

Guidance note 1. How to have your say

We understand that planning decisions can affect the places where we live and work. That's why Wycombe District Council are committed to listening to your views on planning applications. This note aims to advise you on how you can make your views count.

How can I find out about planning applications?

If your home adjoins an application site, or the planning officer considers would be affected by a development, you will receive a letter from the Council informing you that an application has been submitted. It will invite you to view the application and make comments. Certain applications are advertised by the displaying of a 'Site Notice' near the application site and are also advertised in the 'Bucks Free Press' every Friday.

Planning applications and their related documents are available to be viewed on our website at www.wycombe.gov.uk.

If you do not have internet access the planning applications are available to be viewed electronically at the Council offices Monday to Friday.

How do I comment?

Your views and observations on an application are welcome. Comments should be submitted through the 'Public Access for Planning' facility on our website.

They can also be emailed to planning@wycombe.gov.uk or posted to the Council Offices addressed to the case officer. When making comments on an application, please try and address them to the correct officer and include the application case number and site address.

Any letter, site notice or newspaper advertisement will set a deadline date for comments to be received by us. If your comments are received later than the time limit then you may have missed out on the opportunity to have your comments taken into consideration when the application is determined. A copy of the decision notice will be made available on our website soon after the decision is made.

If you feel a lot of people may have a similar view to you about an application, you may decide to organise a petition. These should be arranged in a clear manner stating legible names, addresses and the objections/supporting comments of those signing it. All petitions are taken very seriously, however, it is better to have a short petition from residents who will actually be affected by the application than a very long one signed by almost anybody, including people who live far away from the affected area.

If you are very concerned about an application, you can talk to your local councillors. Contact details can be found on our website.

What can my comments be about?

We can unfortunately only take into account **material planning considerations** so please try to limit your comments to only include these key issues.

If you are unsure what can be considered, the case officer will be happy to advise.

<p><i>Material considerations are considerations relevant in planning terms / in terms of planning issues.</i></p> <p>These include:</p> <ul style="list-style-type: none">• suitability of the site for development (including conflicts with policies in the Local Plan)• design, appearance and layout issues• possible loss of light or overshadowing• possible loss of privacy• highway safety, traffic issues and car parking• impact on residential amenity/ trees/conservation area/listed buildings• possible noise, disturbance, pollution and smell noise• planning policies, government and planning case law including previous decisions of the council• financial considerations	<p><i>There are a number of issues that are <u>not</u> generally <u>material</u> in planning terms and which will not be considered in the determination of planning applications</i></p> <p>These include:</p> <ul style="list-style-type: none">• Private property rights (boundary, access disputes, restrictive covenants etc.)• effect on property value• private disputes• competition with other businesses• matters covered by other legislation
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What happens when I comment?

All comments submitted will be made available for public viewing on the internet. In publishing application details on our website we will use our best endeavours to conceal signatures, **personal** e-mail addresses and phone numbers to protect your privacy. Please help us in doing this by not putting **personal** details or signatures on plans and other supporting documents when they are not required.

The councillors and planning officers have to consider every aspect of an application and your views may not necessarily prevent the application from being permitted/refused. All comments received are however taken into consideration when determining an application and are very helpful in highlighting issues which require consideration.

Where appropriate, we may seek amendments to the application to overcome concerns. If there are significant amendments to the application, we will notify you again and give you another opportunity to comment.

How will the Council reach a decision?

Most decisions are made by a Planning Officer under delegated powers, although larger, more complex or controversial applications may be decided by a panel of Councillors at the Planning Committee. These are held every four weeks on Wednesday evening in the Council Offices usually commencing at 7pm.

At Planning Committee, where an application is recommended for approval and objections have been received limited public speaking is permitted. Please see the Public Speaking advice note, available at www.wycombmbe.gov.uk/planning

What happens once a decision is made?

Shortly after a decision has been made, the Decision Notice will be published on our website. Decisions can be viewed on Public Access at the following address: www.wycombe.gov.uk/planning.

If permission is granted...

A planning permission may include conditions such as hours of operation or restrictions on adding more windows or doors to an elevation.

Whereas applicants have a right of appeal against a Council decision to the Planning Inspectorate, there are no such "third party" rights. So objectors have no such opportunity to appeal against the Council's decision. If however you are unhappy with the way the Council has arrived at a decision (the process), you can complain to the Council in the first instance using the Council formal complaints procedure. If after completing this two stage process you are still unsatisfied, you can contact the Local Government Ombudsman.

If permission is refused....

Applicants can either re-apply for planning permission with an alternative scheme (although this may not be permitted), or they can appeal against the refusal, please visit www.planningportal.gov.uk/planning for further information.

What if the applicant appeals?

The applicant has six months from the date of decision to appeal against a refusal or against conditions imposed on permission. If you have made representations we will consult you if an appeal is made and you can write to the Inspectorate with any further comments you may have. If the appeal is allowed, the Council's decision could be overturned and conditions replaced or removed. However, if the appeal is dismissed, the Council's decision remains the same but the applicant is still free to re-apply for permission with an altered proposal.

In the case of "householder" applications, an appeal must be made within 12 weeks and there is no further opportunity for the Council or objectors to make further representations.

Other information

- More than one permission can be granted on the same piece of land.
 - Planning permissions relate to the land and are not normally personal to the applicant (unless otherwise tied by condition).
 - Anyone is entitled to make a planning application on any piece of land even if they do not own it.
 - The granting of planning permission does not override other legal rights or restrictions on land such as easement or covenants.
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