proceed exactly as notified.
19. If Development Management indicate within the 28 day period that they require the submission of further details for approval, work cannot begin until details have been approved.

As from 31 March 2010

NOTIFICATION OF NEIGHBOURS - FORM OF NOTICE
(See Page 3 of Notes of Guidance)

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE)
(SCOTLAND) ORDER 1992

**Notification of and information on application for a Determination as to whether the
prior approval of the planning authority is required**

Proposed development at (a).....

Notice is hereby given that:-

1. Application is being made to Glasgow City Council by (b).....
..... for a determination as to whether prior approval is
required to (c).....
.....

2. **A copy of a plan showing the situation or location of the development is attached.**

3. The application, plans and other documents may be inspected at Development and
Regeneration Services, Development Management, 229 George Street, Glasgow G1 1QU,
Monday to Thursday, 9 am to 5pm and Friday 9 am to 4 pm and also at*

(d).....
during the period of 14 days beginning with the date of this notice.

4. Any person who wishes to make representations to the above-mentioned Council about the
application should make them in writing within that period to the Council at the address of the
planning authority.

Please note that the contents of all letters of representation submitted in connection with this
application will be made available for inspection in Development and Regeneration Services,
Development Management, Monday to Thursday, 9 am to 5pm and Friday 9 am to 4 pm

Signed.....

*On behalf of.....

Date.....

*Delete where appropriate.

- (a) Insert address or location of proposed development
- (b) Insert name of applicant
- (c) Insert description of proposed development
- (d) Insert other address in the locality at which plans, etc may be inspected if required.

**NOTIFICATION TO NEIGHBOURS AND CERTIFICATION
(SEE PAGE 2 OF NOTES OF GUIDANCE)**

**EXTRACT FROM TOWN AND COUNTRY PLANNING (GENERAL
DEVELOPMENT PROCEDURE) (SCOTLAND) ORDER 1997**

2. The Town and Country Planning (General Development Procedure) (Scotland) Order 1997 is hereby amended as follows:-

..... "neighbouring land" means land which is conterminous with or within 4 metres of the boundary of land for which the development is proposed but only if any part of such land is within 90 metres of any part of the development in question:

Provided that -

- (a) where the proposed development is taking place within a building divided into separate units "neighbouring land" shall include -
 - (i) those parts of the building conterminous with or within 4 metres of the unit for which the development is proposed, and
 - (ii) all units directly above and below the unit for which the development is proposed and all units directly above and below those parts of the building conterminous with or within 4 metres of the boundary of that unit, and
 - (iii) land outwith the building which is conterminous with or within 4 metres of the boundary of the unit for which the development is proposed.
- (b) where the "neighbouring land" consists of or includes a building divided into separate units, and the proposed development is taking place within a building which is not divided into separate units only those units of that building which are conterminous with or are within 4 metres of the boundary of the land for which the development is proposed and all parts of the building directly above and below those units shall constitute neighbouring land;
- (c) where the "neighbouring land" consists of or includes a building divided into separate units, and the proposed development is taking place within a building which is also divided into separate units, only those units of the former building which are conterminous with or are within 4 metres of the boundary of the unit for which the development is proposed and all parts of the building directly above and below those units shall constitute neighbouring land;
- (d) where a road falls within the distance of 4 metres measured from the boundary of the land or the boundary of the unit (as the case may be) for which the development is proposed, the width of such road shall be disregarded in calculating the specified distances unless the road is more than 20 metres in width;