

EXAMPLES OF MATERIAL PLANNING CONSIDERATIONS

Any consideration that relates to the use and development of land. Material considerations must be genuine planning consideration, i.e. they must be related to the purpose of planning legislation and must also fairly and reasonably relate to the issue in question.

- Previous planning decisions on the application site
- Previous appeal decisions on the site and on other sites where similar and/or the same development has been proposed
- Traffic generation from the development proposed
- Road access to the site of the development
- Nature conservation/impact on protect species (ie bats/great crested newts) and habitats
- Landscaping needed/proposed as part of the development
- Noise and disturbance resulting from the proposed use/development
- Loss of trees on the site and the impact of the development on trees covered by a Tree Preservation Order
- The layout and density of the building/development proposed
- Overlooking and loss of privacy
- Local, Strategic and National planning policies
- Proposals in the Development Plan/Local Development Framework
- Government Circulars, Orders and Statutory Instruments
- The impact of the development on a Listed Building and/or the setting of a Listed Building
- The design, appearance and materials of the proposed development
- Smells generated by the development
- Impact on Highway safety
- Impacts during construction works (e.g. noise associated with crushing or hours of working) – mainly applicable to larger developments
- Adequacy of parking, loading and turning facilities associated with the proposed development
- Impact on visual amenity (but not loss of a private view)
- Loss of light or overshadowing resulting from the development
- South Hams District Council Planning Policies/Local Development Framework documents/ Supplementary

Planning Guidance and Supplementary Planning documents

- Archaeological impacts
- Impact on a Conservation Area
- Hazardous materials/ground contamination

EXAMPLES OF NON-MATERIAL CONSIDERATIONS THAT CANNOT BE TAKEN INTO ACCOUNT WHEN ASSESSING A PLANNING APPLICATION

- Loss of property value
- Loss of private view
- Private disputes between neighbours, e.g. land ownership
- Restrictive covenants
- Fence lines/boundary positions
- Personal morals or views about the application
- Ownership disputes
- Applicant's motives
- Competition
- Issues covered by other legislation e.g. Highways Act
- Impacts during construction work (e.g. general noise and disturbance)
- Competition between firms
- Other legal matters affecting land
- Disputes over private access rights
- Personal morals or views about the applicant