



**Ards and
North Down**
Borough Council

Commenting on a planning application

Procedure for commenting on planning applications submitted to
Ards and North Down Borough Council

Guidance leaflet

Applying for planning permission

Anyone can apply for planning permission to develop land. You do not need to own the land when you apply, nor do you require the owner's consent¹.

Comments about a planning application

When determining a planning application, we consider written comments we receive from the public, residents, groups and other organisations about that planning proposal.

We receive comments supporting and objecting to planning applications.

Publicising planning applications

To ensure people know about planning applications in Ards and North Down, we inform people by:

- advertising a weekly list of planning applications in local newspapers, usually *County Down Spectator* and *Newtownards Chronicle*
- publishing a weekly list of planning applications on our website, www.ardsandnorthdown.gov.uk/planning-applications

Neighbour notification

By law, we must neighbour notify “identified occupiers” on “neighbouring land”. We do this by writing to people who live close to the proposed development or own land near the site and telling them about the planning application.

You're an identified occupier if you own premises or live within a 90 metre radius of the boundary of the application site.

You have neighbouring land when your land directly adjoins the application site or would adjoin it but for an entry or a road less than 20m in width.

Responding to a planning application

We don't make a decision about a planning application until the public has had sufficient time to explore an application. By law we cannot determine an application before the expiration of 14 days from the date it is first advertised, published on our website or notified to identified occupiers on neighbouring land.

We request comments within 14 days so that we know your views as soon as possible in the process but in practice we will take into account any representations received before the application is actually determined. It is also useful for the applicant to learn about any concerns early in the process. This allows them opportunity to make any changes which could resolve some concerns.

¹ The Council will not entertain an application for planning permission in relation to any land unless it is accompanied by an ownership certificate as required under Section 42 of the Planning Act (NI) 2011

Minor amendments to a planning application

We don't have a statutory duty to advertise or neighbour notify applications for **Advertisement Consent** or **Non Material Changes to Planning Approval** (previously known as a 'minor amendment').

How we determine planning applications

We must make all our decisions about planning applications in accordance with the current DOE Development Plans for Ards and North Down – the Ards and Down Area Plan 2015 (for previous Ards Borough) and the Belfast Metropolitan Area Plan 2015 (for previous North Down Borough). These plans explain what development is allowed and if there are any restrictions or prohibited development in the area. These plans can be viewed on the NI Planning Portal:

http://www.planningni.gov.uk/index/policy/development_plans/devplans_az.htm.

We also refer to any material planning considerations.

Material planning considerations

These are genuine planning issues related to planning legislation which regulates the development and use of land in the public interest. All fundamental factors involved in land-use planning are material considerations including:

- local development plan
- regional prevailing planning policy
- supplementary planning guidance
- height, scale, massing, layout, siting, design, appearance and materials landscaping
- impact on neighbourhood
- infrastructure including adequate sewerage, drainage and water
- overlooking/loss of privacy
- loss of light or overshadowing
- views of statutory and other consultees including water, road, traffic and environment authorities
- suitability of the site for the proposed development, for example contamination/flooding issues
- impact on natural and built heritage
- provision of suitable access and transportation (including road safety, parking, pedestrians and cyclists, and amount of traffic generated)
- creating an undesirable "precedent", making it difficult to resist similar proposals elsewhere (but this should not be over-emphasised)
- planning history of the site (including decisions on previous planning applications on the same site, particularly appeal or court decisions)

Regional prevailing planning policy and supplementary planning guidance can be viewed on the NI Planning Portal: <http://www.planningni.gov.uk/index/policy.htm>.

The consideration must also fairly and reasonably relate to the application concerned. Much will depend on the nature of the application being considered, the

relevant planning policies and the surrounding circumstances. Relevant considerations will vary according to circumstances and from application to application.

Matters that aren't relevant to planning applications

Factors which aren't material considerations are not relevant to planning. When determining an application, we don't consider comments about:

- loss of view
- negative effect on property
- devaluation of property, private property rights including boundary and access disputes
- private interests, for example competition between businesses
- moral considerations; for example, against betting shops or religious objections such as opposition to working on Sunday
- political considerations or ideological dislikes
- cost of the development
- title restrictions
- applicant not owning the site
- concerns covered by other legislation, for example health and safety regulations, licensing, building control
- any factor indicating the development is not likely to proceed

Sending a comment about a planning application

When you send your comments to support or oppose a planning application, you should include the application reference number and title of the proposal. This information appears on the list of planning applications.

There is no restriction on what you can write about a planning application. When you comment on a planning application, you should look at the Development Plan for the area and material planning considerations.

Your written comments about a particular planning application will be published on the NI Planning Portal under Representations about that application. We will not publish or consider any material which is libellous or offensive.

Amendments to a planning application

Before we make a decision about a planning application, the applicant can make changes to their planning proposal or submit additional information. To inform the public that the applicant has changed their planning proposal or provided additional information, we will normally:

- re-advertise
- re-neighbour notify
- display on our website

Making a representation (an objection to or in support of the proposal)

When you are commenting on a planning application, you should look at what the Development Plan says. This should tell you whether the “principle” of development is likely to be acceptable to the planning office.

You may then wish to consider whether there are any other material considerations which might mean we could determine the application **not** in accordance with the Development Plan. In writing your comment you should focus on material planning considerations only.

You may be happy with the proposal and wish to record your support.

The case officer will take account of the material planning issues raised within your representation. Given the large volume of correspondence received in relation to planning applications, case officers will only respond in exceptional circumstances if they need clarification. You can contact the planning office at any time to discuss any concerns you may have regarding an application.

You can contact Ards and North Down Borough Council regarding planning matters in one of the following ways:

Address

2 Church Street, Newtownards, County Down, BT23 4AF

Telephone

0300 013 3333

Email

planning@ardsandnorthdown.gov.uk

Our staff can help you to check the status of an application, submit a completed application or collect an application form. If you wish to view the documents, maps or plans related to an application you should contact the office and ask to make an ‘Open File Appointment’.

Opening times

Week day	Hours
Monday	9:30am – 4:30pm
Tuesday	9:30am – 4:30pm
Wednesday	9:30am – 4:30pm
Thursday	10:30am - 4:30pm
Friday	9:30am – 4:30pm

