

## **GUIDANCE NOTES FOR NEIGHBOURING RESIDENTS**

### **COMMENTING ON PLANNING APPLICATIONS**

#### **The Purpose of neighbour notification**

Whether or not you live immediately next to the application site we have notified you in this case for a number of reasons:

- to seek your comments in relation to land use planning considerations
- to make you aware of the application
- to ensure fairness

#### **Your Views**

Your comments, whether they oppose, or support, the proposals, will be taken into account in deciding the case. They will help identify those parts of the proposal that may be unsatisfactory or a potential cause for concern. We may decide to request amendments, or impose conditions, to make the proposals acceptable.

Please note that local opposition to a proposal is not, in itself, a ground for refusal, unless it is based on valid planning reasons, and your objections, no matter how valid you may feel they are, may not justify the Authority in refusing planning permission.

#### **Personal details**

Planning applications are public documents and your comments, including personal details, will form part of the planning application file and are available for other people to read. We will publish your comments on our website. Before we do this we will remove your signature, telephone number and email address. Your name and address will not be removed. It may be possible for others to browse your name and address via online search engines.

The Authority has the same legal responsibilities as any other publisher when publishing comments/responses on our website. In view of this, please abide by the following criteria.

- do not refer to the personal character or motives of the applicant/s
- do not make any abusive or malicious comments
- do not mention hearsay or rumour
- do not use defamatory, slanderous or libellous language

We may decide not to publish any such comments on our website. We will not take those specified comments into account when making a decision on an application. Comments will be held on the Authority's electronic filing system and will remain public documents available to view upon request. Extreme examples of unacceptable observations will be returned to you.

#### **Planning Considerations**

The planning system seeks to regulate the development and use of land in the public interest. The local planning authority has to strike a balance between allowing development where it is appropriate, whilst ensuring that the character or amenity of the area are not adversely affected by extensions, new buildings or changes in the use of

existing buildings or land. Planning applications have to be considered on their merits taking into account the Yorkshire Dales Local Plan, other relevant planning policies, and any other material considerations.

In order to balance the issues, your comments on the following considerations could be helpful:

- the general appearance and design of the proposal
- the size, height and scale of the development
- potential loss of light, overshadowing or overlooking
- the effect of the proposal on existing trees
- potential noise and disturbance from traffic or car parking
- the impact of the proposal on your amenity or the character of the area
- matters of policy
- any other potential effect on your amenity or that of the locality

Objections to loss of light to windows of non-habitable rooms, such as landings or bathrooms, or to secondary windows to habitable rooms, would not usually be considered as a valid reason for refusal

Also, objections on non-planning grounds cannot be taken into account. These include:

- loss of property value
- disputes about the position of a boundary
- competition from new businesses
- restrictive covenants
- matters covered more properly by other legislation, e.g., the Building Regulations which are intended to ensure that buildings are safe and habitable.

### **Dealing with the Application**

The Authority must deal with an application provided all owners of the land have been notified formally and in writing by the applicant (for example, the proposal may involve encroachment on your land), but any grant of permission does not override your legal rights as a landowner.

The majority of applications are decided by Planning Officers under delegated powers. If the application goes to planning committee you will only be notified of this if you have commented.