

The following Planning Advice Leaflets are also available on request from the Community Contact Centre at the Town Hall, Queens Square, Queens Road or you can download them from the planning pages at www.hastings.gov.uk/planning:

- Planning Advice 1 – Pre Application Advice
- Planning Advice 2 – The Decision Making Process
- Planning Advice 4 – General Advice and Information
- Planning Advice 6 – Before you Start Work
- Planning Advice 7 – Extensions
- Planning Advice 8 – Installation of New or Replacement Windows & Doors
- Planning Advice 9 – Vehicle Hardstandings & Accesses
- Planning Advice 10 – Satellite Dishes
- Planning Advice 11 – Opening a Café, Restaurant or Takeaway
- Planning Advice 12 – Security Shutters
- Planning Advice 13 – High Hedges & Overhanging Branches
- Planning Advice 14 – Telecommunications Development
- Planning Advice 15 – Affordable Housing Advice for Developers
- Planning Advice 16 – Ecology & Biodiversity Advice for Developers
- Planning Advice 17 – Construction & Demolition Waste

Postal address or visits by appointment only:

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Large print and audio versions of this leaflet are available. Call 01424 451090.

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Advice 3

PLANNING APPLICATIONS

Comments and Objections



Regeneration, Homes and Communities
www.hastings.gov.uk/planning



Publicity for Planning Applications

Since 1992 local planning authorities have been required by law, to give publicity to all planning applications.

The 1992 legislation superseded the previous piecemeal system of statutory notification for some sorts of development, but which had left local planning authorities to determine their own policies on whether they notified local residents of proposals which affected them.

The Borough Council's Policy

Although the 1992 legislation made publicity mandatory, we have for many years had a policy of consulting neighbouring residents or other occupiers about planning applications directly affecting them.

How is this done?

In general there are three ways of advertising planning applications:-

- By notifying neighbours/owners/occupiers directly by letter.
- By a notice posted on the site visible to the general public.
- By a notice published in the local newspaper (the Hastings & St. Leonards Observer).

By law some planning applications must be publicly advertised in the local newspaper and by way of a site notice or neighbour notification.

These include major developments, e.g. 10 or more dwellings, or development of more than 1000sqm. or with a site area of more than one hectare.

Similar wider publicity is recommended for other sorts of proposals likely to have more than an immediate impact, e.g. uses causing activity and noise during anti-social hours.

All applications will have some form of notification. Whatever the statutory requirement to post notices or advertise in the press, we'll send letters to owners/occupiers with a common boundary.

Viewing Applications

The publicity - notices or letters - will invite the public to view the planning application at the Community Contact Centre at the Town Hall, Queens Square, Queens Road.

Planning applications since April 1 2003, can also be viewed and monitored online via the planning page of our website.

Commenting on Applications

Comments on the application will be invited, with a minimum period of 21 days for comments to be made.

Comments can be sent either in writing, by e-mail to the address overleaf or via the website.

Comments can be objections, support or concern or they may raise queries about the application.

Most people will write an individual letter but in some cases neighbours may get together to submit a petition of objection, often to a larger proposal with a wider public interest. Any petition must be the original copy, have at least 10 signatories (including names and addresses) and each page must clearly state the application to which it is referring and give the reasons for the objection.

It is clearly preferable that objections are from people with a clear interest in the proposal.

Any comments submitted will be made available to view via our website.

Planning Considerations

If you decide to object to a planning application you should specify your reasons for objecting in your letter or petition. You should be aware that we can only take into account relevant

planning matters when reaching a decision. The following list is not exhaustive but important considerations may include:

- The appearance and character of the area or street, including the design and materials of buildings, landscaping and tree loss;
- Other environmental issues (e.g. noise);
- Traffic generation and road safety;
- Employment and the local economy;
- Impact on public services;
- Effects on the landscape and the need to protect open land in the Area of Outstanding Natural Beauty or land used for agriculture;
- Impact of a building on its neighbours, (e.g. in terms of privacy or the physical effect of the building, it's bulk or position).

If you are commenting on the submission of details pursuant to a previous outline permission any comments should be related to the details and not to the principle of development which has already been established.

You should also be aware that in reaching a decision, we cannot normally consider the following matters:-

- The personal circumstances of the applicant as sometimes put forward in support of an application. These will seldom outweigh the more general planning consideration;
- The fact that development may have already begun. (If permission is refused, we have powers to rectify the matter);
- "Trade Objections" from potential competitors;
- Moral arguments, (e.g. opposition to betting shops or amusement arcades);
- The belief that an application is submitted by an owner with the intention of selling the property at an enhanced value;
- The loss of an attractive view from private property;
- The fear that an objector's house might be devalued;
- The fact that the applicant does not own the land;
- Allegations that a proposal might affect private rights, such as restrictive covenants, rights of way, or "ancient lights". (These are usually private matters on which objectors may need to get legal advice);
- The fear that a building may be used for a different purpose in the course of time. (Decisions have to be made on applications as submitted);
- Matters normally covered by other legislation such as the Building Regulations or Health and Safety at Work Act.

What happens to comments?

Decisions on planning and other applications are taken either by our Planning Committee or under a system of delegated authority to the Development Control Manager or a Senior Planner.

We will consider all representations - for and against - so far as they raise "material considerations" which can be taken into account in determining the application.

After a decision has been made those persons who have written to us will be advised of the final decision.

Once submitted to us written objections or letters of support become public documents which other parties are entitled to inspect, including via the website.

Human Rights

Planning decisions are made in the context of the Town & Country Planning legislation. However, in the exercise of its public functions, including planning, we are also required to take into account The Human Rights Act 1998.