

AN ADVISORY LEAFLET TO HELP YOU MAKE YOUR VIEWS KNOWN AT THE RIGHT TIME

• INTRODUCTION

Public comments on development proposals are encouraged and welcomed by the Government & the City Council whether for small scale developments e.g. house extensions, or for large scale proposals affecting a whole locality. This leaflet explains how you can best put your views forward on planning applications so that they can be considered before a formal decision on the proposals is made.

• CONSULTATION PROCESS

You may have received a notification letter because you either adjoin the application site, have shown interest in the proposal/site previously or it has been assessed that the proposal has potentially wider local interest. In certain circumstances notification is also undertaken though site notices displayed close to or on an application site and through statutory notices in the local newspaper.

Before making your observations you are advised to view the application documents online at www.coventry.gov.uk/planning free access to the internet is available at Local Library's and through one through our Customer Service Centre at Broadgate House.

If you need to speak with the officer dealing with the application then they can be contacted by telephone, or email. The name of the Case Officer and their contact details are given on all notification letters and site notices.

• INDEPENDENT PLANNING ADVICE

Planning Aid offers a wide variety of guidance notes which are free to read and download from <http://www.rtpi.org.uk/planning-aid>

- **PUTTING YOUR COMMENTS IN WRITING**

Unless comments are received in writing they will not be taken into consideration in the determination of a planning application. You are advised to formally put your views in writing through our [online planning record](#) (using the comment tool). Written comments can also be emailed to Development Management. You must include the planning reference number on any comments that are not made through the online system. Comments received will be taken into consideration in the determination process but individual responses to queries raised in letters will not be responded to.

Please include the reference number and site address on any comments made.

Due to the high number of letters and emails we receive relating to planning applications and the level of resource we have available we are unable to review all letters to remove the personal data. There is no legal requirement for letters to be displayed on our website, however to ensure a transparent process letters can be made available upon request. However if there are a high number of letters on a particular application it could take a few days for us to carry out the process of removing the personal data and providing the information.

- **THE DATA PROTECTION ACT 2018**

Coventry City Council processes a considerable amount of information, including personal data about the citizens it serves, to allow it to provide services effectively. The Council recognises that this information is important to their citizens and that it has a responsibility to these citizens regarding the information it holds about them. As such, it takes seriously its responsibilities to ensure that any personal information it collects and uses is done so proportionately, correctly and safely.

How we use your personal data and who it may be shared with can be found in the Council's Privacy Policy.

The Data Protection Act 2018 and General Data Protection Regulations sets out rules for processing personal information which Coventry City Council has to keep to when using your personal information.

- **TIME LIMITS WHEN MAKING A DECISION**

The City Council is required to make a decision on an application within a set timescale - normally 8 weeks. Therefore there is a time limit for making your views known and the date before which your representation should be received is given in the covering letter - this is known as the notification period. However any views received before a decision is made will be taken into account.

It is helpful if you give some reasons why you support or oppose the proposal. However those comments must be relevant and based on planning matters.

- **HAVING YOUR SAY AT PLANNING COMMITTEE**

Most applications are determined under delegated powers (i.e. by officers). However, where there are more than 5 written representations, which conflict with the officer's recommendation, applications are normally considered by the Planning Committee.

The Council's Constitution sets out the full requirements for delegated powers.

Planning Committee meetings are usually held every three weeks on a Thursday afternoon in the Council House. The meetings are open to members of the public. Any written comments you make will be included in the written report if the application is to be considered by the Committee.

If you have made written representations on a planning application (sent to the Development Management Team) within the consultation period and wish to speak at the Committee then you must contact the Committee Officer on 024 7683 3198 or 024 7683 3166 up to 48 hours before the meeting.

Once you have registered your intention to speak, you will be contacted by the Council to confirm the Committee arrangements. You will be provided with access to a copy of the Officers report.

At the meeting the Chair will invite speakers to address the meeting for a maximum of 3 minutes each. Any objectors will go first, followed by those in support and finally the applicant or their representative.

- **HOW ARE DECISIONS MADE**

Every decision will be made taking into account the following factors:

- ☐ whether the proposal complies with the development plan;
- ☐ the individual merits of the proposals;
- ☐ any relevant comments from consultees.

Your views are therefore only one aspect that is considered and may not override other factors. In law the decision must be made in accordance with the development plan unless material considerations indicate otherwise. Furthermore Government advice is that there should be a general presumption in favour of development unless there are overriding planning objections to it.

- **AFTER THE DECISION**

Once a decision is made only the person making the application has the right to appeal either against a refusal or any condition imposed on a permission. **Neighbours and other interested parties have no right of appeal.**

Appeals against refusal or conditions in relation to NON-HOUSEHOLDER applications
If an appeal is made then an inspector nominated by the Planning Inspectorate will consider the matter. If you commented on the original planning application then you will be informed of the appeal and be invited to make representations to the Planning Inspectorate.

In the event of an appeal we will send unredacted neighbour comments to the Planning Inspectorate and the applicant/agent when the applicant makes an appeal against a decision.

If you change your mind at any time, you can let us know by emailing: planning@coventry.gov.uk. The council has one month to comply with your request to withdraw consent for your neighbour comments to be shared. However, in respect of Planning Appeals, please note that once your neighbour comment is sent to the Inspectorate and to the Parties to the Appeal the Council will not be able to comply with your request to withdraw the comments so you must notify us before the appeal process commences. Although the Council aim to control the data it processes, once the neighbour comment has been sent to the Parties to the Appeal, they will have viewed the information and there is no way of reversing this.

If planning permission is refused for householder or minor commercial development, any representations made about this application will be sent to the Secretary of State, and there will be no further opportunity to comment at the appeal stage. You will be told of this at the time the appeal is made and you will be able to withdraw comments if you wish.

For detailed information on planning appeals please visit the [planning portal appeal pages](#).

- **Appeals against refusal of planning permission for householder development**

A new procedure is now in place for appeals against the refusal of householder planning applications, in the event of an appeal against a refusal of planning permission, which is to be dealt with on the basis of representations in writing, any representations made about this application will be sent to the Secretary of State, and there will be no further opportunity to comment at appeal stage. You will be advised of this again at the time the appeal is made.

In the event of an appeal we will send unredacted neighbour comments to the Planning Inspectorate and the applicant/agent when the applicant makes an appeal against a decision.

If you change your mind at any time, you can let us know by emailing: planning@coventry.gov.uk. The council has one month to comply with your request to withdraw consent for your neighbour comments to be shared. However, in respect of Planning Appeals, please note that once your neighbour comment is sent to the Inspectorate and to the Parties to the Appeal the Council will not be able to comply with your request to withdraw the comments so you must notify us before the appeal process commences. Although the Council aim to control the data it processes, once the neighbour comment has been sent to the Parties to the Appeal, they will have viewed the information and there is no way of reversing this.

If planning permission is refused for householder or minor commercial development, any representations made about this application will be sent to the Secretary of State, and there will be no further opportunity to comment at the appeal stage. You will be told of this at the time the appeal is made and you will be able to withdraw comments if you wish.

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COMMENCEMENT OF WORKS

Once the development has commenced or is complete, if you believe it is not in accordance with the approved plans or conditions then please email or telephone the Planning AdvisoryDeskplanning@coventry.gov.uk(Direct Dial 024 7683 1212) and an officer will check thesituation. This may require a visit to the site. Your request for us to investigate will be kept confidential and we will get back to you advising you of the action the Council propose to take.

MAKING A COMPLAINT

If you feel the proper procedures have not been followed by the City Council in making the decision then you can make a formal complaint through our online compliments, comments and complaints form. If you are unhappy with the way the City Council investigates your complaint yo can ask the Local Government Ombudsman to investigate whether maladministration has occurred. The Ombudsman however cannot consider the planning merits of the proposal. Further details are available from the Local Government Ombudsman or by contacting the Place Business Support Manager on 02473862716.