

Making Effective Comments on Planning Applications

NOTE: Comments can be submitted online through the relevant applications details page in the 'Applications within Consultation Period' section, details of how to comment in writing are also available.

Many people have asked how they can most effectively comment on / object to planning applications. You may find the following helpful as a general guide but please note that it should not be relied on, or taken to be a full interpretation of the law.

Please remember that all comments submitted are open to public view both in person and via the council's website. This includes your name and contact details. If you believe there is reason to protect any of your information, please contact the Planning Department. This obviously includes the person making the planning application and also means that you can view other peoples comments on a particular application to see the level of support for your position.

1. Understand how decisions are made

Most planning applications involve balancing a variety of considerations. There will often be arguments both for and against a proposal and a judgement has to be made by the council as to which outweighs the other.

Just because someone makes a valid objection does not necessarily mean an application will be refused. The job of the council is to balance the impact of planning applications against all the other considerations including planning policies and the reasonable expectations of the person making the application.

Many of the planning applications submitted to the council are processed through the powers delegated to the Head of Planning Services. These applications are generally small to medium scale proposals which do not conflict with council policies and which have generated few objections.

The remaining applications are considered by the council's [Development Control Committee](#) which meets approximately every four weeks. This usually happens when proposals are large scale, raise important policy issues, have received a significant number of objections or are recommended for refusal by planning department staff.

Comments for and against an application are taken into account in both cases.

2. Understand the application

- Study the plans, forms and details submitted with the application carefully and make sure you understand the nature of the application being made. The plans are available here [online](#) and can be inspected in person at the [Planning Department Offices](#).
- Consider contacting the applicant for more information if you need it.
- It is worth checking from time to time if revised plans have been submitted. The revisions may or may not address your concerns.

3. Understand what the Development Plan says

- The council has to adopt certain principles laid down in legislation and government guidance when determining a planning application. These principles are very important and form the basis of all decisions on planning applications and subsequent appeals.
- The principles are set out in the council's [Development Plan and Policies](#)
- Applications generally have to be determined in accordance with the development plan. If the development plan says something that either supports or prevents a proposal, the

decision should follow the plan. If there are other material considerations, the development plan should be the starting point and the other considerations weighed up against it

- It is helpful to quote relevant parts of the Development Plan if you know them.

4. Check if the Development Plan is being reviewed

- If the Development Plan is being reviewed, the new plan will also be important and this importance will steadily increase as the plan nears adoption. Where policies are proposed in the new plan which have led to objections, those policies will only have limited weight until the objections have been considered.
- There may be occasions where policies in a proposed development plan conflict with those in an emerging plan. Those in the adopted plan will take priority until the replacement policies are at a stage where no further objections or changes are likely.
- [Click here to find out the current status of the Development Plan.](#)

5. Find out what others think

- Find out what the various statutory agencies think about the application. The council will almost certainly be bound by the advice it receives from them as this will be technical in nature. If you disagree with such advice, it is likely that you will need to provide your own technical evidence to back up your objections.
- Find out what government planning advice and regional planning advice says. The council must have regard to these in all case and Government policy will take preference over existing policies where there is a conflict between them.

6. Set out the reasons for your comments

- Your letter or e-mail should state clearly the points you wish to make about an application. You can support a planning application as well as object to it.
- If you wish to object to a proposal, you should set out the reasons for your objection with reference to the items in the list of 'Valid Reasons for Comment' below. The most effective objections are those which demonstrate the harm that will be caused.
- Stick to planning matters and don't refer to non-planning issues as these will undermine your case.
- Set out any conditions which you would like to see imposed should an application be approved. Conditions need to be included in the approval notice for a planning application if they are to be legally binding and this does not weaken any objections you have
- Remember that all comments submitted are open to public view.

7. Stick to the time limits

- It is very important to observe the time period for the receipt of comments and objections. You must respond by the date shown on the application.

8. Getting support for your position

- If there is widespread objection or support for a proposal, individual letters are more effective than a petition or a circular letter. This suggests people are properly concerned.
- If there are other groups who oppose the application, it may pay to pool resources. This is especially so with a major development and it may be worthwhile forming an action group.
- [Contact your local councillor](#) and let them know what you think.
- On matters to be decided by the Development Control Committee, consider other forms of publicity for the application. Use the media, especially the local press. Making an issue out of an application is likely to make the Committee more aware of your point of view.
- On matters to be decided by the Development Control Committee, read the officer's report to Committee. Ask for any mistakes to be corrected before a decision is taken.
- You may attend the Committee meeting and may speak for or against a proposal

[Development Control Committee](#)

9. Valid reasons for comment

Comments that are clear, concise and accurate stand more chance of being accepted than those that are not. When planning applications are considered, the following matters can all be relevant. These are sometimes referred to as 'material planning considerations':

- Central government policy and guidance - Acts, Circulars, Planning Policy Guidance Notes (PPGs) etc.
- The Development Plan - and any review of the Development Plan which is underway.
- Adopted supplementary guidance - for example. village design statements, conservation area appraisals, car parking standards.
- Replies from statutory and non-statutory agencies (e.g. Environment Agency, Highways Authority).
- Representations from others - neighbours, amenity groups and other interested parties so long as they relate to land use matters.
- Effects on an area - this includes the character of an area, availability of infrastructure, density, over-development, layout, position, design and external appearance of buildings and landscaping
- The need to safeguard valuable resources such as good farmland or mineral reserves.
- Highway safety issues - such as traffic generation, road capacity, means of access, visibility, car parking and effects on pedestrians and cyclists.
- Public services - such as drainage and water supply
- Public proposals for using the same land
- Effects on individual buildings - such as overlooking, loss of light, overshadowing, visual intrusion, noise, disturbance and smell.
- Effects on a specially designated area or building - such as green belt, conservation areas, listed buildings, ancient monuments and areas of special scientific interest.
- Effects on existing tree cover and hedgerows.
- Nature conservation interests - such as protection of badgers, great crested newts etc.
- Public rights of way - more information on these is available from the [Countryside Team](#)
- Flooding or pollution.
- Planning history of the site - including existing permissions and appeal decisions.
- A desire to retain or promote certain uses - such as playing fields, village shops and pubs.
- Need for the development - such as a petrol station
- Prevention of crime and disorder
- Presence of a hazardous substance directly associated with a development
- Human Rights Act
- Precedent - but only where it can be shown there would be a real danger that a proposal would inevitably lead to other inappropriate development (for example, isolated housing in the countryside)

10. Irrelevant reasons for objection

There are certain matters which do not amount to 'material planning considerations' under current legislation and guidance. These matters cannot be taken into account in considering a planning application and should not be included in objections as they weaken your case:

- The identity of the applicant or occupant
- Unfair competition
- Boundary disputes
- Breach of covenants and personal property rights, including rights of way

- Loss of a private view
- Devaluation of property
- Other financial matters
- Matters controlled by other legislation - such as internal space standards for dwellings or fire prevention
- Religious or moral issues - such as betting shops and amusement arcades
- The fact that the applicant does not own the land to which the application relates
- The fact that an objector is a tenant of land where the development is proposed
- The fact that the development has already been carried out and the applicant is seeking to regularise the situation. People can carry out development at their own risk before getting planning permission)
- The developer's motives, record or reputation

11. Other Matters

The person making a planning application has to provide enough information for the application to be determined. They do not have to provide every single detail before an application can be approved because certain matters can be resolved by way of conditions included as part of the permission.

Because of this, certain issues may not be considered as 'objections' but it is entirely reasonable for you to raise concerns on such issues and to ask to be kept informed before they are approved. These include:

- The proposed type and colour of the materials to be used
- The exact nature of any proposed planting or boundary treatment

12. If you are not happy with the council's decision

The person submitting a planning application can appeal to the Secretary of State if they disagree with the results of a planning application decision.

Unfortunately an objector has no such right of appeal. If you remain dissatisfied and feel that the council has acted illegally, irrationally or with procedural impropriety when making a decision, you may be able to appeal to the Ombudsman but the Ombudsman will only look at a case if you have given the Council the opportunity to review your concerns first.

If you feel that this applies, the best way to bring this to our attention is to use our Complaints process and we encourage you to do so if you think that we have not made a decision in an appropriate manner.