

FACTSHEET

PLANNING APPLICATIONS

Felpham Parish Council (FPC) is consulted by the relevant Planning Authority, Arun District Council (ADC) on all planning applications.

The final decision is made by ADC, **NOT** the Parish Council. Any comments made by FPC have to be considered but the decision as to whether they influence the final outcome is made by ADC.

Do Parish Councils grant planning permission?

- **NO:** We are not a Planning Authority. We are only statutory consultees in the planning process.
 - This means that we only have the right to be informed of planning applications within the parish.
- **WE** cannot approve or reject planning applications.
 - Our responses are limited to “No Objection”, or “Objection”
- **WE** can only comment on planning applications in the same way that individuals (**YOU**) can comment.
- **WE** normally have 21 days in which to review and submit any comments on any planning application.
- **WE** can request extra time be given to comment on an application, but this requires ADC approval.
 - The decision whether this is granted rests solely with the planning authority and its own deadlines for decision making.

How do parish councils’ comment on planning applications?

- The comments agreed in the council meeting are submitted by the parish clerk to ADC. They are viewed as a single reply.

Members of the public should submit their own comments DIRECTLY to ADC, via the ADC planning portal.

RESPONDING TO A PLANNING APPLICATION

NOTE: FPC can only submit “No Objection” or “Objection”.

IF WE OR YOU WISH TO OBJECT it MUST be supported by evidence and based on the following.

Comments should be clear, concise, and accurate. When planning applications are considered, the following are considered ‘**material planning considerations**’ and should form the basis of any objection:

- Compliance with UK government policy and guidance - Acts, Circulars, Planning Policy Guidance Notes.
- The Development Plan - and any review of the Development Plan which is underway.
- Adopted supplementary guidance - for example, village design statements, conservation area appraisals, car parking standards.
- Replies from statutory and non-statutory agencies (e.g. Environment Agency, Highways Authority).
- Representations from others - neighbours, amenity groups and other interested parties so long as they relate to land use matters.
- Effects on an area - this includes the character of an area, availability of infrastructure, density, over-development, layout, position, design and external appearance of buildings and landscaping
- The need to safeguard valuable resources such as good farmland or mineral reserves.
- Highway safety issues - such as traffic generation, road capacity, means of access, visibility, car parking and effects on pedestrians and cyclists.
- Public services - such as drainage and water supply

- Public proposals for using the same land
- Effects on individual buildings - such as overlooking, loss of light, overshadowing, visual intrusion, noise, disturbance, and smell.
- Effects on a specially designated area or building - such as green belt, conservation areas, listed buildings, ancient monuments, and areas of special scientific interest.
- Effects on existing tree cover and hedgerows.
- Nature conservation interests - such as protection of badgers, great crested newts etc.
- Public rights of way
- Flooding or pollution.
- Planning history of the site - including existing permissions and appeal decisions.
- A desire to retain or promote certain uses - such as playing fields, village shops and pubs.
- Need for the development - such as a petrol station
- Prevention of crime and disorder
- Presence of a hazardous substance directly associated with a development
- Human Rights Act
- Precedent - but only where it can be shown there would be a real danger that a proposal would inevitably lead to other inappropriate development (for example, isolated housing in the countryside)

Matters that are NOT considered as relevant reasons for an objection

There are certain matters which **do not** amount to 'material planning considerations. These matters **cannot be taken into account** in considering a planning application and should not be included in objections as they weaken your case:

- Speculation over future use
- The identity of the applicant or occupant
- Unfair competition
- Boundary disputes
- Breach of covenants and personal property rights, including personal (not Public) rights of way
- Loss of a private view
- Devaluation of property
- Other financial matters
- Matters controlled by other legislation - such as internal space standards for dwellings or fire prevention
- Religious or moral issues - such as betting shops and amusement arcades
- The fact that the applicant does not own the land to which the application relates
- The fact that an objector is a tenant of land where the development is proposed
- The fact that the development has already been carried out and the applicant is seeking to regularise the situation. (People can carry out development at their own risk before getting planning permission)
- The developer's motives, record or reputation

Other Matters – “concerns and issues”

The person making a planning application must provide enough information for the application to be determined. They do not have to provide every single detail before an application can be approved because certain matters can be resolved by way of conditions included as part of the permission. Because of this, certain issues may not be considered as ‘objections’ but it is entirely reasonable for you to raise concerns on such issues and to ask to be kept informed before they are approved. These include:

- The proposed type and colour of the materials to be used
- The exact nature of any proposed planting or boundary treatment

SUMMARY:

- **To lodge an object to a planning application we must be able to demonstrate that the application:**
 - **breaches planning law and/or regulations**
 - **breaches the material considerations (above)**
 - **does not meet the requirements of the Neighbourhood plan or design guide**
- **If we are unable to demonstrate any of the above, then we are not in a position/able to object and any objection submitted by us would be dismissed.**
- **Arun District Council is the planning authority, and it is they who have the final decision.**