

Commenting on or Objecting to a Planning Application

This advice from the Planning Authority, when commenting on or objecting to a planning application, is considered worthy of repeating,

Every application they receive is important to the people who make it and also anyone it may affect.

They want you to be involved in the planning process and will consider all comments carefully before making a decision.

Please remember that any comments that they receive are treated as a public document and are available for the public to see. This may include publishing them on their website.

How they take account of your views

Decisions on applications will often be made by a planning officer. The case officer who deals with the application will take your views into account and make a recommendation to a principal planning officer who will then review all the information available and make the final decision.

The Planning Committee will decide some applications. This will happen if the application is contentious or if parish or local borough councillors ask the committee to make the decision. The Planning Committee is made up of elected borough council members. The committee will receive a report that explains the application, gives a summary of the views that they have received and any policies that apply. In this report it is usually necessary to summarise your comments, but the committee will be aware of them.

They realise that every application is important to everyone involved, and will try to balance all the issues when making a decision.

When objecting, matters which they can take account of

When considering an application, they have a legal duty to take account of all planning policies which include:

- *Central government policies*
- *Regional planning guidance*
- *The current structure plan*
- *Adopted Swale local plan policies and approved supplementary planning guidance*
- *Other relevant policies that may apply*

They will consider all comments received, but when making a formal decision they can only take account of matters known as 'material planning considerations'. These include the following.

- *Loss of light*
- *Overshadowing*
- *Overlooking another property and loss of privacy*

- *Visual appearance*
- *Parking facilities*
- *Traffic the proposal would create and effects on highway safety*
- *Noise, smells and disturbance resulting from use*
- *Loss of trees or other important landscape features*
- *Design, appearance and materials proposed to be used*
- *Effect on listed buildings and on the character of a conservation area*
- *Layout and density of proposed buildings*

This is not a full list.

Matters which they cannot normally take into account:

For legal reasons it is not possible to for them to take account of matters which include the following.

- *Matters controlled by building regulations or other non-planning laws such as structural stability, fire precautions and so on*
- *Private issues between neighbours, for example disputes over land or boundaries, damage to property, private rights of way, private agreements and so on*
- *Loss of value of a property*
- *Possible problems associated with the building work, for example, hours of work, noise, dust, construction vehicles and so on*
- *Loss of view*
- *The number of people who object to a planning application*
- *Issues of land ownership*