



# **The planning application process**

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## Introduction

Applications go through certain stages before they can be approved. Find out more about each of the stages using this guide. You can also download this guide in PDF format using the link below.

<https://www.devon.gov.uk/planning/>



## Validation -

Before an application can be officially registered it has to pass the validation stage. This is the point from when we receive an application to confirming that all the necessary information is present and other pre validation requirements have been met.

If your planning application is not valid, we will tell you the reasons why and explain what information is required in order to validate your application. If your application is considered valid, we will send you a letter confirming registration and advising you of the application number and name of your case officer.

We aim to either validate your application or send you a non-validation letter within 5 days of receipt of your application.

Full guidance, including checklists for you to use can be found at [Validation requirements](#).

## Consultation -

Once an application is registered it will be [available to view online](#) as well as at Devon County Council, Lucombe House, County Hall, Topsham Road, Exeter, EX2 4QD from 9am to 5pm, Monday to Friday; or at the relevant district council offices during their opening hours. All viewings are by prior appointment only.

We email a hyperlink to the application forms, plans and supporting documentation to selected statutory consultees requesting their views. The statutory consultees include the relevant district and parish/town councils, our own internal consultees, for example, Highways Development Control Officers and any other organisations whose response would be relevant to the proposal, for example, Environment Agency, Natural England or Historic England.

A site notice will be placed as near as reasonably practicable to the application site in public view. We will also consult with affected neighbours by letter. A neighbouring property is considered to be any property that shares a common boundary or lies opposite or close to the application site, where in the opinion of the case officer the occupants of the property could be materially affected by the proposal.

Major applications and applications that are accompanied by an Environmental Statement; involve a departure from the Development Plan; affect a Public Right of Way; are within a Conservation Area; or affect the setting of a Listed Building, will be advertised in a local paper.

<https://www.devon.gov.uk/planning/>



The consultation period for an application lasts 21 days. If, as a result of consultation responses, new information is required, or if we receive amended plans, it may be necessary to re-consult for a further 14 days.

## Decision -

Applications for small developments that do not attract significant material objections should be decided within 8 weeks, however large scale developments, or those that raise objections can take a lot longer to determine. Extensions of time for the determination of applications beyond the 8-week period need to be subject of agreement between the applicant and the County Council.

Planning Officers can determine planning applications under Delegated Powers and can either approve or refuse the application on behalf of the Head of the Planning, Transportation and Environment. In the following circumstances, however, applications will normally be referred to the Development Management Committee of the County Council for determination:

- where there is a material objection from a statutory consultee. The committee will balance all considerations and on occasion it may decide against the view of the objecting councils
- where there is a significant neighbour objection made on material planning grounds that cannot be resolved by an amendment to the scheme or by planning conditions or obligation
- where the applicant is the Head of the Planning, Transportation and Environment (however if the application is not deemed to be contentious, it may be delegated and signed by the County Solicitor).

Once an application has been determined, particularly for a significant minerals or waste development, a Local Liaison Group may be set up. Find out more about [Local Liaison Groups](#).

Members of the public can attend and speak at a committee meeting. All the information you need can be found at [Public Participation at Committee Meetings](#).

Occasionally, it might seem as if we are permitting proposals that appear to be in conflict with detailed planning policies. Decisions taken must balance any conflicting policies and take account of all material planning considerations relevant to the application. If an application is considered to be a departure from planning policy the Secretary of State will be informed and may decide to call in the application for determination.

<https://www.devon.gov.uk/planning/>



## Appeals -

Only the applicant can appeal against a decision and this should be made to the [Planning Inspectorate](#) within 6 months of the date of determination. [You can see current and past appeals to Devon County Council here](#). To find out more about the appeal process and to make an appeal see [Planning Appeals](#) on the Planning Portal.

If you have a complaint about the way an application was dealt with, you can also raise it through our [complaints procedure](#). Such complaints will be investigated by a complaints officer, on instruction by the Chief Executive of the County Council. In addition, in the case of alleged maladministration, you can register a complaint with the Local Government Ombudsman, who acts independently from the County Council, (however, the Ombudsman only has the power to investigate the procedures followed by Local Authorities, i.e. how a decision was reached rather than whether the decision was correct). Alternatively, if you think that the decision is wrong in law, then you can apply through the Courts for a Judicial Review.

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