



GOVERNMENT OFFICE
FOR THE NORTH WEST

BY E-MAIL

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13 March 2009

Thank you for your e-mail of 7 March 2009 to the Secretary of State for Communities and Local Government regarding the determination of two planning applications for residential development in Lancaster. This has been referred to this Office as it concerns a planning matter in the North West. I have been asked to reply.

Whilst I can understand your concerns, I would like to explain first that for propriety reasons I cannot comment on any aspect of the proposals relating to the planning applications which you have referred. Lancaster City Council are responsible for the day to day planning control in their area and this really remains a matter for them. In determining planning matters the local planning authority are required to have regard to all material considerations including the development plan, national policies and views expressed by third parties, such as yourself.

The Government's policy is not to interfere with the jurisdiction of a local planning authority unless it is necessary to do so. This is because local authority Councillors are elected to represent the views of local people and, in the main, it is these Councillors who are in the best position to decide whether a development should go ahead. It is, of course, for local planning authorities to provide whatever justification it may be appropriate to give for their decisions. You will appreciate therefore that the department cannot comment on the way in which the Council either handles or reaches its decision on a particular planning application. The Department has also no jurisdiction in investigating individual complaints against a local authority or reviewing decisions given by them.

I would also like to mention that at the time of the submission of the main application (08/00866/OUT), we were also informed by the Council about the other two applications (08/00864/OUT and 08/00865/OUT). In respect of those applications the Council did point out that they can be determined separately from the main application because they can theoretically be implemented irrespective of whether the main application proceeds or does not. Therefore, the Council





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considered that those applications did not require referral and, as 'stand-alone' applications, were expected to be determined in November 2008. However, I understand from the Council that no decision has yet been taken on those applications. Therefore the determination of those applications remains a matter for Lancaster City Council. In the circumstances we take the view that no issues appear to arise on those applications as to justify our intervention.

I would therefore suggest that as these applications have yet to be determined by the Council you make your views known to the Council on the issues raised in your letter. However, if it is felt that the Council has not carried out its duties as it is legally obliged to do so, the matter can be investigated through the Local Ombudsman.

I am sorry I cannot be more helpful in this matter.

Yours sincerely

A handwritten signature in black ink, appearing to read 'A. Syed', with a long horizontal stroke extending to the right.

A Syed
(Planning Casework)