



3DReid Response to Planning Management Consultation

APRIL 2008

1.00 INTRODUCTION

1.01 No comments

2.00 ENHANCED SCRUTINY

2.01 Although supportive of Pre application consultation with the local community this should be set up to include consultations required during the formal planning process to ensure that all requirements are taken into account early.

In addition the open ended time of 'minimum' 12 weeks should be clarified to ensure a reasonable timeframe and credit given to reduce the formal process of Planning Approval (e.g. reduction from 4 months to 2 or 3 months).

The period for pre application consultation should also be agreed and could be set down within any 'Processing Agreement' prior to any of the process for consultation being agreed.

The Council is best place to advise and assist in this Pre consultation process with any communities ensuring a fair hearing for local groups and it should not be left entirely for any developer to try to co-ordinate this part of the process.

2.02 The use of Pre – determination hearings should be strictly controlled to avoid any meeting being controlled by Third Parties and there should be more notice taken of the Planning Officers Report.

2.03 The decisions required by Full Council will inevitably prolong the process further and some thought should be given to mitigate this.

2.04 Notification to Scottish Ministers – no comments

3.00 PROCESSING AGREEMENT

3.01 Any Processing Agreement should assist in ensuring timescales are met from both sides and any failures from other council consultee should not delay the process. The ability to put the planning process on hold by requesting further information or blaming a delay on a third party (consultee) should not be allowed without valid reasons and delays should be penalised (Repayment of Fees or agreed Costs set out in the Processing Agreement).

The initial check in any process should be to check against the Local and National Planning Policy before embarking on Public Consultation or agreeing to any Processing Agreement.

Failure to agree a Processing Agreement within a set timeframe should result in a Default Agreement for the whole process including Pre -consultation and this timeframe should be fair to both parties.

4.00 PLANNING PERMISSION IN PRINCIPLE

4.01 Although supportive of this the extent of information to be provided should be kept to the minimum to provide clarity of the permission being pursued. This would avoid any excessive design fees to establish the principle.

5.00 CONTENT OF APPLICATIONS AND VALIDATION

5.01 We have to have greater clarity on the requirements for any submissions and equally we should not allow the clock to be stopped without justification – any requests for further/additional information should be set in a timeframe that is fair to both parties.

6.00 DESIGN AND ACCESS STATEMENTS

6.01 Although supportive of Design Statements to assist in establishing the criteria adopted and explaining the approach to the design solutions presented we are not convinced that an Access Statement should be required. This is clearly covered by the current British Standards, Technical Standards and other

DDA guidance and should therefore be left as a requirement controlled by Building Standards (A technical requirement and not a Planning desired area). We would support Option 2 but also suggest that this statement should not only be descriptive of the design but also include the reasons to support the Planning Applications – this should assist the planning officer in preparing their reports.

7.00 NEIGHBOURHOOD NOTIFICATION

7.01 We would support this but wish to establish the additional that additional cost as reasonable.

8.00 LISTS OF APPLICATIONS

8.01 Developers should not be required to finance the production of Lists which generally benefit third parties such as Builders trying to obtain work etc.

9.00 STATUTORY CONSULTEES

9.01 Although supportive of Pre application consultation with the local community this should be set up to include consultations required during the formal planning process to ensure that their requirements are taken into account early. Consultation should be restricted to an approved list.

10.00 TIME PERIODS FOR DECISIONS

10.01 The process should encourage that the period noted as 2/4 months should be improved especially where there is no conflict and the application meets the criteria set down in the local plan. Where there has been sufficient pre-consultation with either Planning Department or the required Community Consultation credit should be given to reduce the formal part of the process.

11.00 DECISION NOTICES, REPORTS OF HANDLING AND REGISTERS

11.01 The reliance on conditions is further delaying the whole process. Once approved months can be lost trying to discharge conditions with approval having to be pursued by various council departments and no timeframe for agreement in place. This only delays progress further.

Conditions should only be relevant and should not be encouraged to cover approval of areas requiring approval by a third party (Roads, Landscaping etc.). Equally these should not cover areas that are and should be dealt with by Technical Standards.

12.00 BAD NEIGHBOUR DEVELOPMENT

12.01 No comments

13.00 MISCELLANEOUS ISSUES

13.01 No comments.

14.00 CONTROL OF INCREASE IN GROSS FLOOR AREA

14.01 No comments.

15.00 TRANSITIONAL ARRANGEMENTS

15.01 No comments.

16.00 CONCLUDING REMARKS

16.01 As with Technical Standards access should be available to Consultants/Developers for guidance on the process and requirements in an attempt to have a consistent approach across the nation rather than the desires of each Local Authority differing.

16.02 There should be a timeframe for sign off regarding conditions. The current system lacks urgency and often delays site starts.

16.03 Once agreement on any Planning Application has been reached the formal issue of approval should be within the minimum time (A recent example involving a £6 million pound office development involved achieving agreement with the planning officer and all consultee which had taken 3 months and involved a further 3 month delay due to workload pressures within the council before the report was produced and formal approval was granted).

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