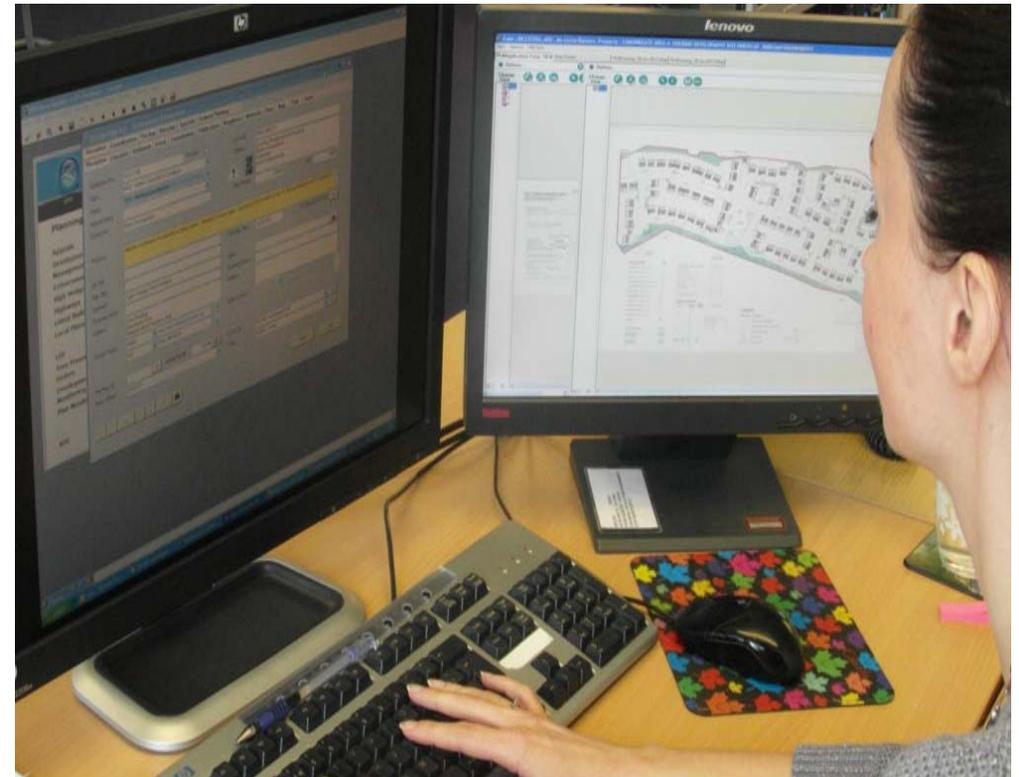


# Planning Procedure

## Processing Planning Applications



### The decision

The applicant (or agent, if there is one) will be sent a decision notice. If permission has been granted this may be subject to conditions, in which case these will be included in the decision notice. If the application has been refused the decision notice will explain the reasons why the application was refused.

A planning permission will normally allow 3 years to start the development, after which permission will lapse if work has not commenced on the site.

The applicant must submit formal notices to the Development Management before the development starts and once the development is completed. These notices are attached to the decision notice.

### Appeals and Reviews

Applicants who are unhappy about a refusal or conditions attached to a permission have a right to challenge the decision within 3 months of the date of the decision notice. Details of how to do this are provided on decision notices.

For applications determined under delegated powers, the applicant can apply for a review of the decision by the West Dunbartonshire Local Review Body. Forms and guidance can be found [here](#)

For applications determined by the Planning Committee (and for listed building or conservation area consents) the applicant can appeal to the [Scottish Ministers](#).

### How to contact us

Email us at: [development.management@west-dunbarton.gov.uk](mailto:development.management@west-dunbarton.gov.uk)

Phone us on: **01389 738575**

Write to us: **Development Management,  
Council Offices,  
Rosebery Place, Clydebank  
G81 1TG**

Updated August 2012

## What is planning permission for?

Planning tries to ensure that land is developed in the best possible way for the whole community's long term benefit. This often involves balancing competing and conflicting interests.

### Principal Aims

- To guide development towards appropriate locations
- To encourage regeneration and high quality development
- To protect our natural and built heritage
- To create vibrant places for people to live, work and visit
- To ensure that development is sustainable

To help us do this consistently, we have policies and guidance in the Glasgow and Clyde Valley Strategic Plan, the West Dunbartonshire Local Plan, and supplementary planning guidance.

## What happens to an application?

### Validation

New applications are checked to ensure that all the documents, plans and fees required by the law have been included. All information must be provided before processing can start.

### Consultation & Publicity

Consultations are sent to various bodies to obtain their view (e.g. Environmental Health, Roads Service, Scottish Natural Heritage, etc.). Letters are sent to immediate neighbours to advise them of the application and invite comments. In some circumstances a notice is published in the local newspaper and posted on the site.

### Consideration

The planning officer assigned to the case inspects the site and assesses the proposal, taking into account planning policies, consultation responses and public representations.

### Negotiation

If problems are identified with the proposal which could be addressed by amending it, the case officer will contact the applicant to discuss whether this will be possible.

Most straightforward applications are decided within 2 months.

## Who decides the application?

### Delegated Decisions

Most applications, and in particular householder applications, are decided by Planning officials under 'delegated powers'. The case officer prepares a report and recommendation, and the application is decided by a senior officer.

### Planning Committee

In certain situations, such as where approval would be contrary to a high number of objections, contrary to policy or would be otherwise contentious, applications are decided by the Planning Committee. The case officer prepares a report and recommendation but the Committee makes the final decision, having weighed up all matters.

If an application is to be decided by the Committee the applicant and any objectors will be advised in advance of the time and venue. Where there are objections, the applicant or an objector can request a hearing so that they can address the Committee before the decision is made. Hearings are designed to be fair, with both the objectors and the applicant being given a chance to speak, usually limited to 5 minutes each.

## What is taken into account?

The Council is required by law to limit the matters it takes into account to the development plan (i.e. the strategic plan and local plan), and to other "material considerations". The application must be determined in accordance with the development plan, unless there are material considerations which outweigh the plan. It is therefore useful to be aware of the content of the development plan prior to submitting an application.

Precisely what does and does not qualify as a "material consideration" is not defined by the law, but two general rules are that the issue must be:

- Relevant to planning (i.e. the use or development of land), and;
- Relevant to the application

Such matters usually include the impact on the surrounding area, environment, and infrastructure. Matters which cannot be taken into account include who is applying, their past history and the possible effect of the development on property values.