

## **Update to Agents and Developers March 2022**

### **Legislative Changes**

#### **Fee Regulations**

The Scottish Government has introduced [The Town and Country Planning \(Fees for applications\) \(Scotland\) \(regulations\) 2022](#). The regulations introduce revised fees for most types of applications which will be coming into force on the 1 April 2022. Schedule 1 of the regulations sets out the new fees. Further information will also be provided on our website in due course. The Planning Authority will commence charging of the new fees on the 1st of April in accordance with the regulations. This will affect all new submissions and all previous submissions which remain invalid on the 1 April 2022. If your application remains invalid on the 1 April the new fees will apply and we will contact you to confirm any additional amount payable in respect of your application.

The fees also allow for discretionary charging, fee waiving and surcharging in specific circumstances such as for retrospective applications, pre application enquiries and non-material variations. We will not be implementing these immediately on the 1 April as they require further consideration and we will update you prior to any further changes which may affect any fee payable for any service we currently provide.

Please note that if you have received formal pre-application advice recently which provides information on a relevant planning fee for your proposal, if, as a result of that pre-application advice, any formal planning application is submitted and validated on or after 1 April then the new planning fee will be applicable.

#### **Planning Permissions and Listed Building Consents – Further Extensions to coronavirus legislation**

Further to previous updates the Scottish Government have laid further legislation under the [Town and Country Planning \(Miscellaneous Temporary Modifications\) \(Scotland\) Regulations 2022](#) (The Coronavirus Regulations 2022). This effectively rolls forward the provision for the timescales for permissions made under previous regulations which were last updated and communicated in October 2021.

The 'emergency period' has been extended from 31 March 2022 until 30 September 2022.

The 'extended period' has been extended from 30 September 2022 until 31 March 2023.

This affects Planning Permissions and Listed Building Consents and effectively means that permissions and consents which would have expired between 07 April 2020 and 30 September 2022 can be implemented until the 31 March 2023.

You do not need to contact us or take any further action as the extension periods are set out in legislation.

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

Previous briefing notes highlighted some important changes to Pre Application Consultation which are fully set out in the briefing note dated [16 July 2021](#). The coming into force of the legislative package which collectively amend the regulatory requirements for Proposal of Application Notices (POAN) and subsequent Pre Application Consultation (PAC) that had been scheduled to come into force from 1 April 2022 has further been delayed until 30 September 2022 by the [The Planning \(Scotland\) Act 2019 \(Commencement No. 6 and Transitional Provision\) Amendment Regulations 2022](#)

The current requirements will remain in place until that time. PAC consultation events can still be digital until the end of September.

Virtual events will also be permissible until the end of September for PAC events but we would encourage applicants to consider the incoming legislation and make provision for in person events in addition where it is safe to do so and also provide opportunities for feedback on the consultation carried out. If you have existing PAC events during this period we would be happy to discuss these with you.

### **Staffing Update**

We are currently running a number of vacancies within Development Management although are actively engaged in recruitment. Whilst we aim to meet our service standards we would remind customers that in some circumstances things may take longer than expected. Our average times for determining planning applications for Householder and Local Applications for Quarter 3 are set out below and given an indication of how long, on average, such applications are taking to determine.

Householder Applications	7.9 Weeks
Other Local Applications	16.4 Weeks

### **Proposed Local Development Plan update**

We are awaiting the report of examination on the Proposed Local Development Plan. The most up to date position from the DPEA is that the Examination Report can be expected at some point in May 2022. The Service will continue to update via the [LDP Newsletter](#).



## **Feedback**

### **Aberdeenshire Council Planning Post Decision Customer Survey**

In addition to our annual survey we have introduced a post decision survey, accessed via the email you receive when we issue a decision. We also have updated the email you receive to reference that all stamped plans are available via the planning portal. We are keen to hear from you on any individual experiences, good or bad, in order to continue to consider whether any aspect of our service provision could be improved.

Paul Macari  
Head of Service, Planning and Economy  
15 March 2022