

## Responding effectively to planning applications

### The basics:

- Date and address your response correctly, ideally to the named person dealing with the case.
- Use the planning authority's case reference and case name clearly and "up front".
- Respect deadlines – but if you have a good reason, ask for extra time or find out if the planning officer or committee are prepared to accept very late comments: at worst, they will just say "no".
- Be painstaking in checking grammar, spelling and punctuation. Use short sentences. If you look professional, you'll be taken more seriously. If you can, word process your letter and hand sign it.
- If the letter is growing beyond a couple of sides of A4, write a one or two-side summarising letter with a more detailed annex if needed – don't write 10-page letters!
- Be concise, and be polite.

### Get to the point:

- State clearly and early on what your overall position is. For example, if you are objecting, say "**I object**" and say it in the first or second paragraph. Don't make the planning officer read a long letter before they can understand your position, or (worse) leave them guessing!
- Follow a clear, organised layout. Use paragraphs, bullet points and text formatting to help give structure and focus to your key points. One model you can use is:
  - 1) Say which case you're responding to, using the local authority's reference number;
  - 2) State your position (e.g. "I object to [or support] this application");
  - 3) Give your reasons (if there are more than one itemise these clearly using numbers or bullet points);
  - 4) Provide your evidence (go through each of your reasons in turn, using a clear structure);
  - 5) Say what you want decision maker to do (e.g. refuse, try to modify, or approve the application);
  - 6) State your "reserve" position, without prejudice to your overall position (e.g. could you ask the local authority to add a condition controlling a particular aspect of the development, if they are minded to approve the application over your objections?)

### Stick to relevant and legitimate planning issues:

- Make sure you understand what the case is – don't over-react to rumours and hearsay. There are huge differences between a pre-application consultation, an outline or full application, and a reserved matters application following up permission that's already been granted in outline. Similarly, find out what the development plan says about the site/this kind of development.
- Your opinions of the applicant's conduct, their character, or their track record are not relevant considerations. Every application has to be judged on its own merits.
- If you have a complaint against the way the decision-maker has handled the case (e.g. they have failed to consult you as an immediate neighbour) then deal with this separately through the right channels.

### Look for supporting evidence:

- Do your homework. Look for evidence and use it. Much published evidence is available on-line and can be found with some creative use of a search-engine.
- If you find one article or paper that supports your case, follow up any references given in that paper and so on – following the paper trail like this can highlight additional sources of evidence.
- Provide links to websites, published papers or articles, policy documents or expert opinion in similar cases, as part of your response. Make sure these references are accurate and any hyperlinks work!
- Be economic with quotations (i.e. avoid reproducing whole paragraphs), but quote accurately: don't be over-selective or quote out of context.

- If you genuinely have a lot of written evidence to support your case (e.g. reports, records, published papers) then refer to them clearly in your written response but attach them as appendices.
- But don't swamp the planning authority – always question whether what you're including really helps your case.
- Refer to and quote specific policy guidance or development plan policies if they support your case, but don't worry about including long quotes or providing extracts: the planning officer will know the contents of their own development plan and the relevance of any national guidance.
- Distinguish between fact and opinion: for example, a published paper on disturbance by dogs in Australian woodlands is fact; your reasonable opinion might be that the same principles apply in the UK.

**If possible, look for reasonable solutions:**

- Even if your "in principle" position is one of strong objection, it can pay to recognise in advance that the decision might not go the way you want.
- Consider what changes the local authority could try to negotiate, or what conditions or planning obligations they (or the planning inspector, in appeal cases) could place on any planning permission, that might help reduce or remove your concerns.
- Do this at the end of your response and say clearly that any such suggestion should be considered "without prejudice" to your overall position of objection.

**Work together:**

- Numbers do count, provided the responses are grounded in legitimate planning concerns. Sheer weight of numbers won't count if your reasons for objection are not sound, though.
- Some communities have opted to use petitions or circulate standard objection templates that just need to be signed and posted. However, 30 individualised responses written from similar viewpoints are likely to be treated more seriously than 300 copies of the same standard letter or 3,000 signatures on a petition, especially if many of these come from outside the local area.
- Make contact with wildlife groups, including the RSPB. We can't always offer direct help, but if we can't there will be good reasons, and sometimes we get to hear of an important case we'd otherwise miss. At the least, we can offer suggestions and guidance.

**Follow it through:**

- Most local authority planning committees allow respondents to speak (briefly) for or against the proposal when it comes before them for a decision. However, some applications may be "delegated" to the Chief Planning Officer for a decision: in such cases there is no opportunity to appear in person.
- Call the local authority to find out when an application is likely to be determined, and whether it is "delegated" or not. Ask for details of how you can register to speak, and how to receive an agenda. Normally this will mean turning up early for the start of the planning committee, and registering.
- Most planning committees impose a strict time constraint on each speaker (e.g. 3 minutes) and strongly prefer people of shared views to get together and nominate a single spokesperson.
- So it pays to plan and rehearse what you will say, and who will say it. Even if only one person speaks on behalf of a large group of respondents, being present in the room can show solidarity and the strength of community feeling.
- If an application is refused, the applicant has the right to appeal. Be ready to follow the case through if necessary.
- Use the additional time to build more support for your case and, perhaps, gather more evidence.
- However, note that "new" reasons for refusal can't be invoked during the appeal process – the appeal will be judged against the original reasons for refusal offered by the local planning authority\*.

\*Except possibly in Scotland, where the Scottish Government reporter appointed to hear the appeal has more leeway to decide what the important issues affecting their decision are, and may not be restricted to considering the local authority's original reasons.