

How to respond effectively to a planning application

Responding to a planning application is a good way of making sure your neighbourhood planning policies are being well-considered in the decision-making process and is a meaningful way of voicing your opinion on a new development. You can respond to any planning application, whether or not you have personally received a letter informing you of it and it is worth signing up for alerts and monitoring weekly lists on your local planning authority's website.

Check the type of application you are responding to in order to understand what to comment on and how to tailor your response

In addition to full detailed planning applications, there are a number of other types of applications that can be submitted for new development. Some such as Lawful Development Certificates and Prior Approval applications will seek to clarify that development can be built under permitted development (development that does not require planning permission), whilst others will seek specific permission for works to a tree or a listed building. Some other examples are set out below:

- Outline applications seek to establish whether the scale and nature of a proposed development would be acceptable to the local planning authority, before a fully detailed proposal is put forward at reserved matters stage and therefore your response to this type of application should focus on the principle of development and the details that have been submitted (such as access arrangements for new residential development).
- Applications for non-material amendments seek to make changes to an existing planning permission, the planning officer will be looking at whether the changes are so significant as to warrant a new application as well as reviewing the new drawings. There is no statutory definition of non-material and it is for the planning officer to decide. Your response should therefore focus on these issues being considered rather than revisiting issues that have already been deemed acceptable via the grant of planning permission such as the principle of development.

Step 1 – review plans, drawings, site history, planning policy, carry out a site visit and take photos

Check plans are accurate and consistent, and that the description of development reflects what will be built (for example if a detailed planning application for a new building has a roof terrace that could potentially overlook nearby properties – has the roof terrace been mentioned in the description?)

Site visits can be helpful and make sure to take photos that support any comments you are making. If you are unable to gain access to the site, then even walking around the perimeter and to key viewpoints within the area can help you to evaluate the impacts of the new development

Have a read though the NPPF, local and neighbourhood plans and look at the proposals map on the local planning authority's website to see if there are any site allocations such as green belt. Supplementary planning documents such as design guides and residential standards will also be a 'material consideration'¹ in the determining of an application, particularly if they have been subjected to public consultation

Do a search for recent planning decisions and other applications in the same area and applications for a similar proposal (including appeal decisions) made under the same planning policy context as these can be referred to in your response. Read the planning officer's report and decision notice to understand what has been considered and how the decision has been made. This can help you to structure your response and understand the material considerations that have been taken into account in the area for similar proposals.

¹ A matter that should be taken into account in deciding a planning application or on an appeal against a planning decision – such as sunlight and daylight impacts and noise

Step 2 – decide on your stance and consider the ‘material considerations’ to be weighed up in the planning application

A material consideration is a matter that should be taken into account in deciding a planning application or on an appeal against a planning decision. Material considerations depend on the nature of the development, the contents of the local plan can help you understand the issues within your area.

For example, loss of private views is not a material consideration but you can comment on:

- loss of outlook by a new visual obstruction,
- a new development appearing overbearing,
- the overall impact on the character and appearance of the area and an unacceptable impact on a view from a public viewpoint (especially if these views are protected by planning policies).

Step 3 – write your response or ask a planning consultant to do so for you

- **Include the planning application reference.**
- **Don't use any derogatory language** and be careful of the wording.
- **Don't criticise the applicant** and talk about the reasons or motives of the applicant in applying for planning permission or profit they will make from the development.
- Try to **ensure your response is received within the consultation period** but if you have missed it and a decision has not yet been made then you could submit one anyway.
- **Refer to material considerations and link these considerations to relevant planning policies.**
In your response you should also note where a proposal meets your neighbourhood plan policy requirements and where it doesn't.
- **Be very careful when talking about cumulative development** (where a large number of applications for similar developments such as roof

Neighbourhood Planning



extensions have already been submitted in the same area) and precedents - you can mention this as a concern but your response will need to address the merits of the development being considered

- **Good design is about more than just what something looks like** and also encompasses functionality, inclusivity and sustainability. A wide variety of variables can make up design quality and could include
 - the positioning and orientation of buildings;
 - permeability and ease of movement;
 - car parking solutions;
 - refuse and servicing arrangements;
 - internal layout and aspect of any residential units;
 - green space - how much?
 - What type is it (public/private/communal)?
 - Does the space being provided cater to different uses (quiet reflection/relaxation as well as sports activities) and users (such as teenagers)?
- **Can the development be improved through some amendments** to the drawings or can any unacceptable impacts be mitigated or controlled through conditions?

Once you have submitted your response check with the planning officer as to whether a decision will be made by 'delegated decision' (where the decision will be signed off by a senior officer within the council's planning department) or if the application will be sent for determination at a planning committee meeting. Planning committee procedures will vary between councils and if you want to speak at the committee you should check your local planning authority's rules.

Signs that your neighbourhood plan policy is effective would be if the relevant policy is quoted on the decision notice and forms the basis for a reason for refusal or approval. If you are finding your policies aren't being referenced or considered, then you should find out why by discussing it with your local planning authority.

Annabel Osborne
Neighbourhood Planning Officer, Locality

Neighbourhood Planning

brought to you by

locality

Locality is the national membership network supporting community organisations to be strong and successful.

Unlock the power in your community with us

Locality

33 Corsham Street, London N1 6DR

0345 458 8336

Locality is the trading name of Locality (UK) a company limited by guarantee, registered in England no. 2787912 and a registered charity no. 1036460. ©Locality
The content of this guidance is for your general information and use only. It is subject to change without notice. Neither we nor any third parties provide any warranty or guarantee as to the accuracy, timeliness, performance, completeness or suitability of the information offered in this guidance for any particular purpose. You acknowledge that such information may contain inaccuracies or errors and we expressly exclude liability for any such inaccuracies or errors to the fullest extent permitted by law.

Your use of this guidance is entirely at your own risk, for which we shall not be liable. It shall be your own responsibility to ensure that this guidance meets your specific requirements.