

# Can I Comment?

## Planning Applications



**Planning applications can involve proposals that will change the local environment. These include new buildings, extensions, changes of use, advertisements and even the trimming or felling of trees.**

**When considering an application the Council has to balance the individual's rights to use or develop their property against public interests and concerns.**

**Eastleigh Borough Council encourages public involvement in planning and your views and comments on planning applications are welcomed.**

## How are planning applications publicised?

It is not always possible to notify everyone who may be interested in a proposal, but there is a publicity procedure. If your property is next to the site of a planning application, you will receive a notification letter from the Council. Please note that re-consultation of neighbours on amended plans that may be received is at the discretion of the Case Officer, who will decide whether the amendments are materially different to those originally submitted.

A list of new applications is produced weekly. It is available for inspection on the Council's planning portal [Public Register \(eastleigh.gov.uk\)](http://eastleigh.gov.uk). Some applications are also advertised in a local newspaper or have a notice displayed on the actual site depending on the nature of the application.

## How can I find out more about a planning application?

All applications are available for viewing on our website, using the same link as above. If you do not have access to the internet, then copies of current planning applications can be inspected at the Council's Offices during normal office hours.

You can make contact with the Planning Officer dealing with the application who will be pleased to assist you if you have any questions about the plans or are struggling to understand them.

## What if an application is referred to committee for decision?

All neighbours initially notified and those who have made a comment to the Council beforehand, will be notified by letter if an application is referred to a Local Area Committee for decision. You may speak at this meeting if you wish. Further details about attending and speaking at Local Area Committee meetings are available in the leaflet [The Right To Speak At Committee](#), available on our website [Planning permission \(eastleigh.gov.uk\)](http://eastleigh.gov.uk).

## If planning permission is given, can I appeal against the decision?

No. Objectors do not have the right of appeal. However, if planning permission is refused, the applicant can appeal to the Planning Inspectorate. If this happens the Council will notify all those who commented or objected to the application to enable them to write to the Planning Inspectorate who will be appointed by the Secretary of State to hear the appeal. Most appeals are dealt with under Written Representations but if there is a Public Inquiry, both objectors and supporters have the right to speak in person.

## Can I comment?

Yes. Anyone has the right to comment on any current application, irrespective of how they have come to know about it, or where they live.

## How can I offer support or how should I object?

Comments are best made after you have seen the planning application and you have an understanding of what is proposed.

If you wish to offer support, or if you have concerns about an application, please put them in writing as soon as possible. You may comment online under the application number on the Council's planning portal. Postal letters to be addressed to the Planning Manager and should quote the application number. Verbal comments may be noted by the Planning Officer dealing with the application but are not considered a formal comment.

## What is a 'planning matter'?

Comments in support of, or objecting to, an application should be based on 'planning matters' as other considerations cannot be taken into account. 'Planning matters' relate to the effects any building or use of land may have on the environment and the public interests.

Listed below are examples of 'planning matters' comments that can be considered and those that cannot.

### Relevant planning matters (but not conclusive):

- Not in accordance with Central Government Policy - including the National Planning Policy Framework (NPPF).
- Contrary to Eastleigh Borough Local Plan (2016-2036)
- Highway safety and traffic impact.
- Inadequate parking or servicing
- Excessive noise, dust or smell
- Poor external design, appearance or layout
- Harm to conservation area or listed building
- Loss of trees
- Overlooking/loss of privacy or other residential amenity
- Overdevelopment
- Visually intrusive

### Irrelevant comments that cannot be considered (but not conclusive):

- Objections based on moral, racial or religious views
- Devaluation of property
- Loss of private view
- Breach of covenant
- Boundary disputes
- Matters covered by other laws e.g. building regulations, alcohol licence
- Proposed internal layout
- Personal views about the character of applicant

## Who decides a planning application?

Most planning applications are decided by the Borough Council's Planning Manager. They are advised by the Council's planning staff. Larger or contentious applications are dealt with by one of five Local Area Committees covering:

- Chandler's Ford/Hiltingbury (CFH),
- Eastleigh (ELAC),
- Bishopstoke/Fair Oak/Horton Heath (BIFOHH),
- Hedge End/West End/Botley (HEWEB),
- Bursledon/Hamble-le-Rice/Hound (BHH).

Three Local Area Committee Councillors or the Chair can refer a planning application to their appropriate committee for determination if they wish.

## How to contact your Borough Councillor

If you feel an application should be heard publicly, as well as writing to the Planning Officer, you may also wish to contact your local Borough Councillor and express to them your comments and concerns.

A list of Borough Councillors and their contact details is available on our website [Your Councillors](#).

## Should I contact my local Town/ Parish Council?

You may also wish to contact the Clerk of your Town/Parish council to make your views known, be it for or against the application. The Town/Parish Council do not have planning powers, but they are consulted on all planning applications in their area and their views are considered.

## What other sources of support are there?

If you feel a lot of people agree with your views, you can organise a petition and either send it to the Planning Manager or present it to the appropriate Local Area Committee, if it is being determined in that way. However, the objections must be based on relevant planning matters. Petitions should be set out as legibly and concisely as possible. The names and addresses of all objectors or signatories need to be clear.

## If enough people object, will a planning application be refused?

No, not necessarily. The Council can only refuse an application on relevant planning grounds. The number of objectors may indicate the strength of local feeling, but in itself is not relevant. For example, a single objection based on relevant planning matters can be effective, whereas a hundred irrelevant objections carry no weight at all.

## Will my comments be confidential?

No. All comments remain on the planning file and are open to public inspection.

## **Will I receive a reply to my comments?**

All comments are acknowledged, but with the large amount of correspondence received, this means we cannot give an individual reply. However, all comments are given careful consideration during the assessment process, and you will be notified in writing of the Council's final decision on the application. If a petition is received only the first signatory is notified.

## **Will a site visit take place?**

Yes. Every application site is visited and inspected by a Planning Officer so that they can consider the proposed development, assess the impact of it, and check the accuracy of the plans. You are advised to contact the Planning Officer and arrange an onsite appointment, if you would like the site viewed from your property, as Officers will only call on neighbouring properties if specifically requested to do so.