

How to respond to planning applications



This booklet provides an overview of how to respond to planning applications. This includes: householder, full planning permission, outline, reserved matters, renewals and variation of condition applications.

When these proposals are considered, the Council has to carefully balance applicants' requests to use or develop land and buildings against wider public interests and concerns.

Public involvement in the planning process is welcomed by the Council and all comments received in connection with planning applications are carefully considered before decisions are made.

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Publicity of the planning application

The list of applications on which comments can be made is published on a weekly basis in the West Sussex Gazette and on the Arun District Council website. Other newspapers often publish selected applications relating to proposals within their circulation area.

A site notice is displayed on or near the application site where it can easily be seen and read by the general public. This notice provides basic information, giving the reference of the application, the address of the site and a brief description of the development proposed. The site notice, in common with the other forms of publicity, is primarily intended to alert anyone who may be interested in the application and to invite inspection of the forms and plans submitted and give a date by which any comments should be received by the Council.

To find out more about a planning application

Current planning applications are available for viewing on Arun District Council's website at <http://www.arun.gov.uk/planning>.

It is also possible to view applications on-line at the Arun Civic Centre and Bognor Regis Town Hall, Monday to Thursday 8.45am to 5.15pm, Friday 8.45am to 4.45pm.

Commenting on a planning application

Anybody has the right to comment on current planning application even if they are not directly affected by the proposed development.

Comments must be made in writing and should be received by the Council by the date stated on the site notice or in the press advertisement.

The invitation to comment on a planning application relates to those who object to or support the proposals, as well as those who may wish to make constructive observations about the application without necessarily being for or against.

Ideally any comments should be made using the on-line comment facility on the website. First you must search for the application <http://www.arun.gov.uk/weekly-lists>. Once found click into the application details and then click into enter comment and type in your comments. Once you click submit, you will get a confirmation reference number and when the comments are downloaded you will receive an email containing a copy of your comments. This should be received on the next working day but depending on the volume of comments received it may take longer. A copy of this will also be published on the website.

If you wish to comment by letter any comments you make should be addressed to the Group Head of Planning, Arun Civic Centre, Maltravers Road, Littlehampton, West Sussex BN17 5LF. It is most important that the application number is clearly quoted in your letter. You will not receive an acknowledgment but you can check your comments have been received by looking on the website. Please note it can take up to 5 working days for comments to be published.

If comments are made by email as opposed to online, they will be treated in the same way as a letter

However you make your comment, your contact details will be recorded and you will be informed of the outcome of the application or if the application is going to be considered at Committee (providing that your representation has been recorded at the point of the notifications being generated).

Please make sure your views are clear and only include information that you are happy for the public to view. Do not include personal information or information from third parties unless you have their permission to do so. Do not include information which is defamatory or breaches equality or any other legislation.

The Council will redact signatures,

telephone numbers and email addresses on the website but they will be viewable on the original documents for people to see if they visit the Civic Centre Office. Please help us by not including this information within the comments section if you are submitting through the website or in the main body of your letter.

We deal with around 2000 applications every year and receive several thousand letters of representation which means that it is not possible to reply individually to each letter received commenting on a planning application. However, the contents of every letter are carefully considered before a decision is made.

Petitions

Should a number of people share the same views in respect of a planning application, a petition is a legitimate way of organizing and submitting those views for the consideration of the Local Planning Authority.

It is important that the petition is concise and legible, that all names are printed and signed alongside their respective addresses and that it is made very clear, at the top of each page of the petition, as to the planning matters to which it refers.

What are material planning matters?

The Council has to consider a planning application in the light of policies in the Development Plan (that is the District Council's Local Plan 2003, the Emerging Local Plan and Neighbourhood Plan) and any other material considerations. While you are free to express any views you wish about the merits of an application, it is only material considerations which can be taken into account in determining the application. Broadly speaking, these material considerations are those relating to the effects of the proposal on the environment and the amenities of neighbouring occupiers.

It should be remembered that the purpose of planning is to regulate the development and use of land in the public interest; it is not concerned to protect the private interests of one person or group against the activities of another.

In the table are some examples of material and non-material planning considerations. The list is not exhaustive, and there are undoubtedly many other examples of each category.

Material considerations	Not material considerations
Arun District Local Plan	Matters covered by other laws such as alcohol licensing, or construction techniques
National Planning Policy Framework	Private property rights such as covenants
Supplementary planning documents	The developer's identity, morals, motives or past record
Neighbourhood Plans	Effect on the value of your property
Village Design Statements	The fact that development has already started
The Council's corporate policies	Trade objections based on competition
Highway safety and traffic	Moral objections such as an objection to gambling or a pub
Noise, disturbance and smells resulting from the proposed development	Loss of a private view
Design, appearance and layout	Inconvenience or other problems caused by building works
Conservation of buildings, trees and open land	
Flood risk	
Impact on the appearance of the area	
Effect on the level of daylight and privacy of existing property	
Need to safeguard the countryside or protected species of plant or animal	
Planning case law and previous decisions	
The planning history of the site	

It is a common misconception that if a large enough number of people object to an application it will be refused. This is not necessarily so because it is the nature and relevance of the reasons for objection which is important, not the number of objections in itself. While the number of objections may give an indication of the strength of local feeling, they will be of little effect if they do not relate to relevant planning matters, whereas one single valid objection may influence the decision.

Confidentiality

The Council believes in openness and transparency in its dealings with applications and since June 2012 all comments are viewable on the website. This means all comments will be available for everyone to see. However we protect your personal information on the website by redacting your email address, telephone number and signature. Please ensure you only include information that you are happy to have made available in this way. If you supply information from a third party please ensure you have their permission to do so. The Council reserves the right to remove any information which is defamatory or breaches equalities or any other legislation. If after submitting your comments, you decide that you do not wish them to appear on

the website and on file you will need to confirm this in writing. The information will be removed but it means the contents will be disregarded.

How applications are decided

Most planning applications (over 90%) are decided by the Group Head of Planning advised by senior staff, acting under powers delegated by the Development Control Committee, and contained in a Scheme of Delegation. The remaining applications, which normally relate to the larger proposals or those which are more contentious, are decided by a Development Control Committee composed of Councillors who are advised by the Group Head of Planning and senior planning staff.

The Scheme of Delegation within the Council's constitution sets out the scope of delegation and the safeguards and limitations designed to ensure democratic accountability in the decision-making process.

<http://www.arun.gov.uk/constitution>

Broadly speaking, an application for proposals covered by the scheme will be decided under delegated powers unless it falls into the following:

- Any Major or Minor¹ application for planning permission which prior to its determination

is subject to a written representation from a Parish Council, Town Council or formal Parish Meeting, which has been received within the consultation period and which is in conflict with the Recommendation of Officers.

- Any application submitted by, or on behalf of the Council,
- Any 'Major' or 'Minor' application as defined by the Department of Communities and Local Government which would create a new access or egress via the A27, A29, A284 and A259 roads.

In addition, an application which in the opinion of the Group Head of Planning and the Chairman of the relevant Development Control Committee, should not be determined under delegated powers due to its controversial nature will be referred to the relevant Development Control Committee for decision.

Whether an application is considered under delegated powers or by a Development Control Committee, a written report is prepared which contains a summary of comments received (known as representations). In the case of Development Control Committee applications, the written report is published in the Committee agenda. Any comments received after the agenda has been printed, will be summarised and reported at the meeting, either in writing or verbally, depending when they are received.

Members of the public are welcome to attend the meetings of the Development Control Committees to listen to the discussion and witness the decisions being made. The Council has introduced a scheme to enable the public to speak at Development Control Committees. Details of this scheme are set out in a separate leaflet available in this series.

¹Major and Minor are defined in the Arun District Council's Local Validation Requirements list a copy of which is published on the Council's website.

What are the rights of appeal against a decision of the Council on a planning application?

There is no right of appeal by objectors to the approval of a planning application. Only the applicant can appeal against a refusal or a condition the Council has imposed on a planning permission. However, if such an appeal is lodged, copies of all the representations will be forwarded to the Planning Inspectorate. If it is a householder, advert or minor commercial appeal against refusal there will be no further opportunity to comment. In other cases all those who wrote in commenting on the application will be informed so that they may make written representations to the Planning Inspectorate of the Secretary of State who will take them into account when deciding the appeal.

It may be that a Public Inquiry or Hearing will be held into the appeal, in which case objectors and supporters may attend and, at the discretion of the Inspector, usually have the right to present their views verbally.

Further Information and assistance

If you require further guidance, please contact - **Planning Services** either via the Planning Reception desk at the **Arun Civic Centre** 8.45am to 1pm Monday to Friday, or Tel: 01903 737756 or Email: planning@arun.gov.uk



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