

East Renfrewshire Council Planning Briefing Note 12



Pre-application advice and negotiation procedures on planning applications

1. Introduction

The Council encourages applicants to discuss their proposals with Council planning officers at an early stage before they make their planning application. **The contacts are given at the end of this note.** This advice is given free of charge. This service allows potential developers the opportunity to find out which Council policies apply to their proposal. Officers may also advise on whether the proposal appears to meet or conflict with these policies.



If you want to receive informed and professional views on a proposal, you need to send draft or sketch plans (preferably by email) to the Council and we will provide you with a written response. Planning officers may also be happy, if you would like, to make an appointment to meet you to discuss your proposal. By arranging an appointment you are guaranteed to see an officer who is expecting you, the officer will be acquainted with the proposal before the meeting, can refer to the relevant planning policies, the relevant planning history of the site and can give you informed feedback. Sketch plans should either be to scale or should state the main dimensions involved e.g. the size of the site and the size of any existing and proposed buildings.

During office hours there will normally be an officer available to speak to you and assist you if you come to the planning office reception without an appointment. However in this circumstance there is no guarantee that you will be able to speak to a specific officer, and you may see a technician or a support officer. The professional planning advice able to be given to you in this circumstance i.e. without the officer having seen the proposal in beforehand will be limited.

2. What advice will be given to me before an application is made?

Planning applications will be assessed against the policies of the Development Plan and other material considerations. As a starting point therefore if you are thinking of undertaking a development you are advised to read the relevant policies of the Development Plan (see details at the end of this note). If your proposal accords with these policies then it is likely that your proposal will be acceptable. If you do want further advice or assistance, the Planning Officers of the Council are happy to advise you. All advice given at this stage is on an informal basis. At this stage the officer will not have fully considered all aspects of the proposal, will probably not have visited the site, not carried out any consultations and will not have heard any public or neighbour's comments. This advice will be the professional opinion of the officer (on the basis of the information available at that stage) but is given without prejudice to the Council considering the application in full once it is submitted.

Please note that it is not the job of the planning officer to design or redesign a proposal. They can advise how a proposal meets (or doesn't meet) the Council's policies, and may give pointers to what could be changed to better accord with policy – but it is for you (or your agent/architect) to design the proposal.

The Planning Officer's advice will include comment on the principle of a development i.e. whether it generally accords with the Council's policies or not. If the principle is generally acceptable but there are matters of detail or design which give rise to concern, the Officer will also comment on these matters. If however the principle of a development does not accord with Council policy then it will generally be inappropriate to dedicate time to discussing matters of detail.

If you want to find out if a proposal actually needs planning permission or not i.e. if it is 'permitted development', please see the web page [www.eastrenfrewshire.gov.uk/what-needs-planning-](http://www.eastrenfrewshire.gov.uk/what-needs-planning-permission)



[permission](http://www.eastrenfrewshire.gov.uk/what-needs-planning-permission). The rules on this are quite complicated, and sometimes Officers would need to visit the site to see the circumstances on the ground. For this reason, officers can only give informal advice over the telephone or in person. If a formal response is needed to say whether planning permission is required or not, then you will need to apply for a 'Certificate of Lawfulness', which you can apply for at www.eplanning.scot. There is a fee for a Certificate of Lawfulness for a proposed use (half of the normal planning application fee – which at the time of writing this paper is £101 for a householder development).

3. Do I need to take into account the comments given?

As stated above, the advice given before submitting an application is informal, but we do strongly recommend that applicants take it into account before deciding whether to proceed to a full planning application, and how (if at all) to amend the proposal. If the advice is taken into account it is more likely that any delays during the processing of the application will be minimised and a positive outcome will be achieved. Applicants are perfectly entitled to proceed to make a planning application even where they have been given advice that it is unlikely to be given permission or where they have not amend the design as advised. However please be aware, that if advice has been given on a proposal before an application is made, and that advice is not taken on board in the actual application, the Council will then proceed to determine the application as it stands and will not enter into further negotiations during the processing of the application.



4. Will the Council discuss the proposal with me once the application is submitted?

- **If the application is considered to be acceptable** (when assessed against the development plan and other material planning considerations), we will proceed to grant planning permission. In some instances it is appropriate to apply conditions to the permission. In these circumstances we will not normally discuss the proposal with the applicant
- **Where there are concerns about the proposal and pre-application advice has been given**, please see Section 3 above about taking comments into account.
- **Where there are concerns about the proposal and pre-application advice has not been sought**, the Planning Officer will use his/her judgement about whether to discuss the proposal with the applicant. Generally if a proposal is considered to be unacceptable in principle, and no minor modifications appear possible which would make it acceptable, then the application is likely to be refused without further discussions being appropriate.

Where the principle of a development is generally acceptable but there are detailed matters e.g. in the design of the proposal, that could be altered that may help in making a proposal acceptable, the Planning Officer will generally discuss this with the applicant and give them the opportunity to revise the proposal. If the applicant accepts this advice and if the alterations are relatively minor and will have minimal impact on the neighbours, it may be possible to revise the plans within the current application. If the changes are more significant, then you will be asked to withdraw the current application and submit the revised proposal in a new application so that the neighbours can be notified and a full/detailed assessment can be carried out.

Given that the Council is under pressure to make planning decisions quickly and are measured on the time taken to reach a decision, where negotiations do take place, the Council will normally allow only one opportunity for revisions. If an application remains unacceptable after one re-design then the Council will normally proceed to a determination without further discussion. This is considered fair and reasonable as the application process does not allow the time needed to go back and forth with multiple redesigns. To be clear – if developers wish to take advantage of Council feedback and advice on policy or design, this should happen before the application is submitted, through the pre-application service offered by the Council.



5. Major developments

We have a 'major development team' which brings together professionals from across the Council. This gives developers easy and early access to planning and other officers, thus giving developers the opportunity at one meeting to get the views of a range of professionals. Subsequent meetings may also be appropriate to allow further discussion. This assists in providing a co-ordinated response to proposals and advice regarding what documents are needed to validate and support the application. This team may be convened for 'major' or any other significant development e.g. sites that are local development plan priorities or which raise new or unusual issues for the Council.

The Council encourages applicants for all 'major' developments to enter into a Processing Agreement with the Council. This is an agreement which sets out the information that will need to accompany the planning application, along with the consultations that will be undertaken and the timescales for its processing. It does not consider or give commitment to any particular decision on the outcome of the application. Our processing agreements guidance and procedure is available on the following web page: <http://www.eastrenfrewshire.gov.uk/planning-permission>

6. Further information and contacts

To make a planning application, please go to: www.eplanning.scot.

For information relating to the planning system and planning applications in East Renfrewshire please go to: <http://www.eastrenfrewshire.gov.uk/planning-applications> and related pages.

The Development Plan consists of:

1. [The Glasgow and the Clyde Valley Strategic Development Plan](#) (this will only be relevant for the larger 'strategic' developments and not for smaller developments or house extensions); and
2. The [East Renfrewshire Local Development Plan](#), including any relevant [Supplementary Planning Guidance](#).

To seek written pre-application advice, please email: planning@eastrenfrewshire.gov.uk.

For telephone enquiries, please call 0141 577 3001.

The Planning Office is at 2 Spiersbridge Way, Thornliebank, East Renfrewshire G46 8NG. The office is open with officers present from 8.45am to 16.45pm Monday to Thursday and 8.45am to 15.55pm on Fridays.