

Legal standing of neighbours in the procedures to grant planning permission

The Diploma Thesis

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Abstract

The Diploma Thesis entitled “Legal standing of neighbours in the procedures to grant planning permission” presents an analysis of the concept of the “neighbour” in the individual procedures to grant a planning permission under the Building Act, namely the planning permission proceedings, the summary planning permission proceedings, the planning consent issuance, the conclusion of a public contract and the regulatory plan issuance. Procedural rights of the neighbour are analysed in detail. The neighbour, in its capacity as an interested person, may actively use these rights and thereby influence the course and outcome of the proceedings. The thesis focuses primarily on the planning permission proceedings and objections which neighbours may raise against the construction project under the conditions set out in the Building Act. The aim of the thesis is to create an image of the neighbour by means of an analysis of the various procedures and to outline the problematic aspects of the current legislation regarding in particular the defence before the administrative courts in the simplified procedures. The utilized sources were legislation, literature, case law and official opinions of the Ministry for Regional Development which is central administrative authority for issues connected with procedures to grant planning permission.