



# Planning Processing Agreements

A processing agreement is an agreement between Aberdeen City Council and an applicant for planning permission. It is a project management tool for the applicant, the Council (including roads and legal officers) and statutory consultees and will be used for all major developments and other more significant or contentious developments where appropriate.

Processing agreements can deliver a number of benefits including:

- Greater transparency in decision-making for everyone involved in the process
- Greater predictability and certainty over the timing of key stages
- Faster decision-making
- Clearer lines of communication between authority and applicant
- More effective and earlier engagement of key stakeholders

A standard processing agreement template will be used and adapted as a basis for such agreements and any finalised processing agreement will be displayed in the documents available to view by the general public for the relevant application on the Council's website.

Processing Agreements will be promoted for all planning applications that are classed as major developments.

Processing agreements may also be a useful way of project managing more complex non-major developments that fall into the local development category. A processing agreement can be used to extend the statutory time period laid down for determining applications as mutually agreed by the Council and the applicant.

Processing agreements will only work effectively if the agreement is entered into before the relevant planning application is submitted. For this reason requests from the applicant to enter into a processing agreement after this time will only be entertained in exceptional circumstances and certainly not where the offer of a processing agreement has been made by the Council and declined by the prospective applicant earlier in the process.

The prospective planning case officer will identify those proposals where a processing agreement would be encouraged and promoted a processing agreement and formally confirm this in writing at the earliest stage possible in pre-application discussions or on receipt of the relevant Proposal of Application Notice, whichever is the sooner.

The processing agreement sets out the roles and responsibilities of the parties and identifies the key processes involved in determining the planning application, identifying what supporting information is required and from whom. It also sets the dates and/or timescales for the delivery of various stages of the process. The processing agreement is not legally binding and in no way guarantees the granting of planning consent.

It will be for the case officer to decide which internal and external stakeholders to consult on the timescales and information requirements of the draft processing agreement depending on the nature of the proposed development.

In terms of internal consultees, it is expected that Council's legal team will be consulted whenever a legal agreement will be required for a proposal so that timescales can be agreed with the legal team and factored in to ensure that the legal agreement is delivered expediently as soon as possible after an application is given a willingness to approve.

Similarly, the Roads Projects team would be consulted where there are significant roads issues and Environmental Health where there is potential for significant noise generation or air pollution etc.

If significant input is required from external consultees it is desirable that the relevant external consultees are consulted on, and agree in writing to, the information requirements and consultation timescales proposed by the draft processing agreement. For instance, for Scottish Environment Protection Agency to agree the terms of the processing agreement where a flood risk assessment is required (in relation to the requirement for and timescale of their response to any flood impact assessment).

Scottish Natural Heritage would be consulted to and agree to the terms of the legal agreement where there input will be required on wildlife survey impacts or in relation to impacts on protected species or protected sites (eg the River Dee SAC). Two weeks will be given for consultee comments on the draft processing agreement.

The processing agreement for the planning application at Woodside (OP135) is an example where Transport Scotland, Scottish Water, SEPA, SportScotland and SNH have all signed up to the terms of a processing agreement

It should be emphasised that if any of the information requirements, key dates and timescales included in any processing agreement are not submitted/achieved this is highly likely to have knock on effect on dates and times later in the agreement. In these circumstances applicants/ developers should be aware that the dates and timescales will have to be renegotiated – this may be best done at one of the scheduled progress meetings between the planning authority and the applicant.

### **Further information**

If you require more information or help, please contact:

**Development Management  
Strategic Place Planning  
Aberdeen City Council  
Business Hub 4  
Marischal College  
Broad Street  
Aberdeen  
AB10 1AB**

**Telephone: 03000 200 292  
E-Mail: [pi@aberdeencity.gov.uk](mailto:pi@aberdeencity.gov.uk)**

### **Useful web-sites**

**[www.scottishwater.co.uk](http://www.scottishwater.co.uk)**

**[www.sepa.org.uk](http://www.sepa.org.uk)**

**[www.snh.gov.uk](http://www.snh.gov.uk)**

**[www.sportscotland.org.uk](http://www.sportscotland.org.uk)**

**[www.transportscotland.gov.uk](http://www.transportscotland.gov.uk)**