

## Implementing *Designing Streets* - Aligning Consents

### Update Report - July 2015

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### Summary

During 2014-15, the Scottish Government has worked with several local authorities to test a framework for aligning planning permission with roads construction consent (RCC). This summary provides a review of findings to date and proposes actions. [Creating Places](#) contains more detail of the policy and research background.

As part of work to implement [Designing Streets](#) a structured approach to align roads construction consent (RCC) with planning permission was developed. Testing this collaborative 'framework', by reflecting it against live cases in four local authorities (Aberdeen City, Dundee, Renfrewshire and the City of Edinburgh), indicates that it can:

- provide consistency;
- give earlier certainty for applicants; and,
- (by allowing a 2-stage option) be flexible to suit local practices.

The framework has subsequently been refined to represent good practice in support of *Designing Streets*. However, to overcome difficulties in demonstrating shorter timescales (and efficiency savings), it is proposed that timescales for determining RCC (stage 1) could be the same as those in planning. This should embed internal consultation that results in clear decisions in parallel.

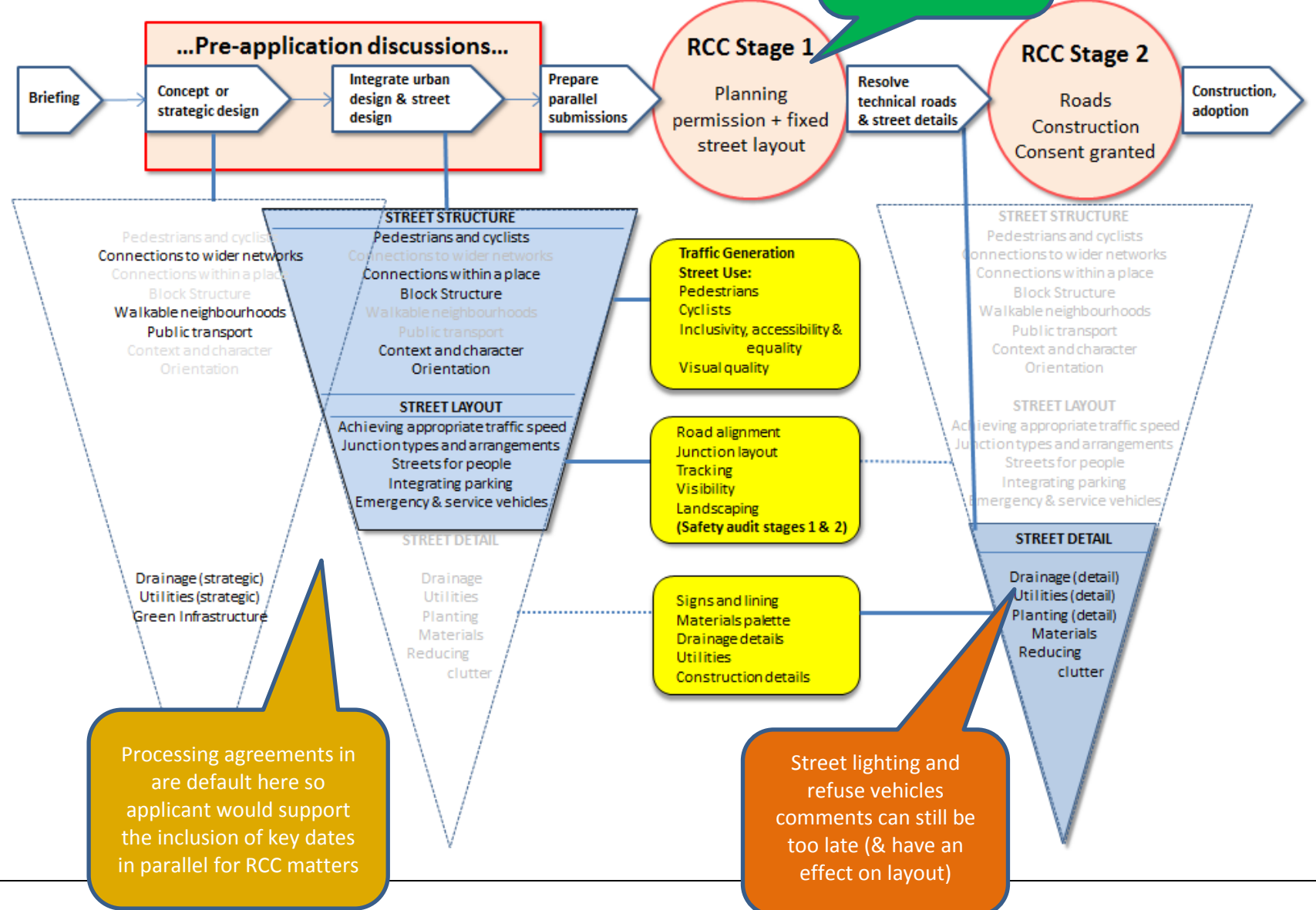
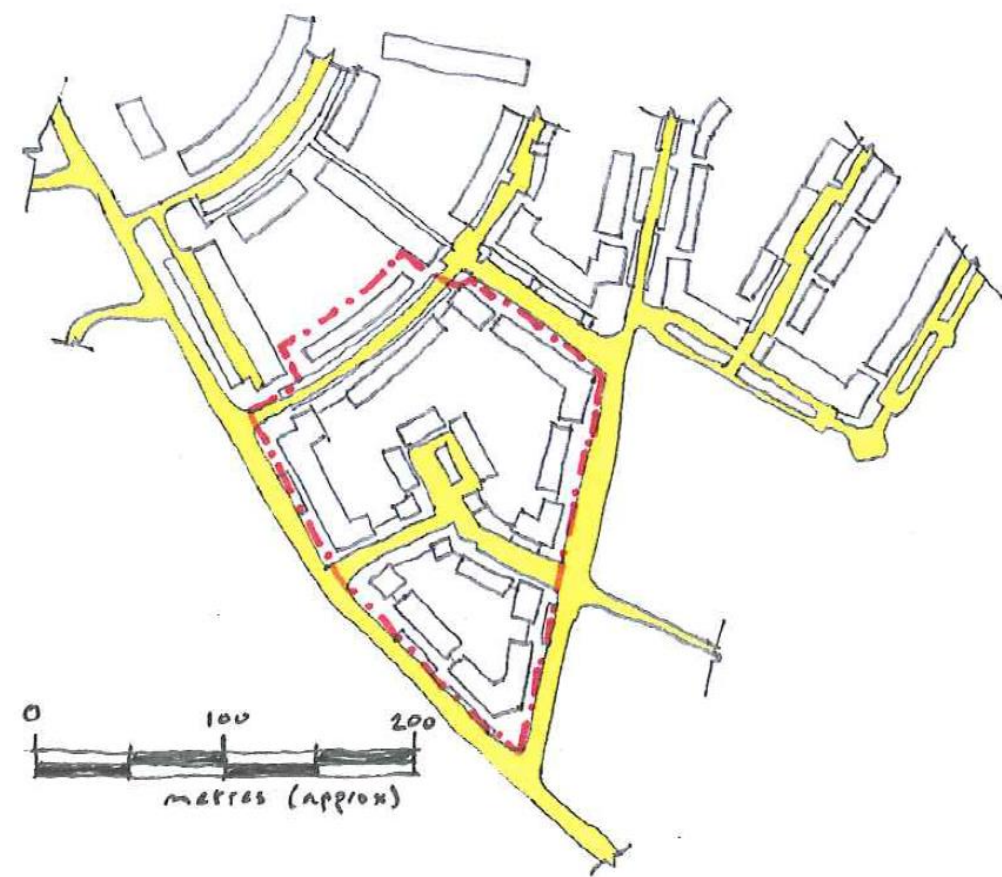
Therefore this next step to set parallel time periods would contain more pro-active targets to check against. It would further test integrated working and signing-off RCC (stage 1) in parallel with planning. ***It would also carry forward the action within the Joint Housing Delivery Plan for Scotland to 'improve timescales and processes associated with development consents'.***

Information on test cases follows, for a more detailed text report see page 12.

ALIGNING CONSENTS June 2015 Project Summary – TEST CASE A	Positive points on process and Aligned Consents (AC)	Comments on remaining barriers and challenges to better practice
<p>Site is within an urban area that has had an Development Framework (DF) for some years. It is for a few thousand units in total with areas of urban regeneration as well as a town centre masterplan (for a city neighbourhood). Broad local authority control has enabled infrastructure works to proceed to build neighbourhood capacity, although this has been restricted severely for some years years due to housing market constraints.</p> <p>Applicant view is that this a straightforward phase when considering roads consent with only a single new connection made in this phase (client considers they have other projects with more complex roads matters). The wider scale Designing Streets (DS) matters (walkable neighbourhoods, public transport, connections to wider networks) have been resolved in area masterplanning. PAN submitted in December 2014 but detailed application is now due summer 2015</p> <p>Applicant signed up for the first Processing Agreement (PA) with this local authority (LA) and confirmed that one will be used here.</p>	<p>Applicant agrees that approach can lead to a commercial advantage of the certainty of having RCC sign-off at planning stage. As well as potentially getting on site earlier this can mean less risk for <i>Design &amp; Build</i> contractors who may be bidding for work. To achieve this sign-off, a positive, consistent and (where necessary) recorded pre-application dialogue is important.</p> <p>The AC framework should lead to consistency across LAs in implementing DS. (But applicant at present reports critical experience with other authorities where formal pre-application enquiries can take weeks, consultees are involved late, and discussions on roads require initiation by consultants.)</p> <p>PAs are default in this LA, so including RCC agreed dates in the standard template for PAs would help to align consents.</p>	<p>The biggest risk can be uncertainty due to discontinuity (a change of officers who do not concur with a previously agreed position).</p> <p>There is concern about lack of assurance given to pre-app discussions.</p> <p>Comments on street lighting and refuse still too late. Emergency services even later (after building warrant).</p> <p>LAs and Scottish Water (SW) have different run-off rates. SW approval letters are elusive, leaving uncertainty for all.</p>

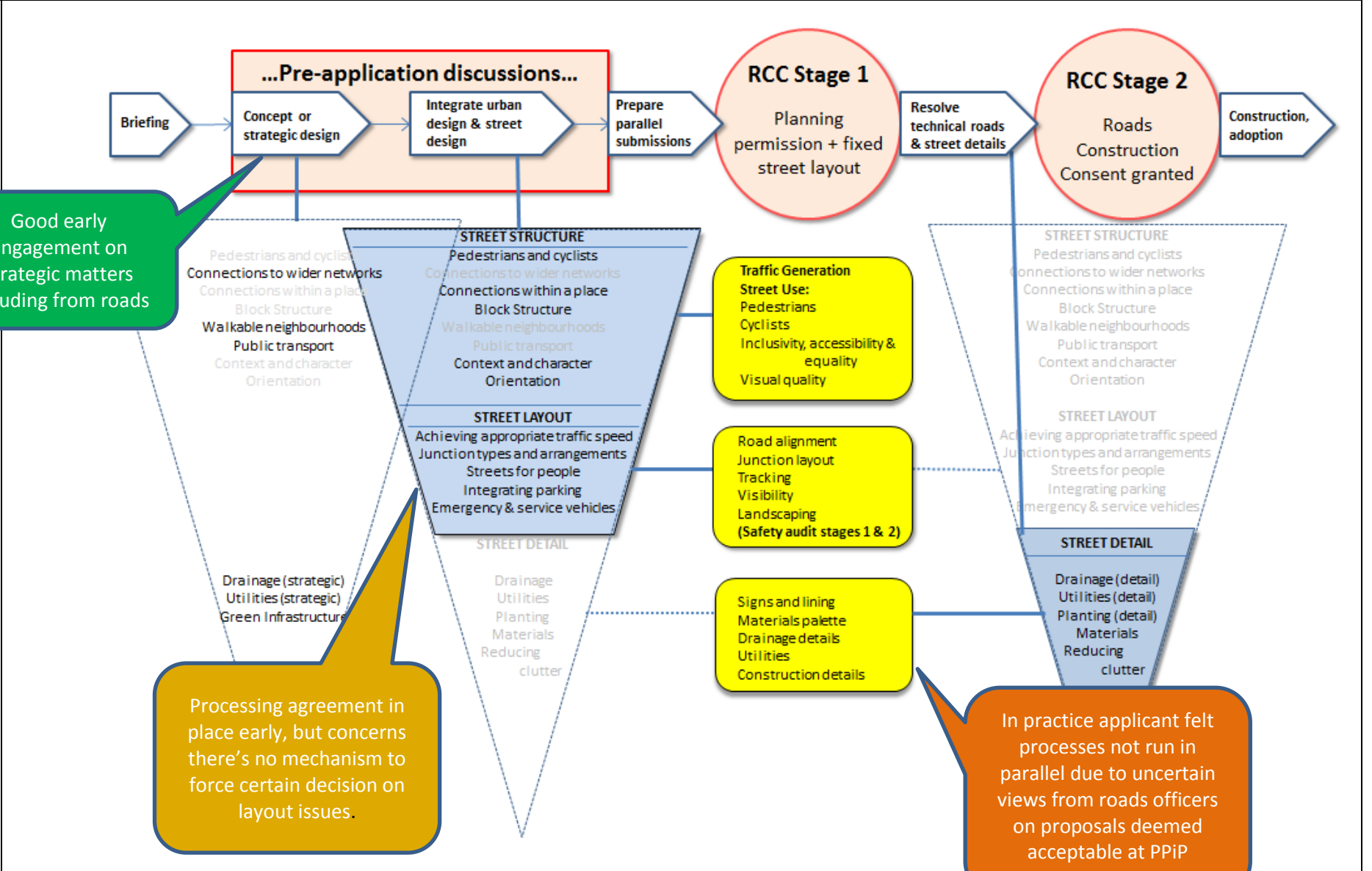
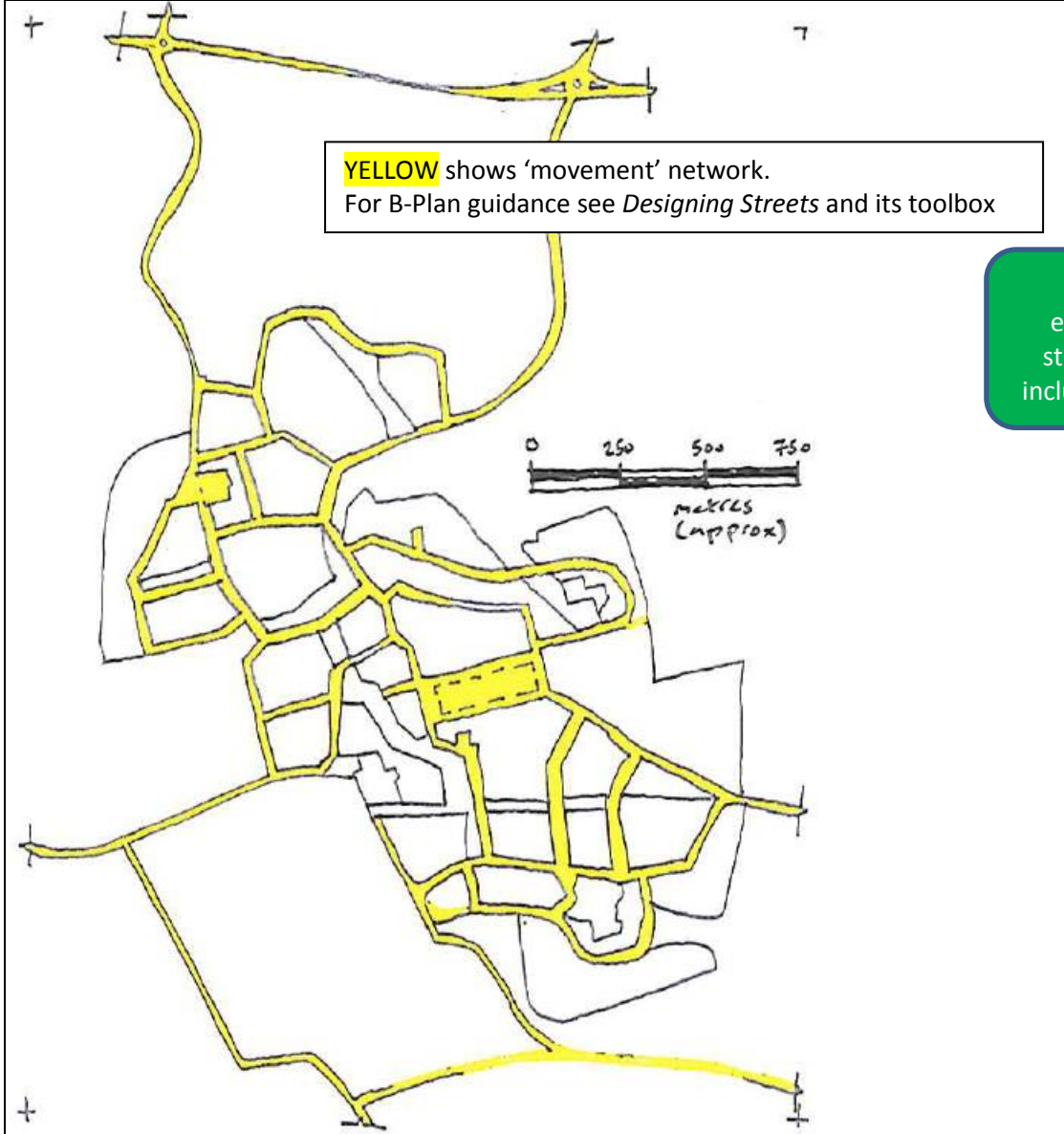
**B-Plan of street network (masterplan)      Project notes reflected against the AC framework...**

**YELLOW** shows 'movement' network.  
For B-Plan guidance see *Designing Streets* and its toolbox



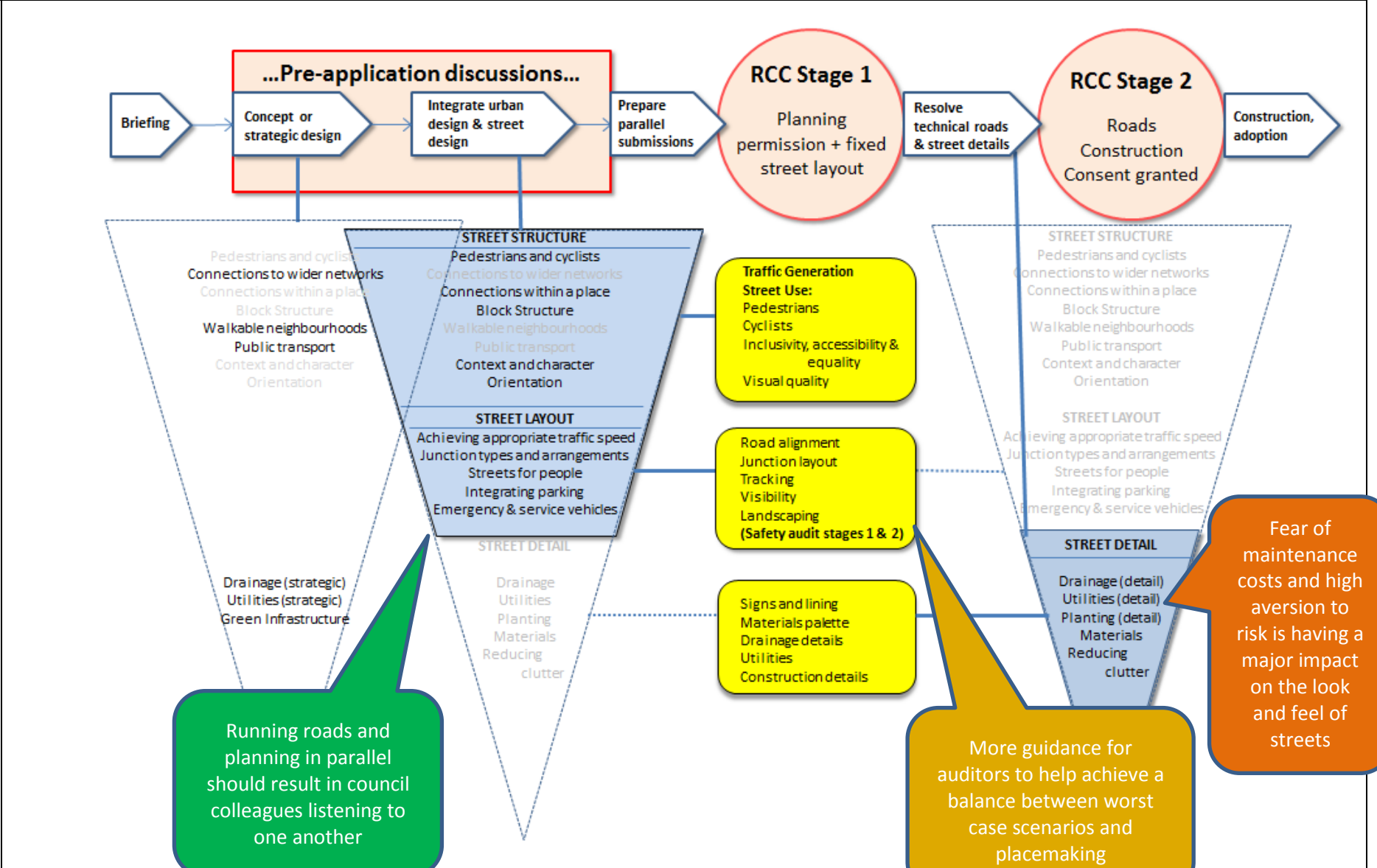
ALIGNING CONSENTS June 2015 Project Summary – TEST CASE B1	Positive points on process and Aligned Consents (AC)	Comments on remaining barriers and challenges to better practice
<p>A new community of 3,000 homes, of which around a quarter will be affordable, with ancillary community, retail and employment space. Development framework (DF) adopted as supplementary guidance in June 2014. Contributions agreed for facilities including schools and a health centre, as well as contributions towards a strategic transport fund.</p> <p>Lead developer is responsible for setting context, producing branding for the new community, and co-ordinating infrastructure design, planning and delivery. Land ownership is split with two other parties.</p> <p>PPiP approved in Oct 2014 (subject to Section 75 agreement). At the same time the detailed consent for initial phases of infrastructure (including new roads, and re-alignment of an existing road) submitted for planning. This is now been approved and issued. Applications for the first 2 phases of housing (approx. 500 units) will go to Committee once the PPiP has been issued.</p>	<p>Significant and staged detailed pre-app discussion took place at every level of design with regards to planning. There was plenty engagement with officers on the wider strategic matters of utilities and infrastructure including from roads officers.</p> <p>Encountered good examples where local authority (LA) directors organized resolution on crucial junction design that is essential part of getting the PPiP, therefore resolving a critical matter specified in condition (MSC) timeously.</p> <p>LA committed to 2-stage process for all projects from now. However, this major project entered the system before the present LA guidance was issued and the current commitment was set. Therefore it is being monitored during a time of practice transition within the LA.</p>	<p>A perceived issue has been that as design progresses into detail and closer to checking roads construction consent (RCC) matters the constructive dialogue ceases. This has led to some pressing uncertainty, that could affect street alignment and, potentially, require a revision to the agreed planning layout.</p> <p>Some lack of co-ordination between roads and planning, as well as within roads department, has given rise to conflicting views and a re-examination of matters thought already approved. Timescales have been extended. There's been limited continuity with different case officers involved for different parts of the process.</p> <p>RCC application was submitted concurrently with the development framework (April 2014) but remains outstanding. However, to balance this point of view, LA indicates submissions for RCC can be premature and contain insufficient information for determination.</p>

**B-plan of main street network (development framework – all phases) | Project notes reflected against the AC framework..**



ALIGNING CONSENTS June 2015 Project Summary – TEST CASE B2	Positive points on process and Aligned Consents (AC)	Comments on remaining barriers and challenges to better practice
<p>Development framework (DF) of this project adopted as supplementary guidance in 2013. It is a very significant extension of several thousand new homes, together with community uses, retail, business and school facilities to contribute to the city.</p> <p>600 homes are being proposed in the first detailed phases that will be accessed from existing roads to the east. This has been driven, at least in part, by restrictions on truck road access in the short term.</p> <p>The present status is that matters specified in conditions (MSC) of the masterplan approval are being progressed.</p> <p>A processing agreement (PA) is being agreed.</p>	<p>The experience of running consents in parallel is producing good signs in respect of:</p> <ul style="list-style-type: none"> <li>• Greater certainty of outcomes for planning permission and roads construction consent (RCC) (anticipated);</li> <li>• Working relationship with local authorities (LAs);</li> <li>• Efficiency savings related to time or expense;</li> <li>• Better quality of built outcomes (anticipated); and,</li> <li>• Greater clarity of what information is required.</li> </ul> <p>The applicant agrees that approach can lead to earlier engagement and improved certainty but the key is insist on detailed RCC input by sitting down with planning and roads officers together. Overall it should result in council colleagues listening to one another.</p>	<p>LAs should raise the importance of street design as a contribution to placemaking and recognise pre-app discussions as vital to reach successful outcomes. However, agreeing innovative design take time and sub-optimal outcomes arise because pressure to reach agreement and move to delivery phase takes priority.</p> <p>Key issues:</p> <ul style="list-style-type: none"> <li>- Restricted material palette (fear of maintenance costs steers designs away from a palette wide enough to illustrate hierarchy)</li> <li>- The omission of street trees (that appear to be near unadoptable)</li> <li>- Difficulty in sharing space between vehicle/ non-vehicle users</li> <li>- Problems in mounting lighting on buildings</li> <li>- Technical reports can mean extreme scenarios become determinant – thus placemaking can be harmed. Non-technical staff reluctant to intervene. Must be a balanced approach to risk, recognising ‘you can’t have it all’</li> <li>- More guidance for safety/accessibility auditors is essential.</li> </ul>

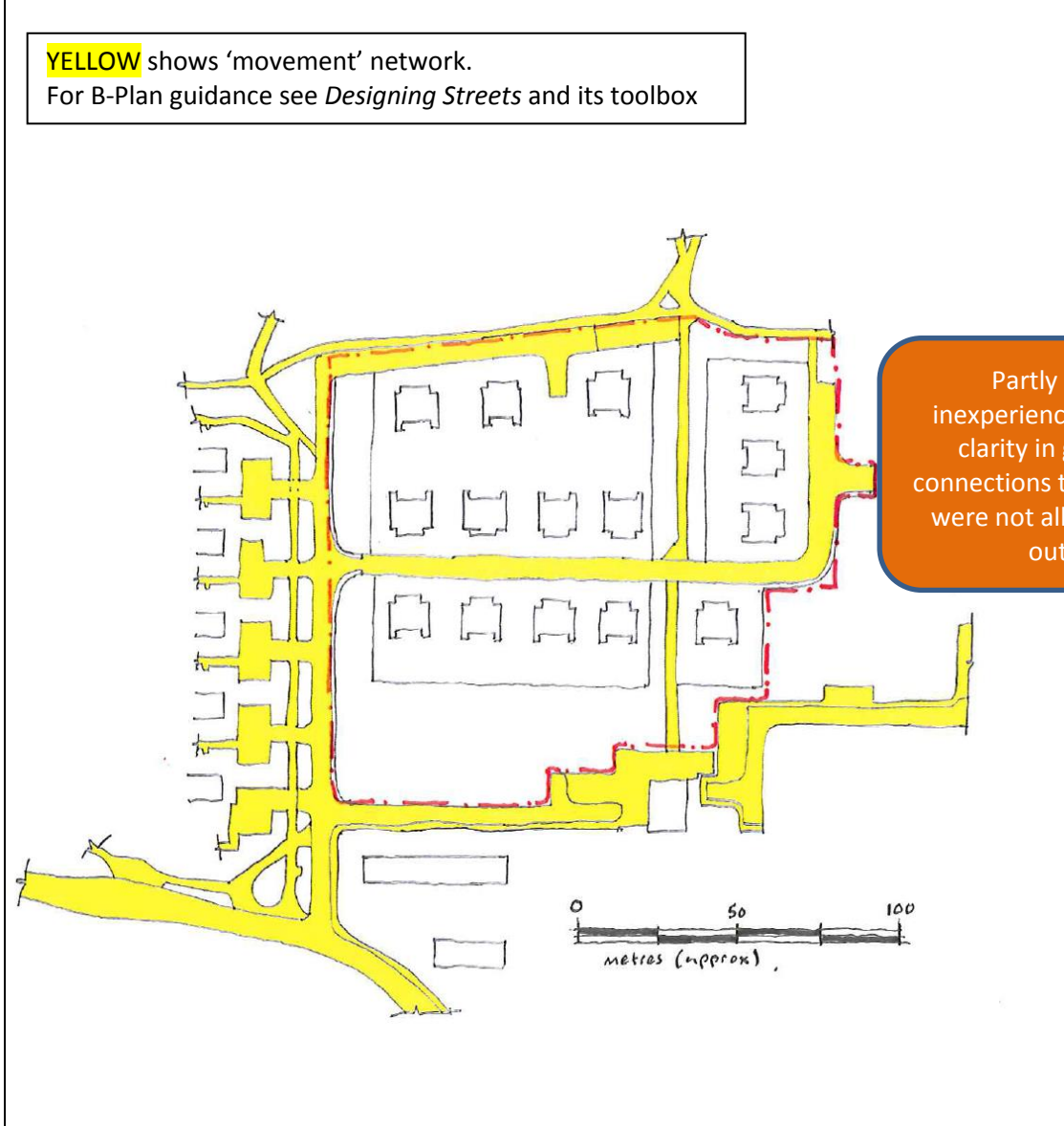
**B-plan of street network (development framework – all phases)      Project notes reflected against the AC framework...**



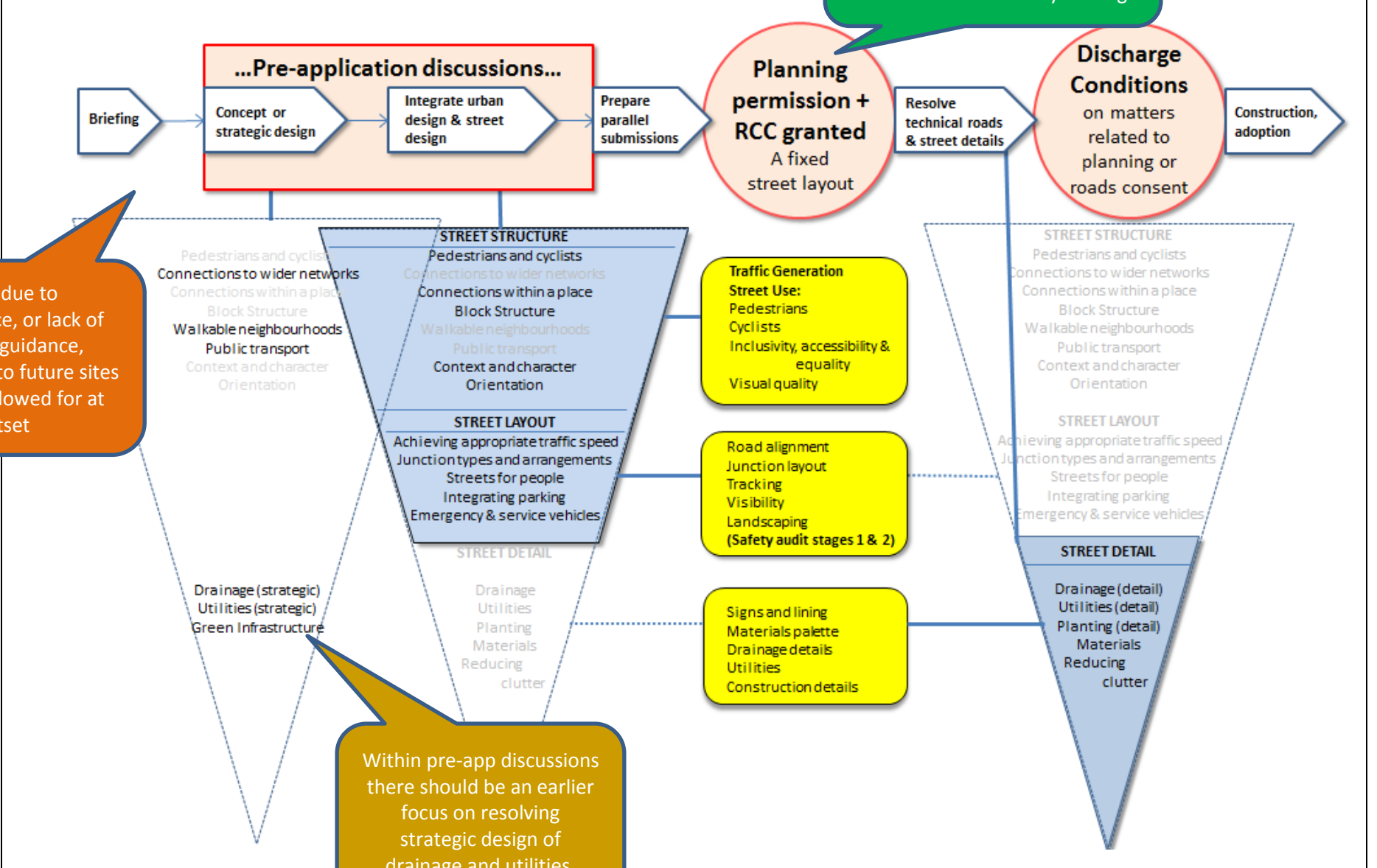
ALIGNING CONSENTS June 2015 Project Summary – TEST CASE C	Positive points on process and Aligned Consents	Comments on remaining barriers and challenges to better practice
<p>The project is for around 30 homes on brownfield land within the suburbs. The client aims for homes at mid-market affordable prices that exhibit a good level of energy efficiency. Planning was submitted in late 2014, then withdrawn and re-submitted in February 2015.</p> <p>Applicant's first experience of process of applying for RCC. They cited that negotiations had resulted in an increase of around 50% in length of new road to be provided compared to their initial estimate (although this estimate may have been deficient in some aspects of Designing Streets). This scale of project means the impact of providing any roads or utilities infrastructure beyond a 'minimum' significantly affects viability as additional costs are shared amongst only 30 homes.</p> <p>A detention basin for surface water drainage will need to be constructed to allow connection to the local stormwater network.</p>	<p>The single stage framework corresponds to the established practice that the local authority (LA) follows (RCC normally follows on from planning consent within a few weeks)</p> <p>Applicant verified that commercial advantage could stem from getting on site faster by gaining planning/ RCC together (but in this case applicant experience did not initially reflect LA aim of integrated practice). Applicant also can see that the cost of employing earlier resource (engineer) should pay-off in less to-ing and fro-ing.</p> <p>'Would have been good to have known more upfront.' Therefore applicant is positive on publishing the framework that sets out responsibilities of LA officers. Result should be that applicants can demand earlier input &amp; committed feedback.</p>	<p>Despite 'theory', practical experience was somewhat different. Meetings held over 18 months with planning but lack of 'roads' involvement until end of this process led to planning application withdrawal and re-submission 9-10 weeks later.</p> <p>Applicant had to make allowance for future connections by designing scheme on neighbouring land (not theirs) to prove future connectivity. <i>Applicant believes future-proofing of connectivity could be instigated by the LA then carried out in collaboration with interested commercial partners.</i></p> <p>Adoption of SUDS basin plus attitudes towards integrating SUDS elements due to perceived risk to unsupervised children remain unresolved.</p>

A single stage can provides certainty as 'split' allows risk of passing from one 'silo' to next. (however conditions can effectively be stage 2)

**B-plan of street network (site plan in context)      Project notes reflected against the AC framework**



Partly due to inexperience, or lack of clarity in guidance, connections to future sites were not allowed for at outset

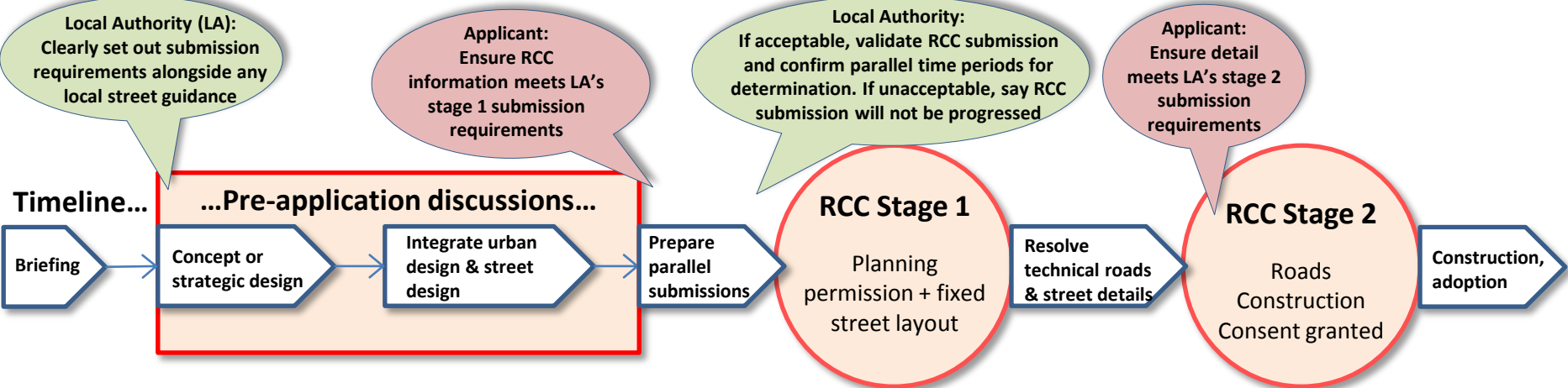


Within pre-app discussions there should be an earlier focus on resolving strategic design of drainage and utilities.

TEST CASE SUMMARY 080715	LOCAL AUTHORITY A		LOCAL AUTHORITY B			LOCAL AUTHORITY C		LOCAL AUTHORITY D	
<p>DS = Designing Streets LA = local authorities AC = Aligning consents RCC = roads construction consent QA = Quality Audit PA = Processing agreements</p>	Officers	<p><b>Test case applicant</b></p> <p>PAN 14/xxx (xx1214) Submission delayed – anticipated xx0715.</p>	Officers	<p><b>Test case applicant 1</b> FUL xxx PPIP pdg xx0714 xxx det pdg xx0514 (drwg rev xx1214) xxx det pdg xx0714</p>	<p><b>Test case applicant 2</b> FUL xxx PPIP granted xx1013-xx0215 xxx MSC pdg xx0515</p>	Officers	<p><b>Test case applicant</b></p>	Officers	<p><b>Test case applicant</b> PAN...</p>
<p><b>Aligning consents approach in practice: Positive points.</b></p>	<p>Twin-tracking of roads and planning is attempted as part of 'one-door' approach</p> <p>Revised <a href="#">CC1 form</a>, or very similar, will be used for stage 1 approval/ sign-off.</p>	<p>The 2-stage framework is a 'loose fit' against, but it depends on who is contacted in LA.</p> <p>Parallel enquiries initiated by consultants can draw some confidence on potential approval from pre-app discussions.</p>	<p>Committed to 2-stage RCC as default with revised <a href="#">CC1 form</a> used for stage 1.</p> <p>Detailed list for stages 1 (layout: geometric data, materials palette outline spec, and drainage strategy); then stage 2</p>	<p>Framework seems logical. It might make more commercial sense to sometimes submit for full (i.e. single stage) RCC to fix layout at same time as planning.</p> <p><i>Suggestion: A positive move towards a combined consent</i></p>	<p>Case is closer to a single stage process following QA/ pre-app . This focus should result in council colleagues listening to one another. Good signs of:</p> <ul style="list-style-type: none"> <li>- higher clarity of info;</li> <li>- certainty of outcomes;</li> <li>- relationship with LAs;</li> <li>- efficiency savings.</li> </ul>	<p>Established single stage where RCC given in parallel with planning. When roads consented given with detailed planning (in effect within <b>around 4 weeks</b>) conditions attached such as final design of traffic signals.</p>	<p>Single stage framework corresponds.</p> <p>Cost of employing earlier resource (engineer) pays-off in less to-ing and fro-ing. Single stage provides certainty as 'split' allows risk of passing from one 'silo' to next.</p>	<p>LA to test use of CC1 form including a more formal mechanism for stage 1 sign-off.</p> <p>Standard practice is early and appropriate involvement of roads colleagues.</p>	<p>Contacted. Awaiting response. Notes to be added in a further update.</p>
<p><b>Driver 1: Can approach lead to earlier engagement and improved certainty?</b></p>		<p>Yes. Commercial advantage of certainty of RCC sign-off at planning stage – get on site earlier and/or less risk for D&amp;B contractors.</p>	<p>Continuing to develop culture of dialogue on roads and street design during pre-app</p>	<p>Yes, but only if joined-up thinking means LA can give 'a single voice' &amp; firm agreement. RCC remains undetermined (submitted early for stage 1)</p>	<p>Yes, but the key is insist on detailed RCC input by sitting down with planning and roads officers together.</p>	<p>Front loading the process should include dialogue with designers (not only planning consultants) to enable collaborative problem-solving</p>	<p>Yes - commercial advantage/ benefit of getting on site faster with RCC stage1. But test case did not meet theory of integrated practice.</p>	<p>Co-operative approach between roads &amp; dev. planning evident in large projects with design codes that address site constraints.</p>	
<p><b>Driver 2: Can AC framework(s) lead to consistency across LAs in implementing DS?</b></p>		<p>It should, because critical of experience with other LAs: formal pre-app enquiries take weeks; consultees involved late; discussions on roads need initiation by consultants</p>		<p>Another LA's approach was preferred because they had the same individual offering planning comments and dealing with RCC.</p>	<p>Their experience with other LA on large scale project is more accurately reflected in the '2-stage model'</p>		<p>Yes - if framework sets out responsibilities of LA officers (client's first experience of process of applying for RCC)</p>		
<p><b>Aligning consents approach in practice: Negative points.</b></p>	<p>Available skills/ resource can count against twin-tracking.</p>	<p>Discontinuity due to change of officers who do not concur with a previously agreed position can be biggest risk.</p> <p>Concern about lack of assurance given to pre-app discussions.</p>	<p>Low quality of some submissions. This is suspected to relate to consultant fee regime and it makes certainty harder to achieve.</p> <p>Development management (DM) has a reactive workload so continuity of discussions can get lost</p>	<p>In effect not parallel process. Roads comments often well behind – a problem because street alignment is critical.</p> <p>Limited co-ordination in LA leadership leads to gaps in dialogue on detail RCC matters. This creates uncertainty that can affect agreed layout or alignment.</p>	<p>Planning matters tend to get resolved but limited engagement from roads on detail (due to low resource) can lead to revisiting issues thought resolved earlier.</p> <p>Pre-app discussions still lack status. No positive signs with utilities yet</p>	<p>Some applicants use feedback given in refusal to alter design and re-submit within 12 months - a 'free-go', under Fees Regs. But not encouraged because reasons for refusal can be more fundamental.</p>	<p>Despite 'theory', practical experience was somewhat different: Meetings held over 18 months with planning but lacked 'roads' presence until end of process. This lead to withdrawing application, and <b>re-submission 9-10 weeks later.</b></p>	<p>LA feels they are sometimes pressured to take too great a role in leading agents or developers on street design matters.</p> <p>Wider understanding and experience in applying DS principles is key.</p>	
<p><b>Main points on Aligning Consents:</b></p>	<p>Yes. In the process of adopting 2-stage approach.</p>	<p>To achieve better AC: positive, consistent and (where necessary) recorded pre-application dialogue is important</p>	<p>Yes. An early adopter of the 2-stage approach.</p>	<p>AC is logical but co-ordinated response of LA is vital.</p>	<p>Can see multiple benefits of AC process (see above)</p> <p>However, LA in practice should raise the importance of street design as a contribution to placemaking.</p>	<p>Yes. Alignment is already embedded, using a single-stage approach with residual conditions</p>	<p>'<i>Would have been good to have known more upfront.</i>' Publish framework so applicants expect earlier input &amp; committed feedback. Focus earlier on design of drainage and utilities</p>	<p>A tentative Yes. Runs processes in parallel but not clear about staged approach with a sign-off (stage 1).</p>	

<b>Notes on Quality Audit (QA) summary template</b>	Positive on the use of SG's 'QA summary template' as a standard form tracked alongside the planning application	QA template should allow: - overview of all audits - track decisions with shared summary - link to explicit guidance (e.g. bin lorry access)	QA template could assist in balancing burden of risk/responsibility, e.g. What is a tolerable level of safety, or appropriately maintainable material?	No QA requested [SG suggestion: use QA template as shared record between all parties, so 'baton' of design can be picked up later]	QA voluntarily done and handed to Council after a detailed pre-app process.	LA is now requesting QA from applicants as circumstances arise  Interest in Post Occupancy Evaluation (PoE) use	[SG suggestion: track and agree design milestones with QA]	SG offered support on applying QA template to completed projects.  Interest in PoE use	
<b>Further notes on 'Process', including Processing Agreements (PA)</b>	Notifications of planning/ RCC should be aligned.  PA - widespread use in LA	Comments on street lighting and refuse still too late. Emergency services even later (after warrant).  PAs are default, so why not include RCCs in them?	Poor quality 'too early' submissions related to fixed fees for consultants that encourages 'extras'.  Section 75 negotiations cause delay and discontinuity on roads matters.  Encourages PAs for major developments for clarity on timescale.	Suggestion: Allow private sector certification of roads design?  PA - In place however milestones not been followed some frustration that no mechanism to force action related to design of roads/ RCC	PA – one is being set-up to cover future phased conditions and detailed design elements.	Some applicants use the feedback given in a refusal to alter design and re-submit within 12 months - a 'free-go'  PA - Used for larger applications. A simplified approach is used.	Client had to make allowance for future connections by designing scheme on neighbouring land (not theirs). Should this masterplanning to prove future connectivity be carried out by the LA?  PA – not used on this project	PA - policy is promote such agreements for all major developments	
<b>Further notes on 'Guidance'</b>	Street Design Guidance is still draft. It refers to 2-stage process and QA.		Detailed list for stages 1 and 2 are sent out – this is an early exemplar/ model for information submission requirements.  Work on a 'materials palette', acceptable for adoption is ongoing			Uncertain on the availability of guidance upfront		Uncertain availability of guidance upfront at present. 'Renfrewshires Places', due for publication Summer 2015 will show streets in context of place.	
<b>Further notes on 'Confidence' (i.e. matters of design quality, balance or risk that restrict compliance with DS or innovation)</b>	Developers cite 'marketability'/ avoidance of rat-runs to avoid resolution of street design matters up front There's a reluctance to embrace 'structure' aspects of DS and proposed cul-de-sac developments continue.	LAs and Scottish Water (SW) have different run-off rates. SW approval letters are elusive, leaving uncertainty for all.		Working towards DS outcomes, means detailing takes longer to complete	Risk aversion encountered from LAs: - Very restricted material palette - Trees near unadoptable - Sharing space between vehicle/ non-vehicle users is difficult - Mounting lighting on buildings is difficult - Technical reports can mean extreme scenarios become overall determinant. Non-technical colleagues reluctant to intervene.  Consultants readily take on audits or reporting but there are too many	Reported that there remains some consultant misunderstanding of the intents of DS.	Adoption of SUDS basin plus attitudes towards integrating SUDS elements due to perceived or risk to nearby children remain unresolved.  Suggestion: If roads and planning matters remain unresolved and disjointed, a named senior cross-service council officer should be named for applicant to escalate enquiry up to.	LA reports that there is a lack of understanding of DS principles from applicants.	
<b>TEST CASE SUMMARY 080715 (continued)</b>	<b>LOCAL AUTHORITY A</b>		<b>LOCAL AUTHORITY B</b>			<b>LOCAL AUTHORITY C</b>		<b>LOCAL AUTHORITY D</b>	

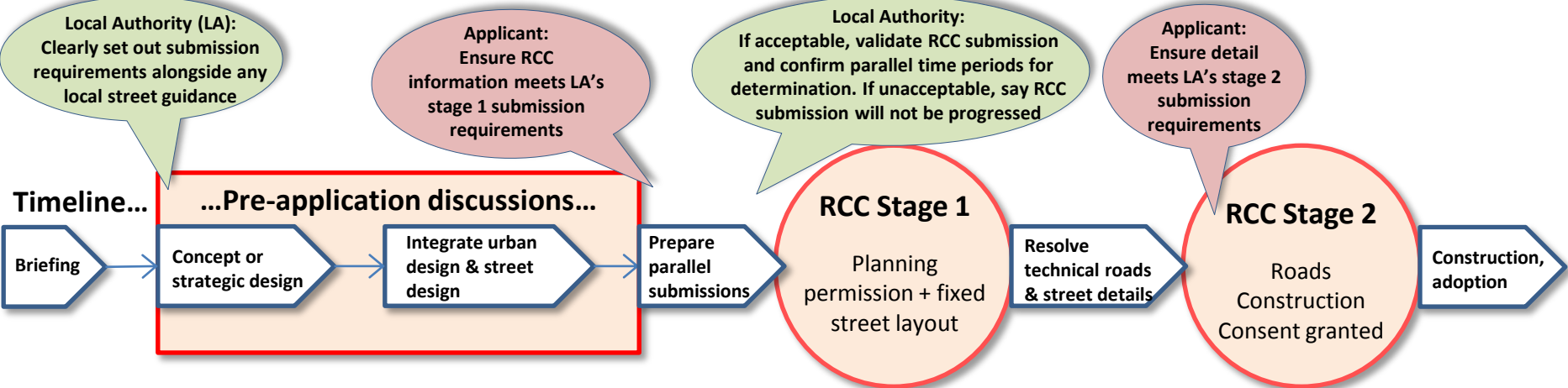
**Framework timeline – two stage**



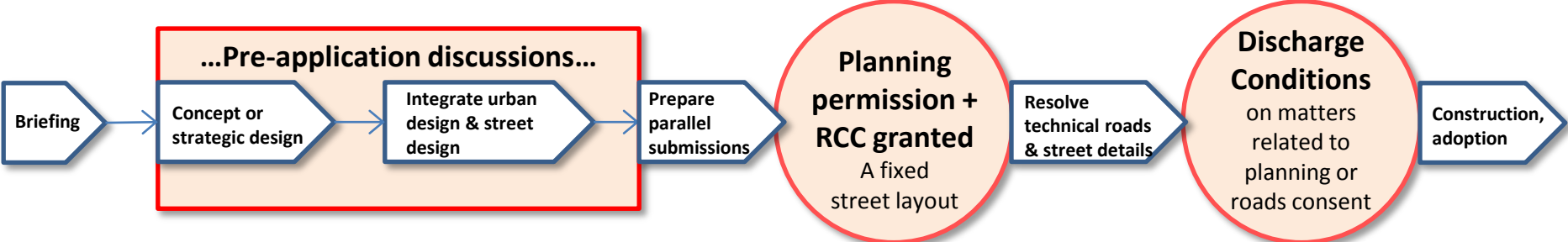
**ALIGNING PLANNING PERMISSION AND ROADS CONSTRUCTION CONSENT (RCC)**  
 Framework - showing submission steps for applicants and decision steps for local authorities



**Framework timeline – two stage**

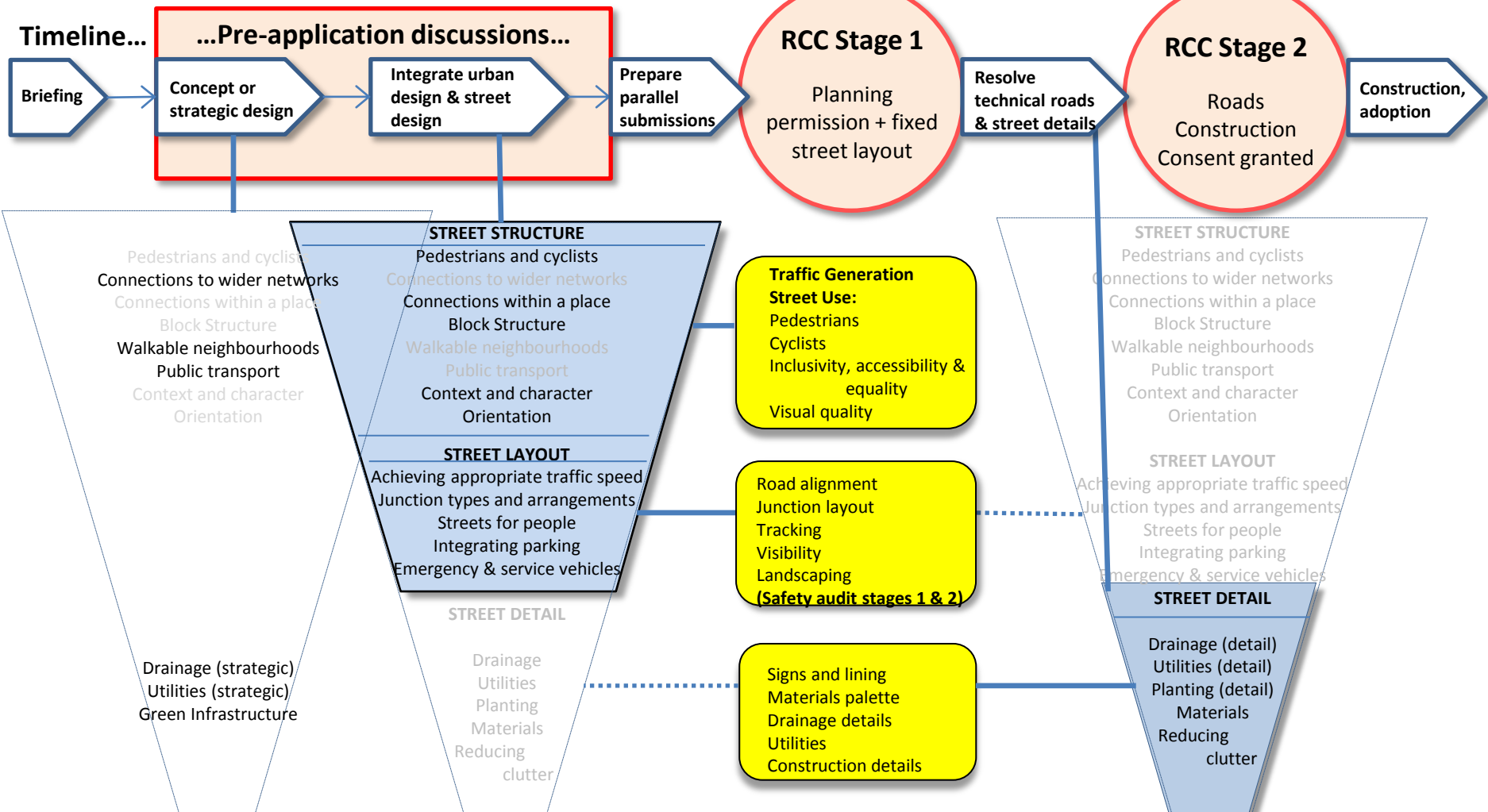
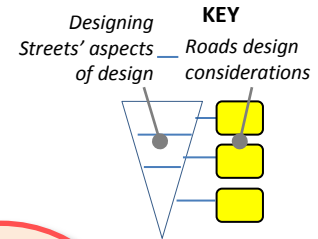


Or...  
an alternative framework timeline – **single stage** with concurrent RCC granted, but allows for conditions



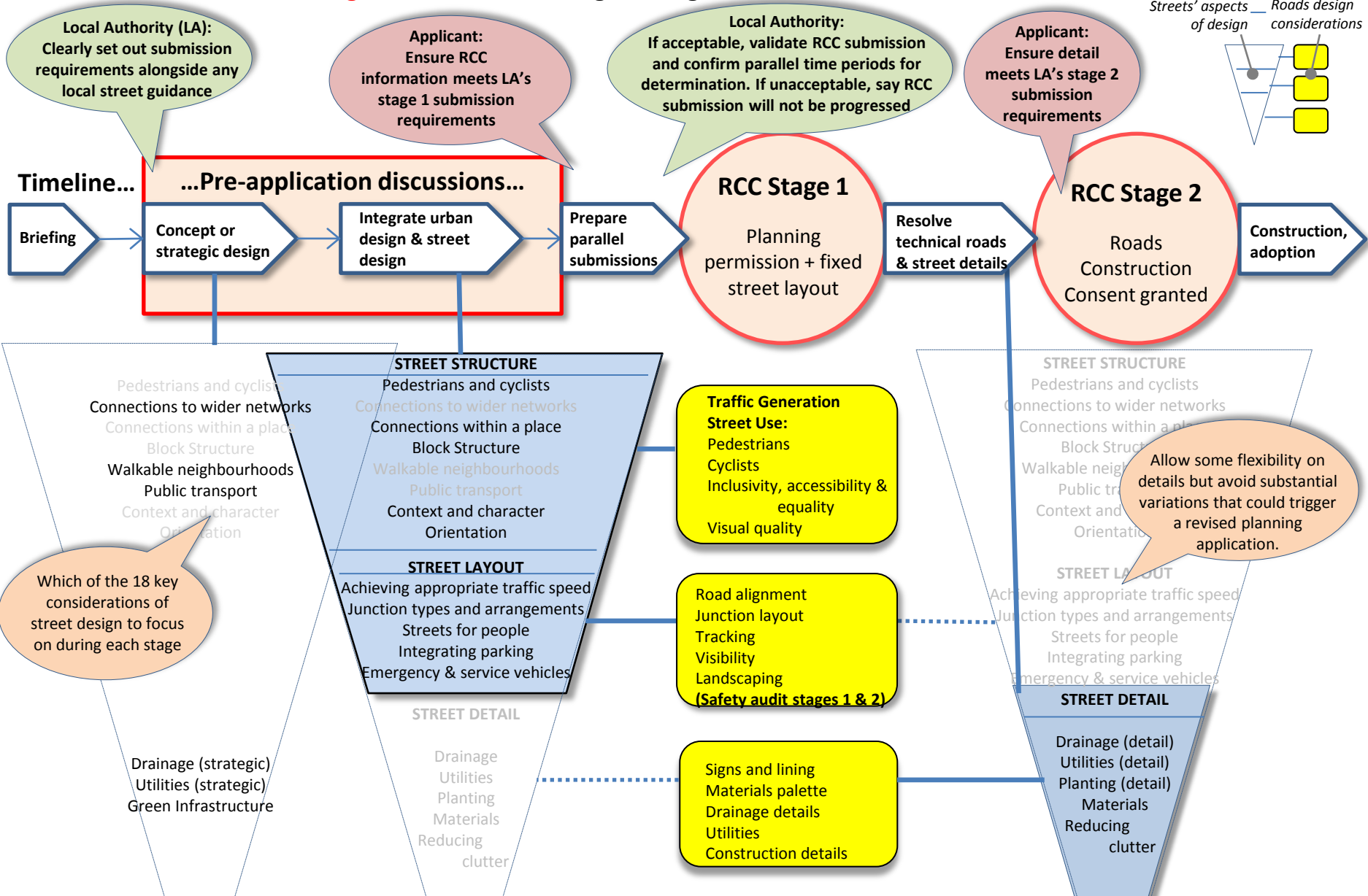
**ALIGNING PLANNING PERMISSION AND ROADS CONSTRUCTION CONSENT (RCC)**  
Framework - showing submission steps for applicants and decision steps for local authorities

# Framework timeline – two stage – with detail on staged design-based information



**ALIGNING PLANNING PERMISSION AND ROADS CONSTRUCTION CONSENT (RCC) (not annotated)**  
 Framework - showing submission steps for applicants and decision steps for local authorities, plus information on aspects of design

# Framework timeline – two stage – with detail on staged design-based information



**ALIGNING PLANNING PERMISSION AND ROADS CONSTRUCTION CONSENT (RCC) (annotated)**  
 Framework - showing submission steps for applicants and decision steps for local authorities, plus information on aspects of design

## 1. Testing the structured approach, or 'framework', to align planning and RCC

In 2014, an 'aligning consents' framework was published as a benchmark to review practice against. Planners and roads officers in Aberdeen, Dundee, Edinburgh and Renfrewshire participated; and applicants' experience across these local authorities (LAs) has been recorded. Feedback has allowed comparison between test cases, indicating the following:

- **This structured approach can lead to earlier engagement and to a commercial advantage from earlier certainty.**  
But pre-application discussions must positively include and record (where appropriate) decisions about roads. Certainty is dependant on the confidence that comes from receiving a consistent 'single voice' on street design matters.
- **This framework can be flexible to local circumstances; and lead to consistency across LAs in implementing Designing Streets (DS).**  
Armed with this framework, applicants can request earlier feedback on proposals. In use this should raise expectations across LA boundaries.
- **By allowing a 2-stage approach in many cases, it can reflect sensible progression in design development**  
i.e. street layout is agreed (frozen) at the planning stage; and street details can follow later.
- **Other tools should be deployed to support aligned consents**  
Where new streets are proposed, Processing Agreements should include agreed dates related to RCC.  
The [Quality Audit template](#) (in the Designing Streets toolbox) offers potential be used to track and record shared decisions, as well examine the balance of risk and responsibility.

*An applicant who thought the framework loosely corresponded with their experience noted its potential to help gain the 'commercial advantage of certainty of RCC sign-off at planning - to get on site earlier'.*

Therefore the framework has been received positively and its potential to streamline the process has been reinforced. However capturing measurably shorter timescales (and efficiency savings) has not been possible. This is partly because projects are of a scale where several factors, not only road matters, influence decision making. But in all, gaps remain between good practice intentions and applicants' experience.

## 2. Next Steps

We've updated the [framework](#) in response to testing. We've kept some flexibility to allow for variation in processes (e.g. a 2-stage approach or, if an LA prefers, a full RCC could be given concurrent with planning, that allows for conditions), but the framework should mean applicants know what to expect

*An applicant said: 'it would have been good to have known more upfront.'*

A further step aims to address difficulties in reaching certainty on RCC decisions. This would shift the emphasis from a reactive approach towards a proactive one by proposing that target RCC time

periods could be the same as those in planning. Local authorities would follow the aligned consents model then volunteer to commit to trialling parallel time periods. As long as the information is insufficient and validated, the local authority would then set parallel determination, or sign-off, dates for RCC (either 'stage 1' or 'full') as follows:

- within 4 months for major applications, or 2 months for local; **and** within 1 month of detailed planning decision; or,
- as agreed by applicants/ agents and local authority planning and roads officers in a signed processing agreement.

The responsibility on the part of a developer or agent would be on producing a quality of information that ensures their application meets minimum submission requirements.

*Reflecting on their experience, an applicant said: 'there really does need to be upfront timelines for approving RCC once they have confirmed an application meets their minimum requirements'.*

*To balance this view, one local authority said that the 'quality of submissions...can be deficient as well as the quality of the design within the information'. They suspect this relates to payment agreements with consultants that have a low fixed fee to RCC submission, then the hourly rate beyond encourages 'extras'. Their opinion is that 'some developers put in a full RCC too early'.*

## 3. Backstop

If planning applications are not determined there is a right of appeal to either Scottish Ministers or a local review body. RCC decisions also have a right of appeal to Scottish Ministers (Transport Scotland Roads Policy Team) but there is not a parallel appeal process because *the Roads (Scotland) Act* does not contain powers to allow for appeals on non-determination of RCC applications. Therefore, during any pilot, the procedure to determine RCC applications (at least up to stage 1) within parallel time periods to planning would remain voluntary.

## 4. Deploy other tools to support aligned consents

- a) Promote the inclusion of RCC 'agreed dates' in Processing Agreements. Some projects are complex or large, perhaps having development frameworks or masterplans that are split into phases with each part containing detailed Matters Specified in Conditions (MSC). For these, processing agreements should be used to set out and agree appropriate dates for roads matters. Therefore a longer turnaround period could be agreed upfront.
- b) The tests so far have shown that the [Quality Audit](#) approach can assist in tracking and recording shared decisions, as well examining the balance of risk and responsibility. The template in the *Designing Streets* toolbox (and [SCOTS' National Roads Development Guide](#)) should be used to support better processes *and* outcomes
- c) Other tools: [Street Technique](#), [Local Guidance template](#) and [Street Detail case studies](#); are all relevant in supporting aligned consents.

## 5. Stakeholders

### a) What can planning and local authority roads officers do?

- Set submission requirements for RCC, split into stage 1 and stage 2 (Aberdeen City Council's requirements are an example checklist) and be open to clarifying these requirements during pre-application discussions.
- Record dialogue during pre-app and share with applicants where agreed as appropriate and helpful to build design certainty.
- Agree internal consultation protocols between planning and roads officers so clear joint decisions are given.
- Commit to trialling target time periods and, where processing agreements are used, include RCC milestones.

### b) What can applicants or agents do?

- Ensure your submitted information shows an integrated design (refer to aspects within [Designing Streets](#) covering: urban design & engineering; landscape & utilities); and is of sufficient quality to meet submission requirements.

### c) What we (Scottish Government) are doing:

- Continue to work with local authorities who integrate planning and roads well, and applicants, to test parallel time periods.
- An ongoing development that supports this work is [The Joint Housing Delivery Plan for Scotland](#) (June 2015) that contains an action to 'improve timescales and processes associated with development consents'. Work to measure performance on aligning planning permission with RCC aims to achieve this action.

### d) Others:

- Utilities and statutory agencies should ensure that:
  - their guidance supports integrated street design; and
  - expertise is available to constructively input and provide clear written decisions, where necessary, within target time periods for both planning and RCC.

## 6. Underlying risks/ challenges

- Availability of resources within LAs.
- Expertise and confidence in understanding the whole of Designing Streets within all parties, including local authority officers as well as agents and consultants.
- Risk aversion across several parties related to design conflicts (e.g. vehicles vs pedestrians).
- Risk/ perceived additional cost of maintaining elements seen as innovative or non-standard.
- Utilities, for example some resistance to adopt certain SUDS elements.
- Resources to monitor timescales.
- Planning can be affected by many factors other than roads, so defining impact on planning timescales, from roads matters only, remains challenging.
- Different legislative frameworks behind planning and roads consents, including regulations on appeals, fees and notifications.

## 7. Timeline

*Mid-2015: Seek commitment from LAs to test RCC timescales with. Define monitoring parameters.*

*Autumn 2015: Continue to promote approach to both roads officers and planners and other stakeholders.*

*Late 2015: Maintain monitoring with LAs. In addition, consider drafting a standard feedback questionnaire for LAs give to applicants.*

*End of 2015: Review progress against the defined action within Joint Housing Delivery Plan.*

*2015-16: In addition, consider recruiting some applicants/ agents/ LA officers to become 'change champions' to promote good practice of parallel submissions and consents. Role would include promotion of the AC framework, recording RCC determination timescales and deploying other tools in support.*

For more information please contact Stuart Watson, [sm.watson@scotland.gsi.gov.uk](mailto:sm.watson@scotland.gsi.gov.uk)

## Annex A - Example of submission requirements (Aberdeen CC)

December 2, 2014

DECEMBER 2014



### STAGE 1 ROADS CONSTRUCTION CONSENT SUBMISSION REQUIREMENTS

Unless otherwise agreed with the Roads Authority, all new applications for Stage 1 RCC consent must include the following information and formats:

- 1) Form **CC1**, including billing address, in paper and pdf.
- 2) Form **CC2**, for all Section 21 (Construction Consent) applications and Section 56 (without neighbourhood notification), in paper and pdf.
- 3) One paper copy and one electronic copy ('.pdf' format and win-zipped as necessary) of drawings which must include the following :-
  - a) A location plan.
  - b) Layout plans of carriageways, footways, verges, parking areas, cycle paths, retaining walls, bridges and earthworks showing:
    1. Horizontal and vertical geometry of the road alignment and junctions, with profile, contours, cross sections and longitudinal sections
    2. Dimensioned visibility splays at road junctions, accesses etc. and analysis of forward visibility
    3. Interfaces with adjacent development/roads sites.
    4. Vehicular access points to properties including driveway gradients.
    5. The location of Structures (eg. Bridges, culverts etc) and their indicative elevation.
    6. Pedestrian facilities
    7. Public transport facilities
    8. Cycling facilities
    9. Safety barriers and other vehicular and pedestrian barrier proposals
    10. Adoptable areas. Consideration must be given to the access requirements necessary, at a future date, to effect any repairs to the kerb, kerb haunch and road box.
    11. Details of any car parking proposed for adoption

12. A drawing outlining the proposed drainage arrangements including SUDs treatments and a 1 in 200 year plan showing flooding path extents. Outline drainage proposals and the extent of the adoption must be agreed by Representatives of Scottish Water and Aberdeen City Council.

13. Swept path analysis for refuse collection vehicles including bin locations or collection points. Other swept path analysis may be required by the Roads Authority's Representative dependant on the nature of the development.

Note:- the standard refuse collection vehicle used by ACC is 11m, 3 axle. A 250mm minimum clearance is required from the edge of the proposed adopted carriageway.

14. Any walls, fences or buildings adjacent to shared surfaces, carriageways or in visibility splays.

15. The Proposed Materials palette

16. Principles to be adopted in the street lighting design

17. Preliminary details of locations of trees and street furniture including landscaping

18. Proposals for the location of utility services

c) Quality audit proposals.

Unless otherwise agreed with the Roads Authority, the Stage 1 RCC assessment process will not progress until the complete package of information listed above has been submitted.

### STAGE 2 ROADS CONSTRUCTION CONSENT SUBMISSION REQUIREMENTS

Unless otherwise agreed with the Roads Authority, all new applications for Stage 2 RCC consent must include the following information and formats:

- 1) A formal request for the RCC to be progressed to RCC Stage 2
- 2) Form **RB1**, for all qualifying housing schemes and works within the existing adopted road, in paper and pdf.
- 3) One paper copy and one electronic copy ('.pdf' format and win-zipped as necessary) of drawings which must include the following :-
  - a) Location plan.
  - b) A layout plan of carriageways, footways, verges, parking areas, cycle paths, retaining walls, bridges and earthworks showing:
    1. Detailed structures proposals (eg. Bridges, culverts etc)

## Annex A - Example of submission requirements (Aberdeen CC)

December 2, 2014

2. Kerbing layout including pedestrian crossing points, cycle crossing points  
Tactile paving, bus facilities, driveways and intermediate restraints.
3. Drainage drawing including existing and proposed location of all road gullies, drainage design with discharge points, location of manholes and detail of any SUDS measures. Example: swales, soakaways, bunds & detention basins etc. Drainage layout, design and the extent of the adoption must be agreed by Representatives of Scottish Water and Aberdeen City Council.
4. Design calculations for drainage systems including Gully spacing and SUDS measures.
5. Construction details, dimensions and the material details.
6. Street lighting proposals. These should be designed to comply with BS 5489-1:2013/EN 13201 with relevant Health and Safety and Risk Assessments, Road Lighting Design Classification details based upon ADT's and related Environmental and Statutory Nuisance Assessments.
  - a) An additional drawing is required which should show Isolux contours and results for the appropriate Lighting Design Class.
  - b) Submitted drawings must be to scale.
  - c) An additional drawing is required which should show Isolux contours and results for the appropriate Lighting Design Class.
  - d) Calculation report should be included indicating Average and Minimum Illuminance and Uniformity or Average Luminance, Uniformity and Threshold Increment, dependent on Design classification. It should also include details as to how the Maintenance factor was calculated.
  - f) Electrical circuit diagram should be included on the drawings with cable calculation sheets submitted indicating voltage drop, impedance, calculation of cable size and MCB rating
  - e) A full electrical test to be carried out on completion and certificates provided.
7. Signage and road markings.
8. Detailed signalised junction and pedestrian crossings where appropriate.
9. Structural design calculations– Retaining wall, Bridges, culverts etc.
10. A soil report should be provided giving test results, in accordance with BS1377, which will include but not limited to, laboratory CBR, Particle Size Distribution and Moisture Condition Value. The locations for these tests will be agreed with the Roads Authority's Representative. Applicants should note that further testing may be necessary. AIP (Approval in Principles) application where appropriate for structures.

December 2, 2014

11. SEAF (Strengthened Earthwork Appraisal Form) where appropriate
  12. Details of the use of materials included in the materials palette.
  13. Detailed locations and types of vehicular and pedestrian barrier
  14. Details of how the quality audit outcomes are to be implemented
  15. Schedule of proposed road safety audits
  16. Road construction details associated with utility services.
- 4) Any proposed alterations to the design approved in the Stage One RCC including:
- a) Horizontal and vertical geometry of the road alignment and junctions, with profile, contours, cross sections and longitudinal sections.
  - b) Dimensioned visibility splays at road junctions, accesses etc.
  - c) Vehicular access points to properties including driveway gradients.
  - d) Adoptable areas. Consideration must be given to the access requirements necessary, at a future date, to effect any repairs to the kerb, kerb haunch and road box.
  - e) Swept path analysis for refuse collection vehicles including bin locations or collection points. Other swept path analysis may be required by the Roads Authority's Representative dependant on the nature of the development.  
  
Note:- the standard refuse collection vehicle used by ACC is 11m, 3 axle. A 250mm minimum clearance is required from the edge of the proposed adopted carriageway.
  - f) Any walls, fences or buildings adjacent to shared surfaces, carriageways or in visibility splays.
  - g) The Proposed Materials palette.
  - h) Location of trees, street furniture including landscaping.

The submission of an incomplete package of information is likely to result in delays to the consent process.

**Annex B - Processing agreement template (with RCC included).** Editable version of template available from Planning and Architecture Division, Scottish Government

<Council Logo>

This processing agreement between <Council> and <Applicant> aims to identify the key milestones in the planning application process and sets out the information required to process the application. This processing agreement is not legally binding.

Site Address:

Brief description of proposal:

**Decision:** Subject to the achievement of the timetable set out in this document, including provision of all necessary information by the applicant and consultees, the application will be referred to the appropriate committee of the Council no later than <DATE>

References to Implementing Designing Streets added in RED  
July 2015 update

APPLICATION DETAILS	
Reference number	
Site address	
Description of development	
Application type	
Other consents required?	<u>&lt;Include Roads Construction Consent for any project that includes new streets&gt;</u>
Likely delegated application?	

KEY CONTACTS	
The persons identified below are the key contacts between the Council and the Applicant. The key contacts will liaise regularly on the progress of the application and will contact each other as soon as possible should any matter arise which is considered likely to delay progress with processing the application. (Include names, phone numbers and email addresses)	
Applicant	
Agent	
Officer	
Alternative local authority contact	<u>&lt;Include roads/ transport engineer with responsibility for Roads Construction Consent &gt;</u>



**Annex B - Processing agreement template (with RCC included).** Editable version of template available from Planning and Architecture Division, Scottish Government

### Pre-application

Key meeting dates			
Receipt of proposal of application notice	<Date>		
Further pre-application discussions required?	<Date>		
EIA Screening and Scoping Opinion	<Date>		
Liaison with consultees	<outline what liaison is required with consultees at this stage> <summarise iterative engagement with roads/transport within LA and statutory consultees (Scottish Water/ SEPA) on drainage/ flood management>		
Information Requirements	Type	Date due	Date received
	Plans of street layout with sufficient technical information to give considered feedback on RCC Stage 1 matters		
	Completed Quality Audit summary (using template)		
Information to aid demonstration of compliance with Designing Streets:			
Other consents required	<'First stage Roads Construction' (RCC stage 1) design elements to be prepared in parallel with planning information >		
Issues to be dealt with by legal agreement	<if relevant, include any roads construction consent matters such as 'Section 7' agreements		

### Application

Regular liaison meetings	<who> <dates> or 'every <x> weeks on <day> at <time>' <Dates for internal consultations on RCC matters with roads officer/engineer>		
Application submission date: Parallel 'Stage 1 Roads Construction':	Agreed Target	Actual	
Submission through the e-planning portal	Y/N		
Neighbour Notification	From <date> to <date>		
Advert in press	<date>		
Consultation with statutory consultees Including matters related to RCC	Who	Start date	End date
	Scottish Water		
	SEPA		
Consultation with non-statutory consultees	Who	Start date	End date
Circulate draft conditions and legal agreements for comment	<date>		
Committee report to be finalised/signed by Head of Planning	<date>		
Committee site visit	<date>		
Committee meeting	<date>		
Notification to the Scottish Ministers (if required)	<date>		

### Post Application

Legal Agreements	Draft Heads of Terms	<date>
	Preparation of draft legal agreement	<date>
	Conclusion of legal agreement	<date>
Discharge of Conditions	Conditions to be dispensed by	<date>
	<Elements required for 'Second stage Roads Construction' (RCC stage 2), before starting on site>	<date>

Signed ..... On behalf of <Council>

Signed ..... On behalf of <Applicant>