

A guide to commenting on planning applications

The planning applications approved by us help to shape the future of the area. To make sure the public are involved in this, we publicise all planning applications by sending letters to immediately neighbouring properties, informing the relevant parish and in some cases a site notice is displayed. You are welcome to tell us your views, whether for or against, an application.

How can I give my views?

We give local residents 21 days in which to comment on an application. If you wish to comment please submit your views online via the planning application pages on our website at www.canterbury.gov.uk/planning Please note that your comments will become a public document and published on our website (with your address, telephone, email and signature removed).

What sort of things can be taken into account?

They are wide ranging and include;

- The effect of the proposed development on the appearance of the area
- The quality of the design
- Significant overbearing impact and loss of outlook
- The economic benefit of the proposal
- Highway safety issues
- Loss of important trees
- Intrusion into the countryside
- Significantly increased noise and disturbance

What cannot be taken into account?

Many concerns cannot be addressed through the planning process, these include:

- Loss of view
- Loss of property value
- Private disputes between neighbours
- Breach of agreement
- Loss of trade to a competitor
- The level of profit a developer might make
- Personal circumstances of the applicant (in most cases)
- Moral objections for example to uses such as amusement arcades and betting offices
- Ancient rights to light
- Ownership disputes over rights of way

How does the council decide a planning application?

After the 21 day consultation period has passed, the case officer should have all the information needed to assess the application. We have to consider the proposed development in line with the policies set out in the Canterbury District Local Plan 2017. If it is in line, it could be approved.

As well as this document and the Herne Bay Area Action Plan, we must also consider other 'material' or relevant factors including planning law, policy and guidance. Current government policy is set out in the National Planning Policy Framework (NPPF) and government guidance in the National Planning Practice Guidance (NPPG).

Will my views be considered?

We are legally obliged to take into account the comments from neighbours and other interested parties when deciding all planning applications. Furthermore, we encourage local residents to have their say in planning matters.

However, it is important to remember that we are responsible for making the final decision on the application, and for deciding how much 'weight' your comments have on the final decision.

Can my ward councillor speak on my behalf?

Your ward councillor is an elected member of the council, who represents the views and interests of people living in the ward area they represent.

A ward councillor can request that an application be reported to Planning Committee if they have a justified planning policy related reason. This means it will be debated in public at a Planning Committee meeting with the ward councillors able to speak on your behalf. To find out who your ward councillor is visit www.canterbury.gov.uk/your-council/how-your-council-works

What will happen after my objections have been made?

Due to the large numbers of responses we receive, it is not possible to respond personally to each letter.

Your comments will be used by the case officer in deciding the planning application and you should be aware that other members of the public may see your views.

You will not be automatically notified of the decision on the application. Information on the progress and the decision on applications can be viewed on our website.

Data Protection Act 1988

Your personal details, along with the other information you have provided and information obtained from other sources, will be retained by us for administrative purposes and, where applicable, for future consideration. We will not release personal details to a third party if the disclosure would contravene the Data Protection principles. If you would like further information about the use of personal information you are advised to contact the Information Commissioner.

Will the application be refused if lots of objections are received?

No, the volume of objections will not result in an application being refused. An application can only be refused for 'planning reasons' and not because of the number of objections.

Who makes the final decision on the application?

The Planning Committee has given the authority to Planning Case Officers to decide the majority of planning implications. However, a minority of complex applications are reported to the Planning Committee, who meet monthly to decide applications.

If I don't agree with the decision, can I appeal?

As the law stands there is no right of appeal for objectors. In certain circumstances a decision can be challenged in the courts, if there is a concern that the council has acted unlawfully.

Where can I find out more?

To view the Canterbury District Local Plan 2017 or to read further planning information visit www.canterbury.gov.uk/planning

Central government policy can be found at www.gov.uk/guidance/national-planning-policy-framework

General planning advice can be obtained at www.planningportal.co.uk

Please note

This leaflet relates to planning applications. It does not deal with the procedures for other types of application such as agricultural or telecommunications notifications or listed building applications. If you are in any doubt as to the type of application involved please contact us.

Speaking at Planning Committee meetings

About five percent of planning applications are decided by the Planning Committee. If you would like to find out more about speaking for or against an application at a Planning Committee meeting, please refer to our website at www.canterbury.gov.uk/your-council under 'Have your say and consultations...'



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