

## **INTRODUCTION**

This leaflet is designed to help you should you wish to comment on a planning application.

## **BEFORE AN APPLICATION IS MADE**

In the Council's leaflet "Pre Application Discussions" applicants are advised to contact their neighbours before they make an application. This is the best opportunity for issues to be talked about and any changes made. However, the Council has no power to force an applicant to do this, so whilst it is advised it will not always happen.

## **PUBLICISING APPLICATIONS**

You may wish to look at the Council's publication "Publicity for Planning Applications", available on the website or from the Council Offices at Weeley. This sets out in more detail how the Council publishes applications. It explains ways that you can find out about an application.

1. Newspaper advertisement in the Friday edition of the Evening Gazette. In general it is only the larger applications that are listed.

2. Site Notices are put on or near to the application site. They are bright orange to try and ensure they are seen.
3. The Council website contains a list of applications received each week.

## **LETTERS TO NEIGHBOURS**

We write directly to the occupiers of houses that share a common boundary with an application site. The letter is addressed to the Occupier as we do not have access to ownership records.

## **I HAVE NOT RECEIVED A LETTER**

It is a common misconception that if you do not receive a letter you cannot comment. This is completely untrue. You are entitled to comment however you find out about an application. You do not need to ask the Council for a letter.

## **HOW LONG DO I HAVE TO COMMENT?**

The newspaper advertisement, site notice or letters are all dated and give 21 days. You are strongly urged to comment within the 21 days, as it is possible that a decision could be made as soon as this period finishes.

If you find out about an application after this period has ended, you can contact the Council to see if you could still comment. We do take all comments into account, even if they are late, as long as we receive them before a decision is made.

## **WHAT COMMENTS CAN I MAKE**

Firstly you must make your comments in writing. You also need to be aware that they will be placed on an open public file and the applicant can make a copy. Do be careful that you do not make any libellous comments.

The comments must relate to planning and could include:-

- Planning Policy.
- Case Law.
- Previous decisions of the Council on the same site or in comparable circumstances.
- Design, appearance and layout.
- Effects on amenity, loss of light, overshadowing, loss of privacy, noise or smell nuisance.
- Impact on trees or listed buildings, highway safety.

These are just a few examples and this list is not exhaustive.

\* under powers delegated to that Officer by the Council

### **HOW LONG WILL IT BE UNTIL A DECISION IS MADE?**

It is possible that a decision will be made as soon as the 21 days period for comment expires. More often it will be within the following 28 days. However, some applications, for various reasons for example due to complex negotiations or the need for legal agreements, may take considerably longer before there is a decision.

### **WILL I BE TOLD ABOUT THE DECISION?**

We publish the decisions made monthly on the Council's website. However, we recognise that not everybody has access to the website. Therefore if you write to us you can request a copy of the decision. If you would like a copy of the decision you can purchase one at the Weeley Offices in person.

Alternatively you can send us £6.50 and quote the application number and we will be pleased to send you a copy of the decision.

### **WHAT HAPPENS TO MY COMMENTS?**

They are placed on the planning application file and taken into account when an application is ready for a decision. Most decisions will be made by a senior planning officer\*. A small number of applications, less than 10%, and generally the most contentious applications will be decided by the Council's Development Control Committee. If this happens we will write to all those that have commented.

You have a right to attend Committee meetings and you may be able to speak to the Committee. A separate leaflet will be available soon about speaking at Committee meetings. Your comments will be summarised in any Committee report.

### **WHAT HAPPENS IF AN APPLICATION IS AMENDED?**

Generally we will not write to you again if the changes are felt to improve the situation. If however, the changes are major or significantly worsen the situation, we would normally write to anyone who has commented.

## **DEVELOPMENT CONTROL REGENERATION, PLANNING AND COMMUNITY SERVICES**



### **HOW TO COMMENT ON PLANNING APPLICATIONS**

Council Offices  
Thorpe Road  
Weeley  
Clacton-on-Sea  
Essex  
CO16 9AJ

Tel: 01255 686161  
Fax: 01255 686417

Email: [planning.services@tendringdc.gov.uk](mailto:planning.services@tendringdc.gov.uk)  
Web: [www.tendringdc.gov.uk](http://www.tendringdc.gov.uk)