

Customer advice note 4

How to comment on a planning application

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DEVELOPMENT MANAGEMENT ADVICE NOTE 4

HOW CAN I COMMENT ON A PLANNING APPLICATION?

This is one of a series of advice notes to help our customers use the Development Management Service in Croydon. The service is responsible for the determination of planning applications and the enforcement of the planning regulations.

1 Introduction

- 1.1 This advice note explains how to comment on an application that interests you: how to obtain more information, how to let us know your views, what we can take into account, and how we will take your views into account. Whilst the note refers mainly to applications for planning permission, the procedures generally apply to all types of planning application.

2 How we publicise applications

- 2.1 The Council will publicise Planning Applications by displaying Site Notices on street furniture on roads close to applications sites which it considers might be affected by a development. You will not receive an individual letter notifying you of an application if you live adjacent or close to an Application Site. We also publicise certain types of applications in the Croydon Guardian and this may be how you found out about a scheme. There is also information on the Council's website. However, it doesn't matter how you got to hear about a proposal, anyone can submit comments to us.
- 2.2 The site notices or press advertisement explains where the planning application can be viewed. The statutory register containing the application details is available at our reception between Monday to Friday 8.30am to 4.45pm. The application plans, forms and supporting documents are also viewable via the Online Planning Service on our web site (www.croydon.gov.uk). We strongly recommend that you look at an application before commenting on it.

3 Answering your questions

- 3.1 If you have questions about the application, or if you require any further information at any stage, you will need to contact the duty planning officer. The duty planning officer is available Mondays, Wednesdays and Fridays 9.am to 1pm at our reception, Access Croydon. Alternatively, you can contact the Technical Support Team or Duty Officer by phone (020 8726 6800)
- 3.2 Experience has shown that the provision of advice personally via the duty planning officer enables questions to be dealt with more promptly and efficiently. The planning case officer cannot enter into correspondence about the details or merits of the application and will not always be available to answer questions by phone or in reception.

4 How to let us know your views

- 4.1 We want to know what you think about an application and why. Your comments can be a brief set of points for or against the development. It is not normally necessary to employ a solicitor or other professional to comment on a planning application. We will try to assist you, but we cannot tell you what comments to make.
- 4.2 Comments on applications should always be made in writing. Please make sure that you quote the planning application number (if known) or the address of the property and the proposal to which it relates. We must receive your comments before the consultation deadline. If we do not hear from you within that time it will be assumed that you do not wish to comment. Even if the publicity period has expired, it may not be too late to comment. Please call 020 8726 6800 to check this.
- 4.3 Your written comments can be submitted using the comment facility on the Online Planning Service on the web site or sent by email to development.management@croydon.gov.uk or

posted to Development Management, Croydon Council, Taberner House, Park Lane, Croydon CR9 1JT. Please also note that when sending comments electronically there is no need to create a duplicate hard copy.

- 4.4 Your comments, will be taken into account before a decision is reached, provided they are received in time. If the application is to be decided by one of our planning committees we will let you know by letter and invite you to attend. We will inform you of the final decision, if you make comments.

5 What we can take into account

- 5.1 We welcome any comments, whether in support of an application or objecting to it, although we can only take account of planning considerations.

- 5.2 Matters that may be taken into account include (these lists are not exhaustive):

Planning policies:

- Central government policies
- The London Plan
- The Croydon Development Plan (currently the Croydon Replacement Unitary Development Plan, but soon to be replaced by the Local Development Framework)

Other material considerations:

- Loss of light or overshadowing
- Overlooking or loss of privacy
- Visual appearance (for example, design, appearance or materials)
- Layout and density of buildings
- Traffic generation, highway safety or adequacy of parking
- Noise, smells and disturbance resulting from use
- Loss of trees
- Effect on listed buildings or conservation areas

6 What we canNOT take into account

- 6.1 Matters that cannot normally be taken into account include the following (the list is not exhaustive):

- Matters controlled under building regulations or other non-planning laws (for example, structural stability & fire protection (Building Control), control of pollution & statutory nuisances (Environmental Health) etc – you will need to obtain advice from those services or organisations)
- Private issues between neighbours (for example, land or boundary disputes, damage to property, private rights of way, covenants etc – property law covers this area – you will need to obtain advice from your own solicitor or the Citizens Advice Bureau)
- Loss of value of property (but the reason why it might affect the value could be material – see “Other material considerations” above)
- Problems associated with the construction period (for example, hours of work, noise, dust, construction vehicles etc – environmental protection legislation covers this area)
- Loss of a private view

- 6.2 If you have no objection to an application, but wish to suggest restrictions that we should impose to control the appearance or future use of the development, please feel free to do so. For example, you might have views about the colour of the bricks or tiles in a new building or the opening hours of a restaurant.

4 Confidentiality

- 4.1 You should also be aware that legislation requires that any letter, email or online comment you send in response to an application has to be available for inspection by the applicant or anyone else interested in the application. Because of this we cannot take into account comments that are marked “confidential”. We have to ignore any letters marked in this way and we will return them to you. Similarly, we will return letters containing racial or other abusive remarks.

5 Publicity on amendments

- 5.1 Sometimes applications are amended due to negotiations by the planning case officer to overcome a problem or because of a change of mind by the applicant. The decision as to whether to publicise amended plans will be judged on the individual circumstances of each case. Our decision will be based on the nature and extent of the amendments. Any that are significant will be publicised, however, minor changes to plans (particularly where they have a similar or lesser impact) would not normally be publicised. This judgement is made to prevent unnecessary delay in the processing of applications and to avoid the unjustified expense of re-publicising minor changes to a scheme.
- 5.2 Where publicity is considered appropriate for amended plans, it follows the same procedure as that for the original application. Site notices (where necessary) for amended applications will be a different colour to the original notice. The original site notice would have been white. Sites Notices for amended plans will be yellow (1st amendments), pink (2nd Amendment) and green (3rd Amendment).

6 What happens next?

- 6.1 Senior planning officers decide many applications, but if the application is to be considered by committee, and you have made written comments on it, you will be notified of the date of the meeting and of your opportunity to address that committee. The letter/email you receive will explain the procedure for this. If you have signed a petition in connection with a planning application, we will only write to the person who submitted the petition.
- 6.2 Details of which applications are decided by committee and the procedures involved are set out in our guide “How does the council decide planning applications”.
- 6.3 In both cases, your views will be considered by the planning case officer and summarised in their report on the application. If their recommendation does not support your views this does not mean that they have been ignored. If you have written to us about a planning application, we will send you a letter informing you of our decision. We aim to do this within five working days of making that decision.