

# PLANNING OBJECTIONS SCOTLAND



## Quick Tips Crib Sheet



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# The Planning Objections Scotland Quick Tips 'Crib Sheet'

The application should be available on the Planning Authority's Planning Application Portal/Website or available to view at their office. For most applications this will consist of an application form, drawing and possibly supporting surveys and reports.

It's worthwhile looking over the drawings before undertaking a review of the application form to familiarise yourself with the proposal.

## Our Document Library



Have you found some errors in the application forms and drawings? Maybe they haven't submitted the required survey information?

When errors and mistakes are made in planning submissions Planning Objection Scotland use planning case law and other planning documentation to back up our arguments and concerns. Want to reinforce the credibility of your representation with the decision maker? Access our document library for the most utilised documents at [pos.scot/shop](https://pos.scot/shop)



# Reviewing the application form – Stage 1

N.B – There are different types of planning forms. This 'Crib Sheet' has used the Scottish Government's non-householder form as a basis which should still cover the majority of issues found in some of the other forms.

## Accurate Description of proposed Development

It is important that the applicant provides an accurate description of the proposed development on the application form and this reflects the proposed development on the drawings. If it doesn't and the description is misleading it should be rectified.

## Pre-application guidance between the Applicant and the Council

Has there been pre-application discussions between the applicant and the Council?

The majority of the time this information should be made available from the Council so you can review it unless there is confidential or commercially sensitive information. It can be useful accessing this to formulate your representation as the planning case officer will likely have pointed out the policies (but maybe not all) that are applicable in the assessment.

Having problems accessing the correspondence? Then use our template POS 1.1.1 and refer the Planning Authority to document 1.1.2 to increase your chances of accessing this information.

## Site Area over 0.5 hectare?

Is the development site over 0.5 hectares in area? An Environmental Impact Assessment Screening may be required if the proposal will have an urbanising effect on the area /environment? There is a requirement on the Local Authority to screen these types of applications under the Environmental Impact Assessment Regulations.

Make sure you get them to screen such developments by referring to these court cases POS 1.2.1 and 1.2.2

## Access and Parking

Have they delineated where the car parking spaces are (if applicable)? Can vehicles access and egress the site in a forward gear (particularly relevant on busy roads)? Have they delineated the visibility splays? Can the visibility splays be achieved and maintained within the applicant's ownership?

## Water Supply and Drainage

Are they connecting to the public water supply and sewer? Could a new private water supply impact existing surrounding supplies? Can private foul drainage be incorporated within the redline boundary of the site? Could pollution occur to water courses or private water supplies?

Will the development increase surface water? A Sustainable Urban Drainage System should be deployed/delineated especially on tight urban sites.

## Flooding

Is the site in a flood risk area? Check the SEPA flood maps. If it is a Flood Risk Assessment should be submitted.

## Trees

If there are trees on the site this should be detailed here otherwise a false declaration has been made on the application form. The site plan should also delineate trees to be removed retained and supported with survey work from an arborist.

## Waste Storage and Collection

Is there sufficient storage for bin provision to meet the local authority standards. Can the bins be picked up?

## Correct Ownership Certificate

Have all the owners in the redline boundary of the site been served a land ownership certificate? If the applicant hasn't completed the ownership certificate correctly the application is technically invalid.

Refer to POS 1.3.1 our standard paragraph and back it up with this court case POS 1.3.2 which highlight the need for correct ownership to be served.

## Reviewing the drawings – Stage 2

Got Kids? It's a game of spot the difference!! Joking aside agents do submit inaccurate plans. We've even seen drawings for a house with no door.

### Accuracy

Have they accurately identified the site, is the site delineated in red on the location/block plan and have a north point? Do all the plans have a scale bar? Make sure the plans are sufficient to fully assess the development proposals, POS 2.1.1

If there are inaccuracies, then refer to these maladministration cases POS 2.1.2 and 2.1.3.

### Topographical details and finished floor levels

Ensure the plans identify the full extent of topographical changes to the development site to ensure changes are fully known and assessed. Does the proposal show the changes in topography within the site from a fixed off site point? Are the finished floor levels detailed correctly refer to this maladministration case POS 2.1.4.

## Reviewing the supporting information – Stage 3

### Protected species

Are there European Protected Species present on the site? If there are the application should be supported by bio-diversity survey work before a decision can be made.

Refer to these documents to ensure the planning authority takes this into account. POS 3.1.1, POS 3.1.2 and POS 3.1.3.

## Reviewing the Development Plans and detailing material considerations – Stage 4

Following a review of the application form and drawings you should have a better understanding of the proposal. You should list your concerns/objections then try and match these against Policies in the Development Plan.

Use our standard paragraph POS 4.1.1 to get the planning officer to take account of all the planning policies and material considerations you consider applicable in the assessment of the application.

Bolster this with these maladministration cases where a council never took all policies and material considerations into account to reinforce the point POS 4.1.2 and 4.1.3.

## Understand the Decision Process – Stage 5

It is important to understand who will determine the application, the planning officer or the planning committee. The 'scheme of delegation' sets out the triggers for a committee determination, usually based on application type or level of objection received. In some circumstances you can coordinate objections with neighbours to meet objection triggers. You should be able to access the scheme of delegation on the Planning Authority's website. Struggling to track it down then utilise our template POS 5.1.1.



## Need Assistance?

If you are struggling to get your point across or confused about the whole planning process, then visit our website [pos.scot](http://pos.scot) and fill out our Planning Objection/Representation Contact Form for a fixed fee quote.

**[pos.scot](http://pos.scot)**

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