

# **Pre-Application Advice Procedure**

Strategic Place Planning



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# Pre-Application Advice Procedure

Contents	Page
Foreword.....	3
Pre-Application Procedure.....	4
What is Pre-Application Advice?.....	4
Fees for Pre-Application Advice .....	5
Fee Exemptions .....	5
When should Pre-Application Advice be Sought?.....	6
Using the Pre-Application Process .....	7
How to Arrange Pre-Application Advice .....	8
What the Applicant/Agent should do .....	8
What we will do .....	9
Written Evaluations.....	9
Meetings .....	9
Pre-Application Workshops .....	10







**Councillor Marie Boulton**

**Convenor: Planning Development  
Management Committee**

## Foreword

I am delighted to introduce the refreshed pre-application procedure.

The refresh comes at a time when the wider and deeper economic impacts of the Covid-19 pandemic are unfolding and will be affecting every aspect of our city for years to come. Strong resilience, recovery and renewal must embrace an inclusive and collaborative approach going forward so that risks are minimised, certainty is increased and investment creates high quality development for all our communities needs.

The pre-application procedure has formally been in place since 2017 and has been something of a runaway success supporting both householders and the development industry with free planning advice to shape proposals in accordance with the Development Plan. The refresh introduces fees for various scales of development proposals, as well as being able to offer some fee exemptions, so that we can sustainably commit to resourcing pre-application advice whilst not impacting on the ability to deliver our statutory functions as the Local Planning Authority.

All good development is the result of appreciating the context, having vision, skill, experience, sharing learning and securing commitment by everyone involved and I urge anyone with outline development proposals to engage with the pre-application procedure to minimise risk and add value to your development ideas.

## Pre-Application Advice Procedure

The aim of Aberdeen City Council's Strategic Place Planning Service is to ensure that all proposals for development are of a high placemaking quality, supporting our partnership vision that 'Aberdeen is a place where all people can prosper'.

Development in the city is directed by the policies, proposals, guidance and planning advice in the **Aberdeen Local Development Plan** and our **Business Charter** promise is that planning applications will be progressed and determined in a resource efficient manner.

The pre-application advice service is in place to proactively front-load advice and add value on planning matters at an early scoping and feasibility stage in the development process.

The following procedure explains how pre-application advice will be provided by the Planning Service, what is expected from parties engaging with us in the process and the scale of charges that apply.

### What is pre-application advice?

- Pre-application advice is a non-statutory service provided by the **Development Management Team**.
- Pre-application advice consists of an initial planning assessment of a proposal by planning officers before an application is submitted and is recommended prior to costly commitments of time and resources by prospective applicants.
- This service is independent of the statutory Pre-Application Consultation (PAC) process for major and national developments.





## Fees for Pre-Application Advice

Type of Development	Development Thresholds	Fee (inc. of VAT)	Scope of Response
<b>Householder Development</b>	• Development ancillary or related to an existing residential use (i.e. an extension or alteration to an existing dwelling).	No fee	Written Evaluation
<b>Signage / Advertisement Proposal</b>	• Proposals solely concerning signage and advertisements	No fee	Written Evaluation
<b>Minor Local Development</b>	<ul style="list-style-type: none"> <li>• 1-4 dwellings,</li> <li>• up to 999 sqm site area,</li> <li>• up to 999 sqm development floorspace,</li> <li>• Change of Use, or</li> <li>• Section 42 applications, or</li> <li>• Telecommunication developments</li> </ul>	£165	Written Evaluation
<b>Local Development</b>	<ul style="list-style-type: none"> <li>• 5-49 dwellings,</li> <li>• 1,000-9,999 sqm Class 4/5/6 floorspace and site area less than 2 Hectares, or</li> <li>• 1,000-4,999 sqm any other development floorspace and site area less than 2 Hectares.</li> </ul>	£825	Written Evaluation
<b>Major / National Development</b>	<ul style="list-style-type: none"> <li>• 50+ dwellings,</li> <li>• 10,000+ sqm Class 4/5/6 floorspace or site area is or exceeds 2 Hectares,</li> <li>• 5000+ sqm any other development floorspace, or site area is or exceeds 2 Hectares, or</li> <li>• Any other major / national development as defined by the <a href="#"><u>Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009.</u></a></li> </ul>	£2,200	Written Evaluation with consultee input, and site visit, meeting(s), and workshop (if required)

In order for the Development Management Team to be able to continue to offer discretionary pre-application advice it is necessary to charge for this service.

Where pre-application advice is sought in developing preliminary proposals or working towards any planning application, including Matters Specified in Condition (MSC) Applications, the pre-application procedure and fees scale in the table apply.

Please be aware that the fees will be reviewed regularly (at least every 6 months) and amended if required to ensure they are proportionate to the costs of delivering the service. Fees can be paid via the [webform.](#)

**Pre-Application advice relating to the following is exempt from fee:**

- **Householder development**
- **Development for disabled access**
- **Development that requires planning permission only on the basis that the Planning Authority has removed, by condition, 'Permitted Development Rights' or Rights under the Use Classes Order**
- **Agricultural buildings that are exempt from planning permission**
- **Proposals for a listed building that only affect its interior**
- **Proposals by formally constituted community councils for the purpose of community benefit within their area**
- **Proposals solely concerning signage and advertisements**



## When should pre-application advice be sought?

Pre-application advice should be sought after the applicant or appointed agent has developed proposals in accordance with the [Development Plan](#) to a stage where it would be beneficial to receive planning advice to further inform proposals prior to submitting a planning application.

Pre-application advice will cover such matters as the principle of the use, access, layout, siting, and materials as well as the information likely to be required to accompany a formal planning application. The advice provided will be appropriate and proportionate to the nature of the proposal and to the level of information initially provided by the applicant or agent.

All non-householder development pre-application enquiries must follow this procedure. The use of this procedure for householder development proposals is only advised if recommended by a planning officer. If you have not been advised by a planning officer to submit a Pre-Application Enquiry, please contact the duty planning officer on **01224 053746** Mon- Fri between 10:00 and 16:00 or email [pi@aberdeencity.gov.uk](mailto:pi@aberdeencity.gov.uk) first to discuss your development ideas.

The pre-application advice service is not for the purpose of:

- **Establishing if planning permission or other consent is required. In these circumstances you should submit a Certificate of Lawful Development/Use application. Information about this can be found [here](#).**
- **Assessing whether variations to previous permissions are non-material.**
- **Establishing what information is statutorily required to be submitted with a planning application. Information about this can be found [here](#).**
- **Establishing how to submit a planning application. Planning applications can be submitted [here](#).**

If you cannot obtain the information required from the sources above, please contact [pi@aberdeencity.gov.uk](mailto:pi@aberdeencity.gov.uk) or **01224 053746** for advice. Duty Planning Officers are available Monday to Friday between 10:00 and 16:00.





## Using the Pre-Application Process

All pre-application enquiries for non-householder development proposals must be submitted on the [webform](#) and in accordance with this guidance. Requests for preapplication advice made via email will only be accepted for householder development proposals. Requests made via other channels will not be accepted.

Early engagement with the Development Management Team should be used to inform your proposals. This is because the parameters, and likely issues, can then be scoped out before an application is made. If pre-application advice is followed this should lead to applications for high quality development – speeding up the determination process and increasing the likelihood of planning approval being granted.

To be beneficial, pre-application advice requires a commitment from all involved to positively engage in the process and for an initial degree of investment to be made by the prospective applicant in terms of time and resources.

The Council's Business Charter recognises the importance of pre-application advice and affirms that we will co-ordinate early engagement with other Council Services to scope out likely technical matters. We will provide a dedicated case officer as a project manager for all pre-applications, ensuring the accuracy and fairness of all advice given.

Pre-application advice does not guarantee that consent will be granted. It is made without prejudice to any matters that may arise during the evaluation of a subsequent application. Statutory and other consultations require to be carried out to inform the evaluation process prior to determination, which might in certain circumstances change the balance of considerations expressed in pre-application advice.

The Council's elected members do not take part in the pre-application advice procedure, but it is encouraged and expected that that applicants for Major Developments will present to the Pre-Application Forum of the Planning Development Management Committee at the Proposal of Application Notice stage – in advance of submitting a planning application. This can be beneficial in communicating a clearer understanding of the proposal to elected members and informing amendments that might increase the likelihood of gaining planning approval.



## How to arrange pre-application advice

In order for the Strategic Place Planning Service to manage staff time and to nominate a case officer with the relevant skills and experience, the following procedure should be followed:

### What the Applicant/Agent should do:

- All prospective applicants are expected to develop proposals taking in to account policies in the Development Plan and its supplementary guidance and technical advice notes. The planning background provided by these documents is sufficient to allow proposals to be developed to a stage where there can be constructive pre-application consideration of site-specific proposals.

- The following information will be required for a pre-application enquiry to be validated:
  - ☐ A completed Pre-Application Request Form, including:
  - ☐ A written description of the proposal, existing and proposed uses, access, layout, indication of massing, materials and any other relevant information
  - ☐ A scaled location plan (typically 1:1250)
  - ☐ A scaled layout plan (typically 1:500, 1:200 or 1:100) that shows the entrance, particular areas and features of interest and known environmental constraints (e.g. existing trees, level changes, water courses etc)
  - ☐ The appropriate fee, which can be paid via the webform
- Should any of the above not be provided our Technical Team (Applications) will contact you to advise what outstanding information is required and 10 working days will be given for this to be submitted after which the fee will be returned.
- Whilst the above is the minimum required, the advice given will be proportionate to the level of information submitted, therefore, it is **strongly recommended** that as much information as possible is provided (e.g. photographs, elevations and floor plans even if in draft or sketch form)
- You may be required to enable access for a site visit, advise on discussions with interested parties and provide additional information as requested.

Please note it is recommended that you plan for an adequate period of time within your development programme to allow the pre-application written response to be issued and/or meetings to take place. The individual file size for submissions is restricted to 5mb and the total file size for all attachments is restricted to 36 Mb.



## What we will do:

- Within 5 working days of the request form being submitted we will provide a unique pre-application reference number recorded against the address of the proposal.
- If information required to validate the Pre-Application Enquiry is missing the Technical Team (Applications) will ask for this to be provided within 10 working days.
- If planning permission appears not to be required, the enquiry and fee will be returned. Submission of a Certificate of Lawfulness application is advised to confirm this.
- The enquiry will be allocated to a case officer who will send an acknowledgement letter advising on the likely timescale for the Written Evaluation to be issued and confirming whether any further information is required.

The advice will take the form of a Written Evaluation containing:

- The relevant planning history of the site
- A brief appraisal against planning policies and strategies
- Considerations raised through any internal consultations
- A summary of key issues
- Answers to any specific questions raised in the submission
- An indication of the overall acceptability in principle
- If applicable, the identification of key mitigations and recommended revisions
- The likely requirement for developer contributions
- Whether a processing agreement should be entered into
- A list of interest groups that you should engage with
- A list of supporting information required to accompany the planning application

## Written Evaluations

- Only one Written Evaluation will be provided to a specific agent/ applicant for any proposal on a site, including variants, so it is important that full consideration of development options has taken place before submitting a Pre-Application Enquiry. Additional advice will not be given for a proposal where there has been no substantial revision in accordance with advice previously given.
- The Written Evaluation will be drafted by the case officer and reviewed by a Development Management Team Leader prior to being issued.
- We will provide the Written Evaluation as quickly as workload allows and typically aim to do so within 25 working days following the 'validation' of the Pre-Application Enquiry. If meetings and/or workshops are held, or where internal consultation is required, then a longer timescale is likely. As soon as it becomes apparent that a longer response period is required the case officer will advise applicants of the reason for the delay and give a revised timescale for the Written Evaluation to be issued.

## Meetings

- Pre-application meetings will be held at the discretion of the case officer and should only be required for major or more significant developments – with no more than two meetings being necessary.
- For efficiency, the agent/applicant will forward a draft agenda to the Case Officer to be agreed at least 3 working days in advance of the meeting.
- Within 5 working days following the meeting the applicant/agent will issue a draft note of the meeting to the Case Officer for written ratification as the true, accurate and therefore formal record of the meeting. The Written Evaluation will be issued by the Case Officer within 10 working days of the minute of the final meeting, concluding the pre-application engagement.





## Workshops

- For major or more significant developments, which are likely to be larger scale, have a townscape prominence, a strong urban design potential or have the possibility to impact on the surrounding communities, natural environment or the civic image of Aberdeen, workshops can be agreed at the discretion of the case officer.
- Workshops will focus on a critical review of the site evaluation, its context, the vision and other considerations with the aim of being objective with a shared reasoned justification.
- Within 5 working days following the workshop the applicant/agent will issue a draft note of the workshop to the Case Officer for written ratification as the true, accurate and therefore formal record of the workshop. The Written Evaluation will be issued by the Case Officer within 10 working days of the minute, concluding the pre-application engagement.

## Please note:

- The Written Evaluation will be confidential and not be made publicly available (including on the Council's website), however, ACC will disclose the advice and related documents when required to do so by law – for example in response to a request made under the Freedom of Information (Scotland) Act 2002 or in accordance with the [Environmental Information \(Scotland\) Regulations 2004 \(EIRS\)](#). The EIRS is likely to be the relevant legislation in cases relating to planning information. Where an exception to the EIRS applies, the Council may withhold information from disclosure.
- The Written Evaluation will be the property of the customer and can be shared at their discretion.
- Formal pre-application advice for specific proposals will not be given over the telephone.
- The Written Evaluation is relevant based on the current Development Plan and known material considerations at the time of issue.
- Aberdeen City Council retains the right not to continue pre-application advice which is not entered into cordially or objectively.



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Technical Team (Applications)

**01224 053746**



