

Covid-19 - Maintaining a Functioning Planning System Briefing Note – 16 Sept 2020

Legislative Changes

In our 14 April 2020 bulletin we referred to the duration of planning permissions being extended by virtue of the Coronavirus (Scotland) Act 2020. This extended the duration of all planning permissions (Full Planning Permission/Planning Permission in Principle/Approval of Matters Specified in Conditions/ decisions with a Direction extending timescales, Listed Building Consents and Conservation Area Consent) which were due to expire within the “emergency period” set out in the Act.

Changes to the above Act have now extended the timescale which, in effect, means that for any permission lapsing in the period up to 31 March 2021 the time period for a lawful start has been extended to 30 September 2021.

If you require any further clarity on this, please [contact us](#).

The Council continues to support local businesses through these difficult times and if you have any clients needing assistance to resume a business please contact us at easinglockdownsupport@aberdeenshire.gov.uk .

Strategic Development Plan

The Strategic Development Plan 2020 plan was approved by the Scottish Ministers on 12th August 2020. It builds on the previous Aberdeen City and Shire Strategic Development Plan 2014 and replaces it with immediate effect. The new Plan is also consistent with the Scottish Government's aspirations for the development of Scotland as set out in National Planning Framework 3 and Scottish Planning Policy. The SDP 2020 will be a material consideration in the assessment of planning applications. Click [here](#) to the approved Plan.

Local Development Plan – Materiality Update

Queries are being received from interested parties relating to the materiality of the forthcoming 2021 Local Development Plan. These are specifically related to when the policies on housing in the countryside (namely developments associated with housing clusters/ groups or organic growth of identified settlements) will have materiality. The position of the Service is that given these policies apply during the ‘Plan period’ (see [Proposed Local Development Plan 2020](#) (PLDP), para R2.13 for organic growth and R2.17 for clusters) the Service will not be determining applications against the emerging LDP until this Plan is adopted and the next ‘Plan period’ actually begins. The PLDP for organic growth refers to Planning Advice which has yet to be drafted and consulted upon. This is expected to be prepared during 2021. In terms of materiality, and following consultation with our Legal Service, currently the Proposed Local Development Plan 2020 is not considered to carry ‘significant weight’ as the unresolved matters arising from the recent consultation are still subject to examination. The advice to agents would be that the settlements/ capacities for growth will not become effective until the next LDP is adopted i.e. start of the next ‘Plan period’ and the relevant Planning Advice has been approved. If you have any queries on this please direct these to ldp@aberdeenshire.gov.uk .

Virtual Site Visits

You may be aware that the Service has continued to function during the Covid crisis. A key component of allowing us to function and redesign how we work is around adaptions to our processes. One area of adaption is the introduction of Virtual Site Visits (VSV). Whilst not to replace physical site visits, the use of VSV has proven to be beneficial and can continue to co-exist as part of our site visit processes to allow greater flexibility, agility and efficiency in the decision-making process.

Planning and Building Standard Portals - Electronic Submission of Documents

As a Council, over the past 5 months (April to August 2020), we have been successful in increasing our percentage of electronic application submissions via the eplanning and ebuilding standards portals to an average of 95%. This has enabled us to continue accepting and processing applications during the COVID19 Pandemic.

Not only has the use of these portals enabled us to continue our business, it has been hugely successful in terms of reducing processing time and getting new applications through the validation process and to the relevant Case Officer without any unnecessary delay. The current average response time from April to August 2020 for applications received to validation within 3 days is 98%.

Why use the portal?

Aberdeenshire is now fully paperless in terms of processing submissions. Portal applications are picked up every half hour for Building Standards and every hour for Planning between 7.30am and 5.00pm, Monday to Friday. Connectors and processes are in place to automatically create your submission and load all your documents/drawings onto our systems which then triggers notifications to the relevant Case Officer, without any requirement for manual input. If you do not use the portal you may experience a delay with the processing of your submission due to the need for manual processing by the team.

Additional submission of Documents following the Application

We are aware, however, of the issues surrounding the loading of supporting documents, whether at the initial application stage or when providing revised drawings or additional information. We understand the time it takes to upload each individual document and that the file size restriction is causing some issue.

Scottish Government have been reviewing 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 being reviewed. They have managed to increase the individual submission size from 100MB to 200MB, which assists with some of our larger submissions.

In the meantime, may we request your support with the use of the portals and that you make better use of these when submitting Post Submissions (Planning) and Additional Supporting Documents (Building Standards), this supports the unnecessary need for manual uploads and uses information technologies to our best advantage in getting electronic files to our Officers quicker.

Planning

Post submission items which can be uploaded to the original applications would be:

- Amended/Revised Drawings
- Reports
- Additional items requested by Case Officer
- Non-Material Variation
- Compliance of Conditions
- Notice of Initiations and Completions

and anything else which is relevant to the case file. Once the original proposal has been created within the portal, any items can be added as a Post Submission at any time.

Building Standards

Additional Supporting Information or Additional Forms can be upload to the original application, these would be: -

- Amended/Revised Drawings
- Engineers Drawings or Certificates
- Reports
- Any items requested by Case Officer in response to Technical Observation
- Form J Start Notices
- Form 5 Completion Certificates Application
- Form C Extension to Warrant
- Form E Temporary Occupation/Use Application

Once the original proposal has been created within the portal, any items can be added as Additional Supporting Information at any time, and you can navigate to Additional Forms Section and select appropriately.

If there is a requirement to enter into communication with the Case Officer prior to submitting final Drawings, it is okay to wait and submit once finalised rather than upload multiple versions.

If you are unsure how to go about submitting your application, or follow up submission, please contact our e Planning Team for advice at planningonline@aberdeenshire.gov.uk .

What if my proposal has deleted?

Proposals will automatically delete from the portals after 90 days. You can re-create a proposal at any time during the process to submit additional information/revised drawings.

If my application submission is over 200MB, can I still use the portal?

Yes. Make the initial application with supporting documents until you reach the maximum 200MB. You can use the Post Submission Additional Documents/ Additional Supporting Documents form with the remaining documents.

How do I submit a document over 5MB file limit?

Only where a document is over the 5MB file limit, and the document cannot be minimised, we will accept these documents via email to planningonline@aberdeenshire.gov.uk. Please ensure you provide the relevant portal reference and/or application reference provided by our system. Otherwise we will expect the documents to be sent via the portal. For example, we will not accept a “split” application where some documents are sent via the portal and some via email or paper.

Can I still submit in paper?

Yes, but due to COVID19 Pandemic and current restrictions, staff are only visiting the office on a limited basis there will be a delay in processing paper form to electronic and we strongly encourage the use of the portal for all submissions, the benefits being:

- The whole submission process is more streamlined;
- Applications can be validated quicker;
- The Case Officer will receive and be able to start and deliver the determination process quicker;
- Increasing efficiency in delivery and enabling substantial savings to be made both by applicants and by planning authorities every time an application is made through the portals.

If, however you are unable to do this and you wish to submit a paper application you should send your application to our processing team:

E Planning Team
Aberdeenshire Council
Viewmount
Arduthie Road
Stonehaven
AB39 2DQ

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