

Update to Agents and Developers

July 2021

Communication with Customers/Workloads/Staffing

We continue to monitor the numbers of planning applications and enquiries that are received by the Development Management Service. There is evidence to show that there are positive signs of recovery as numbers of submissions have continued to rise over the last few months. Over the last six months the numbers of planning applications validated in Aberdeenshire have exceeded by 12, the number validated for the same period in 2019. They also exceed those received for the same period in 2020 by 290 in number. This is of course welcomed and as a Service we continue to try to play our part in the recovery by aiding the delivery of appropriate development.

This though brings with it challenges and as such staff workloads have inevitably increased. Despite the increase in workloads, we continue to promote customer care objectives and aim to communicate with customers in the best way possible. We have reiterated to staff the need to and the importance and benefits of communicating regularly and responding within appropriate timescales. In this respect we have requested that all staff take time every day to review emails, voicemails and messages and provide acknowledgements of receipt of information or update responses on actions taken, within 72 hours of receipt. We would appreciate your co-operation and understanding in this respect and allow staff time to undertake these tasks.

Please note that the above measures that have been introduced during this time, sit alongside the standards set out in our Development Management Customer Charter. [Development Management Customer Charter 2021 \(aberdeenshire.gov.uk\)](https://www.aberdeenshire.gov.uk/development-management/customer-charter-2021)

In addition, please note that in April we welcomed 4 new planners into the Development Management Service to fill various vacancies that had accrued over a period of time. These staff members are settling into their posts and continue to increase their knowledge and experience and as a consequence, increase their workloads. These staff members are Jane Whytock-Celeste and Martin Walker in the Banff & Buchan/Garioch Team and Samantha Stockley and Esmond Sage in the Buchan/Formartine Team. In addition, Iain Mcmillan moved internally to be a planner in the Kincardine and Mearns/Marr Team.

Aberdeenshire Council Planning Service Customer Survey– 2020-2021

In line with Customer Service Excellence (CSE), customer engagement protocol, the Development Management Service contacted all customers who had one or more applications determined during the period 1 April 2020 to 30 March 2021 via a feedback survey that required to be completed by Friday 25 June. Thank you to everyone who was able to complete the survey and provide feedback. This is appreciated.

As part of the survey, the Service was seeking views on what you thought about the service you received; whether anything can be done differently; and anything we should stop doing or start doing which would continue to benefit you as our customer and enable you to carry out your business more effectively.

The Service is in the process of reviewing the feedback received and once the comments have been fully considered and comments given/issues raised have been analysed, a further communication will be published on the [Planning Performance and Development Management- customer charter and feedback sections](#) of the Aberdeenshire Council website based on these results, outlining any associated actions that have been carried out by the Service. Any specific matters raised or updates from the Service can also be discussed at a future Agents Forum in November (see below).

Masterplan Project Update

You may recall the engagement the Service entered into in 2019 regarding how we propose to take forward the preparation, presentation, process and delivery of Masterplans. To this end work has continued and a draft Planning Advice note has been prepared. The general direction of the project has been subject to Elected Member engagement and also engagement with consultees who share our vision for more succinct, solution focussed and diagrammatic Masterplans over the text based, detailed Masterplans that have traditionally been forthcoming before.

It is the intention to further engage with customers on the process and to issue a questionnaire in the coming weeks. We would welcome your feedback, which along with the general comments from consultees, will feed into further discussions with Elected Members in the Autumn.

Planning Pre-application Advice Update

The Development Management Service remains committed to developing the Householder and Local Pre-application Advice Service which was rolled out in October 2020. As highlighted in earlier briefing notes, the Service has since commenced a review of the updated Pre-application Advice process and feedback surveys will be issued to customers in the coming weeks. Any specific updates or changes made to the Pre-application Advice process will be covered in future briefings and can also be discussed at a future Agents Forum in November (see below).

Initial work has commenced on a review of the Major Development Pre-application Advice process and a separate survey will be issued to agents as part of the customer engagement process that the Service are committed to undertaking. Comments received from the surveys will feed into the review work that is currently underway.

Development Management/Building Standards Joint Working

Over the last few months, the Development Management and Building Standards Teams have been developing a protocol for certain operational matters which is aimed at delivering a more coordinated approach for customers. Work continues and the protocol is being developed. Areas of focus include enhanced engagement in some

aspects of pre-application work, a more collaborative process for responses to “Do I need Permission” enquiries and potential opportunities for greater collaboration around enforcement activity.

Agents Forum

Following the success of the joint Planning and Building Standards Agents Forum, held virtually, in November 2020, both Services are keen to repeat this format where we can update Agents on matters of interest and offer the opportunity to receive feedback on aspects of Service delivery. In this regard a date of **4 November 2021 at 2pm** has been provisionally identified for this Forum and you may wish to “save the date”. More information will follow nearer the time.

Planning Permissions and Listed Building Consents

Following the [Coronavirus \(Extension and Expiry\) \(Scotland\) Bill \(parliament.scot\)](https://www.parliament.scot/bills/2020-21/coronavirus-extension-and-expiry-scotland) being passed in Parliament on 24 June – but currently awaiting Royal Assent - the extension of planning permission and Listed Building Consent (LBC) expiry dates will be extended from 30 September 2021 to 31 March 2022. As such, any planning permission or LBC that was due to expire between April 2020 and 30 September 2021 will be automatically extended to 31 March 2022.

Pre-application Consultation (National and Major Developments) (PAC)

With effect from 1 October 2021 there are some important changes coming forward in terms of PAC requirements. These are;

1. The PAC process must include at least 2 public events. At present the requirement is for only 1 event. The two events must be held at least 14 days apart. Please note although public events can currently be held online, the new Regulations do not allow for a change to virtual events going forward as a replacement for the face-to-face event. They must revert to being held in person.
2. Applicants are required to feedback on the comments received throughout the PAC process at the final public event held.
3. The content of the PAC report will no longer be guidance but will be placed in legislation.
4. Subject to certain caveats, there is a new exemption to carrying out PAC for applications for proposals that are similar to a development (in whole or part) where a PAC has already been undertaken within the previous 18 months.

Validation Standards for Planning Applications

As you may recall from an Agents Forum in 2019, we are keen to ensure consistency of validation across all parts of Aberdeenshire whilst retaining a degree of pragmatism. Heads of Planning Scotland (HoPS) had earlier issued guidance on the matter.

[Guidance Documents – HOPS \(hopsotland.org.uk\)](https://hopsotland.org.uk)

The Development Management Service has been working on an interpretation of this guidance note. It is hoped to implement this on **1 September 2021**. Currently HoPS is working on an updated note and anything relevant will be added to our guidance. This is relevant to validation of Planning applications as well as any Prior Notifications.

Prior Notifications

As you may be aware and following previous Briefings in March and April 2021, changes to the Permitted Development Rights introduced from the 1 April 2021 have resulted in several new types of development being subject to Prior Notifications and several changes to existing Permitted Development Rights. This includes commercial and residential conversions of certain agricultural and forestry buildings. The Planning and Environment Service is preparing guidance covering all aspects of Agricultural and Forestry Prior Notifications which will be available on our website in **August 2021**. Our webpage [Apply for planning permission - Aberdeenshire Council](#) has been updated to reflect the new processes and provides further guidance on what plans are likely to be required for us to be able to consider any Prior Notifications made in respect of these Classes of permitted development.

In the interim please [contact us](#) should you have any questions or require further information

Section 42 Applications (Vary or Remove Planning Conditions)

From the 1 August we will be making some minor procedural changes to how we identify Section 42 applications for the variation or removal of conditions on an existing permission within our back-office systems. These changes should have no impact on customers. However, it should be noted that in respect of accessing information via the Public Access system the applications will be consistently referred to as Section 42 applications rather than Full Planning Applications.

Planning and Building Standards Portals – Electronic Submission of Documents

The last 16 months has seen a welcome increase in the percentage (96%) of electronic application submissions via the E:Planning and E:Building Standards portals. As covered in previous [Briefings](#), this has enabled the Service to continue accepting and processing applications during the COVID-19 Pandemic.

We would like to re-emphasise the importance and benefits of using the portals. Not only has it enabled business continuity, but it has also been very successful in terms of reducing processing times, and minimising unnecessary delays in getting new applications through to the validation, allocation and assessment stages.

We continue to be aware of the issues surrounding the loading of supporting documents, whether at the initial application stage or when providing revised drawings or additional information thereafter. We understand the time it takes to upload each individual document and that the file size restriction can cause issues.

The Scottish Government continue to review the process of loading supporting documents with improvements being drafted to help make the process smoother and quicker. The individual document file size of 5MB maximum is also being reviewed. They have managed to increase individual submission size from 100MB to 200MB, which assists with some of the larger submissions.

In the meantime, **we wish to once again request your support in using the portals** and ask that you use the portals at all stages but in particular, when submitting all post submissions (Planning) and additional supporting documents (Building Standards). This supports the unnecessary need for and resulting delays in, manual uploads by staff and uses the information technologies that exist to their best advantage.

Please follow this link to access our previous Briefing note of 16 September 2020 which provided some more detail in respect of the use of the portals.

[Agents Briefing Note - 16 Sept 2020 \(aberdeenshire.gov.uk\)](#)

Payment of Planning Application and Building Warrant Application Fees

As part of ongoing improvements, our Service Points will no longer be accepting Cash or Cheque Payments. In December 2020, we introduced Online Payments via our Website. Payments for Planning and Building Warrant Application Fees will only now be accepted via our Portals (along with the application), Online (Website), Card Payment (Telephone) and BACS (Bank Transfer). Please note since BACS transfers take longer to process as they require to be cleared with our Bank and our Finance Service, the first three options are preferable.

Local Development Plan 2022 - Update

On 5 July 2021, the Directorate of Planning and Environmental Appeals (DPEA) wrote to the Policy Team to advise that the Reporter has concluded the examination of conformity with the Participation Statement outlined in the Development Plan Scheme 2020. As this element of the Examination process has concluded, the examination of the Aberdeenshire Proposed Local Development Plan (LDP) 2020 commenced on 28 June 2021. Additional Reporters have also been appointed to aid in the delivery of the Examination Report. We expect the examination of the Schedule 4 documents to take between 6 and 9 months.

Further information about the Examination of the Plan can be viewed on the [DPEA website](#) and on [Aberdeenshire Council's website](#).

You can stay up to date by viewing our [regular newsletters on the Local Development Plan progress](#). You can also [subscribe to LDP email updates by sending us an email](#). View [LDP email subscription privacy notice \(pdf 83.2KB\)](#).

Archaeological Information

For any proposals which impact on the historic environment, please do not hesitate to get in touch with the Archaeology Service (archaeology@aberdeenshire.gov.uk) at any point prior, during or post application if there are any queries. Also, a reminder

that to support the requirements of Policies R2 Housing and employment development elsewhere in the countryside; HE1 Protecting historic buildings, sites and monuments; and HE2 Protecting historic and cultural areas of the Aberdeenshire Local Development Plan 2017, a justification statement outlining the condition of the building(s), evidence that other options have been considered and why demolition is the only option should be provided with an application where demolition is proposed. The submission of this information as early on as possible in the application process will help speed up the decision-making process of the application. In this respect pre-application discussions on requirements are very much encouraged.

Paul Macari
16 July 2021