

Extract taken from ERYC Council Development Plan

Local planning authorities may sometimes decide to grant planning permission for development which departs from a Development Plan if other material considerations indicate that it should proceed. Significant departures must be notified to the Secretary of State so that he can decide whether he wishes to intervene. Material considerations are many and extraordinarily varied.

They include all the fundamental factors involved in land-use planning, such as:

- the number, size, layout, siting, density, design and external appearance of buildings,
- the proposed means of access,
- landscaping,
- impact on the neighbourhood, and
- the availability of infrastructure.

Examples of factors that **may be taken into account** as material considerations in the decision making process include:-

- Planning history of the site
- Overshadowing
- Overlooking and loss of privacy
- Adequate parking and servicing
- Overbearing nature of proposal
- Loss of trees
- Loss of ecological habitats
- Archaeology
- Contamination by a previous use
- Effect on Listed Building(s) and Conservation Areas
- Access and highways safety
- Traffic generation
- Noise and disturbance from the scheme Disturbance from smells
- Public visual amenity
- Flood risk

Planning gain Examples of factors that **cannot normally be considered** as material planning considerations are:-

- Loss of value to an individual property
- Loss of a private individual's view
- Boundary disputes including encroachment of foundations or gutters
- Private covenants or agreements
- The applicant's personal conduct or history
- The applicant's motives
- Potential profit for the applicant or from the application
- Private rights to light
- Private rights of way
- Damage to property
- Loss of trade to individual competitors
- Age, health, status, background and work patterns of the objector
- Building and structural techniques
- Matters covered by other statute
- Alcohol or gaming licence