

Planning Application



A Guide to Commenting
on a Planning Application

February 2023



Introduction

This is an introductory guide to help communities and residents who may want to comment on a planning application.

The guide:

- outlines the planning application process;
- sets out the relevant planning policy guidance required to provide informed comments to a planning application;
- provides details on how to incorporate material considerations into your comments.

As an introductory guide this does not provide all the details relating to commenting on planning proposals.

If, having read it, you want more information on any aspect or advice on responding to proposals in your area, please contact us.

How this guide can help you

The following six steps can be used to help find out more about a planning application and can help you comment on any proposal - whether this is in support of it or objecting to it:

1. [Read the Planning Application](#)
2. [Decide your views on the Application](#)
3. [Examine your Local Development Plan](#)
4. [Examine the relevant Planning Policy and Guidance](#)
5. [Put your comments in writing](#)
6. [Gather support](#)

How Does the Planning Application Process Work?

Planning applications go through an assessment process before a decision is made. Understanding this process helps you know how you can respond and when. Typically, the planning process is as follows:

1. Planning Application Submitted

A planning application is submitted to the planning authority. This is the local district council planning department - unless it is a regionally significant application which is submitted to the Department for Infrastructure planners.

2. Planning Authority Validates Application

The application is validated (this confirms the correct information and fee have been provided). It is given a reference and assigned to a case officer. All application information is then copied and made available on file at planning offices and online via the planning portal:

<https://planningregister.planningsystemni.gov.uk/simple-search>

or <https://planning.midulstercouncil.org/online-applications/>

3a. Planning Authority Publicises Application

The planning authority will publish a public notice in a local newspaper (usually more than one) notifying of live planning application and how and when to comment by.

3b. Neighbour Notification

Residential or other occupants of buildings on land neighbouring the proposal site are notified by post. This notification should include those who occupy buildings on land which would adjoin the site but for an entry or road less than 20 metres wide.

4a. Statutory Consultation with Relevant Consultees

Formal consultation with relevant statutory consultees takes place so that planners can obtain views from them on the proposed development. You can view these responses on file or on the planning public access portal.

4b. Your Comments or Objections

You can comment on or object to the application to the planning office within the consultation period if possible or at a later stage if necessary. All comments material to planning will be considered in the decision-making process.

5. Planning Decision

The Council Planning Committee will take the final decision unless the application is of a type which it has delegated to the council planners (see Page 10). If the application was submitted to the Department for Infrastructure the Minister will make the final decision. All the relevant planning issues (including planning issues raised by you) should be taken into account before a decision is made.

Commenting on a Planning Application

The six steps below will help you find out more about a planning application and how to - comment on any proposal - whether this is in support of or objecting to it.

1. Read the Planning Application

If you are aware of a new proposed development in your area, reading the planning application is the best way of understanding its potential impact. You can view an application online via the planning portal:

<https://planningregister.planningsystemni.gov.uk/simple-search>
or <https://planning.midulstercouncil.org/online-applications/>

using the planning reference number (usually provided via the public notice) or finding the site by its address.

You can also visit the planning authority offices to publicly view a paper version of the application. You can also order a copy of the application (for a fee).

2. Decide Your Views on the Application

Now that you are familiar with the application and how it may impact on you, it is time to take a view. It may be that you approve with some aspects of the proposed development but have concerns regarding others - this is fine. The important thing is that you voice your concerns or support for these aspects of the development, in writing, to the appropriate planning authority and to do this the following steps are essential.

3. Examine your Local Development Plan

Development Plans show which areas are designated or “zoned”. Areas may be designated or zoned for different reasons. In some cases, it is to give them extra protection against inappropriate development. For example, Conservation Areas, Areas of Townscape Character or Local Landscape Policy Areas are designated for this reason. In other cases, they are zoned because they are suitable for certain types of development, for example, housing or industry. You can also find the development limits of cities, towns and villages in your Local Development Plan.

A copy of the Local Development Plan for your area is available for viewing at your local planning office by request or online via <https://www.infrastructure-ni.gov.uk/topics/planning/departmental-development-plans>

Most planning powers were transferred to local councils which have also been assigned the task of preparing their own Local Development Plan (LDP). The new District Council Local Development Plans, when complete, will replace the current Plans. At present, each council area has a timetable for completion of its LDP and this is regularly updated on each council website. Until a council area has adopted its new LDP, the current set of Plans will continue to be material to planning decisions.

Alternatively, if you think a proposed development reflects the policy guidance, then you can use this within a supporting representation.

You can access any of the **16 Planning Policy Statements** free via the NI planning Website <https://www.infrastructure-ni.gov.uk/publications/retained-planning-policy> or view a copy at your local planning office.

Supplementary Planning Guidance (SPG)

The Department for Infrastructure also produces Supplementary Planning Guidance, which provides further detailed advice on certain topics. Examples of supplementary planning guidance include **Development Control Advice Notes** (such as Development Control Advice Note 8 - Housing in Existing Urban Areas) or **design guides** (A Sustainable Design Guide for the Rural Northern Ireland Countryside). Planners must take any supplementary planning guidance into consideration when they are making a decision about a development. However, they will not give this guidance as much weight as they would give to a Development Plan or a Planning Policy Statement.

It is important therefore that before commenting on an application you consider the planning policy and then examine relevant supplementary planning guidance. Supplementary planning Guidance can be accessed free via the NI planning website: <https://www.infrastructure-ni.gov.uk/articles/other-supplementary-planning-guidance> or viewed at your local planning office on request.

4. Examine the Relevant Planning Policy and Guidance

There is a range of planning policy that applies across the whole region which you should also consider when preparing to comment on a planning application:

Strategic Planning Policy Statement

The overarching planning policy for the whole region is the Strategic Planning Policy Statement [SPPS], prepared in 2015.

If you think a proposed development is contrary to any of the policies contained within the SPPS, then you can use this in an objection. Alternatively, if you think a proposed development reflects the policy guidance contained within the SPPS, then you can use this when commenting.

You can access this document free via the NI planning website

<https://www.infrastructure-ni.gov.uk/publications/strategic-planning-policy-statement> or view or purchase a copy from your local planning office.

Planning Policy Statements (PPSs)

There are 16 regional Planning Policy Statements. Each deals with a different topic. For example, Planning Policy Statement 7 (Quality Residential Developments) deals with new residential development and Planning Policy Statement 21 (Sustainable Development in the Countryside) deals with new development in the countryside. If you think a proposed development is contrary to one of the policies contained in a Planning Policy Statement you can use this in an objection.

5. Put your Comments in Writing

When you have read the appropriate Local Development Plan (LDP) and relevant planning policy you will be ready to put your comments in writing using what you have learnt from these documents.

Planning Grounds

You will need **material planning grounds** when commenting on a planning application.

These are grounds which are linked to the LDP and planning policies you have looked at. See the following pages for examples of planning grounds .

Material Planning Grounds

Residential Amenity

You can object to a planning application that will overlook your property, overshadow your property or cause additional noise, disturbance or other problems that mean that you - cannot enjoy your property in the same way that you could before.

Character of Area

You can object to a proposal if you think it will look out of place in an area or if its character does not fit in with the existing character of the area. For example, if a new development is much larger than other buildings in an area or has a different architectural style you can object. If a building will stand out in the countryside or another setting this also provides a basis for objecting.

Design, Layout and Appearance of Proposal

The design, layout and appearance of new developments should be practical and fit in with the character and appearance of the surrounding area. There should be enough room for bin storage, parking, recreation etc. The design of new developments should fit in with other buildings in the area. The development should not be too dominant.

Density

The proposed density [the number of dwellings/buildings per hectare] should not be significantly higher than that found in the area.

Size of Housing Unit

New housing units should be built to an adequate size.

Compatibility with Existing Land Use

Some land uses work well next to each other, for example, a school often fits in well next to housing. Other types of development do not work well if they are located next to each other, for example, a large factory may not be appropriate next to an area of housing due to noise, disturbance, the hours of operation, increased traffic and pollution. You can object if you think a new development will not fit in well with existing land uses.

Housing Need

If there is a need for a certain type of housing in an area you can use this in your objection. For example, if a developer wants to build small apartments and there is a recognised need for family housing then you can use this in your objection. Evidence of a recognised housing need may be available from the Housing Executive and Housing Associations.

Conservation of Buildings

If you think a listed building or other building makes an important contribution to the character of an area (especially a Conservation Area or Area of Townscape Character) - and should be retained, you can use this in your objection. The Northern Ireland Environment Agency may be able to provide information of help.

Heritage

The importance of preserving ancient monuments or sites of cultural or architectural value can be an important planning consideration. If you think these should be retained and there is a possibility that the heritage of an area will be destroyed, you can use this in your objection.

Retention of Trees and the Natural Environment

If a new development will result in the loss of significant trees or will damage the natural environment in some way, you can object.

Cumulative Impact

This looks at the combined impact of development in an area. A development may not have significant negative impacts on an area on its own but in combination with another development it could seriously damage the character of an area, overload local services, etc.

Road Safety and Traffic Impact

If a new development will result in unsafe conditions on the road or will mean that traffic cannot move freely along the road, you can object. For example, if there are not enough parking spaces, cars may park along the road causing traffic congestion and making it difficult for emergency services to access the area. If a new access will be created in a dangerous position you can object. DfI Roads provides an opinion on these issues to councils and the Department for Infrastructure.

Adequacy of Infrastructure

If you think that existing roads, parking facilities, public transport, electricity, water and sewerage systems cannot cope with a new development or will be overloaded, you can object on these grounds.

Planning History

If similar proposals were turned down or approved on this site or a similar site in the past, you can use these as examples in your objection. You can also include any other planning or planning appeal decisions that you think are relevant.

Creation of a Precedent

If councils, the Department for Infrastructure or the Planning Appeals Commission allow a development, it is difficult for them to refuse a similar development on a similar site, as a precedent has been created. When you are objecting to a proposal, you could argue that if the development was approved this would create a poor precedent. For example, if approval was given for a detached house to be replaced with an apartment development, this could be repeated on similar sites in the area, resulting in a loss of family housing and changing the overall character of the area. If you know of an example where a similar proposal was refused on a similar site, you could argue that a precedent has been created for refusing this type of development on this type of site.

Piecemeal Development

You can object to piecemeal development as it may prejudice the proper planning of a larger development of land. If a proposal only takes account of a small section of a larger parcel of land this could result in incompatible, unplanned and unsympathetic development. For example, roads may not align properly, and the area may not be completed to high standard. Therefore, you can argue that the land should be planned and developed as a whole, and planning permission should be applied for the whole area, not just a section of it.

Renewable Energy

The fact that a proposal will result in the delivery of renewable energy must be considered alongside the possible visual interference or effect on the surrounding landscape. For example, you may want to object to a proposal for a wind turbine on the grounds of the visual impact it will have on the quality of the landscape.

Impact on Tourism

If you think a proposal will impact tourism either negatively or positively in the area or may affect the potential for a growth in tourism levels, you can use this in your letter.

Economic Impact

If you think that a development will have an economic impact (whether positive or negative) in an area you can use this in your objection. For example, the creation of a large superstore may result in a loss of local sales and the closure of shops and businesses.

These are just some of the issues material to planning which you can add to your submission. It is not a comprehensive list. In reaching a decision the planning authority will assess all of the material planning issues together.

6. Gather Support

You are not limited to telling the planning authority your views via comment only. You can also talk to local councillors and MLAs. This can be helpful whether an application goes to the council planning committee or if it is delegated to a planning officer (see below). Public representatives can offer some support while an application is live.

Delegated Planning Decision Support

Some types of planning applications are delegated to council planning officers. It is usual practice for council officers to take decisions on most minor applications. Whether you are supporting or objecting to an application of this type, you can seek support from local public representatives (councillors or MLAs). They may be able to offer help by contacting planning officers to express support for issues you have raised.

Council Planning Committee

For most major applications and those applications which have attracted considerable interest, local councillors make decisions on planning applications via a vote at council planning committee meeting. In these cases, the planning officer will prepare a Development Management Report (with recommendations) which he/she will present to the planning committee. You should look at the planning officer's report prior to the committee meeting. You will be able to see what information councillors are being given and what decision the planning officer recommends they make. This does not mean that the committee must agree with the planner's recommendation, but if it votes contrary to the recommendation, it should have a valid planning reason for doing so.

If you find that the application you are commenting on is one that is being decided at a planning committee, you can register for speaking rights, or have a public representative speak for you. To register for speaking rights you must register with the democratic services section of the council. You can find contact information for this section on the council website.



**community
places**

This guidance is not intended to be a definitive source of planning advice and reference should be made to the appropriate legislation and policy. If you need any clarification or further information please contact us.

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