

# Your comments...

## How to submit comments

If you wish to submit comments for consideration as part of the decision process, you should write to the case officer at Development Management; Selby District Council, Civic Centre, Doncaster Road, Selby, YO8 9FT

You can also submit comments via PublicAccess or by email to [planningcomments@selby.gov.uk](mailto:planningcomments@selby.gov.uk).

The initial consultation period for applications is usually 21 consecutive days from the start of the consultation.

## Comments guidance

Planning legislation requires that planning applications are determined 'in the public interest'. The council will therefore always give consideration to representations made in relation to planning applications.

It is the nature of comments which is important in the decision making process, not the volume of comments received. It does not always follow that an application will be rejected simply because a large number of residents have objected to it.

The important point will be whether or not the representations made by residents are relevant to the application in 'planning terms'. The phrase used is whether or not the comments are 'material' to the planning application.

The following are examples of material considerations:

- i) Policies set out in a development plan, such as the Local Development Framework or saved policies of the Selby District Local Plan. These are described as 'statutory' documents, having been adopted by their relevant authorities.
- ii) Guidance issued by central government, known as National Planning Policy Framework and Planning Practice Guidance.
- iii) Any supplementary policy documents covering particular topics such as advertisements or shop front design.
- iv) Any relevant planning history.
- v) Site specific matters such as design, massing, scale, effect upon trees or landscape etc.
- vi) Amenity considerations such as the effect upon adjacent properties in terms of overlooking, overshadowing etc. In particular the level of direct impact of the proposal on neighbouring property is considered.
- vii) Highways implications, such as traffic generation, access arrangements, visibility, turning provision etc.
- viii) Impact upon the setting of a listed building or the character of a Conservation Area, where applicable.

In contrast, the following list refers to matters that are **not** material to the consideration of an application.

- i) Loss of views, where obtained over someone else's land.
- ii) Potential or actual devaluation of property prices
- iii) Potential conflict with legal arrangements, such as rights of way, or covenants. Whether or not such rights exist, they remain outside of planning controls.
- iv) Moral or ethical considerations. For example, objections to an amusement arcade on the grounds that it may encourage gambling, etc.
- v) Competition between existing and proposed business. For example, that a further hot food take-away shop might undermine the viability of an existing business.

It should be noted that both the above examples of considerations are offered as guidance and are not exhaustive.

## **Will the application go before Planning Committee?**

The vast majority of planning applications received each year are determined by officers using powers delegated to them from the committee. Some applications however, will need to go before committee members for a decision to be made.

Planning committee meetings are normally held every four weeks at the Civic Centre and these meetings are open to the public. If you have submitted comments on an application which is to be considered by the committee you will receive written notification about a week before the meeting is to take place to advise you of the date and time and details on how to address the meeting if you wish to speak on the application

Further information about the committee and procedures can be obtained from Democratic Services on 01757 705101 or [democraticservices@selby.gov.uk](mailto:democraticservices@selby.gov.uk).

## **How do I find out whether the application was successful or not?**

Once a decision has been made, the notice of decision and officer's report will be available for inspection on our 'Public Access' website.

## **What if there's an appeal?**

Once the council has determined an application, the applicant has a right to appeal against the decision or conditions.

Where an appeal is made against a domestic (householder) application, it is important that any representations you make before the decision is made contain all the points you wish to raise as the appeal process does not permit any further submissions.

For non-domestic appeals you will be notified of the appeal and will be allowed to submit further representations.