

An aerial photograph of the Dartmoor National Park landscape, showing a patchwork of fields, roads, and a river. The image is monochromatic, rendered in shades of blue.

The National Park, Development and You

Dartmoor National Park Authority's
Development Control Charter



Dartmoor National Park Authority

Introduction

This Charter explains the way in which the National Park Authority's development control service works and sets a number of targets which the Authority will aim to meet in carrying out its duties.

Around 90% of all applications for planning and similar permissions are approved by the Authority. However, in a large number of cases, advice and negotiation is necessary with the objective of achieving the best possible development in the most appropriate location. No two cases are identical and, through working together, it is usually possible to arrive at a solution which both meets the needs of the applicant and makes a positive contribution to the character and appearance of the National Park.

However, negotiation takes time and the best decision is not always the quickest. This Charter, therefore, not only sets out the Authority's targets for dealing with the various elements of the development control process, but also refers to ways in which applicants, their agents and the general public can work with the Authority to help us to provide the best possible service and achieve a high quality environment for everyone's benefit.

The development control process

Development control is that part of the town and country planning system which deals with proposals and applications of all kinds. It enables the Authority to assess the acceptability of developments in relation to national and local policies, taking account of other relevant factors, and tries to reconcile the many and varied interests which often exist in relation to even the most, apparently, straightforward proposal. It involves:

- *providing advice and information in respect of specific proposals and the planning system in general;*
- *deciding planning applications of all kinds; including applications for listed building consent, conservation area consent or advertisement consent;*
- *considering proposals which are, effectively, granted 'outline permission' by the Town and Country Planning (General Permitted Development) Order, but nevertheless have to be 'notified' to the Authority so that it can determine whether an application is necessary in respect of design, location or both;*
- *stating the Authority's case in respect of appeals to the relevant Secretary of State when a proposal has been refused permission;*
- *monitoring development to ensure that approved plans are complied with or, if necessary, taking action to deal with an unacceptable development.*

Before you make your application

Before you submit a formal application you may wish to discuss your proposal with a planning officer. This approach is encouraged by the Authority and is an opportunity for the planning officer to:

- *advise on the need for permission;*
- *explain the Authority's policies in relation to your proposal and give an opinion on the likelihood of success;*

- *point out any obvious pitfalls and, where possible, explain how they might be overcome;*
- *provide you with copies of appropriate guidance notes or leaflets;*
- *advise on the completion of application forms and the level of statutory fee payable;*
- *point out that information in respect of certain aspects of the proposal (such as access, drainage or possible pollution risks) may need to be obtained from other organisations involved in the process.*

Where necessary, a site meeting can be arranged before an application is submitted. It will normally be possible for such a meeting to take place within **10 working days** of it being requested.

If necessary, the planning officer will write to confirm the advice given at the pre-application stage, normally within **5 working days** of the meeting.

How you can help

- **ask to see the relevant policies and advice notes published by the National Park Authority;**
- **think about the likely effect of your proposal on your neighbours, discuss it with them and consider their views;**
- **think about the likely impact of your proposal on the appearance of the area generally and whether it will fit in with its surroundings;**
- **explain clearly what you propose to do;**
- **understand that, during busy periods, it may not be possible to arrange a meeting as quickly as you might wish;**
- **remember that planning officers often have to be out of the office and that an appointment may therefore be necessary to ensure that you see the right person;**
- **remember that advice from an officer is not a decision of the Authority; a decision can only be given after the submission and consideration of a formal application.**

When you make your application

When your application is received it will be checked to ensure that the plans and drawings are adequate, that the forms have been filled in correctly and the right fee has been paid. Within **3 working days** of receipt, we will either:

- *send an acknowledgement stating that the application has been checked and found to be valid, telling you the name of the officer who is dealing with the application (the case officer) and setting out your statutory rights or;*
- *return your application, indicating why it is not valid and what you need to do before re-submitting.*

In either case we will let you know if you have not paid the right fee.

Within **5 working days** of the receipt of a valid application, we will:

- *begin consultation with all the statutory bodies which are likely to wish to comment on the application (including the District or Borough Council);*
- *send a copy of the application to the Parish or Town Council so that it can comment and make the application available to the public as locally as possible;*
- *include the details of your application on a weekly list that we publish on our website.*

Within **10 working days** of the acknowledgement of a valid application:

- *we will ensure that all applications are advertised by a Site Notice displayed on or near the site, so that it can be clearly seen by the general public (some applications will also be advertised in the local press);*
- *a planning officer will visit the site to assess the acceptability of the proposal and to note whether any neighbours should be specifically notified of the receipt of the application.*

Within **3 working days** of the planning officer's site inspection he or she:

- *will send letters to any neighbours who, in the officer's opinion, should be specifically notified.*

It is sometimes considered that a proposal is not acceptable as submitted, but that it could be acceptable if amended. Consultees, such as the Highway Authority or the Environment Agency, may also raise matters which need to be considered before a decision is made.

In either case we will open negotiations as early as possible in the process so that, wherever possible, a conclusion can be reached within **8 weeks from the date of receipt** of the application. To enable decisions to be made as quickly as possible, the Authority delegates to the Chief Planning Officer the ability to decide all non-controversial applications, where the decision would be in line with its adopted policies.

Between 30 and 40 per cent of all applications have to be referred to the monthly Planning Committee meetings. You can attend the meetings and, if you have given the proper notice, speak for up to three minutes about your application (please see separate leaflet about public speaking in respect of planning applications and enforcement cases).

When a decision has been made, the decision notice will normally be issued within **3 working days**. In some cases the decision is subject to the receipt of additional information or the completion of a related legal agreement. In such cases the decision notice will not be issued until all the required information has been received or the agreement completed. You should not start work until you have received the decision notice.

If permission is refused, but it is considered that an alternative proposal may be acceptable, you will be notified in a letter accompanying the decision notice which will explain clearly what you should do before submitting a further application. An amended application submitted within 12 months of the date of a refusal of permission will not normally require the payment of a further fee.

How you can help

- read the Guidance Notes which accompany the application forms to ensure that the forms are completed properly and the correct plans and drawings are submitted;
- ensure that the plans and drawings submitted with the application are clear, accurate and drawn to a recognised metric scale;
- ensure that you have submitted the correct fee;
- answer letters promptly so that negotiations can be concluded well within the statutory period for dealing with the application;
- be willing to consider other people's points of view and, if necessary, to compromise;
- note where the Site Notice is displayed and remove it when 21 days, from the date of the Notice, have elapsed.

If you wish to comment on an application

We will ensure that all applications are publicised by displaying a Site Notice, by notifying individual neighbours where appropriate and by press advertisement where necessary (usually in respect of applications for developments which might be of wider than local interest).

All applications are available for inspection at the National Park Authority Offices, in Bovey Tracey, during normal office hours, or by arrangement with the clerk to your parish or town council. If you have a particular difficulty in visiting Bovey Tracey or arranging to see the parish or town council's copy of the application, we may be able to send you a copy.

We will acknowledge all representations made within **3 working days** of their receipt. If the application is considered at a meeting of the Planning Committee, you can attend the meeting and, if you have given the proper notice, speak for up to three minutes about the application (please see separate leaflet about public speaking in respect of planning applications and enforcement cases). Anyone who has commented on an application will be notified of the decision within **3 working days** of the decision notice being issued.

In the event of an appeal to the Secretary of State in respect of a refusal of permission or the imposition of a condition, we will notify everyone who made comments on the application.

How you can help

- if you wish to discuss the application with the case officer, telephone to make sure that he or she will be available when you visit the office;
- always make your comments clearly and in writing; do not make them too lengthy and concentrate on matters which are relevant to the application;
- try to make your comments before the end of the 21 days allowed, so that they can be fully considered before a decision is made.

If you complain about a development

The power to take enforcement action against an unauthorised development or a development which is not proceeding in accordance with an approved plan, is discretionary. Action will only be taken where it is considered necessary to do so in the light of all relevant considerations. However all complaints will be investigated and a conclusion will be reached in each case, even if it is simply that no action is to be taken.

A written complaint will be acknowledged within **3 working days** of its receipt.

The site which is the subject of the complaint will be visited as quickly as possible and normally within **5 working days** of the receipt of the complaint

Within **10 working days** of the site visit, you will be told what was found, whether we can deal with it, and what will happen next. If the matter cannot be dealt with by the Authority you will be told why.

If the matter is referred to a meeting of the Planning Committee, you can attend the meeting and, if you have given the proper notice, speak for up to three minutes about the matter (please see separate leaflet about public speaking in respect of planning applications and enforcement cases). You will be informed of the decision within **5 working days** of the meeting.

How you can help

- unless urgent, make your complaint in writing;
- explain the problem clearly;
- provide whatever details you have of the location of the development and the ownership of the land;
- allow officers access to your property so that they can gain a better appreciation of the problem;
- be prepared to give evidence in the event of legal proceedings;
- understand that some developments do not require the permission of the Planning Authority and that others may be considered acceptable despite your complaint.

Monitoring and Review

The Authority will:

- *keep all its development control procedures under review to ensure that the service responds to changing needs and circumstances as quickly as resources permit;*
- *regularly monitor its statistical performance;*
- *consider means of assessing public reaction to its decisions and satisfaction with the service provided.*

If you are unhappy with the way in which we have dealt with an application or your complaint then please contact the case officer as soon as possible to try to resolve matters. If you are not satisfied with the response from that officer then ask to speak to his or her Section Head. If, after speaking to the Section Head, you remain unhappy then please put your complaint in writing to the Chief Planning Officer.

Useful addresses and telephone numbers

For advice on highway issues relating to development control in the National Park:

**Devon County Council,
Okehampton Local Service Group,
Brayhams, North Road,
Okehampton, EX20 1BN
(01837) 52773**

Others:

**Environment Agency,
Exminster House, Millerway,
Exminster ,
Exeter, EX6 8AS
(01392) 444000**

**South West Water,
Peninsular House,
Rydon Lane,
Exeter, EX2 7HR
(01392) 446688**

**Teignbridge District Council,
Forde House, Brunel Road,
Newton Abbot, TQ12 4XX
(01626) 361101**

**South Hams District Council
Follaton House, Plymouth Road
Totnes, TQ9 5NE
(01803) 861122**

**West Devon Borough Council
Kilworthy Park, Drake Road
Tavistock PL19 0BZ
(01822) 813600**

Further Information

If you have any further queries you can call at the office or telephone:-

**Dartmoor National Park Authority
Parke
Bovey Tracey
Newton Abbot
Devon
TQ13 9JQ
☎ (01626) 832093
Fax (01626) 834684
E-mail: hq@dartmoor-npa.gov.uk
Website: www.dartmoor-npa.gov.uk**

The opening hours are
9.00am - 5.00pm Monday to Thursday
and 9.00am - 4.30pm Friday.

The names and addresses of the Dartmoor National Park Authority Members can be obtained from Parke, Bovey Tracey (please see address above).



Car parking is available but access to the office from the main car park is along a steeply sloping path. If you have a disability, are less mobile or elderly and are likely to have difficulty in using that path, then you may park close to the office, at the rear of the building.