

New Development - Have Your Say

How do I find out about new development?

Look for the green coloured Site Notice displayed by the Council near to the site of each proposed new development.

Check the public notices section of the local newspaper.

We encourage applicants to talk to their neighbours about their proposals - you may also receive notice that they have made an application to the Council direct from them.

Use the Public Access Service to search for applications received near you. You can be notified of a proposed new development, within a specified distance to a property or search a constantly updated list of applications received and decided each week.

Where can I find out more?

Use the Public Access Service to view applications and plans. You can view details of many historic applications including all decision notices from 1974 onwards and view property details by reference to a map.

How can I have my say?

You must **write** to make your views known and for them to be taken into account before the decision is made. You can use the Public Access Service to submit your comments.

Representations that are marked confidential cannot be taken into account when an application is considered.

The deadline for the receipt of comments is given on the Site Notice and Press Notice. Use the latest date if the notices were not published on the same day.

All representations are acknowledged and displayed online on Public Access via the Documents Tab.

We write or email to let you know the decision.

If the application is one which is to be decided by a planning committee we will tell you the time, date and place of the meeting and about the Council's "Opportunity to Speak" scheme. The Local Government (Access to Information) Act 1985 allows your written views to be seen and copied by the applicant and other members of the public.

Will my views be taken into account?

Yes - but only if they relate to **material planning considerations**. The Council is not a free agent when it considers planning applications - its discretion to act is limited by planning law and Government policy.

What are material considerations?

- The Local Plan/Local Development Framework
- Other planning policies and Supplementary Planning guidance and documents published by the Council
- The National Planning Policy Framework and other Government advice
- Highway safety, (directly in the case of a dangerous access or indirectly in terms of car parking and traffic generation)
- Landscape impact
- Local amenity, noise and privacy
- Conservation of buildings, trees etc.
- Case law and previous decisions
- Siting, design, appearance, materials and scale of proposed buildings and landscaping of a site.
- Public services such as sewage and surface water drainage
- Safeguarding including flooding, airfield flight paths and important mineral reserves
- Public proposals for the same land (such as a site for a new school or a road improvement)

- Contaminated or unstable land
- Public rights of way

Which considerations are NOT relevant?

Applicants sometimes put forward arguments of a personal kind in support of a development. Only exceptionally will these outweigh the more general planning considerations since buildings will remain long after the personal circumstances of the applicant have ceased to be relevant.

Objectors' arguments are sometimes based on the following, none of which are material considerations when making a decision on a planning application and should not affect the outcome:

- Trade objections from potential competitors, or a form of development you would prefer.
- Moral objections, for instance against amusement centres, betting shops and licensed premises.
- The Party Wall Act 1996 controls work carried out on, or in the proximity of, a party wall. Information explaining how the controls operate is available from the Planning Portal.
- Allegations that the proposal might affect private rights (e.g. restrictive covenants and rights to light) Objectors should consult their own solicitor - it is not possible for Council officers to advise on private rights.
- The loss of an attractive private view (for instance when development is proposed on the opposite side of the road to, or to the rear of, an objector's house).
- The fear that an objector's house may be devalued.
- The fact that the development has already begun (people can carry out development at their own risk before planning permission has been granted and the Council has to judge the development on its own merits).
- The belief that an application is submitted by the owner with the intention of selling the property at an enhanced value.
- The fact that the applicant does not own the land, (this can be overcome with the agreement of the owner). There is a legal obligation that proper notice of the making of the application is given to the owner.

Important Points

- Put your representations in **writing**;
- Get them to us before the **deadline**;
- Always quote the Application Number;
- It is the **substance** of your representation that counts - it doesn't carry any extra weight if it is repeated many times by an organised letter writing campaign.