



**GLASGOW CITY COUNCIL
DEVELOPMENT AND REGENERATION SERVICES
DEVELOPMENT MANAGEMENT**

Processing Agreement for Planning Applications
Notes for Guidance

Development and Regeneration Services
231 George Street, Glasgow, G1 1RX
Telephone 0141 287 8555.
Office Hours 9.00am to 5.00pm Monday to Thursday, 9.00am to 4.00pm Friday.

1. Introduction

A Processing Agreement is an agreed framework for processing an application. It ensures that the planning process is project managed in a clear way. The advantages of a Processing Agreement are that it can offer:

- *Greater transparency for all involved in the process about how decisions are made.*
- *Greater certainty over the timing of key stages.*
- *Clarity about information requirements early in the process, helping early identification of the main constraints.*
- *Clearer lines of communication.*
- *Earlier involvement of key stakeholders such as consultees.*

What applications are suitable?

Although pre-application discussions can take place for any type of application, it is likely that a Processing Agreement will be used for national or major applications, or particularly complex applications which do not fall into those categories but which need detailed project management. They can cover applications for planning permission, planning permission in principle and approvals of matters secured by conditions.

When can a Processing Agreement be set up?

Once preliminary contact has been made by the Applicant, and initial discussions have taken place, it will become clear whether a formal Processing Agreement will be useful. An Applicant can request this at any point. Ideally a Processing Agreement will be requested early in the process, at pre-application stage. This will help to front load the process, and result in more efficient processing of the application.

What is included in a Processing Agreement?

A Processing Agreement is a project management technique, not a complex legal contract. It can be changed as the process goes on, with the agreement of the main parties. It is a live document which is kept under review and can be altered as time goes on with the agreement of the main parties. This helps to accommodate circumstances which may not have been foreseen at the outset.

The main aim is to establish realistic timescales for processing. The agreement will therefore set out:

- The process required to determine the application.
- The responsibilities of the main parties, including planning authority, applicant and statutory consultees, in delivering this determination.
- The information required to determine the application. This should be decided after preliminary consultation with the statutory consultees.
- The main stages and timetable for the project, including pre-application stage, post-application stage and post-decision stage, if appropriate. The need for any legal agreements (for example for developer contributions) should also be highlighted.
- If it is agreed early on that the process will take longer than the statutory period to determine, this should be recorded in the agreement. (In this case it will not be possible to appeal against non-determination in advance of the agreed timescale).

NB If the timescales in the agreement are not met, these timescales will need to be renegotiated. All parties should ensure that they are realistically in a position to meet timescales before these are agreed.

What is the first step?

A prospective applicant should contact the Group Manager (see below) to discuss whether a Processing Agreement will be appropriate. Early contact with the planning authority is encouraged, especially before a Proposal of Application Notice is submitted for a major or national application.

Where a Processing Agreement is to be set up, a project team will be established by the Lead Officer, with input from relevant officers from other Services within the Council and external consultees, as appropriate. The applicant will also be expected to appoint suitable professional consultants with the appropriate level of expertise to be able to deliver the information required within the agreed timescales.

After discussion, a draft Processing Agreement will be produced by the planning authority. Once this is agreed, the applicant and planning authority will sign the Agreement.

It is important to note that although officers will express their own professional opinions to provide guidance for the applicant, this will not bind officers to a final recommendation, and will not prejudice the outcome of a formal planning application.

NB The following guidance should be read in conjunction with the Glasgow City Council form titled Processing Agreement for Planning Applications (PR01 April 2014).

In addition to the information provided below, it is advised that the applicant should seek early engagement with the Planning Authority prior to the drafting of a Processing Agreement.

2. Applicant Information Requirements

To be read in conjunction with Table 2 of form PR 01 April 14

The Lead Officer will discuss with the applicant the information which is required to support the application, and will then complete Table 2 of the Processing Agreement to reflect this.

The required information, as identified in Table 2, will be submitted by the applicant as part of the initial planning application package. No less than one hard copy of all documents will be provided. Electronic copies of documents will also be supplied.

Where agreed information is not provided as part of the initial planning application package, a review of key dates in the Agreement may be required to account for the delay. *For instance, delay in submission of a Flood Risk Assessment will delay statutory consultation with SEPA.*

If further information is required by the Council to enable them to deal with the application (e.g. as a result of issues raised by representations and consultees), then the Council will identify and request this information from the applicant as soon as possible. Where this is the case, a review of key dates in the Agreement may be required.

3. Consultees and Scope of Consultations

To be read in conjunction with Table 3 of form PR 01 April 14

The Lead Officer will discuss with the applicant which consultees will need to be consulted on the application, and will then complete Table 3 of the Processing Agreement to reflect this.

The Council will consult those consultees identified within tables 3.1 – 3.3 within 7 days of validation of the application, or within 7 days of receipt of additional supporting information.

The time period for consultees to respond will also be set in advance of consultation, and will be dependent on the complexity of the consultation issues. Unless otherwise agreed this time period will be up to a maximum of 28 days

The timescales, correspondence and content of consultations will be actively monitored by the Lead Officer. Any issues raised which require discussion with the applicant will be forwarded directly from the planning authority to the applicant. Where further information is required, the Lead Officer will contact the applicant as soon as possible to request the information.

4. Project Management – Key Milestones

To be read in conjunction with Table 4 of form PR 01 April 14

The parties confirm that the stages identified within table 4 (inc 4.1 – 4.4) are the key milestones in the planning application process. The parties will use their best endeavours to ensure that each stage is concluded by the agreed date.

If the agreed dates within this section of the Agreement are not met, these timescales will require to be renegotiated between the Council and the Applicant. During preparation of the Agreement, cognisance should be taken of the nature of the proposals, as well as any areas of potential delay. This should ensure that realistic timescales are agreed.

5. Legal Agreement

To be read in conjunction with Sub-Table 4.4 of form PR 01 April 14

It may not always be possible to know at pre-application stage whether an application will require a legal agreement. Where this is the case, section 4.4 of Table 4 may be left blank and completed at a later date.

Where an application requires a legal agreement, the Lead Officer will contact the applicant at the earliest available stage to discuss the requirements of a legal agreement and key timescales. Where possible, it is expected that the conclusion of a legal agreement should take place within 3 months of consideration of the application by the Planning Applications Committee of the Council, or by delegated recommendation.

NB In order to avoid unnecessary delay, the applicant should provide full contact details for their legal representative upon submission of a planning application.

Useful Websites:

Glasgow City Council	-	www.glasgow.gov.uk
Scottish Government	-	www.scotland.gov.uk
Scottish Natural Heritage	-	www.snh.gov.uk
Scottish Environmental Protection Agency	-	www.sepa.org.uk
Scottish Water	-	www.scottishwater.co.uk
Transport Scotland	-	www.transportscotland.gov.uk
Historic Scotland	-	www.historic-scotland.gov.uk
Sport Scotland	-	www.sportscotland.org.uk
Health and Safety Executive	-	www.hse.gov.uk
Coal Authority	-	www.coal.decc.gov.uk
NATS	-	www.nats.aero
Architecture and Design Scotland	-	www.ads.org.uk
West of Scotland Archaeology Service	-	www.wosas.net
Glasgow Urban Design Panel	-	http://gia.org.uk/our-work/urban-design-panel