

## **General Advice on Commenting on Planning Applications.**



**Local Councils are encouraged by the Government to give publicity to applications for planning permission and similar consents. This leaflet is intended to help you make comments on applications and ensure that your views are taken into account when a decision is made.**

### **FINDING OUT ABOUT THE APPLICATION.**

Members of the public can inspect copies of the application, the plans and any other documents submitted with it at the Sedgemoor District Council's Reception in Bridgwater House, King Square, Bridgwater between 8.45 am and 5.00 pm.

You may also be able to view the submitted plans by contacting your local town or parish council, or if the application has been made by your neighbour, ask them to explain their proposals. If you do not understand any part of the proposal, telephone the Case Officer.

### **CONTACTING THE CASE OFFICER.**

The Case Officer's name is normally printed at the top of letters sent out by the District Council about the application. If you do not know who the Case Officer is, telephone Sedgemoor Direct 0845 408 2545. Case Officers can normally be contacted at any time during working hours, but it should be noted that the nature of their work means that they are frequently out on site and not always available. Other members of staff may be able to answer general enquiries regarding the application.

### **HOW TO COMMENT ON AN APPLICATION**

Please try and view the application and submitted plans prior to commenting on a proposal. All representations must be made in writing, including your name and address, and it helps us if you can quote the relevant reference number. We often receive a large number of letters on an application and it is seldom possible to enter into further correspondence arising from any representations you make.

You can also e-mail any representations to [development.control@sedgemoor.gov.uk](mailto:development.control@sedgemoor.gov.uk) remembering to include your postal address in order for your comments to be acknowledged.

Because of the provisions of the Access to Information Act 1985, we cannot regard any representations as confidential and they will be held on a public file. It is therefore very much in your interest that your letter deals fairly with the proposed development and does not contain statements you do not want published.

### **POINTS TO CONSIDER WHEN COMMENTING**

Only relevant planning matters can be taken into account by the Case Officer when reaching his/her recommendation. Important considerations include:

- National, Regional and Local Planning Policy and guidance.
- The appearance and character of the area or street, including the design and materials of buildings, landscaping and tree loss,

- Other environmental issues (e.g. noise),
- Traffic generation and road safety,
- Impact of the building on its neighbours (e.g. overshadowing, overlooking or loss of privacy),
- Effects on the landscape and the need to protect the open countryside.

If you are not opposed in principle to a proposal but believe that restrictions should be placed on the development (e.g. hours of working, appropriate materials) then you may wish to suggest conditions that the Council could impose on any consent.

Many issues cannot be taken into account by the Case Officer when assessing an application, some of these are:

- Civil matters such as land ownership, private rights of way and restrictive covenants. These are usually private matters on which objectors may need to get legal advice.
- The fact that development may have already begun. If permission is refused the Council has powers to have the matter rectified.
- Matters that fall within other legislation, for example, building regulations or consent to discharge into a watercourse.
- Loss of an attractive view from a private property.
- The fear that an objector's house may be devalued. You should focus your comments on why the proposal could result in a loss of value to a private property.

## **WHAT HAPPENS NEXT**

Where any written representations are received they will be considered by the Case Officer when making his or her recommendation.

Where an application is to be determined by elected Members (Local Councillors), they will have a report prepared by the Case Officer. The report will address all the relevant planning issues raised, include a summary of any points made in letters of representations and contain a recommendation based on the Council's planning policies and material considerations identified above.

## **ONCE A DECISION HAS BEEN MADE.**

If the application is refused, the applicant has a right of appeal but only within 6 months of the date of the decision (2 months for refusals of advertisement consent). If an appeal is lodged and you have commented on the application we will write to you again and explain the appeals procedure.

If an application is approved, neighbours and third parties who objected do not have a right of appeal. However, if you think the Council made an unreasonable decision or did not properly consider your comments, the Council has a formal complaints procedure, details of which are available from the Council's Reception at Bridgwater House or by telephoning the Council. If you are still not satisfied, you may approach the Local Government Ombudsman. The Ombudsman will not support a complaint made solely on the basis that the Council's decision was wrong. Further information can be obtained through the Ombudsman Advice line on 0845 602 1983 or via the Internet at [www.lgo.org.uk](http://www.lgo.org.uk) or e-mail [enquiries.london@lgo.uk](mailto:enquiries.london@lgo.uk).

Please note that planning application information is available from the Sedgemoor District Council's Web Site [www.sedgemoor.gov.uk](http://www.sedgemoor.gov.uk), via the "Planning Online" icon.