

# Planning Modernisation Briefing Note 1



## The Planning Hierarchy

### Introduction

The Scottish Government introduced a new requirement on 6<sup>th</sup> April 2009 for all new planning applications to be allocated to one of three categories: **National**, **Major** or **Local** development.

The purpose of introducing the categories is to help with the prioritisation of proposals. When an application is allocated to one of these categories, this will determine various aspects of how the application is processed and the procedures by which it is determined.

### Definition of the Hierarchy

**National developments** are those as contained in the National Planning Framework for Scotland (there are none of these planned in East Renfrewshire).

**Major developments** are those meeting one of the following criterion (for the full description see the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009):

1. Developments mentioned in Schedule 1 of the Environmental Impact Assessment (Scotland) Regulations 1999
2. Housing developments of 50 or more dwellings or site area of 2 hectares. or more
3. Business/industry/storage/distribution developments of 10,000sq.metres. gross or site area of 2 hectares or more
4. Electricity generation stations with capacity of 20 megawatts or more
5. Waste Management facility with capacity of 25,000 tonnes/annum (or 50 tonnes sludge/day) or more
6. Transport and infrastructure projects involving 8 kilometres or more of road, rail, waterway or pipeline
7. Fish farming with surface area of 2 hectares or more
8. Minerals extraction with site area of 2 hectares or more
9. Other development or combinations of the above with gross floor area of 5,000sq.metres. or site area of 2 hectares or more e.g. retail developments, educational, mixed uses etc

**Local developments** are all planning applications which do not fall within one of the above categories.

It should be noted that applications for **other consents** e.g. Listed Building Consent, Conservation Area Consent, Advertisement Consent etc are not to be allocated to any of these categories but are dealt with separately.

## Implications

The placing of an application within the Hierarchy will have a number of important implications for the processing of an application, including the following:

Topic	National/Major development	Local development
<b>Pre-application consultation</b>	Needed for both full planning permission and planning permission in principle (but not for approval of matters specified in conditions).	Not needed.
<b>Time allowed for determining the application</b>	4 months for full planning permission and planning permission in principle. 2 months for approval of matters specified in conditions*.	2 months*.
<b>Means of decision</b>	Planning Applications Committee (unless there is a 'hearing', see below).	Most development decisions will be delegated to officers. There are certain exceptions (see Scheme of Delegated Functions) e.g. applications with a Council, Member or Planning Service Staff interest will be decided at Committee.
<b>Hearings at Committee</b>	Interested parties will be offered a 'hearing' at the Planning Applications Committee for National developments and Major developments that are significantly contrary to the development plan. In this circumstance, the final decision on the application must be made by the full Council.	N/A
<b>Means of appeal</b>	Appeal to the Scottish Government.	All 'delegated' decisions will be subject to 'review' by Local Review Body. Decisions made at Committee will be subject to appeal to the Scottish Government.
<b>Design and Access Statements</b>	Design and Access Statements are needed in most cases (not needed for engineering or mining operations, for changes of use or for planning permission in principle).	Design statements are needed only for certain environmentally sensitive sites e.g. conservation area, historic garden or designed landscape, category 'A' listed building or the site of a scheduled monument (also not needed for engineering or mining operations, for changes of use, for planning permission in principle or for householder applications).

\* Notes: applications which are subject to an Environmental Impact Assessment have a 4 month decision timeframe. Also, for applications which are to be decided by the Councillors, the Council and applicants may agree to extend the decision deadlines.

A flow-chart of the *decision-making and appeals* process is contained in a separate Briefing Note 3 – 'decision-making'.

## Further Information

For further information on the above please contact:

Gillian McCarney, Development Management and Building Standards Manager  
email: [gillian.mccarney@eastrenfrewshire.gov.uk](mailto:gillian.mccarney@eastrenfrewshire.gov.uk), phone 0141 577 3116, or

Graham Shankland, Principal Systems and Quality Officer  
email: [graham.shankland@eastrenfrewshire.gov.uk](mailto:graham.shankland@eastrenfrewshire.gov.uk) phone 0141 577 3341