



Government Circular No. 1/06

Department of Local Government and the Environment
THE TOWN AND COUNTRY PLANNING ACT 1999
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT PROCEDURE)
ORDER 2006

DETERMINATION OF INTERESTED PARTY STATUS

1. Interested party status

In relation to Article 6(4) of the Town and Country Planning (Development Procedure) Order 2005¹, the Planning Committee, or any person to whom the Committee's functions under this Article have been delegated, shall, when deciding which persons (if any) who have made written representations have sufficient interest in the subject matter of the application to take part in any subsequent proceedings, have regard to the criteria set out in paragraph 2.

2. Criteria for Interested Party Status

(1) The following persons shall generally be accepted as having sufficient interest:-

- (a) persons owning or residing in land or buildings which physically adjoin the site;
- (b) persons whose privacy would be substantially affected by the development;
- (c) persons whose outlook from land or buildings in which they have an interest as owners or tenants would be substantially and adversely affected by the development; and
- (d) persons owning or residing in land or buildings, the legitimate enjoyment of which would be adversely affected by reason of -
 - (i) noise, dust, or smell arising from the site as a consequence of the development; or
 - (ii) traffic generated by the development.

(2) The following persons shall generally not be accepted as having sufficient interest:-

¹ SD 251/05

Price: 40p Price Band: A

Persons concerned exclusively with —

- (a) the impact of the development on the value of their property;
- (b) commercial competition;
- (c) land ownership;
- (d) private property rights; or
- (e) covenants;

or any combination of these.

Dated: 11th January 2006

John Rimington

Minister for Local Government and the Environment

EXPLANATORY NOTE

(This note is not part of the Circular)

This Circular sets out the criteria by which the Planning Committee, or persons holding appropriate delegations, shall determine which persons shall have interested party status. The Circular also specifies those persons who shall be regarded as having insufficient interest.