

## Issues relevant to a planning application

You are advised to view the submitted plans and forms before you comment on an application, to ensure you understand the development under consideration. The Council can only take certain issues into account when considering an application for planning permission. Some application types, such as Prior Approval, can only be assessed against specific criteria as defined by Government. In these cases the matters below do not apply. **Comments that are not relevant to the determination of an application cannot be considered.**

Issues that **can** generally be considered include:

- Whether a proposed use is suitable for the area
- Whether the appearance and size of a new building/structure is in keeping with its neighbours and the surrounding area
- Whether external alterations to an existing building are in character
- Whether adjoining residents will suffer any overshadowing, overlooking or loss of privacy
- Whether there will be any increase in noise and disturbance, for example from the comings and goings of extra traffic
- Whether new public buildings have satisfactory access for the disabled
- Whether there is adequate parking or the development would be dangerous for road users and pedestrians
- Whether a public footpath is affected
- Whether there is any visual effect upon the landscape, i.e. loss of trees and hedgerows
- Whether the proposal conflicts with Local and National planning policies

Issues that **cannot** be considered include:

- Loss of view
- Loss of property value
- Boundary or other disputes between neighbours, e.g. private rights of way, covenants
- Loss of trade from competing business
- The alleged character or behaviour of an applicant
- The individual circumstances of the applicant
- Moral objections
- The belief that an applicant intends to profit from a development
- Other consents/licences that may be required

**Some application types can only consider specific matters:**

### **Prior Approval**

Prior approval means that a developer has to seek approval from the local planning authority that specified elements of the development are acceptable, before work can proceed. The matters for prior approval vary depending on the type of development and these are set out in full in the relevant parts in Schedule 2 to the General Permitted Development Order. A local planning authority cannot consider any matters other than those specific to each development type when determining a prior approval application.

### **Lawful Development Certificates**

The only factors that can be considered are:

- Whether the development accords with the criteria set out under the relevant planning legislation
- Factual information about the length of time a building/structure/use has been constructed or taken place
- Any other evidence to support/refute the claims being made in the application

They do not include:

- The Planning merits of any particular application or Planning policies
- Other consents/licenses that may be required.

### **Modification or Removal of Conditions**

- Specific issues relevant to the original reasons for imposing the Planning Obligation e.g. Highways issues
- Agricultural justification for development
- Any changes in circumstances since the Planning Obligation was originally completed

They do not include:

- General or new planning considerations that are not relevant to the original reasons for imposing the Planning Obligation in question