

How to Complete the Ownership/Agricultural Certificates

Ownership Certificates

Article 11 of the Town and Country Planning (Development Management Procedure) Order 2010 provides that an applicant for planning permission shall give notice of the application to any person who is an owner of the land to which the application relates, or an agricultural tenant, and every application shall be accompanied by a certificate of compliance with this requirement.

You should complete only **ONE** of the accompanying certificates whichever is applicable

CERTIFICATE A should be completed if you are the only owner of the land.

or

CERTIFICATE B should be completed if you are not the owner of the land but know the owner(s). You must also send a completed **Notice 1** (overleaf) to all owners of the land or property.

or

CERTIFICATE C should be completed if you do not own all the land and know only some of the owners. You must also send a completed **Notice 1** (overleaf) to all known owners and publish a completed **Notice 2** in a Local Newspaper.

or

CERTIFICATE D should be completed if you do not own any of the land and do not know any of the owners. You must also publish a completed **Notice 2** (overleaf) in a Local Newspaper.

Agricultural Certificate

If you have stated on any of the above Certificates that the land forms part of an agricultural holding and you are not the sole agricultural tenant, you must serve **Notice 1** (overleaf) on any agricultural tenant.

'Owner' means a person having a freehold interest or a leasehold interest the unexpired term of which is not less than 7 years, or, in the case of development consisting of the winning or working of minerals, a person entitled to an interest in a mineral in the land (other than oil, gas, coal, gold or silver).

'Tenant' means a tenant of an agricultural holding any part of which is comprised in the land.

'Statement of owner's rights' - the grant of planning permission does not affect owner's rights to retain or dispose of their property, unless there is some provision to the contrary in an agreement or in a lease.

'Statement of agricultural tenant's rights' - the grant of planning permission for non-agricultural development may affect agricultural tenants security of tenure.

**NOTICES UNDER ARTICLE 11 OF THE TOWN & COUNTRY PLANNING (DEVELOPMENT
MANAGEMENT PROCEDURE) ORDER 2010**

This notice **MUST** be sent to any owner of the land or property involved or any agricultural tenant.

Notice 1 TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2010

NOTICE UNDER ARTICLE 11

Proposed development at (address)

Take notice that an application is being made to Nottinghamshire County Council

by

for PLANNING PERMISSION to (proposed development)

If you wish to make representations about the application, you should do so in writing, within 21 days of the date of service of this notice to DEVELOPMENT MANAGEMENT, NOTTINGHAMSHIRE COUNTY COUNCIL, COUNTY HALL, WEST BRIDGFORD, NOTTINGHAM NG2 7QP

Signed _____ On behalf of _____ Date _____

If you do not know all the owners of the land or property you **MUST** publish a notice such as this in a local newspaper:-

Notice 2 TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2010

NOTICE UNDER ARTICLE 11

Proposed development at (address)

Notice is hereby given that an application is being made to Nottinghamshire County Council

by

for PLANNING PERMISSION TO (proposed development)

Any owner of the land (namely a freeholder or a person entitled to an unexpired term of at least seven years under a lease) who wishes to make representations to Nottinghamshire County Council about the application should do so within 21 days of the date of publication of this notice to DEVELOPMENT MANAGEMENT, NOTTINGHAMSHIRE COUNTY COUNCIL, COUNTY HALL, WEST BRIDGFORD, NOTTINGHAM NG2 7QP

Please forward a copy of the Advertisement with your application.

Signed _____ On behalf of _____ Date _____

Notes:

In the case of an application for planning permission for development consisting of the winning and working of minerals by underground operations, instead of giving notice in the manner set out above, the applicant shall give requisite notice of the application to any person (other than the applicant) who on the prescribed date is an owner of any of the land to which the application relates, or a tenant,—

- (a) by serving the notice on every such person whom the applicant knows to be such a person and whose name and address is known to the applicant;
 - (b) by publication of the notice after the prescribed date in a newspaper circulating in the locality in which the land to which the application relates is situated; and
 - (c) by site display in at least one place in every parish within which there is situated any part of the land to which the application relates, leaving the notice in position for not less than 7 days in the period of 21 days immediately preceding the making of the application to the local planning authority.
- The applicant shall provide documented evidence that the above notifications have been undertaken.