

Supporting High Quality Development

Pre-Application Guidance and Services

Planning and Building Standards Service

West 
Dunbartonshire
COUNCIL

December 2022

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Overview

West Dunbartonshire Council's aim is to create places for people, spaces for investment and destinations to enjoy. To support this aspiration, the spatial strategy is focussed on the delivery of significant regeneration areas and other key sites within our already established urban areas. Sustainable and high quality placemaking is at the heart of this strategy and is a key priority for the Council.

The Council is committed to taking a more proactive role in supporting the delivery of high quality developments. However, in recognition of a changing and more complex policy landscape and after an internal review, the Council has sought to review its processes to ensure a continued improvement to its service offer.

The pre-application process is seen as a critical mechanism – early and effective consultation and engagement will assist in avoiding delays and difficult situations during the planning and building warrant processes. The Council appreciates that its ability to facilitate these processes is key in supporting applicants in the delivery of high quality projects and developments.

What type of Pre-Application Process?

The Council welcomes early engagement with all applicants and developers prior to the submission of any application. The submission of detailed and comprehensive applications results in quicker decision making once an application is submitted.

In recognition that applications range in type, scale and complexity the Council has adapted its service offer to develop a more bespoke pre-application process; one which can be adapted to suit the needs of the applicant and Council alike.

The options for pre-application have been simplified into two distinct routes – Pre-Application Advice and Pre-Application Framework. This document will seek to explain how these processes will function and also direct applicants to relevant supporting material.

Whilst applications will still be defined as either 'local' or 'major', in accordance with the Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009 , the Council has moved away from using these categories to define the type of necessary pre-application process. This is in recognition that all applications vary in type, scale and complexity, and as such, the pre-application process should reflect these changing needs.

Upon receipt of a pre-application enquiry the Council will suggest which route is most appropriate and provide relevant information and guidance to the applicant team.



1. Permitted Development

Prior to engaging with the Council regarding the possible pre-application routes, it is recommended that any applicant check whether the proposed development falls under what would be considered as permitted development to determine if planning permission is required or not. Further information regarding permitted development rights can be found at the link below:

<https://www.gov.scot/publications/guidance-householder-permitted-development-rights-9781780456836/>

2. Pre-Application Advice

Pre-Application Advice supports applicants who require guidance for smaller and less complex proposals. These often include alterations to a property or the development of a small number of dwellings.

The advice service is designed to:

- ☐ simplify the submission of a planning application;
- ☐ outline the policies of the local development plan and other material considerations that would affect the proposal;
- ☐ identify constraints;
- ☐ identify consultation/ consultees;
- ☐ provide a view on whether the development proposals are likely to be acceptable;.
- ☐ identify key mitigation required to make a proposal acceptable.

Please Note:

- ☐ We can't provide pre-application advice for specific proposals over the telephone.
- ☐ We reserve the right not to provide pre-application advice if the process is not entered into cordially or objectively.
- ☐ Any evaluation of the proposal does not prejudice any decision made by West Dunbartonshire Council and its Committees and the advice is not legally binding on the determination of a forthcoming planning application.
- ☐ Pre-application advice may be subject to third party requests made under the Freedom of Information (Scotland) Act 2002.

Further information regarding Pre-Application Advice, including suggested submission material and enquiry forms, can be found at the link below:

[Pre-Application enquiry | West Dunbartonshire Council \(west-dunbarton.gov.uk\)](https://www.west-dunbarton.gov.uk/pre-application-enquiry)

As part of the proposed changes to the Councils Pre-Application process and in accordance with revised national regulations the Council will now charge a discretionary fee for this service. A charge of £500 will be applied to this service, although this is reduced for certain categories of development. The fee will include:

- ❑ Meetings with applicant and Case Officer
- ❑ One site visit by Case Officer, if necessary
- ❑ Written response including commentary from necessary consultees

3. Pre-Application Framework

West Dunbartonshire Council is committed to supporting the highest quality development and acknowledge that early and effective consultation is essential to this aspiration. The Pre-Application Framework has been developed as a critical tool in helping to support applicants for larger and more complex developments through this process.

The Council recognises that developments can be uniquely complex and often involve different services from both within and outwith the Council. The Pre-Application Framework has been established in order to provide a bespoke pre-application process; one which reflects the changing needs of different applications.

The key benefits of using the Pre-Application Framework are to enable the local planning authority and applicant to:

- ❑ Set out an efficient, transparent and solution focussed process for determining complex planning applications;
- ❑ Agree relevant timescales, actions and resources for handling applications;
- ❑ Enable joint working between the applicant and local planning authority, including engagement strategies for other parties such as statutory consultees, Councillors, the Place and Design Panel and other stakeholders.

The diagram to the right seeks to explain how a typical Pre-Application Framework may be planned. Please note that this is an indicative diagram, and the number of meetings necessary may decrease or increase in accordance with the applications needs. The framework for each application will be discussed with the applicant team before a commitment from either party.

Please note that there is a statutory requirement for Pre-Application consultation (PAC) with the public in relation to planning applications for Major Development. Advice on the Pre-Application Consultation and the Proposal of Application Notice (PoAN) process is available at <https://www.west-dunbarton.gov.uk/planning-building-standards/planning-applications/planning-applications-advice/>. It defines what constitutes a major development and what is required in terms of public consultation.

Objective and Principles

The objective of the Pre-Application Framework is one of co-operation and consistency throughout the negotiation, and for discussion relating to the pre-application process to provide a degree of certainty of intended outcomes and improve the quality of the project, leading to an effective and efficient quality planning decision.

The Council have developed a series of principles which should guide the conduct of all parties entering into a pre-application framework.

Principle 1 – To work together as a team and in good faith, and to respect each other's interests and confidentiality.

Principle 2 – To be transparent and consistent at all times so that outcomes are anticipated, defined and understood.

Principle 3 – To drive forward high-quality design and placemaking.

Principle 4 – To help facilitate (where appropriate) effective involvement and consultation with statutory stakeholders, council members and other stakeholders.

Principle 5 – To agree process milestones which will remain fixed unless agreed by all parties.

Principle 6 – To identify and involve specialist consultees and advisors including authority officers/managers where appropriate, including the Place and Design Panel when appropriate.

The Pre-Application Framework is devised to provide a realistic timeframe for planning and resourcing the pre-application discussions, with the aim of agreeing a submission date and facilitating a streamlined and effective planning application process. The Applicant and the Council acknowledge that the timetable may be subject to change which will be kept under review moving forward.

A designated member of the Applicant's team, in conjunction with the Council Case Officer, will convene meetings, organise agendas and produce minutes to be agreed by the Project Team. Information will be shared between parties in good time in order to facilitate necessary input to the process as a whole.

This Pre-Application Framework process does not give a guarantee of planning permission. It will not prejudice the outcome of the planning application or the impartiality of the Council, in exercising its statutory duties as local planning authority. This agreement relates to the process of considering development proposals and not the decision itself.

A flat charge of £3000 will be charged for the Pre-Application Framework process. The fee will include the below:

- ☐ A minimum of four meetings with Case Officer, Placemaking Coordinator and other consultees where necessary.
- ☐ One site visit by Case Officer, if necessary.
- ☐ Written response including commentary from necessary consultees issued after each pre-application meeting.
- ☐ Access to a minimum of one Place and Design Panel, where necessary, facilitated by WDC Council. Further information is outlined below.
- ☐ Access to a minimum of one Members Briefing, where necessary, facilitated by WDC Council. Further information is outlined below.
- ☐ Where it is deemed, through a collaborative discussion, that additional meetings are necessary to facilitate the improvement of an application, these meetings will be facilitated by Council Officers at no extra cost.
- ☐ A written schedule will be developed by WDC Council to provide clarity of each Pre-Application Framework process, and issued to all relevant parties.

Information regarding the Pre-Application Framework, and associated charging, will be presented on the Council website through a series of web pages. These will be developed in a consistent structure, similar to those which currently describe the Pre-Application Advice service.

Place and Design Panel

The Place and Design Panel has been established to assist the Council in delivering the highest quality development in West Dunbartonshire. The panel consists of a group of independent and experienced built environment professionals working across the disciplines of:

- ☐ Architecture
- ☐ Landscape architecture
- ☐ Urban design
- ☐ Development
- ☐ Planning
- ☐ Environmental sustainability
- ☐ Engineering
- ☐ Infrastructure

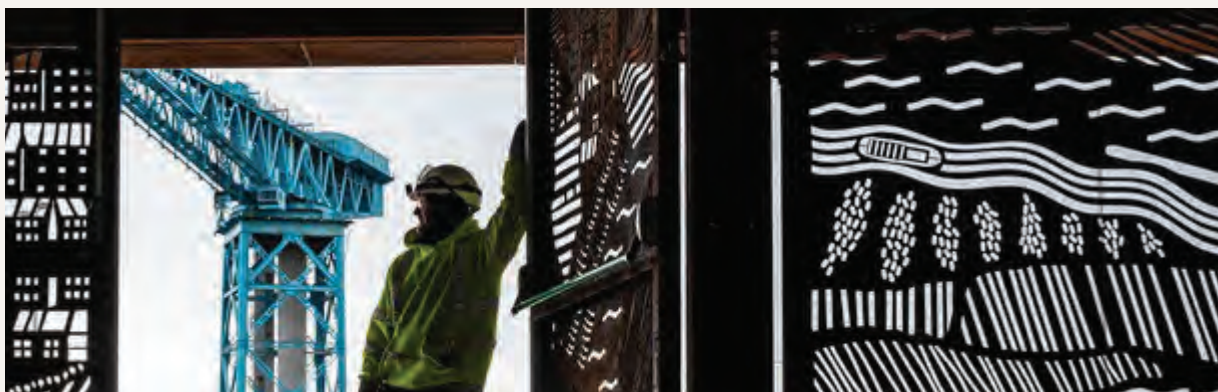


The Panel act as an advisor to both applicant and council officers, with a view to helping improve developments through the pre-application and application process. In doing so, the Panel members seeks to use their experience to help increase the design quality of the built environment in West Dunbartonshire.

It is vital for applicant teams and developments proposals to ensure that the Place and Design Panel are brought into the application discussion at the correct stage – the framework ensures that this is achievable and provides clarity to all involved. A report of the panel discussion is created with the necessary action points clearly defined in order to feed into the next phase of the Pre-Application Framework.

It may not be necessary for all applications to visit to the Place and Design Panel, whilst some may benefit from visiting the Panel on more than one occasion. As with other elements of the Framework, case officers will provide clarity on this process, to be agreed with an applicant team.

Place and Design Panel Terms of Reference and Governance



Elected Members Briefing

For some applications of a significant scale, complexity or of local interest an Elected Members briefing may be necessary as part of the Pre-Application Framework.

The Council has agreed procedures for Elected Member involvement in the pre-application stages. The Scottish Government has issued guidance on the role of Elected Members in pre-application discussions. Elected Members are encouraged to engage at the pre-application stage and to add value to the process while continuing to act within the terms of the Councillors Code of Conduct.

The briefings are an important tool to allow early engagement by developers with Elected Members in order to identify key and significant local issues at an early stage of the planning process. It enables Elected Members to be better informed of developments that will subsequently be presented to Planning Committee and helps to give a degree of certainty and confidence to applicants by identifying key and local issues earlier in the process. The Elected Members briefing is open to all Elected Members and not just Elected Members that sit on the Planning Committee.



Disclaimer

The Council will make every effort to ensure that the advice given in the pre-application process is as accurate as possible. However any advice given by Council officers for pre-application inquiries does not constitute a formal decision of the Council with regards to any planning application and, whilst it may be a material consideration, cannot be held to bind the Council in its validation or formal determination of a subsequent application

If an application is subsequently submitted which fails to take on board advice given by officers, then the Council may refuse it without further discussion with the applicant or their agent.

Freedom of Information

There is a possibility that, under the Freedom of Information Act, the Council will be asked to provide information regarding inquiries for pre-application advice and copies of any advice provided or correspondence entered into. This information may only be withheld if its disclosure could prejudice commercial interests, inhibit the free and frank provision of advice or exchange of views during the planning process, or could prejudice the effective conduct of public affairs. Those seeking pre-application advice should provide a covering letter that sets out the reasons why, and for how long, any information relating to the case needs to remain confidential.

It will be for the Council to decide whether information can be treated as exempt from disclosure and the thrust of the legislation is to make information accessible unless there is a pressing reason why not. Each case will be assessed on its merits. The passage of time may remove the need for exemption as information becomes less sensitive. Generally notes and correspondence relating to pre-application discussion will not be treated as confidential once a planning application has been submitted and the case is in the public domain.

CONTACT DETAILS

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OTHER FORMATS

This document can be made available on request in alternative formats such as large print, Braille, audio tape or computer disc as well as in five community languages.

هذه الوثيقة متاحة أيضا بلغات أخرى والأحرف الطباعية الكبيرة وبطريقة سمعية عند الطلب.

अनुरोध पर यह दस्तावेज़ अन्य भाषाओं में, बड़े अक्षरों की छपाई और सुनने वाले माध्यम पर भी उपलब्ध है

ਇਹ ਦਸਤਾਵੇਜ਼ ਹੋਰ ਭਾਸ਼ਾਵਾਂ ਵਿਚ, ਵੱਡੇ ਅੱਖਰਾਂ ਵਿਚ ਅਤੇ ਆਡੀਓ ਟੇਪ 'ਤੇ ਰਿਕਾਰਡ ਹੋਇਆ ਵੀ ਮੰਗ ਕੇ ਲਿਆ ਜਾ ਸਕਦਾ ਹੈ।

درخواست پر یہ دستاویز دیگر زبانوں میں، بڑے حروف کی چھپائی اور سننے والے ذرائع پر بھی میسر ہے۔

本文件也可應要求，製作成其他語文或特大字體版本，也可製作成錄音帶。

