

## Commenting on a Planning Application

Members of the public have the right to comment on most types of planning applications.

To comment on, find out more about the application, view plans and associated documents and when the consultation period ends, you need to use our [Planning Web Page](#)

If you do not have access to the internet, you can use the self-service computers in our reception at The Deane House, Belvedere Road, Taunton, TA1 1HE, or any local library. We do not hold paper copies of Planning Applications.

### Please Note:

- **Because of the volume of correspondence we receive on planning applications, we cannot enter into detailed correspondence or discussions with individual objectors on the points they raise. The Council's statutory duty is to take account of comments received within the statutory period, not to reply to them. Accordingly, it is helpful if comments do not take the form of questions but are clear statements of areas of concern.**
- **We do not acknowledge receipt of public comments, however all comments should be viewable on the website within 7 working days. if they do not appear please e-mail [planningwest@somerset.gov.uk](mailto:planningwest@somerset.gov.uk)**
- **We will only contact you again if the application is to be considered by Planning Committee or there is a substantial amendment to the proposal that requires new consultation to take place.**

### Comments submitted to the Council cannot be treated as confidential.

Your name, address and comments will be available to the public on the Council's website and your comments will be a public document. **E-mail addresses, telephone numbers and signatures** will be removed before publication onto our website.

We will only use the information for the purpose of dealing with and considering the relevant planning application. We aim to comply with current Data Protection legislation; please refer to our [Planning Privacy Notice](#).

### Publicising and Notifications of New Planning Applications

**Publication** - applications will be available via the Council's website to view and, where we are statutorily required to do so, we will also publish it in the local newspaper.

**Neighbour Notifications** - letters will be posted to properties that directly adjoin the application

site. For large-scale/major applications we also place adverts in a local newspaper.

For most types of applications, we allow a minimum of 21 days notification from:

- the date notification letters are sent to neighbours
- the date a site notice is displayed
- the date an advertisement appears in a local paper
- Statutory consultees are normally given 21 days

The notification and consultation periods are calculated from the date when we last notified or consulted. This means that after the notification letters are sent to residents the consultation period could be extended depending on the timing of the press advert and site notice.

## **What is the difference between a Neighbour/Interested Party and a Consultee?**

### **Neighbours and Interested Parties**

Any member of the public who makes a relevant representation becomes an Interested Party.

### **Consultees**

Statutory consultees: are professional bodies that Local Planning Authorities are required by law to consult prior to a decision being made on a planning application and these bodies hold the power to affect the result of the application.

Non-statutory consultees: sometimes for planning policy reasons the Local Planning Authorities require the engagement of other consultees who, whilst not designated in law, are likely to have an interest in a proposed development.

## **When submitting your comments, it is important to note the contents of your representation/comments must not:**

- Contain any personal names, please use words such as applicant, neighbour, etc.
- Contain any personal information (including medical data for yourself or others) that you would not wish to be made public such as you are living on your own, you are on holiday next week or that you have a specific medical condition etc.
- Contain any material which is obscene, offensive, hateful, inflammatory, or defamatory of any person (see below [Defamatory or Offensive Comments section](#)).
- Promote discrimination based on race, sex, religion, nationality, disability, sexuality orientation, or age (see below [Defamatory or Offensive Comments section](#)).
- Promote violence, illegal activity, or sexually explicit material.
- Infringe any copyright, database right or trademark of any other person, for example, do not include HM Land Registry maps as we cannot publish them as part of your comment due to copyright.

- Include copies of previous planning applications, instead provide the application number(s) and state why they are relevant.
- Include whole documents that are available on the internet, either state the document name(s) and the website it is on or reference the document(s) and include relevant paragraphs.
- Be likely to deceive any person or be used to impersonate anyone, or to misrepresent your identity or affiliation with anyone.
- Be made in breach of any legal duty owed to a third party, such as a contractual duty, or a duty of confidence.
- Be threatening, abusive or invading another's privacy, or cause annoyance, inconvenience, or needless anxiety.
- Be likely to harass, upset, embarrass, alarm, or annoy any other person.
- Give the impression that they emanate from us (the Council) if this is not the case.

### **What should I include in my comments?**

When commenting on planning applications, please remember that the council can only consider **material planning considerations**. This list is not exhaustive, but it gives an idea of the sort of things that would be classed as a material planning consideration:

- Car parking provision.
- Design, including appearance, layout, scale, density, and materials.
- Highway safety issues and/or traffic generation.
- Impact on important trees.
- Impact on the character or appearance of a Conservation Area or a Listed Building.
- Local drainage or flooding issues.
- Planning policies and guidance.
- Loss of important open spaces or community facilities.
- Noise disturbance, smells, obtrusive lighting, or other impacts on amenity.
- Overdominance, overshadowing and loss of light.
- Proposed landscaping.
- The planning history of a site.

### **What can't I comment on?**

Comments that are not material planning considerations will not be considered. Examples of what is

not considered a material planning consideration could be:

- Loss of value to your property.
- Loss of view.
- Boundary and neighbour disputes.
- Impact on private drainage systems.
- Inappropriate or personal comments.
- Breach of covenant.

### **Defamatory or Offensive Comments**

Defamatory comments are comments that cause an adverse effect on a person's reputation.

- Libel, which is a form of defamation, is the publication of a statement which exposes a person to hatred, ridicule, or contempt, or which causes him/her to be shunned or avoided, or which tends to injure him/her in their office, trade, or profession in the estimation of right-thinking members of society generally.
- Offensive comments include comments that discriminate against individuals on racial grounds including their race, colour, nationality, ethnic or national origins, on grounds of religion, sexuality, or disability. Gypsies and other minorities are racial groups.
- Offensive comments can also include allegations of corruption.

Where comments are received that are considered to be defamatory or offensive, the following approach will be taken.

The offending words in the letter will not be published and will be removed by the Council unless the writer wishes to resubmit it in an acceptable form.

- If a member of the public notifies the Council that defamatory or offensive comments have been made by another party, and are included on our website, the wording should be considered. If such comments are upheld as defamatory or offensive and have been published, they should be withdrawn from the public domain with immediate effect.

### **How do I comment on a planning application?**

We can only accept written comments, which can be submitted in a number of ways:

#### **Via Planning Online**

- Go to [Planning Web Page](#)

#### **Via E-mail**

- Please quote the **Application Number** and clearly state if you are **objecting**, **supporting**, or **commenting** on the application, please include your name and postal address, as anonymous representations will not be considered.

- E-mails with attachments should be no more than 10mb.
- Send your e-mail to: [PlanningWest@somerset.gov.uk](mailto:PlanningWest@somerset.gov.uk)
- Comments will not be acknowledged but will be published online within 7 working days, normally sooner.

### **Via Post**

If you can only respond by letter, please note there will be a delay in processing any comments.

- Please quote the **Application Number** and clearly state if you are **objecting**, **supporting**, or **commenting** on the application, please include your name and postal address as anonymous representations will not be considered.
- Send letters to: Somerset Council, Planning - West Team, The Deane House, Belvedere Road, Taunton, TA1 1HE

### **What about petitions?**

If you decide to organise a petition, please make sure that:

- It clearly states the planning application number
- It clearly states the purpose of the petition
- It gives the reasons why people are supporting or objecting to the application
- The names and addresses of the people taking part in the petition can be easily read
- There is a contact name and address for the person organising the petition (this is the only person who will be corresponded with)

Petitions can support as well as oppose planning proposals and will be published on our [Planning Web Page](#). Please note, however, individuals appearing on the petition will not be recorded separately on our records or receive any correspondence. Signatures will be redacted before publication.

### **What happens after my comments are submitted?**

- Your comment will be reviewed and redacted in-line with the above and made available to view on our [Planning Web Page](#)
- Please allow up to 7 **working days** (excluding bank holidays and weekends) for comments to be viewable on our website.
- The Case Officer will review your comment alongside relevant planning policies and guidance before a decision is made.
- As a result of comments, the Case Officer may request further details from the applicant/agent or may re-advertise and/or re-consult appropriate bodies.

- Most applications are dealt with under delegated powers, where the decision is made by an officer following a full assessment and any necessary consultation with the Ward Member(s) and Parish/Town Council(s). However, some applications will be referred to the Planning Committee.
- If an appeal against the application is submitted to the Planning Inspectorate, we will inform you and we will forward a copy of your comments to them and the applicant/agent.

Remember, whilst we endeavour to consider all comments received, we cannot guarantee that comments received after the public consultation period will be considered.

### **What if I want to remove/change my comments?**

If you change your mind about the comment, you have sent us and want it removed completely from the application, you should contact the planning case officer in writing (either by post or by e-mail). This is to stop people asking us to remove your comments without your permission.