

What are material considerations when determining planning applications?

Any consideration which relate to the use and development of land can be a planning consideration. Whether it is 'material' depends on individual circumstances. When dealing with planning applications, we (the Council) think that the following matters are the most common material planning considerations and may be relevant, although this list is not exhaustive.

- Local, strategic, regional and national planning policies in addition to those in the Development Plan (includes Supplementary Planning Documents/Guidance (SPD' s & SPG' s); National Planning Policy Statements/Guidance Notes (PPSs & PPG' s)
- Government circulars, orders and statutory instruments
- Previous appeal decisions
- Loss of daylight or sunlight (based on Building Research Establishment guidance)
- Overshadowing/loss of outlook to the detriment of residential amenity (but not the loss of any view as such)
- Overlooking/loss of privacy
- Overbearance/dominance
- Highway issues: traffic generation, vehicular access, highway safety
- Noise and disturbance resulting from use, including proposed hours of operation
- Smells
- Capacity of infrastructure (e.g. in the public drainage system, or spaces in schools)
- Storage & handling of hazardous materials

- Development of contaminated land
- Loss of trees (where detrimental to amenity)
- Adverse impact on nature conservation interests & biodiversity opportunities
- Effect on listed buildings and Conservation Areas
- Layout and density of buildings
- Design, visual appearance and finishing materials
- Archaeology
- Risk of flooding
- Landscaping
- Light pollution
- Section 17 of the Crime & Disorder Act

The following are matters which **cannot** be taken into account:

- Matters controlled under Building Regulations or other non-planning legislation, e.g. structural stability, drainage details, fire precautions, matters covered by licences etc.
- Private issues between neighbours e.g. land/boundary disputes, damage to property, private rights of access, covenants etc.
- Loss of value of property
- Loss of a view
- Problems arising from the construction period of any works, e.g. noise, dust, construction vehicles, hours of working (covered by Control of Pollution Acts).

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- Competition between businesses – loss of trade etc.
- Objections relating to the fact that an application has been submitted retrospectively & that the work has already taken place (without seeking permission first).

We will make planning decisions in the public interest. The planning system does not exist to protect the private rights of one individual over another. Planning permission goes with the land and very rarely relates to an individual. In some circumstances, a temporary or personal permission may be justified, though such measures are used sparingly. Above all, it is important for us to maintain consistency in taking decisions to ensure adopted policies are protected and public confidence is maintained.