DEVELOPMENT CONTROL ADVICE NOTE 3
How can I comment on a planning application?

This is one of a series of advice notes to help our customers use the Development Control Service in Tower Hamlets. The service is responsible for the determination of planning applications and the enforcement of the planning regulations.

INTRODUCTION

1. This advice note explains how to comment on an application that interests you: how to obtain more information, how to let us know your views, what we can take into account, and how we will take your views into account. Whilst the note refers mainly to applications for planning permission, the procedures generally apply to all types of planning application.

HOW WE CONSULT ON APPLICATIONS

2. You will usually be made aware of an application by a letter from us because you live in or occupy premises close to the application site and we consider that you might be affected by the development. We also publicise certain applications on site or in our local community newspaper, East End Life, and this may be how you found out about a scheme. However, it doesn’t matter how you got to hear about a proposal, anyone can submit comments to us.

3. The notification letter, site notice or press advertisement explains where the planning application can be viewed. The statutory register containing the application details is available at our reception between Monday to Friday 9am to 5pm and is also viewable via our website (towerhamlets.gov.uk). We strongly recommend that you look at an application before commenting on it.

GET YOUR QUESTIONS ANSWERED

4. If you have questions about the application, or if you require any further information at any stage, you will need to contact the duty planning officer. The duty planning officer is available Monday to Friday 9am to 5pm at our reception or by phone (see the FURTHER INFORMATION OR HELP section on the front page).

5. Experience has shown that the provision of advice personally via the duty planning officer enables questions to be dealt with more promptly and efficiently. The planning case officer cannot enter into correspondence about the details or merits of the application and will not always be available to answer questions by phone or in reception.

HOW TO LET US KNOW YOUR VIEWS

6. We want to know what you think about an application and why. Your comments can be a brief set of points for or against the development. It is not normally necessary to employ a solicitor or other professional to comment on a planning application. We will try to assist you, but we cannot tell you what comments to make.

7. Comments on applications should always be made in writing. Please make sure that you quote the planning application number (if known) or the address of the property and the proposal to which it relates. We must receive your comments before the consultation deadline. If we do not hear from you within that time it will be assumed that you do not wish to comment. Even if the publicity period has expired, it may not be too late to comment. Please call (020) 7364 5009 to check this.

8. Your written comments can be emailed (planningandbuilding@towerhamlets.gov.uk) or posted to the Development Control Manager, London Borough of Tower Hamlets, Town Hall (AH), PO Box 55739, 5 Clove Crescent, London E14 1BY.

9. Your comments, if relevant, will be taken into account before a decision is reached, provided they are received in time. If the application is to be decided by one of our development committees we will let you know by letter. We will inform you of the final decision, if you make comments.

FURTHER INFORMATION OR HELP

We hope you find this advice note helpful. Other leaflets about our service are available from our reception (Tower Hamlets Town Hall, Anchorage House, 2 Clove Crescent, London E14 2BG) or our website (towerhamlets.gov.uk). If you need further advice, please phone (020) 7364 5009 or call into our reception between 9am and 5pm Monday to Friday (the offices are closed on Bank and Public Holidays). A duty planning officer is available for general planning advice between 9am and 5pm Monday to Friday either by phone or in our reception.
WHAT WE CAN TAKE INTO ACCOUNT

10. We welcome any comments, whether in support of an application or objecting to it, although we can only take account of planning considerations.

11. Matters that may be taken into account include (these lists are not exhaustive):

Planning policies:
- Central government policies
- The London Plan
- The Tower Hamlets’ development plan (currently the Unitary Development Plan but soon to be replaced by a Local Development Framework)

Other material considerations:
- Loss of light or overshadowing
- Overlooking or loss of privacy
- Visual appearance (for example, design, appearance or materials)
- Layout and density of buildings
- Traffic generation, highway safety or adequacy of parking
- Noise, smells and disturbance resulting from use
- Loss of trees
- Effect on listed buildings or conservation areas

WHAT WE CAN’T TAKE INTO ACCOUNT

12. Matters that cannot normally be taken into account include the following (the list is not exhaustive):

- Matters controlled under building regulations or other non-planning laws (for example, structural stability, fire protection, control of pollution, statutory nuisances etc – you will need to obtain advice from those services or organisations)
- Private issues between neighbours (for example, land or boundary disputes, damage to property, private rights of way, covenants etc – property law covers this area – you will need to obtain advice from your own solicitor or the Citizens Advice Bureau)
- Loss of value of property (but the reason why it might affect the value could be material – see “Other material considerations” above)
- Problems associated with the construction period (for example, hours of work, noise, dust, construction vehicles etc – environmental protection legislation covers this area)
- Loss of a private view

13. If you have no objection to an application, but wish to suggest restrictions that we should impose to control the appearance or future use of the development, please feel free to do so. For example, you might have views about the colour of the bricks or tiles in a new building or the opening hours of a restaurant.

CONFIDENTIALITY

14. You should also be aware that legislation requires that any letter you send in response to an application has to be available for inspection by the applicant or anyone else interested in the application. Because of this we cannot take into account comments that are marked “confidential”. We have to ignore any letters marked in this way and we will return them to you.

CONSULTING ON AMENDMENTS

15. Sometimes applications are amended due to negotiations by the planning case officer to overcome a problem or because of a change of mind by the applicant. The decision as to whether to consult on amended plans will be judged on the individual circumstances of each case. Our decision will be based on the nature and extent of the amendments. Any that are significant will be publicised, however, minor changes to plans (particularly where they have a similar or lesser impact) would not normally be publicised. This judgement is made to prevent unnecessary delay in the processing of applications and to avoid the unjustified expense of re-publicising minor changes to a scheme.

16. Where publicity is considered appropriate for amended plans, it follows the same procedure as that for the original application. Site notices (where necessary) for amended applications will be yellow. The original site notice would have been white.

TAKING YOUR VIEWS INTO ACCOUNT

17. Senior planning officers decide many applications, but if the application is to be considered by committee, and you have made written comments on it, you will be notified of the date of the meeting and of your opportunity to address that committee. The letter you receive will explain the procedure for this. If you have signed a petition in connection with a planning application, we will only write to the person who submitted the petition.

18. Details of which applications are decided by committee are set out in our guide “How does the council decide planning applications”.

19. In both cases, your views will be considered by the planning case officer and summarised in their report on the application. If their recommendation does not support your views this does not mean that they have been ignored.

LETTING YOU KNOW THE OUTCOME

20. If you have written to us about a planning application, we will send you a letter informing you of our decision. We aim to do this within five working days of making that decision.