
GUIDE TO MAKING REPRESENTATIONS ON PLANNING APPLICATIONS

Introduction

Herefordshire Council places great importance on public involvement in the planning application process. We welcome your comments on planning applications. Local opinions are invaluable and help us in our consideration of planning applications.

This leaflet tells you how we publicise applications and how you can make effective representations

Publicity for Planning and other Applications

The Council's policy and practice on publicity, as required by government guidelines, is set out in its Statement of Community Involvement, which can be found on the Council's website:-

<http://www.herefordshire.gov.uk/housing/planning/24314.asp>

Planning applications are publicised in the following ways:-

- **Weekly List**

A weekly list of all applications is available on the Council's website

- **Website**

The details of all planning applications, including plans, supporting documents and correspondence can be viewed on the Council's website.

<http://www.herefordshire.gov.uk/housing/planning/searchplanningapplications.aspx>

- **Statutory Advertising**

Regulations require that certain types of planning application are publicised by notices in local newspapers. These can be found in the "Public Notices" section of the following newspapers:- Hereford Times, Hereford Journal, Ross Gazette, Ledbury Reporter. These Notices are also published on the Council's website.

<http://www.herefordshire.gov.uk/housing/planning/51913.asp>

- **Site Notices**

Site Notices are placed on or as near as practical to an application site and are used generally where there is doubt about who the interested parties are, adjacent land

ownership is uncertain or the application is likely to be of wider interest. Site Notices are a distinctive **YELLOW** colour

- **Neighbour Notification**

The Council will normally send an individual letter to those properties that immediately adjoin the site of a planning application. In cases where the application may have a wider impact additional properties will be notified. The letter will state a date by which any reply should be received.

Anyone is entitled to comment on an application whether or not they receive a letter.

Viewing Applications

The details of all planning applications can be inspected on the Council's website

- To use the service go to www.herefordshire.gov.uk/searchplanningapplications.

A step-by-step guide to using the search is available on the opening page.

Internet access to view the documents is also available at the Council's Customer Service Centres

http://www.herefordshire.gov.uk/community_and_living/consumer_advice/41840.asp

Your Response

When making a decision the Council are only able to take into account comments which relate to land use planning considerations. These depend on the particular application but do relate to planning policy and other matters such as the affect on local amenity, overlooking, loss of privacy, highway safety issues including increased traffic access/parking problems and possibly noise and smells.

The following are not usually relevant to making a planning decision:

- Matters controlled by other legislation, an example would be risk of pollution to a water course which would be a matter of licence by Environment Agency
- Effect on private rights,
- Property values,
- Retention or protection of a private view,
- Personal circumstances of the owner or applicant,
- Moral issues.

The Development Plan and Planning Policies

Planning policies that guide development management decisions are set out in the Development Plan. The current document for Herefordshire is the Unitary Development Plan, which was adopted in March 2007. Decisions should be made in accordance with adopted policies appearing in this document unless material considerations indicate otherwise. For most development management purposes the Unitary Development Plan is the most significant document. This can be viewed on the Council's website:-

<http://www.herefordshire.gov.uk/housing/planning/29815.asp>

The Unitary Development Plan will eventually be replaced by the Local Development Framework. The current position can be viewed on the Council's website:-

<http://www.herefordshire.gov.uk/housing/planning/24311.asp>

National planning policy is set out in Planning Policy Statements and Guidance Notes. These will also often be referred to and can be found on the website for the government Department of Communities and Local Government, at www.communities.gov.uk

Timing of Representations

In order that representations may be properly taken into account, it is important that the time allowed for submission as stated on the notification is strictly observed.

The Council is able to make a decision on an application at any time after the publicity period has expired and in any event should normally make a decision within 8 weeks of a valid application being made. The majority of decisions are made by Officers under Delegated Powers. Where this is not the case the application will be determined by the Planning Committee and agendas are available at least five working days before the meeting from Committee Services, Brockington, 35 Hafod Road, Hereford, HR1 1SH. Telephone number 01432 260248, Fax 01432 260286.

<http://councillors.herefordshire.gov.uk/ieListMeetings.aspx?CId=264&Year=2012>

All comments and written representations made on an application are open to public inspection. They will also be published on the Council website although personal information including signatures, telephone numbers and email addresses will be redacted.

Representations received after the relevant statutory time limit will only be considered if they raise material planning matters and will affect your opportunity for public speaking in the event that the application is considered by the Planning Committee

It is important therefore that you comply with the stated time limits.

If you wish to comment on a planning application you can use one of the following options:-

- By the website: Using the online comment form
- By e-mail to: planning_enquiries@herefordshire.gov.uk
- By post to: Planning Services, PO Box 230, Hereford, HR1 2ZB

The Council's Constitution contains The Planning Code which provides guidance for Members and Officers. The Code can be viewed on the Council's website, www.herefordshire.gov.uk