



Lewisham

Development in Lewisham

**A guide for
objectors to
proposed
development**

Why you have been notified?

An application for planning permission for a proposed development has been submitted to Lewisham as local planning authority which may affect you. This is your opportunity of having your say and giving the Council your comments on the proposed development.

What should you do now?

You should consider what the proposed development would be like on the application site. How would it look? Would there be traffic problems? Would it be noisy? Are there other concerns?

The application form together with any plans and drawings or other supporting details submitted with the application are available for inspection as follows:-

- The Lewisham web site at <http://acolnet.lewisham.gov.uk/lewis-xslpagesdc/acolnetcgi.exe?ACTION=UNWRAP&RIPNAME=Root.pgesearch> by entering in the application number e.g. DC/08/12345.
- The Planning Information Office in Laurence House between the hours of 9 am and 5 pm on Mondays to Fridays. The planning information officer will be able to help in reading the plans, if that would be useful to you. If you have any questions which cannot be answered by the planning information officer, you can phone, fax or e-mail the planning case officer. It will not usually be possible for planners to respond to written questions due to limited resources and heavy workloads.
- The Lewisham Reference Library on the second floor of Lewisham Library, 199-201 Lewisham High Street, Lewisham between the hours of 10 am & 5 pm on Mondays, 9 am & 8 pm on Tuesdays and Thursdays and 9 am & 5 pm on Wednesdays, Fridays & Saturdays and 1 pm to 4 pm on Sundays.

If you are housebound, have any queries you want answered, or want to find out who else has been consulted, please phone, fax or e-mail the planning case officer.

Having your say

What to do if you object

Your objections need to be made in writing, either by letter or fax sent to the planning office or by e-mail including your full postal address to planning@lewisham.gov.uk by the date given in the consultation letter. **Please print your name, do not sign it.** Objections received after that date will still be taken into account, providing the application has not been determined. You may also send a copy of your objection to your Ward Councillor or local residents group. Please contact the planning office for their details. **All written comments received by the Council will be in the public domain and cannot be treated as confidential. Anonymous comments will not be considered by the Council.** Objections need to be planning considerations.

What are Planning considerations?

- Substantial damage to the amenities of residents caused by noise, disturbance, smell, fumes, dust or loss of light, privacy or outlook.
- Number, size or design of buildings, the materials used and amenity space provision.
- The visual impact of a development - what it will look like.
- Traffic and highway safety, the effect on pedestrians and parking issues.
- Effect on the character of the area, including Conservation Areas, Listed Buildings, loss of trees or other natural features.
- The existing use of the site or any previous planning permission already granted.
- The approved policies of the Council.
- Government advice as set out by Communities and Local Government in Planning Policy Guidance Notes.

What if you do not oppose the development in principle

If you do not oppose the proposed development you do not need to write to the Council, but you may wish to. On the other hand, you may not object to the proposed development in principle, but disagree with some of the application details. In this case you can write to ask for that part of the application to be changed, or conditions imposed on the planning permission. For example:-

- To request a smaller sized building, extension or a set back or further away from your boundary.
- Control the hours of operation.
- To provide obscure glazed windows to overcome privacy problems.
- To specify the precise use of a building.
- To require good quality boundary treatment, whether walls or fences to a privacy height.
- To grant temporary permission to assess the impact and operation of the proposed development.
- To grant personal permission to restrict development to a named individual.

Invalid Objections

People sometimes raise objections on non-planning grounds, which cannot be taken into account because they are outside the control of planning legislation. The following examples are not planning considerations:-

- Loss in the value of your home or property as a result of the development.
- Unfair competition e.g. there are already many similar businesses in the area.
- Loss of view.
- Construction work may cause disturbance.
- Concerns over foundations, sewerage etc (these are covered by Building Regulations)
- Boundary disputes and rights of way.
- Moral objections e.g. opposition to alcohol, gambling etc.
- Health concerns about mobile phone masts.
- Restrictive covenants (this is a private matter for the landowner).
- The developer needs other consents (which are dealt with by other services).

What happens next?

The Council will consider the merits of the application together with any comments and objections received. Planning permission will not be refused simply because objections have been made. Written comments will be acknowledged. The planning officer may ask the applicant to revise the plans to overcome unsatisfactory details. In the event of revisions or amendments being submitted, if the changes are significant you will be notified again.

Who decides applications?

The majority of cases are decided by Senior Planning Officers under delegated authority. If you write to the Council with your comments and the proposal is determined under delegated authority, you will be notified of the decision in writing. The process for proposals reported to Committee is set out below. In practice 94% of applications are decided under delegated authority and 6% are decided by Committee.

The Planning Committee Process

Preparing your case for the Planning Committee Meeting

If the proposal is reported to Committee, you will be invited to attend the meeting and as much notice of the date as possible will be given to you. Planning Committees are held on alternate Thursdays in the Civic Suite at Lewisham Town Hall starting at 7.30 pm. You can phone, fax or e-mail to find out who is likely to be the main point of contact. To help you get together with other objectors, you can phone, fax or e-mail the planning officer to find out who else has written to object to enable you to prepare your case and select a representative to speak to the Committee on behalf of the objectors for up to 5 minutes. You may wish to prepare photographs, additional letters or petitions and present them to Members at the Committee meeting if you consider this would help your case. Tape recordings or video presentations cannot be used.

Planning Committee Agendas

Committee agendas are available for inspection in the Planning Information Office and at the Information Point in Laurence House on the Thursday one week before the meeting and in Lewisham libraries 5 days before the meeting. They are also available on Lewisham's web site at <http://acolnet.lewisham.gov.uk/lewis-xslpagesdc/acolnetcgi.exe?ACTION=UNWRAP&RIPNAME=Root.pgesearch> by entering in the application number e.g. DC/08/12345. Alternatively a copy of an individual report can be posted to you if you phone, fax or e-mail the planning office. The background papers for the report comprise the planning case file, adopted policies, supplementary planning documents and other relevant documents. These can be inspected in the Planning Information Office in Laurence House between 9 am and 5 pm Mondays to Fridays from 5 days before the Committee meeting.

The Planning Committee Meeting

You do not need to tell the Council that you are coming. There are facilities for people with disabilities and if you will be arriving in a wheelchair, it would be helpful to let the Planning Committee Co-ordinator know in advance. Whilst the Planning Committees start at 7.30 pm, you are requested to arrive at Committee by 7.15 pm and report to the Planning Committee Co-ordinator so that the Chair of the meeting can be advised of the attendance that night. It is important that you report to the Planning Committee Co-ordinator on your arrival as failure to do so may result in the application you have come for being considered later rather than earlier. Planning Committees often continue until 10 00 pm. Smoking is not allowed.

Who sits on the Planning Committee?

The Committee comprises 10 elected Councillors of which at least 3 must attend to make the meeting legal. In addition, local Ward Councillors may be present under Standing Orders for interest or to represent their constituents, but they do not have voting rights. The Committee will be advised by Council officers from Planning, Highways, Legal etc. All these people sit at the table at the front of the Committee room. Rows of chairs are set out for the audience facing the table.

At what time will the application be considered and decided?

The agenda is put together as reports become ready. The order in which applications are considered by Committee is however flexible and does not follow the order of items in the agenda.

In practice the Committee tries to deal with applications which have attracted much public concern and where large numbers of people turn up to Committee early in the meeting. Applications which have been deferred for further information from a previous meeting are also usually dealt with early on. The Committee also tries to accommodate elderly people, people with disabilities and people with children by considering early applications in which they are interested. If other Councillors are present under Standing Orders, often the applications they are concerned with are dealt with early to enable them to leave the meeting to attend to other Council business.

For these reasons, it is not possible to advise in advance at what time a particular application will be considered. Objectors are therefore advised to arrive for Committee at 7.15 pm and report to the Planning Committee Co-ordinator. If there is a particular reason why an objector will not be able to arrive by 7.30 pm, please phone, fax or e-mail in advance to advise the Planning Committee Co-ordinator. The Planning Committee will then be aware that there is a special difficulty and will try to accommodate a delay, but you must be aware this will not always be possible because of other pressures. All applications, to which the applicant or objectors have turned up, are dealt with before applications where nobody has attended.

How will the application be dealt with?

The process for the Planning Committee considering, debating and deciding an application is as follows. The application plans are available to the Councillors together with the objectors' letters which are available for inspection.

Firstly the planning officer will introduce the report outlining the issues. The Chair will then ask if the applicant or their representative wish to speak to the Committee in favour of their proposal for up to 5 minutes or whether they would be prepared just to answer questions. The applicant or representative then walks to the table and speaks to the Planning Committee using the public address system to enable the audience to hear. After 5 minutes, the Planning Committee may ask the applicant or representative questions.

The process is then repeated for the objectors. The Chair will ask if there are any objectors to the application present and whether a representative wishes to speak to the Planning Committee about the application for up to 5 minutes or whether they would be prepared just to answer questions. The representative of the objectors will likewise walk to the table and address the Committee using the public address system. After 5 minutes the Committee may ask the objectors' representative questions. Once the objectors' representative has addressed the Planning Committee and answered any questions, there will not be any further opportunity to contribute in the discussions that follow.

This is then followed by the planning officer and/or other Council officers responding to the issues that have been raised. A debate between the Planning Committee Members will then follow which may be either very short or very long depending on the complexity of the application, the issues involved and the need to seek further comments from officers. Once the debate is concluded, the Chair will ask whether a Member would like to move a recommendation to grant or refuse or alternatively defer. If there is disagreement between the Members, a vote will be held.

Once a decision has been reached, no new contributions will be accepted and proceedings will move on to the next application.

What if You Disagree with the Decision

If permission is granted and you still disagree, there is no right of appeal by objectors, but you can phone, fax or e-mail the planner for an explanation. If you think the Council has not followed the proper processes, you can lodge a complaint using the Council's formal complaints procedure, but the decision to grant permission will not be reversed.

What if the Applicant Disagrees

If permission is refused, the applicant has the right of appeal to the Planning Inspectorate. An independent Inspector will be appointed to conduct the appeal. At this stage you will be given a further opportunity to make further comments to influence the decision. The appeal will either be dealt with by an exchange of written statements from all those involved, including the objectors, or a daytime meeting will be held normally in the Town Hall complex, to which you will be invited to attend. The appeal will either be dismissed, confirming the Council's refusal, or allowed and planning permission granted.