



Guidance Note Major Planning Applications – Pre-Application Discussions

Introduction

The Scottish Government recognises the importance of the efficient handling of development proposals in Scottish Planning Policy and both Aberdeen City and Aberdeenshire Councils are committed to improving their service to customers who submit major planning applications. The reason for this is that large and complicated planning applications can sometimes take too long to go through the planning process. **Experience has shown that well managed pre-application discussions can help reduce the time taken to deal with a formal planning application.**

Identification of the relevant planning issues at an early pre-application stage will help speed up the process for developers and the Councils. Major planning applications often comprise developments that will lead to significant economic investment in the City and Shire whilst improving the environment and facilities on offer to their residents. Equally, such applications can be contentious and generate public interest. An efficient, effective and consistent approach from the Planning Service is therefore required. Planning officers, consultees, councillors and the public at large often have to deal with proposals which could be better formulated. **Aberdeen City and Aberdeenshire Councils therefore welcome and encourage discussion with developers prior to the submission of any planning application for a major development. The resulting applications stand a better chance of a successful recommendation and help speed up the decision making process after submission.**

The process

The Planning etc. (Scotland) Act 2006 requires certain classes of development, including major applications, to be the subject of pre-application consultation with the community at a level which is proportionate to the nature and scale of the proposal and its likely impact. It is the developer's responsibility to undertake this consultation. The exact format of the consultation required will vary depending on the nature and scale of the development so it is important that you contact the Planning and Sustainable Development Service to discuss details as early in the process as possible.

In parallel with the above procedure, developers are encouraged to undertake pre-application discussion with the Councils' planning officers. **Although the process will be slightly different for each Council, this will help to identify the supporting information required for the application and the main planning issues raised by the proposal.** It is important that all parties are made clear about issues and requirements. The process will also provide an indication as to the likelihood of an Environmental Impact Assessment being required and give clear guidance on the associated screening and scoping processes. The potential need for planning gain and any associated legal agreement should be raised at this stage. Examples of information that could be required in support of the application include -



- Affordable housing
- Landscape impact assessment
- Impact on trees and woodland
- Archaeology
- Transport Assessment
- Drainage Impact Assessment
- Retail impact study and sequential test
- Sustainable urban drainage scheme
- Flood risk assessment
- Noise assessment
- Design and access statements (statutory for most major applications)

It is important that any meetings are accurately minuted, therefore the nominated person responsible for taking and distributing minutes should be agreed by all parties from the outset.

What is a major planning application?

Major applications are defined in the Town and Country Planning (Hierarchy of Developments) (Scotland) (Regulations) 2009. It is strongly advisable for developers to seek advice from Council planning officers at an early stage to confirm whether or not a proposal falls within the definition. This is because major applications are subject to a specific process before they can be determined (details on the full list of major developments are available from

<http://www.scotland.gov.uk/Publications/2009/07/03153122/1>.

Examples of major developments include:

- Housing – 50 or more dwellings; or a site area of 2 or more hectares.
- Business (includes offices) and General Industry, Storage and Distribution – gross floor space exceeds 10,000 square metres; or a site area of 2 or more hectares.

Processing agreements

The Councils want to encourage the use of processing agreements with planning applications for major developments to provide greater clarity about the timescales and processes that will take place before determination is made on these proposals. Supporting the processing agreement there should be constructive pre-application discussions between the planning authority, developers, agencies and other relevant consultation bodies. A processing agreement does not guarantee the grant of planning permission, but should be based on a shared understanding about the key stages in the process - associated planning applications will continue to be considered on their merits and against the terms of the development plan.



Processing agreements should be discussed as early as possible. It is important that developers are well informed at an early stage about the level of information required to support an application. Processing agreements should result in improved trust and more open, positive working relationships between developers, planning authorities and consultees.

Details of the processing agreement will be drawn up between the case officer and the developer. Generally the planning authority will draw up the agreement but if agreed the developer may do this. The format should be kept as concise, clear and as simple as possible (e.g. a simple work plan/timescale format). The components of a processing agreement will vary depending on the circumstances but are likely to include:

- Roles and responsibilities of designated personnel on both sides;
- Information requirements and content of the application, particularly over and above the statutory requirements;
- Decision-making framework, including if necessary any Environmental Impact Assessment framework;
- Project plan and key milestones;
- Meeting framework and administration of the application;
- Timescales.

NB It is important to note that this pre-application discussion process is separate from the statutory requirement for the developer to undertake pre-application consultation (PAC) with communities (further guidance on which is available from <http://www.scotland.gov.uk/Publications/2009/07/03153034/5>).