

'How To Guide' (5)

A Guide to Comments on applications

How planning notifies neighbours is detailed on pages 3 – 4

For information on planning appeals please see page 4

It is important to read the following information before submitting your comments:

PERSONAL DATA REFERRED TO IN THIS GUIDE IS: SIGNATURE, PHONE NUMBER(S) AND E-MAIL ADDRESSES(S) ONLY. IT DOES NOT INCLUDE YOUR NAME OR POSTAL ADDRESS WHICH IS REQUIRED BY THE COUNCIL IN ORDER TO ACCEPT AND REGISTER YOUR COMMENTS. IT IS NOT POSSIBLE TO SUBMIT COMMENTS ANONYMOUSLY.

ALL COMMENTS RECEIVED BEFORE THE 14.11.16 WILL BE AVAILABLE TO VIEW IN FULL AT THE CUSTOMER SERVICE CENTRE. HOWEVER, ANY COMMENTS THAT WERE SUBMITTED VIA OUR WEBSITE WILL ALSO BE AVAILABLE TO VIEW ONLINE BUT WITH PERSONAL DATA OMITTED. PLEASE REFER TO THE GUIDANCE BELOW IF YOU WISH TO HAVE ANY PERSONAL DATA REMOVED FROM ANY OLDER COMMENTS SUBMITTED.

From the 14th November 2016 all neighbour comments will be available to view online regardless of how they are submitted (letter, e-mail or via the website). All personal data as detailed above will not be displayed.

If you have submitted comments in the past and have not omitted personal data you can request that this information is removed. Please e-mail planning@bedford.gov.uk requesting that your personal data is removed with an e-mail attachment of your comments omitting your signature, e-mail address and / or telephone number.

Officers will not respond directly to comments but will summarize them in the relevant officer report however, only [material planning considerations](#) will be taken into account. Anything you wish to be considered must be publicly available. Please note that the Council will not publish or take into account any document which includes comments that may reasonably be considered to be of an offensive or discriminatory nature. The Council must not publish material which would conflict or be perceived by others to conflict with the Council's duty to promote equality and challenge all forms of discrimination, to have regard to the need to advance equality of opportunity and foster good relations between persons of different characteristics, and to eliminate unlawful discrimination. Whilst a person may not intend comments to be offensive or discriminatory, the Council has a legal duty to consider the content of all material it receives and must ensure that it stays within the law.

Please do not send any communications which fall into this category as the Council will remove and reject them at the earliest opportunity. You should also be aware that you may be committing an offence by sending such material and may be prosecuted.

Please submit your comments by the following methods:

Online, by e-mail to planning@bedford.gov.uk or in writing to Planning Services, Bedford Borough Council, 4th Floor, Borough Hall, Cauldwell Street, Bedford, MK42 9AP. Please put at the beginning of any correspondence if you wish to Support, Object or Comment, quote the application number and your full postal address.

To comment, view comments and track applications online:

If you do not have the application number, please refer to [‘How to Guide’ no2](#).

- If you do have the application number please go to www.bedford.gov.uk/searchplans
- Click on ‘TO VIEW AND COMMENT ON PLANNING APPLICATIONS from 1995’
- Type the application number within the ‘Application Reference’ section and click on ‘Search’.
- Please then refer to the relevant option below:

1. How to comment on a pending application online:

Please click on the ‘Comments tab’ OR click on the ‘Make a Comment’ button.

(You will need to register the first time you submit comments online). Please fill out the details requested and click on ‘submit’. The system will send you an acknowledgement containing further details. Now you are registered you can track applications and save searches. *Please note: dependent on settings in your browser about inactivity on websites, your computer may throw you out of the system if you take too long to compose your response. If this is likely to be lengthy, it is advised you write in Word or similar and cut and paste into the comments box.*

- 2. Commenting on an application that has been determined** is not possible. Please refer to all the details online including the Officer report and Decision notice, by clicking on ‘Documents’ followed by ‘View Associated Documents’. For Committee Reports refer to ‘How To Guide’ no3. If something is not being built in accordance with a permission, please see page 4.

3. How to view comments online from the 14th November 2016

Click on ‘Comments’ followed by ‘Public Comments’.

For any other application correspondence (which will include internal and external consultee comments) please click on ‘Documents’ followed by ‘View Associated Documents’.

4. To track the application

Use this option if you want to follow the progress of an application. Click on the ‘Track’ button near the top of the page on the right hand side. You will need to log in. The application details are now saved in your tracked applications section.

Applications can be determined by the Planning Committee or by the Officer as 'Delegated'. Please refer to the Scheme of Delegation on this [webpage](#), for more details.

How Planning Notifies Neighbours of Applications

The Planning legislation confirms that a site notice is sufficient for neighbour notification and therefore there is no requirement to send letters. A letter is not required for you to comment.

Our process is that, where relevant, each site is assessed for neighbour consultation on its own merit taking into account the relevant criteria detailed below. To do this we:

- Draw the outline of the site on our map as provided in red on the Location Plan by the Applicant / Agent.
 - Check the planning history and add any **relevant** properties who contributed to a previous application and then on the map, we select the **relevant** additional properties. **(See points 1 to 5 below for full details).**
 - Send out the first consultation letters to a postal address, as we are notifying the property not individuals.
 - An Officer will go out to view the application site, check neighbours and where relevant put up site notices.
1. We only add **contributors** i.e. those who wrote in about a previous application within the last 5 years where the red line boundary is the same as on the new application.
 2. We only **notify those properties who**: abut, adjoin or are opposite the site location. Exceptions to this are:
 - Single storey rear extension applications or Householder Prior Notifications where we do not consult those opposite.
 - Some types of applications do not require Neighbour notifications for example Trees in Conservation Areas, Discharge of conditions etc.
 - Prior notification submissions are not planning applications so the consultation requirements are different. [How To Guide no14](#) explains more about the processes and different types.
 - Schools, adverts and extraction units in a take-away etc. have a more bespoke criteria of those affected so this is checked with the Officers prior to sending out the letters.
 - **We only notify properties not land.** In rural locations site notices will usually be put up for this reason. **See point 3 for more details.** The properties must also be occupied as the Post Office will return letters as un-delivered for any unoccupied buildings.

3. Land and Property Ownership:

- Planning would not be aware of who owns empty fields / land which are adjacent or opposite to the red line boundary. So no letters would be sent.
- Planning would not be aware if someone owns a property but does not live there, so our letters state that if you are a tenant or lessee you must notify the owner / landlord about the letter you have received.
- Planning applications cannot be delayed whilst we write to Land registry to query who owns land/properties, which is why there is no requirement to do so.

4. In some circumstances, e.g. If the property falls within a Conservation area or the development is major or the property is Listed etc. we must put up a site notice and the application must be advertised in the local paper.

5. Online we have a weekly list of all applications received. Each application has a consultation list to detail who has been notified, which is online for applications received after Nov 2016. Click [here](#) to comment and view planning applications and the 'How To Guides'.

Planning Appeals

If an appeal is received on an application where neighbours were consulted the Local Planning Authority will send out letters on behalf of the Planning Inspectorate. Please note: not all appeals require a letter to be sent even if the planning application was consulted on. Any representations you wish to make on the appeal must be sent to the Inspectorate not Bedford Borough Council. For more details and information on appeals please refer to the link

www.bedford.gov.uk/environment_and_planning/planning_town_and_country/appeals.aspx

How to report if something is not being built in accordance with plans or the permission granted or doesn't have planning permission (if required)

Please go to www.bedford.gov.uk/planenforcement for more details