



## **What Happens to My Planning Application ?** **A Guide for Applicants**

This guide is normally sent out with the acknowledgement of a “valid” application. The acknowledgement letter confirms the brief description of the proposed development, the application reference number, whether the application is for a ‘Local’ or ‘Major’ development and the date of registration. It explains the initial statutory period from the date of registration for dealing with the application and your rights of appeal thereafter, if you have not formally agreed to an extension of time. The initial statutory period is two months for Local Developments and four months for Major Developments and EIA developments.

### **Can I speak to the case officer?**

You are asked not to contact the planning officer during the initial statutory period for dealing with your application. This allows the case officer to concentrate on assessing your application. You will normally only be contacted during that period if we need you to give further consideration to a particular issue or if we wish to extend the statutory period.

### **What happens if I am asked to change my application?**

Applicants will usually be requested to **withdraw** an application with a view to subsequent re-submission of the revised proposals if the change requested by the Planning Service is “material”. Where the changes are so minor as not to be material, applicants will normally be allowed 14 days for the submission of the requested change. If this is unlikely to be achieved within 14 days, the applicant will be requested to withdraw the application and resubmit a new application once the changes have been finalised. A new application for a similar development does not normally require a fee provided it is submitted within one year of the registration of the previous application.

### **How can I present information if I don’t speak to the case officer?**

To avoid the need to re-submit an application and to avoid the need to contact the case officer, any information you wish to provide which is intended to explain or support your application should be included **in writing with the initial application**. Additional information should not in any case be provided verbally to the case officer. By providing information in writing at the start, the information is available to all those involved in the decision making process from the outset. You can follow the progress of your application on ["PublicAccess"](#) which is accessible from the “Online Planning Applications” webpage on the Council’s

website at [www.pkc.gov.uk](http://www.pkc.gov.uk)

### **What does the case officer do with the application?**

The planning case officer will initially undertake appropriate consultations with other statutory agencies (such as Scottish Natural Heritage), arrange for the application to be advertised in a local newspaper and on site where this is necessary, study the application and inspect the site. The case officer will not normally arrange a set time to make the site visit or arrange to meet the applicant on site, unless there are problems accessing it.

All planning applications require to be advertised in accordance with the planning regulations and the cost must be recovered from the applicant, unless the application is affecting a conservation area or the setting of a listed building. In all other cases a fee is required and the current charge can be viewed on the Council's website at [www.pkc.gov.uk](http://www.pkc.gov.uk). If you have not submitted this fee with your application, and we recommend that you do in order to minimise delay, you will be asked by letter to make the appropriate payment within 21 days. The Council is prevented by law from issuing a planning application decision notice unless the necessary fee has been paid.

Once all the necessary information and comments have been received, the case officer will undertake a professional assessment of the proposed development in relation to the site itself, the policies in the Development Plan, other relevant Council Policies, government guidance, comments received from the public, comments received from Statutory Consultees and any other material considerations. In some cases this may lead to a request to alter the application or provide more information. As explained above, this may be accompanied by a request to withdraw the application and re-submit it once the revised proposals or additional information are available.

As the final stage in this assessment, the case officer will prepare a recommendation for either a senior planning officer, the Councillors on the Development Control Committee or the full Council to determine the application. If it is considered likely that your planning application will take more than the statutory period to determine, you will be contacted before that date with an explanation and a request to agree a continuation of the application, if that is appropriate.

### **Who will decide my application?**

The determination of the majority of planning applications is delegated to senior planning staff in the Planning Service. Some planning applications are referred for decision to Councillors on the Development Control Committee of the Council, which meets monthly. A very few applications have to be decided by the full Council and separate guidance will be issued to applicants in these cases. Applicants and the public may attend these public meetings.

The decision as to whether or not an application has to be decided by the Committee is dependent on such matters as the number of objections received and whether the application is proposed for approval or refusal by the planning officer. It is therefore not possible in most cases to predict before the end of the

application process whether an application will be referred to the Committee. The Council's "Scheme of Administration" laying down what may be delegated to officials and what has to be referred to the Committee is available from the Planning Service and from the Council's website.

### **Can I speak at the Committee?**

Where an application will be determined by the Development Control Committee, applicants (and objectors) are informed in advance and they may ask to be heard at that meeting. This is at the discretion of the Committee but is normally allowed. If there are a number of objectors they are likely to be asked to have only one representative to speak. The presentation to the Committee by applicants or objectors cannot include additional written information, photographs etc. The leaflets "Deputations to Development Control Committee Meetings" and "Submission of Late papers to Committee Meetings", which are available from Pullar House, explain the procedures.

### **What is in the decision letter?**

In due course, you will receive a formal decision letter from the Council approving, approving with conditions, or refusing the planning application. Reasons will be given for any approval, for any conditions attached to an approval and for any refusal. You will also be given details of your right to have any refusal or any condition attached to an approval reviewed. Depending on the scale of the application and whether or not the decision was made by the Committee, this will either be through a review by the Council's Local Review Body or an Appeal to the Scottish Ministers.

If you do receive permission, you should **read the letter granting permission carefully**, including any conditions and any notes. Sometimes the conditions on an approval will require the submission of further details for written approval **prior to starting** the development or they may require that certain work, such as the formation of the access, is carried out prior to other work. If these conditions are not complied with at the specified time then the whole planning permission can not be legally implemented. This applies even if, for example, the required details are subsequently submitted. In addition the decision letter will include information on the requirement for applicants to submit notices to the Council concerning commencement and completion of works and, in some cases, to display information on site during the development. These also have to be complied with to ensure that the development is lawful. It is therefore essential for the developer's own protection that these conditions and notices are fully complied with.

Perth and Kinross Council  
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