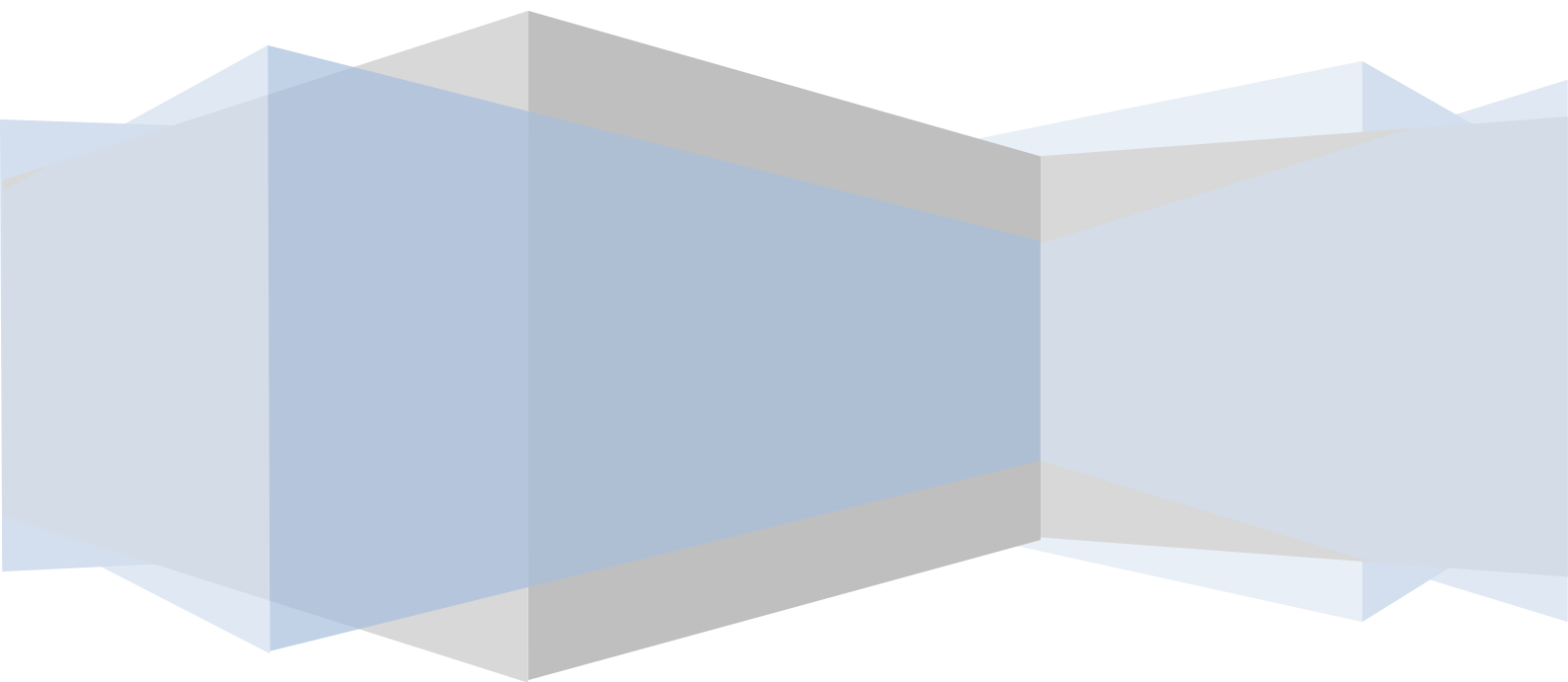


How to object to a planning application

©Ruth Allen, March 2010



Introduction

So a planning application has been submitted to develop land close to you. Your initial feelings? Horror, panic, and utter helplessness - at least in my experience. You can think of a thousand reasons why the proposal should not be granted. After all, who is better placed than you, a resident of the area, to know the problems and issues the development could cause?

But how do you convey your fears to the powers that be in a way that persuades them that your point of view is the right one? How do you avoid being accused of 'Nimbyism?' And how do you put up a decent fight against a developer who more often than not is experienced and highly skilled at presenting their case in the best possible light, and offering an argument that even the most reluctant planning officer would struggle to disagree with?

Let me tell you: it IS possible. I have successfully fought different proposals to develop the land adjacent to mine. But it wasn't without spending night after night trawling the internet, books, newspapers and countless other resources in my quest to write the most effective letter of objection to a planning application.

In writing a letter of objection to a planning application, the biggest mistake can be making your letter too personal. I totally understand the temptation when you feel so outraged and fearful about the proposal. But you only weaken your case if you include points that bear no relevance to the planning guidelines that planners will weigh the proposal against. For every legitimate objection to a planning proposal there is another completely irrelevant objection to be made.

The key is to find out which is which and stick to the former, make sure you keep your objection letter businesslike and relevant, and communicate with the planning officer in a language they understand.

When I did my research I became frustrated with the lack of useful guidance that's out there. You tend to think that the internet offers everything, but in this case I found it came up short. So this short guide is my attempt to redress the balance slightly. I hope to have captured all the key things I learned during my planning battles and provided you with some useful advice and pointers on how to write the most compelling letter of objection.

Contents

1. Notice of Planning Proposal

2. Research the application

- 2.1 The application form
- 2.2 Planning, Design & Access Statement
- 2.3 Elevations & Floor Plan
- 2.4 Site Plan
- 2.5 Tree survey (if there are any protected trees affected by the application)

3. Decide on your grounds for objecting

Key points of objection:

- 3.1 Detrimental impact upon residential amenities
- 3.2 Need to avoid town cramming
- 3.3 Adverse impact on protected trees
- 3.4 Loss of privacy and overlooking
- 3.5 Overshadowing/loss of light
- 3.6 Highway safety, inadequate parking and access
- 3.7 Ground stability and drainage
- 3.8 Non-compliance with other council planning policies/government planning guidance

4. Writing your objection letter

5. Getting support for your position

6. Final tasks

7. Taking it to the Planning Board

8. Appeals

9. Useful websites

10. Sample letter

11. Sample reasons for planning refusals



1. Notice of Planning Proposal

After a planning application has been made, the local planning authority will post brightly coloured notices near the site and/or write letters to those closest to the proposed development, inviting comments. Larger developments are also advertised in the local press.

You will have a limited amount of time in which to send your comments to the local planning office. It is important to meet any deadline or your comments may not be taken into account.

Copy down as much information as you can from the notice or letter. You will need to know the planning application number for ease of reference during your research and in your objection letter, as well as the deadline for comments. You should also note the name of the case officer within the planning department who is dealing with the case as you are likely to need to speak to or at least correspond with them. You may also want to make a note of the address of the planning department, and their web address if listed.

2. Research the application

It is important that you do not submit comments that are based on an incorrect understanding of the application so your next step should be to research the application and understand it. You will be able to obtain a copy of the application form itself, along with any accompanying documentation, from the planning department of your local council. You can go along to the planning offices in person and request photocopies of the documents (often for a small charge) or many councils now operate an online system where you can visit the relevant section of their website and download electronic copies of the documentation.

You need to go through all of the documentation to identify the main areas of the proposal that you want to object to. But you should also look for any flaws in the plans that you may be able to identify. In my experience developers may omit minor details or skew the plans slightly to suit their needs (for example depicting North/South/East/West inaccurately on the site plan: a minor oversight maybe, but one that may disguise potential overshadowing issues).

The documentation may include:

- The application form
- Planning, Design & Access Statement
- Elevations & Floor Plan
- Site Plan
- Tree survey (if there are any protected trees affected by the application)

If you do choose to visit your local planning department, look out for useful leaflets and guidance booklets about the planning process in your area. These may also be available on the council's website.

2.1 The application form

This will include the details of the applicant or the agent acting on their behalf and information along the lines of the following:

- a description of the proposed development
- site details
- details about access and any proposed changes to transport infrastructure
- how waste will be stored and collected
- details about the materials to be used
- how sewage will be disposed of
- assessment of flood risk
- any impact on the local eco-system
- how the land is currently used
- any effect on trees or hedges
- information about any industrial or commercial processes or use of hazardous substances
- general certificates and declarations



In my experience reviewing the application form is useful mainly so that you know full details about who is proposing the development, and so that you can check what basic claims they are making about the site. The more useful information is contained in the Planning, Design & Access Statement that many councils now require prospective developers to submit with a planning application.

2.2 Planning, Design & Access Statement

The Planning, Design & Access statement is a short report accompanying and supporting the planning application. It aims to illustrate the process that has led to the development proposal, and to explain and justify the proposal in a structured way. In the statement the applicant will basically be making the case for why the council should approve their application; answering any questions they can foresee the council having about the application and allaying any potential concerns.

The standard of the document will vary depending on how professional the developer is. In my experience, when the developer has employed an agent to act on their behalf, the statement tends to be much more thorough and professional. A strong statement will illustrate which of the council's own planning policies the application meets and fulfils.

You need to go through this statement in detail and note down counter-arguments and counter-policies wherever possible. You may be able to identify many legitimate points of objection from looking at this statement that you would otherwise never have thought of.

Here are some of the key areas to look out for:

Quoting council policies and guidelines

As explained above, the applicant will set out to illustrate which of the council's own planning policies the application meets and fulfils. Different councils formulate their planning policies and guidelines in different ways but generally they will have devised some form of plan for the local area which emphasises the main things they want to achieve with regards to sustainable development.

In my area, a Structure Plan provides a framework for the Local Plan. The Local Plan sets out broad aims and objectives that the council wants to achieve, and details the policies the council has put in place to try to realise these objectives. You may find that your council has a District Wide Local Plan, a Structure Plan, a Local Development Framework or something similar. Speak to your local planning office or have a look at the planning section of the council's website to find out which documents are relevant here.

However your local council's policies are set out, you need to look at the policies the developer cites themselves as complying with, then research them to see if you can identify flaws in their argument and come up with other policies that they are contravening.

6

The developer is likely to quote direct policy clauses with which their proposal complies. Their aim is to prove to the council that they have no reason not to approve the application, and that this is set out in black and white in their own words in their policy documents. You need to follow the same

example: prove to the council that the proposal is a direct contravention of its own publicly-available policies and guidelines.

Where possible the applicant will use terminology that reflects the council's own wording in policy documents, to illustrate clearly their compliance with these policies. You need to do the same.

Here is some sample text illustrating the above points:

“Paragraph (ii) of Policy 4.19 concentrates upon the `appearance and treatment of spaces between and around buildings`. The physical space between the proposed dwelling-house and existing properties either side makes more efficient use of the available site area with regards to scale, density, height, massing, layout and materials as well as safeguarding the amenities of neighbouring residents in accordance with Policy 4.19 objectives.”

But you could argue:

“We believe that the proposed development is a direct contravention of Policy 4.19. It does not respect local context and street pattern or, in particular, the scale and proportions of surrounding buildings, and would be entirely out of the character of the area, to the detriment of the local environment.”

See sections 3 and 4 for more guidance about the wording to use in your points of objection. There is also a sample letter in section 10 illustrating the above points.

Quoting council objectives

As well as specific planning policies, the applicant will seek to identify broader objectives that the council has set with which they are complying. These might revolve around issues such as promoting residential developments that meet a variety of housing needs, and maintaining an adequate and continuous supply of housing within the borough. For every objective the council may have around fulfilling housing quotas, they will also have objectives around preserving the existing built and natural environment. Just remember: for every clause, you should be able to find a counter clause.

For example, the applicant may state that the development is considered relevant to an objective from the District Wide Local Plan, Chapter 2: ***‘To help meet the housing, employment and social requirements of all members of the community.’***

But you could argue:

“We consider the proposed development to be a direct contravention of the following objective from the same chapter: ‘To protect or enhance the local environment, including wildlife habitats, trees and woodland parks and gardens.’”

Quoting government guidance

In addition to local council planning policies and objectives, the other area of legislation that developers need to demonstrate their compliance with is that which is set by the government. National planning policy guidance in respect of new development takes the form of Planning Policy Statements (PPS).



There are many of these, but in my experience the Planning Policy Statements that have been most relevant are PPS1: Delivering Sustainable Development and PPS3: Housing.

The applicant may call upon broad aims in these statements around ensuring the provision of sufficient housing, making efficient use of land, and many of the issues already outlined above. Again, the key is to identify flaws in the clauses cited, and find the counter clauses that make your case.

For example the applicant may say:

“Planning Policy Statement 3: – paragraph 14 encourages Local Planning Authorities (LPAs) to promote designs and layouts which make efficient and effective use of land. Furthermore, when assessing design quality of a proposed development LPAs need to consider the extent to which the development is well integrated with, and complements, the neighbouring buildings and the local area more generally in terms of scale, density, layout and access.”

But you could argue:

“Planning Policy Statement 3: - paragraphs 13-14 state that good design should contribute positively to making places better for people. Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted.”

Site description

Where they can, the applicant will take the opportunity in the Planning, Design & Access Statement to emphasise that the site is viable construction land. They may use terms like ‘under-used land’ and ‘infill dwelling’ depending on the sort of proposal you are fighting. They use terms like these because councils are generally under pressure from the government to increase housing stock and make the best possible use of under-used land in their area. Therefore it is in the best interests of the developer to attempt to define the site as such.

The developer is likely to point out what a valuable contribution the proposal could make to meeting the area’s housing demand. They may even cite policies where the council states that development of under-used land should be encouraged.

You need to apply this same principle in your objection letter. Decide how you feel the site should be described. If the site concerned is currently undeveloped, perhaps you could use terms like ‘open space’ or ‘woodland’ or ‘green space’ – anything that conveys that the land concerned is not under-used waste land, but valuable open space enjoyed by residents.

If you can define the land as a Greenfield site this is a very powerful term to use as councils have more power to restrict development on such sites. Disappointingly, if the land in question is currently part of a back garden, legislation states that it must currently be defined as Brownfield land. (The reclassification of back gardens as Greenfield land is currently being considered by politicians in response to pressure to curb the growing trend of so called ‘garden grabbing.’)

Sustainability

The Planning, Design & Access Statement will detail how sustainable the location is: its proximity to public transport and road networks, shops, places of worship and recreation areas. Councils are under constant pressure to increase uptake of public transport and reduce the number of cars on the road, so if the site concerned is particularly isolated or access is limited, this could be good grounds for objection.

Photographs

The applicant may also submit photographs as part of the Planning, Design & Access Statement to provide an illustration of the style of building the development will be fitting in with. These photographs will have been taken from angles that flatter the proposal and make the case for it. They may also have been taken at a time of day when traffic levels are low or there is plenty of available parking.

You should follow the same example: take your own photographs to support your points and submit them with your objection letter. Remember, the planning officer doesn't know the site or its surroundings so any visual aid you can provide may help them to see your point of view.

2.3 Elevations & Floor Plan

These will show you how the proposed development will look from all aspects: side, rear and street. They will give you a real idea of how the development will look and how it could affect you and other residents. They may also give you ideas for other points of objection you may wish to raise: for example potential issues with overlooking may only become obvious to you when you see the proposal in a pictorial form.

2.4 Site Plan

This will provide an aerial view of the whole site and the proposed development. It will give you a good idea of how the spacing between the proposed development and neighbouring properties will really look. It may also highlight potential issues with access that you can draw upon, or other constraints that the proposed design would create that the developer has cleverly concealed.

For example, in one of the proposals I fought, the developer planned to create one car parking space for the new dwelling he was proposing. When reviewing the site plan I realised that the orientation of the intended parking space, combined with existing site features such as an awkwardly positioned lamp post, would make the proposed space very difficult to access without compromising highway safety.

The site plan may also be useful as a reference point for illustrating any concerns you may have about the development not respecting the density of the local area (see section 3.1).



You should also check the site plan for any inaccuracies that may make the developer's case more favourable for them. For example depicting North/South/East/West inaccurately on the site plan may be a minor oversight, but one that may disguise potential overshadowing issues. It is also worth remembering that the site plan will only illustrate the site itself to scale. Properties beyond the site boundary that are actually very close by could be positioned further away on the plan to make the development look more spacious.

It is also important to check that the existence of any large trees and their crown spread is illustrated correctly on the site plan, particularly if the tree is protected as this is a major planning concern (see sections 2.5 and 3.3 for more details about what to consider here).

2.5 Tree Survey

If there are any trees of significance within the site the developer will be required to submit an arboricultural survey with their application. This will set out where the trees are in relation to the development site, both in terms of their root system and crown spread (the reach of the branches), to determine any impact the development could have upon the tree.

Although the developer may have hired a reputable arboriculturalist to carry out the survey, it will be in the client's interest for the arboriculturalist to find that the proposal poses no threat to the trees. It is important that you review the survey as there may be potential issues with it that you wish to raise in your letter of objection.

In one of my planning battles the developer submitted a very detailed arboricultural survey. However, upon reading the survey, it became obvious to me that the arboriculturalist had a vested interest in seeing the application approved, as he stood to receive further work from the client (attending site during construction to ensure no damage to tree roots and so on.) In light of this I felt that a number of the claims the arboriculturalist made in his survey were debatable, and I questioned these as part of my formal objection. The council obviously shared my concerns because a number of the points I raised were cited as reasons for refusal in the council's decision notice.

See section 3.3 for full details about the key objections to be made regarding significant or protected trees.

3. Decide on your grounds for objecting

Once you have reviewed the planning application and all the supporting documentation that accompanies it you should have a few ideas about your grounds for objecting. Don't worry about forming these into a letter yet, just aim to develop a list of points that are well thought through and cover all the potential areas of concern that you can think of.

Material planning considerations

You should review your list to ensure that it only includes points that your council considers to be 'material planning considerations'. Many people think loss of a view or a reduction in property value are among their best reasons for objecting, but this is wrong. Neither of these is treated as a material planning consideration by planning officers.

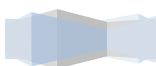
Check your planning department website (if they have one) or phone or visit the offices to talk to someone and ask exactly what your council considers to be material planning considerations. They will often have a leaflet or some sort of guidance about this.

Listed below are the material planning considerations that I have come across. This list is not exhaustive, so you should contact your council to check exactly what constitutes a material planning consideration in your area.

- Detrimental impact upon residential amenities and the visual impact of a development (what it will be like to look at, NOT the loss of a view). This includes the impact on the character of an area, availability of infrastructure, density, over-development, layout, design and external appearance of buildings and landscaping
- Noise and smell
- Any adverse impact on protected trees
- Loss of privacy and overlooking
- Overshadowing/loss of light (NOT loss of acquired rights to light)
- Public services, such as drainage and water supply
- Where highway safety is compromised: traffic generation, road capacity, means of access, visibility, car parking and effects on pedestrians/cyclists
- Where development is contrary to relevant council planning policy
- Where development is contrary to government planning policy

NOT material planning considerations:

- Loss of a private view
- Loss of value to your property
- Loss of private access rights
- Development contrary to a private covenant
- Loss of acquired rights to light
- Access for maintenance



- Land ownership issues and boundary disputes – if the applicant does not own the land they may still submit an application providing they notify all owners

If your private rights are a big factor in your objection, for example a boundary dispute or the existence of a restrictive covenant, although such issues are not a planning concern you may be able to take legal action. You would need to consult with a solicitor about this.

Researching previous decisions

Some examples of real reasons given by councils for refusing planning applications are listed in section 11. Your local council's website may also provide listings of planning application decisions. You should look through these to get an idea of the typical reasons your council cites for refusing proposals, particularly ones that are similar in scope and scale to the one you are fighting. This will give you an idea of some of the main policy concerns of your council, and may provide you with ideas about new areas of objection that you might want to consider or at least help you with the wording of similar points that you wish to make.

Key points of objection

3.1 Detrimental impact upon residential amenities

Your council is likely to have planning policies that are designed to ensure that proposals for development are of good design and respect the character of the surroundings. This includes the appearance and treatment of spaces between and around buildings, and the amenities enjoyed by neighbouring residents. 'Amenities' is the term used to describe features that contribute in some way to residents' enjoyment of their local area. Here is an example of one such policy:

"In determining applications for residential infill development, the LPA will take into account the form, size and character of adjoining development. An acceptably sized plot in a high density area may not be of acceptable size in a low density area typically characterised by larger properties built on substantial plots. The means of access should be both safe and convenient, and should not adversely affect the amenities of any existing residential property. Adequate provision should be made for car parking. There should be sufficient space between old and new buildings to maintain the amenity and privacy of adjoining houses."

In the application you are fighting, it is likely that the applicant will have attempted to illustrate that the proposed development will fit in with neighbouring properties, be of a sympathetic design, and similar in scale and proportion. This is a key area of objection that you may want to consider.

- Is the property really of similar design or are there any proposed features that differ from neighbouring properties and would make the new development stand out? An external porch for example amongst properties that do not share the feature.
- The scale and proportion are also vital here – is the proposed development the same size as those that neighbour it? A small detached property set amongst semi-detached or larger detached properties would not fit in with the scale of surrounding properties.

- Is the proposed development in a high or low density area? If the surrounding properties are characterised by large plots, with a lot of space between, then yours is a low density area. Does the plot size of the proposed development fit in with this street pattern? Have a look on the site plan at the actual measurement of the distance between the proposed development and the properties that surround it – it may be in your interest to quote this in your objection if it is of particular concern.
- Will the new development have grounds that are in proportion with the building? I have found that because many of the applications I have fought have been attempting to fit a house into a plot that is much smaller than those that surround it, garden space can be very limited. To comply with planning guidelines new buildings are required to have a proportionate amount of outdoor space.

If you feel you have grounds to object here, you need to quote any relevant planning policies set by your council and then qualify how you feel the proposed development contravenes them. See the following sample text:

“We believe that the proposed development is a direct contravention of policies X and Y. It does not respect local context and street pattern or, in particular, the scale and proportions of surrounding buildings, and would be entirely out of the character of the area, to the detriment of the local environment.

The properties along X Road are characterised by large plots with large spacing between. The proposed dwelling would be just Xm from 45 X Road and just Xm from the boundary with 3 X Close. Access to the rear of 45 X Road and the new proposed property would be extremely limited.

The proposed dwelling is a three storey detached house, yet its proportions are smaller than the neighbouring semi-detached property and a great deal smaller than the neighbouring detached property. The proposed dwelling incorporates an external porch unlike any other neighbouring property, so the scale and design of the development will be entirely out of keeping.

The proposal would demonstrably harm the amenities enjoyed by local residents, in particular safe and available on-road parking, valuable green space, privacy and the right to enjoy a quiet and safe residential environment.”

3.2 Need to avoid town cramming

Your council is also likely to have policies specifically concerned with balancing the demand for new buildings with the need to avoid town cramming. This will include the treatment of spaces between and around buildings, including sufficient land for planting and landscaping. Here are some examples of clauses you might expect to find:

“The appearance and treatment of the spaces between and around buildings is also of great importance. Where these form part of an application site, the landscape design will often be of comparable importance to the design of the buildings and should likewise be the subject of consideration, attention and expert advice. The aim should be for any development to result in a benefit in environmental and landscape terms.



“In re-using land in the existing built up area the LPA will attempt to balance the demand for housing provision with the need to avoid town cramming. The appropriateness of residential redevelopment will depend on the social, environmental and economic characteristics of the site and the local area.”

You should quote any relevant policies you can find and then qualify how you feel the proposed development contravenes them. See the following sample text:

“We believe that the proposed development is a direct contravention of policies X and Y. The proposed dwelling would significantly alter the fabric of the area and amount to serious ‘cramming’ in what is a low density area.

The applicant states that the proposed dwelling would have a large garden, but the nature and orientation of the plot means that the garden would be very small for a three-storey dwelling, particularly compared with the large plots typically enjoyed by the surrounding properties.

The proposal allows very little space for landscaping and we believe that it would lead to gross over-development of the site. The proposed development would not result in a benefit in environmental and landscape terms, to the contrary it would lead to the loss of valuable green space.”

3.3 Adverse impact on protected trees

Your council is likely to have broad aims and objectives, as well as specific policies, for protecting and enhancing the local environment including wildlife habitats, trees and woodland. Clauses may be similar to the below:

“It is important that development of vacant urban land should not involve the loss of valuable open space. Furthermore, sensitive planning control is necessary to ensure that the cumulative effects of redevelopment do not damage the character and amenity of established residential areas.”

It is worth citing the existence of any natural greenery or wildlife habitat on the proposed construction site and its value as a residential amenity. However, if any trees of significance, particularly those under tree preservation orders (TPO), could be affected by the proposed development then this is a particularly important point of objection.

If there are any trees that you suspect could be protected under TPO on or near the proposed development site you can establish this by enquiring with your local planning office or checking the council’s website. Equally the developer may have alerted you to the existence of such trees themselves by submitting a tree survey with their application (see section 2.5).

In these circumstances you should consider the impact any construction work could have on the roots and the crown of the tree(s) and their future growth.

- Large trees have even larger roots - could the proposed development impact upon the root stock of the trees, either during or after construction?
- What effect could roots have on the foundations of any building in the future? If root growth begins to undermine the structure of a building after a number of years, could this lead to requests for their removal?

If the tree has a large crown, would pruning of the tree be necessitated by the new development to allow natural light into the building?

- In heavily wooded areas, does the proposal allow for sufficient natural light to proposed properties? The living standards of future occupants of a building are something that a planning officer would need to consider.

3.4 Loss of privacy and overlooking

This is an important area that planners consider when weighing up planning applications. They aim to ensure that developments are designed in such a way as to minimise overlooking of neighbouring properties and avoid invasion of privacy of neighbours.

In the application you are fighting the applicant may have used their Planning, Design and Access Statement (see section 2.2) to reassure the council that they have taken steps to minimise overlooking. They may outline exactly where windows are intended, to illustrate that they will not overlook. They may also cite any existing screening that provides privacy for neighbours from the new development. You will need to consider what they say here and contest any false claims.

- Consider where the proposed windows will be and work out whether the proposed development will overlook any part of your property. This applies as much to gardens as houses, as gardens are considered an amenity which you have the right to quiet and private enjoyment of.
- If you have concerns about specific windows in the proposed development, state which ones, as in the worst case scenario you may be able to ensure that these are either repositioned or fitted with obscured glass.
- Will the proposed development overlook any other property that surrounds it? If a neighbouring property is affected more than your own, you may be able to ask your neighbour to lodge a stronger objection than yours (see section 5 for more details on how to involve your neighbours.)
- Consider whether the applicant has gone to such lengths to address issues with overlooking that they have made the proposed building uninhabitable. Would the number of windows be limited, or would many of them need to be glazed? If so would future occupants of the property have sufficient natural light?
- If any claims about existing screening have been made by the developer, would this existing screening be retained once construction is completed? Or could it become an unavoidable casualty in the construction process? Equally, could the new development result in the loss of the screening at some point in the future? I know of a case where a development was approved because a row of trees provided adequate screening, but when at a later date the roots of the trees started interfering with the resulting dwelling, the council was powerless to prevent their removal.



Human Rights Act

It may also be worth citing in this point of objection the responsibilities of the council under the Human Rights Act, in particular Protocol 1, Article 1. This states that a person has the right to peaceful enjoyment of all their possessions, which includes the home and other land.

Additionally, Article 8 of the Human Rights Act states that a person has the substantive right to respect for their private and family life. In the case of *Britton vs SOS* the courts reappraised the purpose of the law and concluded that the protection of the countryside falls within the interests of Article 8. Private and family life therefore encompasses not only the home but also the surroundings.

3.5 Overshadowing/loss of light

In the application you are fighting the applicant may also have used their Planning, Design and Access Statement to reassure the council that the extent of the proposed physical spacing between the new development and existing buildings would ensure that there are no significant overshadowing issues to be considered. This is something you should double check yourself against the site measurements - developers will always claim that there is sufficient space between buildings.

If you feel you have grounds to object here, you should once again quote any relevant planning policies set by your council and then state how you feel the proposed development contravenes them. If the proposed development is at a close proximity to your own, you may want to cite the precise measurements to illustrate your point.

Any grading of the land is also relevant here. If the development is on land higher than yours, the close proximity combined with the height may mean that it would substantially overshadow your property.

It is also worth considering the orientation of your property and the proposed development to the sun. Does the sun rise and set in such a way that your property would be afforded less natural light should the development go ahead?

It is important to remember that planners are not concerned with the loss of an acquired right to light. A right to light is generally 'acquired' when light has been enjoyed through a defined aperture of a building for an uninterrupted period of 20 years. Rights to light in principle are civil matters between neighbours and are independent of the planning system.

In planning terms, a property owner has the right to a certain amount of light, but not to all of the light that was once enjoyed. Planners are concerned only with whether a development would lead to an unacceptable loss of light. You may want to ask your local planning department for guidance about what would be considered an unacceptable loss of light according to their policies.

3.6 Highway safety, inadequate parking and access

Highway safety is obviously a priority for councils but inadequate parking is less so, as councils are generally under pressure to reduce the number of cars on the road and encourage more people to cycle or use public transport. However there is no getting away from the fact that more buildings equals more cars, so issues with inadequate parking would inevitably put more of a burden on highway safety.

You should consider whether there are any potential issues here that you should raise. Your council is likely to have parking guidelines that set the minimum level of car parking that new developments should offer, according to their size. You should check that the proposed development will meet these. Take into account that any loss of on-road parking will counteract any new spaces created. If the proposed development is likely to generate a significant increase in the amount of local traffic, any loss of on-road parking could mean the loss of a valuable residential amenity.

Accessibility of parking is also an important issue to consider. Does the development plot size and orientation lend itself to accommodating more cars, or will any spaces created lead to potential highway safety issues from people trying to squeeze their cars into an inadequate space?

3.7 Ground stability and drainage

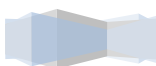
Your council is likely to have policies regarding development on unstable land. Here, the main aims at the planning stage are to minimise the risks and effects of land instability on property, infrastructure and the public.

If you have any concerns about the impact the proposed works could have on the stability of your property or the surroundings you should include this as an objection. For example the land concerned may be graded or sloping in some way, or perhaps subsidence is a concern. Any excavation work could have a serious adverse impact upon the stability of the existing structures and you should point this out.

If the land is sloping in any way you may also have concerns about drainage that you wish to raise. In my experience the planning officer will often ask the water authority to inspect the plans for potential issues, but it can't hurt to raise any concerns you have here.

3.8 Non-compliance with other council planning policies/government planning guidance

You will now have detailed most of the areas of council and government planning policy that you consider the proposal to contravene. However, there may be other policies that you have discovered, or indeed that the applicant has identified in their favour in their Planning, Design and Access Statement, that you have not addressed within the context of your points of objection. You could include any such points here. See section 2.2 for some sample text that may be useful here.



4. Writing your objection letter

Once you have thoroughly researched the planning proposal and investigated all the key areas you wish to object to, you can start forming your letter. One of your main goals with the letter is to make the case officer's job as easy as possible for them. If all goes to plan they may well be reading through dozens of letters like yours so you should keep your letter succinct and speak in their language.

Remember the case officer can only work within the policies and guidelines set by the council, so it is important that any points you raise are relevant to these. Referring to non-planning issues will just make the letter longer, undermine your case, and take up more of the case officer's time.

Opening

You should address your letter to the case officer listed on the Notice of Planning Proposal and you will need to reference the planning application number and address. In the opening paragraph state clearly the reason for your letter and the level of your concern, and then move quickly onto listing your specific points of objection.

Body

List your points of objection in order, starting with the strongest first, and explain the reason for each objection. Number your points for ease of reference and use subheadings to make your separate points clear. With each point, you should quote any related council policy. Differentiate this text from the main body text of the letter so that it is clear when you are quoting something.

Concluding

Once you have listed all your points of objection, quoted the council planning policy that each relates to and explained the reason for each objection, you need to conclude your letter. You may wish to bear the worst case scenario in mind here. If the worst comes to the worst and the application is approved, are there any measures you would want the council to take to make the duration of the works more bearable for you? It may be worth asking the council to consider using its powers to enforce controlled hours of operation and to ensure that consideration is given to how and where construction vehicles and staff would gain access to the site for unloading and parking without causing a highway hazard or inconveniencing neighbours. Conditions need to be included in the approval notice for a planning application if they are to be legally binding so it is important that you make any such requests at this stage. They do not weaken the objections you have made.

You should finish by formally requesting that the council take your objections into consideration when deciding the application. If appropriate, you may also wish to extend an invitation for a representative of the planning department to meet you at your property (perhaps during their site visit) to allow you to illustrate your objections at first hand.

The sample letter in section 10 illustrates all of the points outlined above, and can be adapted to suit your needs.

Your comments made public

Many councils make comments on a planning application open to public view, both in person and via their website. Remember that this means the person making the application will be able to view your comments so only include information that you are comfortable with them seeing. The positive side of this is that you can also view other people's comments on the application which may provide you with an idea about the level of support for your position.

5. Getting support for your position

Most councils will accept your comments on a planning application either by email, fax or letter. You may prefer to email your letter for convenience but I have always found a formal letter to be more effective. This way you can also retain control over how many letters are sent. By this I mean that your next task is to get as many of your neighbours as possible to object to the application as well. Individual letters are more effective than a petition and demonstrate the weight of local opposition.

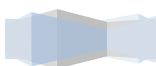
As you have put so much research into your letter, it is likely that you have made the strongest case possible, so you may want to ask your neighbours if they would be willing to sign a copy of your letter. Simply reproduce your letter with their address at the top, ensure you amend any points that may not apply to them in the way you've worded it, or add any specific objections they may be able to make that you cannot, and leave space for their signature and name at the bottom. Then all they have to do is sign.

Alternatively you may feel that personalised letters would more effective – you could provide your neighbours with a copy of your letter to help give them some guidance, or point them in the direction of this Ebook!

6. Final tasks

You may wish to contact the case officer when the publicity deadline is approaching to check whether they want to view the site from your property at any time during the site visit. This is primarily so that you can check that a site visit will definitely be taking place, but also because I have often found that the planning officer is likely to have had some time to consider the application by now and will sometimes be willing to give you a steer at this point about which way they are thinking.

You can ask the council to acknowledge receipt of your objection letter and you can also ask that they notify you when a decision has been made on the application (you may need to provide them with a stamped addressed envelope). It is in your interest to be notified as soon as a decision has been made because if the planning officer is minded to approve the application, you will need time to prepare for the next step (see section 7).



7. Taking it to the Planning Board

One of the key reasons for involving your neighbours in objecting to a proposal is because the level of objections received by the council will dictate how the proposal is determined. If a planning officer is minded to approve an application but a sufficiently high number of objections have been received then the proposal must also go before the Planning Board for consideration.

Under the written constitutions that most councils work in line with, decisions on most planning applications are delegated to planning officers. The Planning Board, made up of elected councillors, decides on larger or more controversial applications. Any application where the planning department has received a significant number of letters of comment or a petition bearing a significant number of signatures (speak to your local planning department to find out how many this is in your area), and where these conflict with the planning officer's recommendation, may be put forward for determination by the Planning Board.

Anyone who has objected is informed of this and is given the opportunity to speak at the meeting, to put their case forward.

Getting the support of your local councillor

It may be worth asking your local ward councillor for their support as they can make a formal request for a planning application to be put forward for determination by the Planning Board. If you don't think you'll be able to get enough objections together to ensure that this happens anyway, your councillor may be willing to do this on your behalf.

On your council's website you should be able to find a list of councillors to help you identify which councillor/s represent your ward and what their contact details are. If there is more than one, it is worth checking their names against the members of the Planning Board. If your councillor is also on the Planning Board they will be in a much better position to support you and provide helpful advice and guidance.

Applying to speak at the Planning Board

If you feel strongly enough that you wish to make your case to the Planning Board, you should submit a written (or email) request to speak at the meeting. You will need to find out the date and time of the meeting and what the deadline is for making such a request (generally about a week before the meeting).

Prepare what you want to say before hand to make sure you cover all your points. The case officer will have submitted a detailed report regarding the application, and this may provide you with useful points of reference. You can also submit your own supporting information to the Planning Board in advance of the meeting.

At the meeting, you will probably be allowed to speak for five minutes, with up to three speakers allowed. Just like your objection letter, you should keep your presentation short and succinct. Stick to the time limit and confine your comments to material planning considerations (see section 3).

8. Appeals

A developer submitting a planning application can appeal to the Secretary of State if they disagree with a planning application decision. Unfortunately an objector has no such right of appeal. If you are dissatisfied and feel that the council has acted illegally, irrationally or with procedural impropriety when making a decision, you may be able to appeal to the Ombudsman. However the Ombudsman will only look at a case if you have given the council the opportunity to review your concerns first.

9. Useful websites

Planning Aid

Planning Aid provides free, independent and professional town planning advice and support to communities and individuals who cannot afford to pay planning consultant fees. It complements the work of local planning authorities, but is wholly independent of them. Areas where it can offer advice include:

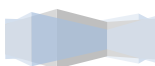
- Commenting on planning applications
- Understanding and using the planning system
- Participating in preparing plans
- Preparing your own plans for the future of your community
- Applying for planning permission or appealing against refusal of permission
- Representing yourself at public inquiries

www.planningaid.rtpi.org.uk

Communities & Local Government

Communities and Local Government sets national planning policy, ensuring that people have decent affordable homes in well-designed accessible environments while protecting the countryside.

Its website, www.communities.gov.uk contains useful planning information and guidance as well as factsheets about common areas of planning concern, such as privacy and overshadowing. There is also advice on planning permission, online applications and guidance on how the planning system works on its Planning Portal, www.planningportal.gov.uk You can use the Planning Portal to identify information about which Local Authority is responsible for planning in your area, the development plan for your area, contact details for your local authority and links to its website.



10. Sample letter

[Your details here]

[Date]

[Council address here]

Dear Mr/Mrs/Ms X,

RE: Planning Application XXXXXXXXX: [address of development site here]

We wish to make you aware of a number of strong objections that we have with regard to the proposed development of an additional property on open space to the side of [address of development site], application number referenced above. As an immediate neighbour to the site of the proposed development, we are of the view that the proposed development will have a serious impact on our standard of living. Our specific objections are as follows:

1. Detrimental impact upon residential amenities

District Wide Local Plan, Policy 4.19: Proposals for development should be of good design and respect the character of the surroundings. The Local Planning Authority will have regard for i) the appearance and treatment of spaces between and around buildings ii) the amenities of neighbouring residents.

District Wide Local Plan, Policy 6.2: Residential development will be permitted except ii) where it would demonstrably harm the character or appearance of an area or amenities enjoyed by local residents.

District Wide Local Plan, Policy 6.49: In determining applications for residential infill development, the LPA will take into account the form, size and character of adjoining development. An acceptably sized plot in a high density area may not be of acceptable size in a low density area typically characterised by larger properties built on substantial plots. The means of access should be both safe and convenient, and should not adversely affect the amenities of any existing residential property. Adequate provision should be made for car parking. There should be sufficient space between old and new buildings to maintain the amenity and privacy of adjoining houses.

District Wide Local Plan, Policy 6.8: Infill residential development will be permitted in appropriate locations subject to detailed considerations including density, height, site coverage, means of access, landscaping, physical considerations, open space and parking provision. New developments will be expected to (i) complement and respect the character and amenity of neighbouring developments ii) provide a high standard of layout and design that ensures adequate privacy for the occupants of the building and of adjacent residential properties (iii) provide a pleasant and safe residential environment

We believe that the proposed development is a direct contravention of these policies. It does not respect local context and street pattern or, in particular, the scale and proportions of surrounding buildings, and would be entirely out of the character of the area, to the detriment of the local environment. The properties along X Road are typically characterised by large plots with large spacing between. The proposed dwelling would be just 1m from X X Road and just 1m from the boundary with X X Close. Access to the rear of X X Road and the new proposed property would be extremely limited. The proposed dwelling is a three storey detached house, yet its proportions are smaller than the neighbouring semi-detached property and a great deal smaller than the neighbouring detached property. The proposed dwelling incorporates an external porch unlike any other neighbouring property, so the scale and design of the development will be entirely out of keeping.

The proposal would demonstrably harm the amenities enjoyed by local residents, in particular safe and available on-road parking (see point 6), valuable green space (see point 3), privacy (see point 5) and the right to enjoy a quiet and safe residential environment.

2. Need to avoid town cramming

District Wide Local Plan, Policy 4.25: The Local Planning Authority will require that, where necessary, development proposals include sufficient land for planting and landscaping.

District Wide Local Plan, Policy 4.51: The appearance and treatment of the spaces between and around buildings is also of great importance. Where these form part of an application site, the landscape design will often be of comparable importance to the design of the buildings and should likewise be the subject of consideration, attention and expert advice. The aim should be for any development to result in a benefit in environmental and landscape terms

District Wide Local Plan, Policy 6.52: In re-using land in the existing built up area the Local Planning Authority will attempt to balance the demand for housing provision with the need to avoid town cramming. The appropriateness of residential redevelopment will depend on the social, environmental and economic characteristics of the site and the local area.

We believe that the proposed development is a direct contravention of these policies. The proposed dwelling would significantly alter the fabric of the area and amount to serious ‘cramming’ in what is a low density road (see point 1). The applicant states that the proposed dwelling would have a large garden, but the nature and orientation of the plot means that the garden would actually be very small for a three-storey dwelling, particularly compared with the large plots typically enjoyed by the surrounding properties. The proposal allows very little space for landscaping and we believe that it would lead to gross over-development of the site. The proposed development would not result in a benefit in environmental and landscape terms, to the contrary it would lead to the loss of valuable green space.

3. Protection of valuable open space under TPO

We have grave concerns about the adverse effect the proposed development would have on a large English Oak tree under TPO. Our concerns relate to:



a) the impact upon the crown of the oak and its future growth. Having reviewed the tree survey submitted with the planning application, we believe some of the information supplied to be incorrect, in particular the claim that pruning will not be required and is unlikely to be required in the future. The crown of the tree is so close to the back of the proposed dwelling that it would actually foul the building, and constant subsequent pruning of the tree would be required. This is clearly evident when the land is viewed along the building line from the rear of our property (please see enclosed photo) and we would welcome a visit from the planning officer or tree officer to illustrate this at first hand. The proposed dwelling incorporates windows only to the front and rear of the property. But the rear of the property is heavily covered by the oak tree which will allow little natural light into the property. We seek reassurance that, if the proposed development is approved, future occupants of the new development would not have the right to request the removal or pruning of the protected tree or other trees vital to the character of the area to increase the amount of natural light the proposed property would receive. We feel that the proposed development makes no consideration for the living standards of future occupants of the development, which would enjoy little natural light when the surrounding protected trees are in full leaf.

b) the potential damage that heavy excavation equipment and the extent of excavation for the development would have on the root system of the tree and those of two neighbouring oaks also under TPO. The tree survey indicates that the root system of the tree would reach beneath the proposed dwelling, therefore we also have concerns about the effect that the roots could have on the foundations of the property in the future and requests to remove the tree that might stem from this.

One of the council's broad aims set out in the **District Wide Local Plan** is to protect or enhance the local environment including wildlife habitats, trees and woodland. The woodland concerned is a wildlife haven for many birds and animals and the oak trees under TPO add significantly to the amenity of the area.

District Wide Local Plan, Paragraph 6.11: It is important that development of vacant urban land should not involve the loss of valuable open space. Furthermore, sensitive planning control is necessary to ensure that the cumulative effects of redevelopment do not damage the character and amenity of established residential areas.

Green open space is in scarce supply in our area and this woodland site and the trees on it provide a valuable contribution to the street scene and area and are an amenity for local residents.

4. Ground stability and drainage

District Wide Local Plan, Paragraph 3.57: Government guidance on land stability contained in PPG14 'Development on unstable land' states that the principle aims of considering land instability at the planning stage are to minimise the risks and effects of land instability on property, infrastructure and the public, and to assist in safeguarding public and private investment by a proper appreciation of site conditions and necessary precautionary measures

District Wide Local Plan, Paragraph 3.60: The structure plan acknowledges that the stability of land can have significant implications as to what form of development is appropriate or could be considered. There are circumstances where the instability of land may preclude certain types of development, and implementation policy B requires that when preparing local plans and determining applications for development the local planning authorities should take into account the stability of the site and its surroundings.

District Wide Local Plan, Paragraph 3.62: certain areas of the borough have been identified where particular consideration of instability will be needed, in particular land that is graded and subject to subterranean water flows.

We have serious concerns about the impact the proposed works could have on the stability of our property. The land is steeply graded, and subsidence is already a concern with the existing properties at X and X X Road. Any excavation work could have a serious adverse impact upon the stability of the existing structures. In addition, proposed necessary works to X X Road, including the relocating of two large windows, will involve substantial works including the removal of a chimney flue on the rear of the house. The works will also require the demolition of a large support structure incorporating a balcony from the side of X X Road. These are major works to be carried out on a circa-1930s property and we have serious concerns about the impact that such works could have on the stability of our own adjoining property.

The land in question incorporates a steeply sloping bank and was once the site of a stream. Significant moisture in our garden leads us to believe that there may still be some form of watercourse running beneath the land. We have concerns about the impact of the proposed development on surrounding properties in terms of drainage as well as ground stability.

5. Loss of privacy and overlooking

District Wide Local Plan, Policy 6.8: New developments will be expected to (ii) provide a high standard of layout and design that ensures adequate privacy for the occupants of the building and of adjacent residential properties.

The proposed site of development is at such an angle that the primary amenity area of our garden, a raised terrace with seating, would be severely overlooked from the top rooms of the new development, resulting in a serious invasion of our privacy.

We believe that the proposed development is a direct contravention of Policy 6.8 of the District Wide Local Plan. The design of the proposed development does not afford adequate privacy for the occupants of the building or of adjacent residential properties, particularly with regard to their right to the quiet enjoyment of garden amenities. We would urge you to consider the responsibilities of the council under the **Human Rights Act** in particular **Protocol 1, Article 1** which states that a person has the right to peaceful enjoyment of all their possessions which includes the home and other land. We believe that the proposed development would have a dominating impact on us and our right to the quiet enjoyment of our property. **Article 8** of the Human Rights Act states that a person has the substantive right to respect for their private and family life.



In the case of Britton vs SOS the courts reappraised the purpose of the law and concluded that the protection of the countryside falls within the interests of Article 8. Private and family life therefore encompasses not only the home but also the surroundings.

6. Inadequate parking and access

District Wide Local Plan, Appendix 4: According to the parking guidelines set out in this document, a three bedroom house in general residential development is required to have parking space for a minimum of two cars, provided that there is access to a further unassigned space nearby. We believe that the proposed development does not provide sufficient parking space to meet these requirements. In addition to this, there is already intense on-street parking pressure on X Road, and we believe the proposed additional parking provision will damage both highway safety and residential amenity.

The driveway at X X Road currently already accommodates two car spaces. Although the submitted plans detail two off road parking spaces, the changes to the driveway layout detailed in the proposal would entail the loss of a further existing much-used on-road parking space. Therefore instead of two off-road spaces for one property and one on-road parking space, there would only be two off-road spaces now divided between two properties with potentially double the amount of traffic. Parking is already an issue on the road as none of the other properties have off road parking, so the loss of a current on-road parking space will mean the loss of a valuable residential amenity.

We also have serious concerns that the plot size and orientation will not easily accommodate cars in the layout proposed. The area concerned is a corner plot, and when a car is parked outside X X Road, this car combined with the lamppost situated between the two proposed spaces would make access to the proposed spaces very limited and only possible from one direction.

As X X Road is a let property containing five let bedrooms, the property already generates significant parking demand. The increased demand that the proposed new development would add to this, combined with the restricted access issues outlined above, will present a serious threat to highway safety.

7. Non-compliance with other District Wide Local Plan policies

District Wide Local Plan, Chapter 2.13, Objective 4: *To protect or enhance the local environment, including wildlife habitats, trees and woodland parks and gardens, urban open space, water resources, the coastline and the green belt.*

The applicant states that the development is considered relevant to an objective stated in Chapter 2, however, we consider the proposed development to be a direct contravention of the above objective from the same chapter.

District Wide Local Plan, Chapter 6, Objective 4: *To enable the provision of affordable housing to meet local need and to ensure that the housing will continue to meet that need in perpetuity.*

The applicant states that the proposed development supports the council's above objective with regard to affordable housing. But we would like to point out that the dwelling proposed would not fall within the definition of affordable housing. House prices in the area are typically in the region of around £200,000, and as the new development would inevitably be priced at a value with reference to this we do not believe the new dwelling would be considered to be affordable to people on a low income.

District Wide Local Plan, Chapter 6, Objective 5: To ensure that the new housing development on infill sites is appropriate and takes account of the characteristics of each site.

The applicant states that the development is considered to be applicable to objectives listed in Chapter 6, however, we consider the proposed development to be a direct contravention of the above objective from the same chapter. See points 1 and 2.

8. Non-compliance with Government guidance

Government Planning Policy Statement PPS1, Paragraphs 17 – 19: The Government is committed to protecting and enhancing the quality of the natural and historic environment, in both rural and urban areas. Planning policies should seek to protect and enhance the quality, character and amenity value of the countryside and urban areas as a whole. A high level of protection should be given to most valued townscapes and landscapes, wildlife habitats and natural resources.

Government Planning Policy Statement PPS3: Housing, Paragraphs 13-14: Good design should contribute positively to making places better for people. Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted. LPAs should encourage development that creates places, streets and spaces which meet the needs of people, are visually attractive, safe, accessible, functional, inclusive, have their own distinctive identity and maintain and improve local character.

We believe the proposal to contravene this guidance as it is to the detriment of the quality, character and amenity value of the area, as outlined in the points above.

In conclusion we would also like to request that, should the application be approved, the council consider using its powers to enforce controlled hours of operation and other restrictions that might make the duration of the works more bearable. The proposed site of development is very small and contained, with no road frontage, so we would ask that consideration be made about how and where construction vehicles and staff would gain access to the site for unloading and parking without causing a highway hazard or inconveniencing neighbours.

We would be grateful if the council would take our objections into consideration when deciding this application. We would welcome the opportunity to meet with a representative of the planning department at our home to illustrate our objections at first hand.

Sincerely,



11. Sample reasons for planning refusals

Please find to follow some real examples of reasons given by councils for refusing planning applications:

The proposed development by reason of its size, depth, width, height and massing would have an unacceptably adverse impact on the amenities of the properties immediately adjacent to the site and the surrounding area by reason of overlooking, loss of privacy and visually overbearing impact.

The site access proposals are not in accordance with acceptable standards and would lead to potential safety hazards.

The proposals for internal circulation within the site are unacceptable and will create conflicts between pedestrians, cyclists and vehicular movements thereby creating a safety hazard

The proposed extension, by reason of its size and siting, would have an adverse impact on the scale and character of the dwelling.

The proposed extension, by reason of its size and siting, represents an un-neighbourly form of development that would have an adverse impact on the amenity of neighbouring properties by reason of an overbearing effect.

The proposed extension, by reason of its siting, would result in an unacceptable loss of privacy, adversely affecting the amenities enjoyed by the occupier of the adjacent dwelling house.

The proposed extension would be out of keeping with the design and character of a pair of semi-detached cottages.

The proposed extension, by reason of its scale and bulk, would be out of keeping with the design and character of the existing dwelling, and would have an adverse effect on the visual amenity of the area as a whole.

The proposal reduces the amount of legitimate car parking on the site to an unacceptable level.

The proposal could lead to vehicles overhanging the adopted highway verge/road to the detriment of other road users.

The proposed extensions, by reason of their size, siting and design would represent an un-neighbourly form of development, detrimental to the amenities of the occupiers of adjoining residential property, particularly by reason of the overbearing effect.

The site is located in a predominantly residential area where occupiers could reasonably expect a level of amenity concurrent with the property. The use of the property as a XXXXXXXXXX introduces a diverse element that by reason of the use is likely to result in noise, disturbance and nuisance to the detriment of neighbour's residential amenity.

The layout and siting, both in itself and relation to adjoining buildings, spaces and views, is inappropriate and unsympathetic to the appearance and character of the local environment.

Insufficient parking space will adversely affect the amenity of surrounding properties through roadside parking on this narrow lane/busy junction.

The mass, bulk and proximity of the rear elevation would present an overbearing and intrusive element to those neighbours at the rear of the property.

The proposed parking for the development resulting in overspill parking in XXXX Road, on a bend in the road, which reduces the available road width to the detriment of road safety.

The close proximity of a two storey house with the incorporation of the mature oak trees into the garden area create a cramped building to tree relationship which is likely to place detrimental long term pruning pressures on both specimens arising from concerns by future occupants over issues including the size of the trees, safety and overshadowing. Because the likely adverse effect would detract from the prominent visual quality of these trees the proposed development does not comply with policy.

The erection of a two-storey end of terrace house in advance of the building line of neighbouring properties is out of character with the layout of development in the area and thereby detrimental to residential amenities.

The formation of an on-site hard standing area with a dropped cross over for six vehicle spaces is out of keeping with the established character of the surrounding area which mostly consists of traditional front gardens with grassed area.

The proposal by reason of the overall floor area created and in the absence of any very special circumstances would lead to an inappropriate form of development in the Green Belt, detrimental to its open, rural and undeveloped character.

The proposal by reason of its siting would lead to a fragmented form of development along the frontage of XXXX Lane out of keeping with and detrimental to the character and appearance of the area and would be harmful to the open, rural and undeveloped character of the Green Belt.

The proposal represents an inappropriate form of development within the Green Belt and in the absence of any special circumstances would by its inappropriateness have a harmful impact on the open, rural and undeveloped character of the Green Belt.

The proposed layout would give rise to a relationship between the protected trees, the living accommodation and external amenity area that would be considered to be both cramped and oppressive, such as to result in a poor outlook from habitable accommodation and a poorly lit, heavily shaded and uninviting rear garden. This impact would be considered to give rise to pressures to prune the canopies of the protected trees and thereby undermine the amenity value of the trees and their subsequent contribution to the appearance and character of the area.

The built layout proposed could give rise to significant severance of the root stock of the protected trees due to the footprint of the building and retaining wall.



Thank you for downloading this Ebook, I hope you found it useful. If you haven't already done so and you think the book was good value, I would be very grateful if you would make a donation of £2.99 via the 'donate' button on the website, www.howtoobjecttoaplanningapplication.com . Please also let me know if you have any comments by completing the feedback form on the website. And finally, may I wish you the very best of luck with your planning battle!