

How do I get involved in planning applications? Advice for neighbours

Our Development Management Service is responsible for determining planning applications and the enforcing planning regulations for the Teignbridge area outside Dartmoor National Park.

Pre-application advice

We offer a paid pre-application advice service. Potential applicants can ask if planning permission is required as some development can be done under permitted development rights (legal right to undertake certain small development). They can also ask for advice on their proposed development to address any issues early on and negotiate better quality schemes. This advice is confidential.

Applicants are encouraged to discuss their plans with their neighbours prior to submission of an application and developers of major applications are strongly recommended to undertake public engagement with the local community but this is not a legal requirement.

Application received

Once a valid application is received, we publicise the application in line with legislation and invite comments:-

- A Site Notice is displayed on site and/or letters are sent to immediate neighbours
- Advertised in local paper (Mid Devon Advertiser or Express and Echo) if the application affects a Conservation Area, Listed Building, Public Right of Way or is classed as a Major application or is contrary to local policy
- Consultations are sent to internal departments and external public bodies as appropriate
- Consultation sent to Town/Parish Council who may discuss it at a public meeting
- List of planning applications published each week by Mid Devon Advertiser and emailed to Councillors, Libraries and other interested bodies.
- Details of the application and all plans/documents are displayed on our website at www.teignbridge.gov.uk/planningonline and available to view in the Council Offices.

The letters, notices and adverts give a date by which comments should be made and details of where the application can be viewed on our website. This period of time (minimum of 21 days) is referred to as the 'consultation period'.

Commenting on Planning Applications

We are committed to ensuring that your privacy is protected by adhering to the EU General Data Protection Regulation (GDPR). Your personal data will be processed in accordance with our full privacy policy which is available to view at www.teignbridge.gov.uk/privacy.

Comments received either objecting to, or supporting, planning applications are also referred to as Representations or Contributions. These must be in a written format and include your name and postal address as anonymous or verbal comments do not legally carry any 'weight' and cannot be taken into consideration.

Applications can be viewed online at www.teignbridge.gov.uk/planningonline, and comments can be made online, or by email to planning@teignbridge.gov.uk, or by post to Planning, Teignbridge District Council, Forde House, Brunel Road, Newton Abbot, TQ12 4XX

We have to allow 21 days for comment and this date is shown on site notices and neighbour letters. A decision on the application will not be made before this date. However, comments will continue to be accepted up until the time a decision is made on an application which may be some time after this date.

Due to the volume of contributor letters received we are unable to acknowledge or reply individually although all comments are taken into consideration as part of the decision making process.

Comments cannot be treated as confidential and will be published on our website for general viewing although private telephone numbers, private email addresses and all signatures will be removed before publication.

Only planning related matters can be considered and any comments which we consider to be inappropriate will be removed before publication. Inappropriate comments include those which are racist, sexist, xenophobic, defamatory, prejudiced or otherwise likely to cause offence to the subject of the comments or any other reader. This also applies to letters from applicants and agents.

If an application attracts, or is likely to attract, a lot of inappropriate comments we may publish a summary of comments on our website instead of individual letters.

<p>Planning related comments include:-</p> <ul style="list-style-type: none">• Overlooking/loss of privacy• Design/effect on appearance of area• Access, parking, traffic, road safety• Trees/Biodiversity/Landscape/Heritage• Noise/disturbance• Local or Government Policy/Economic benefits• Flooding issues	<p>Comments which cannot be considered include:-</p> <ul style="list-style-type: none">• Loss of property value/loss of view• Boundary/land ownership/neighbour disputes• Impact on private drainage systems• Inappropriate or personal comments• Doubts as to integrity of applicant• Breach of covenant• Principle of development when outline consent exists
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If the application is refused and an appeal made, all comments made will be sent to the Planning Inspectorate. Householder applications use a fast track appeal process and there will be no further opportunity to comment on these types of application at appeal stage.

Getting more information

Applications can be viewed online at www.teignbridge.gov.uk/planningonline. If you do not have access to a computer our staff at the council offices will be happy to help you do this. If you still require further information please email planning@teignbridge.gov.uk or phone the office on 01626 215743 or 215734 ideally quoting the reference number.

If you feel it important that the site is viewed from your property please contact the Case Officer as soon as possible.

You may wish to involve your Ward Member (the district councillor for your area) if you have particular concerns. Their contact details can be found on our website.

Petitions and bulk letters

We display petitions on our website without the list of signatures. Individual names are not recorded on our database, only the lead name will be recorded and this is the only person we contact e.g. if there is any re-consultation, if the application goes to committee or if an appeal is lodged.

Letters which are reproduced and circulated for people to fill in their name and address and sign without putting any additional or individual comments are considered to be the same as a petition and are treated in the same way. One copy of the letter is placed on our website under the heading of Bulk Letters and the number of copies received is shown. If the organiser of the letter can be identified each individual name will not be recorded on our database, only the organiser's name will be recorded and this is the only person we will contact e.g. if there is any re-consultation, if the application goes to committee or if an appeal is lodged.

Negotiation and Recommendation

At any time during the application process, the applicant may submit revised plans or additional information, often as a result of negotiation with the case officer for example to improve the design or acceptability of the application. If the case officer decides the revisions are sufficiently different we will publicise the new information and extend the consultation period to invite further comments often with a shorter timescale of, for example, 14 days to respond. If we consider the revisions are not substantial then no further consultation will be undertaken.

Once the consultation period has expired the case officer can make a recommendation.

The case officer will consider all aspects of the application including relevant comments from the public, the town/parish council and statutory consultees along with policy, design, effect on the character and appearance of the area, overlooking/overbearing, amenity (enjoyment of the property/neighbouring property) and many other issues all of which are collectively known as material planning considerations.

Application Determination

The majority of applications are decided under delegated powers, by the Business Manager or one of his senior officers.

Only around 10% of applications are decided by Planning Committee which is made up from a panel of 21 District Councillors at a public monthly meeting. The Planning Committee will visit the site for major applications and any other applications where they consider it necessary. Applicants, agents and members of the public who have commented on the application will be advised if an application is going to committee and there is an opportunity for a supporter (usually the applicant/agent) and an objector to speak for 3 minutes each (two people supporting and two people objecting for 5 minutes each for Major applications)

The following applications are determined by the Planning Committee:

- Development on council owned land
- Applications by council employees and councillors
- Major applications contrary to local policy where approval is being considered
- Where requested by the District Councillor for the Ward concerned or the Chairman of the Planning Committee
- If the Business Manager – Strategic Place considers it appropriate

Once the decision has been issued the Officer or Committee report/minutes and the decision notice will be available to view on our website. Please send us a stamped, addressed envelope if you would like a copy of the decision notice.

A weekly list of all delegated decisions made is displayed on our website along with the monthly Committee minutes.

Approval

If the approval is subject to conditions then the applicant must ensure that these are discharged. Requests to discharge conditions are placed on our website for public viewing but there is no public consultation and the decision is made under delegated powers, usually by the original case officer.

If the applicant wants to make very minor changes to their planning permission, this can be done as a Non Material Amendment. Applications for Non Material Amendments are placed on our website for public viewing but there is no public consultation and the decision is made under delegated powers by a Senior Planning Officer or higher graded officer.

There is no third party right of appeal. If you feel that the Council has done something wrong, you can go to the Local Government Ombudsman once you have been through Teignbridge District Council's internal complaints procedure. You cannot use this process if you simply disagree with the decision.

Refusal

If the application is refused, the applicant can submit a fresh planning application for a revised scheme and/or appeal to the Planning Inspectorate.

If a fresh application is submitted, then publicity will be carried as laid out in the 'Application Received' section above and the process begins again.

If an appeal is lodged we will write to all contributors to advise them of the appeal. Copies of all the letters we received during the course of the planning application will be sent to the Planning Inspectorate who decides the outcome of the appeal. Any further comments you wish to make should be sent direct to them, except in the case of Householder applications where there is no further opportunity to comment. The final decision is made by the Planning Inspectorate.

Contact Details

Planning, Teignbridge District Council, Forde House,
Brunel Road, Newton Abbot, Devon, TQ12 4XX

Office opening hours:
Monday to Friday 8:30am – 4:30pm

Telephone: 01626 215734 or 215743
email: planning@teignbridge.gov.uk
website: www.teignbridge.gov.uk/planning



If you need this leaflet in another format - phone 01626 361101 or email info@teignbridge.gov.uk

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