

# **Planning Applications Factsheet**

## **Introduction**

This Fact sheet is about complaints about planning applications. It should be read together with our '[How to Complain](#)' webpage, available on the 'Making A Complaint' tab.

The Council is the local planning authority for its area (in some areas this is a function of a National Park Authority). Planning authorities are responsible for making decisions and taking action about various planning matters. They have to work within the law, government guidance and the authority's own policy. We may be able to help you with your complaint against a planning authority.

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## **What we can do**

We can look at whether there is something wrong in the way in which the Council went about deciding an application for a neighbouring development. This can include the failure to:

- Notify you of an application, which may affect you, so that you were unable to object;
- Notify other bodies which should have been consulted;
- Consult you on amended plans;
- Give reasons for its decision to approve an application;
- Take your objections into account (this is not the same as not agreeing with your objections);
- Take into account relevant planning considerations.
- Incorrect /misleading /incomplete planning advice given, before you made an application which can be shown to have caused significant problems for you;
- The Council did not have a system in place for ensuring that advice it gave was properly recorded;
- The Council failed to make clear that the advice was informal and did not commit the Council to make a particular decision in the future;
- The Council failed to follow the proper procedures or to take into account relevant planning considerations.

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## What we cannot do

We cannot look at:

- A planning decision which has been properly taken where there is no evidence of administrative fault;
- Complaints where there is or was a right of appeal against the Council's decision to Planning and Environment Decisions Wales (PEDW). This can apply where there is delay in deciding an application or where an application has been refused;
- A complaint about an application until a decision has been taken and he can consider the effect on you.

We are unlikely to look at your complaint if it relates to private matters between you and your neighbour – e.g. boundary disputes.

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## Issues to bear in mind

We cannot overturn the decision or demolish the development even if you are affected, but, if your complaint is upheld, we will consider other ways of reducing any effect on you.

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## Further information

Planning Aid Wales can give helpful information on planning matters. You can contact them via phone on **029 2062 5000** or via the internet at [www.planningaidwales.org.uk](http://www.planningaidwales.org.uk)

Planning information can also be obtained at <http://www.planningportal.gov.uk/wales/public>

The Council's own website may also contain information about some planning matters.

We are independent and impartial; we cannot order public bodies to do what we recommend – but, in practice, they almost always do. Examples of cases that we have looked at can be found on our website, under the 'Publications' tab on the '[Our Findings](#)' page.

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## Contact us

If you are unsure whether we would be able to look into your complaint, please [contact us](#) on 0300 790 0203 or [ask@ombudsman.wales](mailto:ask@ombudsman.wales)

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This document is available in Welsh and English. You can write to us in Welsh and we will reply in Welsh. This will not lead to a delay in responding.

[ask@ombudsman.wales](mailto:ask@ombudsman.wales)

0300 790 0203 Our phone line is open 10am-12:30pm and 1:30pm-4pm Monday – Friday