



INTRODUCTION

Aberdeenshire Council deals with between 4000 and 5000 planning applications a year and is particularly committed to improving the service to customers who submit planning applications for Major Developments.

The Planning etc. (Scotland) Act 2006 introduced the new Hierarchy of Development Regulations – these dictate the scale of development now classified as ‘Major’ Development. These are developments likely to constitute significant investment in Aberdeenshire but which may also be contentious and generate public interest.

The Planning Service has operated a successful pre-application consultation service for such developments since 2007. Feedback from users highlighted the real benefits of early discussion with the Planning Service and consultees, and the service is widely regarded as being good practice. The advice service is limited to Major Developments, but the Planning Service will be issuing further guidance in due course on pre-application procedures for developments now classified as Local Developments.



WHAT IS A ‘MAJOR’ DEVELOPMENT?

The following are classified as ‘Major’ Developments.

- Development which falls under [Schedule 1](#) of the Environmental Impact Assessment (Scotland) Regulations 1999
- Housing development of 50 dwellings or more, or if the site is or exceeds two hectares
- Business & Industry, Storage and Distribution (Use Classes 4 - 6) where the gross floor space of the building or structure is or exceeds 10,000 square metres, or if the site area is or exceeds two hectares
- Electricity generation projects where the capacity of the generating station (including renewables) is or exceeds 20 megawatts (turbines, hydro schemes etc)
- Waste management facilities (waste management or disposal) where the capacity of the facility is or exceeds 25,000 tonnes a year, or in the case of sludge treatment more than 50 tonnes (wet weight) per day of residual sludge
- Transport and infrastructure projects where the length of the new or replacement road, railway, tramway, waterway, aqueduct or pipeline exceeds eight kilometres
- Fish farming projects where the surface area of water covered is or exceeds two hectares
- Mineral extraction where the area of the site is or exceeds two hectares
- Other development (any development not falling within any of the above categories) where the gross floor space of the building or structure is or exceeds 5,000 square metres, or the site is or exceeds two hectares

It is expected that [National](#) Developments, as defined in the National Planning Framework 2, will also be the subject of pre-application discussions.

THE BENEFITS OF PRE-APPLICATION ADVICE

Aberdeenshire Council welcomes and encourages early discussion with applicants and developers prior to the submission of any Major Development application. The submission of a comprehensive and fully-formed application will benefit all parties and enable timeous and quality decision making. Well-managed pre-application discussions can help identify any issues early and reduce the time taken to deal with the actual planning application. There are other benefits, including:

- Savings in time and money
- Improvements in quality
- Greater understanding of how policies will be applied
- Identifying the need for specialist input at an early stage
- Assisting in the preparation of proposals for formal submission



A range of consultees who will ultimately comment on your planning application will also be involved. You should think carefully about your proposal and provide as much information about it as early as possible.

PRE-APPLICATION CONSULTATION AND ENVIRONMENTAL IMPACT ASSESSMENT

Major Developments bring with them a statutory requirement for Pre-Application Consultation (PAC) with the community and this is now expected to form part of the pre-application work on any planning application for a Major Development. It is recommended that this is carried out as part of pre-application discussions and before proposals are finalised in any detail. It will be important to demonstrate how comments made during the consultation have been addressed within the [Pre-Application Consultation Report](#), which you will be required to submit along with your planning application.

More advice on Pre-Application Consultation, including advice on screening and Proposal of Application Notice forms, can be found on the [Council's website](#).

Certain Major Developments may also be subject to Environmental Impact Assessment (EIA) if they fall under a Schedule 1 or Schedule 2 development. You should contact the Planning Service separately about this as soon as possible to discuss screening and scoping under the terms of the Environmental Impact Assessment (Scotland) Regulations 1999.

It may be beneficial to do this before any pre-application discussions to allow consultees to feed back on any draft Environmental Statement.

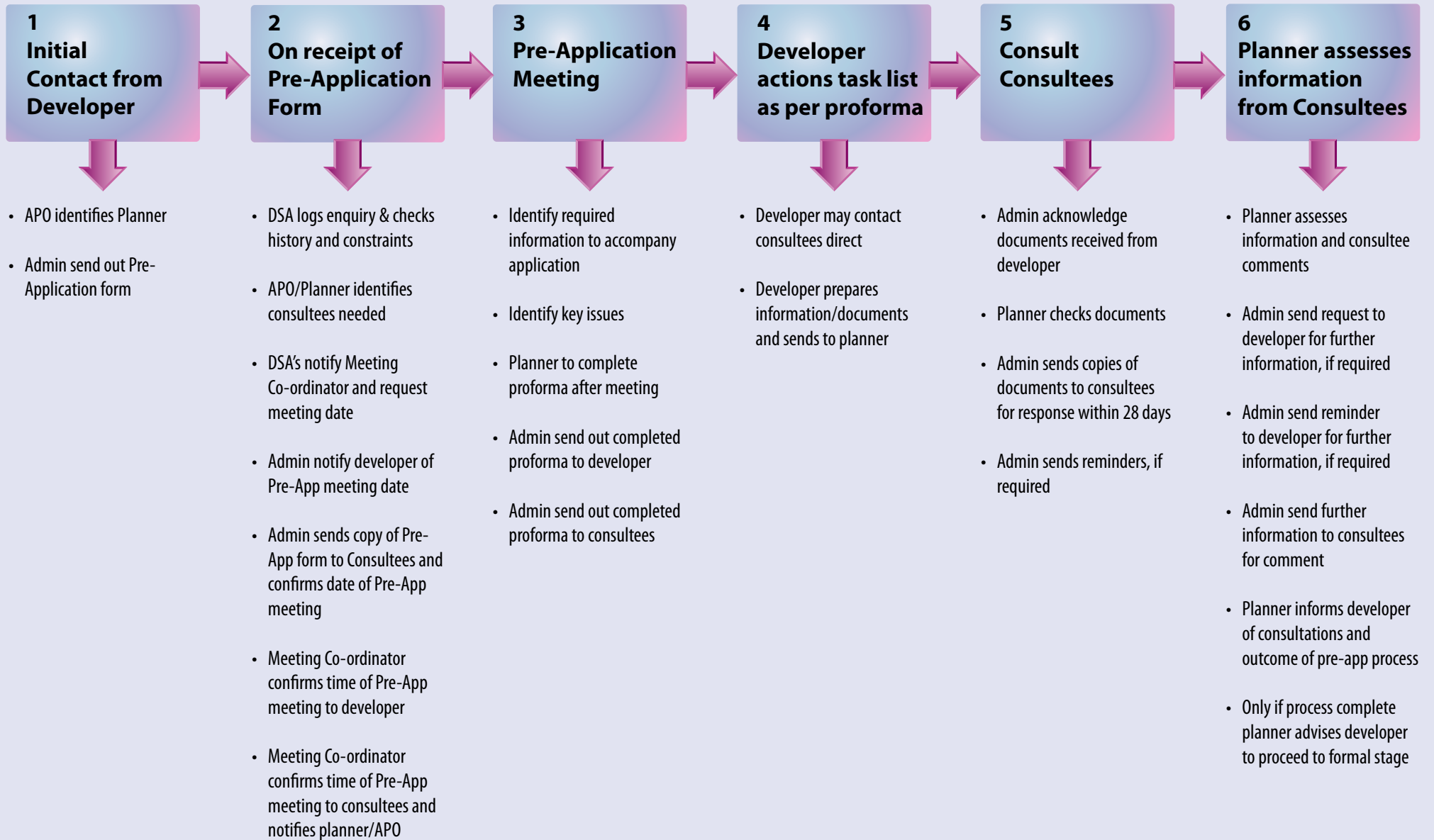
WHAT MATTERS CAN BE DISCUSSED AT THE PRE-APPLICATION STAGE?

Matters to be covered in pre-application discussions include:

- The planning history of the site
- Statutory designations applying to the site, such as Conservation Areas, Listed Buildings or protected trees
- Relevant planning policies applying to the site, including requirements such as drainage, car parking and open space standards
- The forms, plans and supporting information necessary to form a valid planning application
- Specialist statements or information in support of an application, such as a Flood Risk Assessment, Retail Impact Assessment, Access Statement, Development Framework, Masterplan or Development Brief
- Advice about the procedure and estimated timescale for processing the planning application
- Advice on developer contributions or infrastructure necessary to support the development, for example road improvements, education provision or affordable housing
- Informal and balanced comments on the content, preparation and presentation of an application likely to satisfy the council's planning policies



THE PRE-APPLICATION ADVICE PROCESS



1. Initial contact from the developer
2. Pre-Application Advice meeting request form received
3. Pre-Application Meeting and formal response
4. Developer actions task list and submits information requested
5. Information sent to consultees for assessment
6. Conclusion of assessment by the Planning Service and advice on how to proceed towards submitting the planning application

When a developer first contacts the Planning Service they will be asked to submit a [pre-application meeting request form](#) which can be downloaded from the Council's website. On receipt by the Council, the developer will be notified of the date of the pre-application meeting, usually in Woodhill House, Aberdeen and closer to the meeting will be sent confirmation of the time of the meeting. Once it has taken place, the planning officer will send out an assessment form, detailing discussions at the meeting and highlighting matters to be addressed before the submission of a planning application. Consultees who were present at the meeting, or who provided written comments on the proposal, can be contacted at any time for further specialist advice if required.

The developer should then work on the proposal and submit key draft documents and plans to the Planning Service and consultees for further assessment before submitting an application. If everything is in order the developer will be advised that the planning application can be submitted.



FORMAL APPLICATION PROCESS - WHAT HAPPENS WHEN YOU SUBMIT A PLANNING APPLICATION FOR A MAJOR DEVELOPMENT

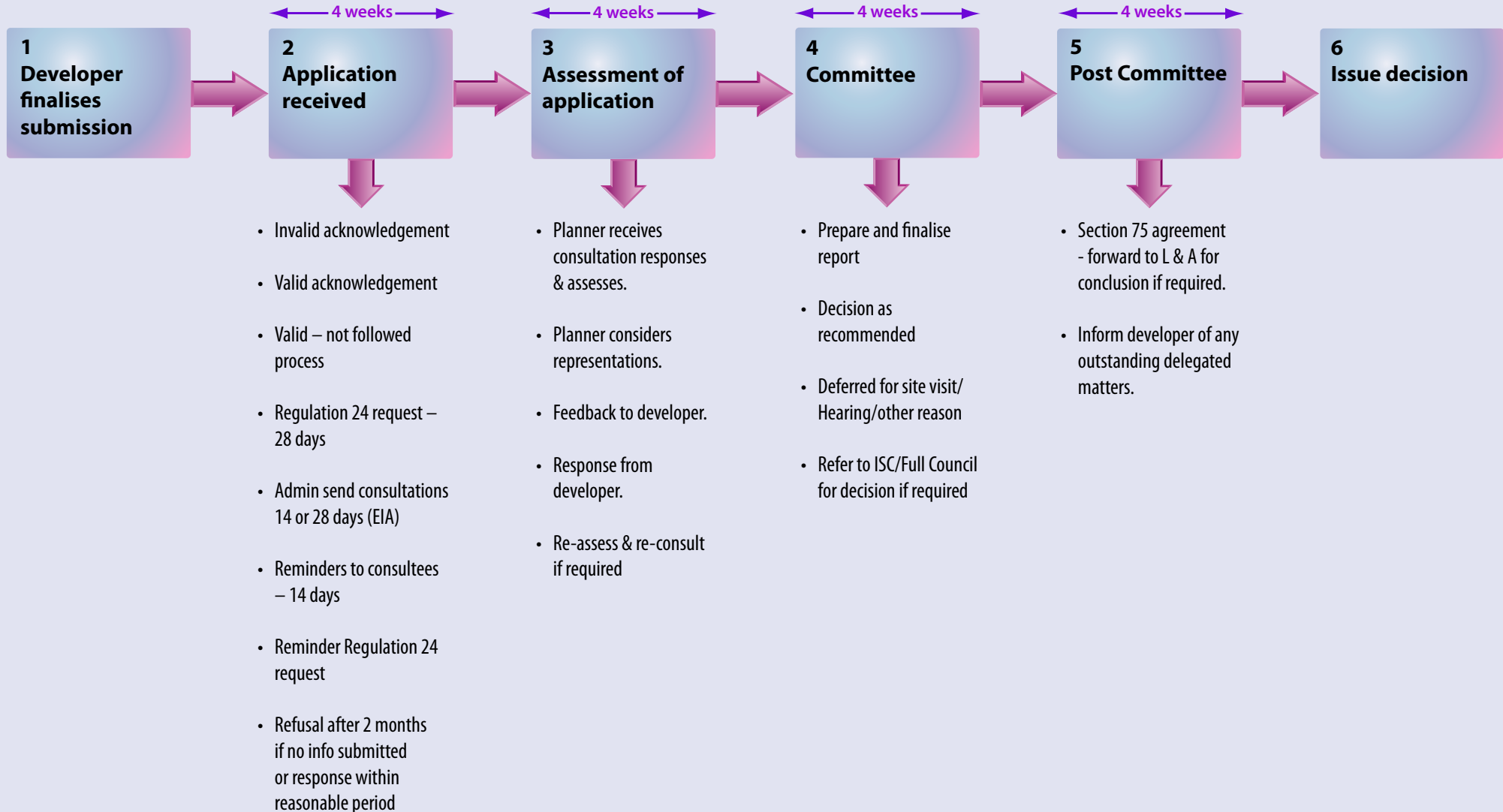
After the pre-application advice stage, it is anticipated that the planning application will be fully formed and supported by all the previously highlighted required information and documentation. Failure to submit all the required information could result in an early refusal of the application in line with Aberdeenshire Council's Scheme of Delegation.

If the application is valid and includes all the supporting information and documents, the application will pass through the system more easily. Applications for major development should be determined within 4 months.

As a result of pre-application discussions, modifications to developments where the planning application has already been submitted should be limited to matters of detail only. Changes which are materially different could require the submission of a fresh planning application.



FORMAL APPLICATION PROCESS



The consultation and assessment period will take up to 8 weeks and if the Planning Service requests any outstanding information from the developer, this should be submitted within 2 weeks. Further information will lead to the proposal being reassessed and additional consultation carried out if required. The Planning Service will already have advised whether the proposal is significantly contrary to the Development Plan and, if this is the case, a pre-determination hearing will be arranged.

In this scenario, the application would ultimately be determined by a meeting of the Full Aberdeenshire Council once views have been sought from the relevant local Area Committee/s.

SECTION 75 LEGAL AGREEMENTS

The requirement for a Section 75 legal agreement should be identified as early as possible in the process. Following a decision on the application by the relevant Council Committee, the Council's Legal and Governance Service will be instructed to prepare a Section 75 legal agreement in consultation with the developer's solicitor. This could include any developer contribution package, or other matters which need to be dealt with, but cannot be covered by a planning condition.

CONCLUSION

The importance of early pre-application discussions cannot be underestimated, as demonstrated by improvements in the quality of discussion since the pre-application advice service began, and in the quality of planning applications received.

Due to their scale and type, Major Developments have to be discussed with a range of relevant parties as soon as possible to ensure as many issues as possible can be identified and addressed at the pre-application stage.

If the service is used properly and all the required information and documentation is supplied prior



to the submission of a planning application, it should make for more efficient application handling and decision making.

Aberdeenshire Council's Planning Service looks forward to discussing your Major Development proposals with you.

For more information on the process, contact the most appropriate Area Planning office for your development, or see the [Council's website](#).

To discuss your proposal in more detail before entering pre-application discussions, please contact the appropriate Area Planning Officer. The following documents are available:

[Major Development Pre-Application Meeting Request Form](#)

[Proposal of Application Notice Form](#)

