

NATIONAL, MAJOR AND LOCAL DEVELOPMENTS (THE PLANNING HIERARCHY)

From 3 August 2009 the way Councils throughout Scotland are dealing with planning and related applications changed. There is a Hierarchy of Planning Applications which are classified into three types: *National*, *Major* and *Local* and each of these is processed in a different way.

National Developments. These are defined by the Scottish Parliament in the [National Planning Framework](#). None of the projects listed is located within the Dundee City Council area. This list can only be adjusted by the Scottish Parliament when it reviews the NPF.

Major Developments are defined as those which fall within the following nine classes:

- All development under Schedule 1 of the EIA (Scotland) Regulations 1999.
- Housing proposals of 50 dwellings or more, or housing sites exceeding 2 hectares (ha).
- Business and general industrial, storage and distribution with a gross floor space of 10,000m² or a site exceeding 2 ha.
- Electricity Generation where capacity is or exceeds 20 MW.
- Waste Management Facilities where capacity is or exceeds 25,000 tonnes per annum, or for sludge treatment facilities where capacity of or exceeds 50 tonnes (wet weight daily).
- Transport and Infrastructure where the road, railway, tramway, waterway, aqueduct or pipeline exceeding 8km in length.
- Fish Farming where the surface area of water covered exceeds 2 ha.
- Mineral Extraction where the site area is or exceeds 2 ha.
- Other Development not falling wholly within one of the above classes where the gross floor space is or exceeds 5,000m² or a site area exceeding 2 ha.

Local Developments

Planning applications which are not National or Major developments are classed as Local Developments. All changes of use applications will be typically classified as local development.

For a more detailed explanation of the Planning Hierarchy please visit the appropriate Regulations at http://www.opsi.gov.uk/legislation/scotland/ssi2009/ssi_20090051_en_1 and Circular 5/2009 at <http://www.scotland.gov.uk/Publications/2009/07/03153122/0>

Deciding National and Major Applications

The new legislation is designed to let communities be better informed and have an early say in the planning process particularly on National and Major proposals. These larger developments may have a significant impact on the area and community engagement is a key part of the changes. Applicants for these types of development are required to give 12 weeks notice of their intention to submit an application, to the Council and every

Community Council within whose boundary the development proposal is located or whose boundary adjoins the application area. They must also hold at least one public event which has to be advertised in the local press. The applicant must then submit a report on the consultation along with the planning application. Once an application is made, the public will be able to make representations to the Council in the normal way. The Council will have four months to deal with National and Major applications. Applicants for National and Major developments will continue to have the right of appeal to the Scottish Government's Appeals Directorate. For further details of pre-application consultation please follow the link below:

Deciding Local Developments

All Councils were required to prepare a new Scheme of Delegation, which describes which applications will be dealt with by officials and which will be decided by the Council's Development Quality Committee. These new Schemes came into effect on 3 August 2009. Under the new Scheme most local applications, with exceptions, will be determined by officers. For details of our Scheme of Delegation please follow the link below:

Applicants who are refused permission or granted subject to conditions under delegated powers for an application classed as a Local Development, are able to seek a review of the decision by the Council's Local Review Body made up of Councillors. Previously, all appeals were dealt with by the Scottish Government's Appeals Directorate. For further details about the responsibilities of Dundee's Local Review Body and to download Notice of Review Forms and Guidance Notes please following the link below:

For further information please contact:

Charlie Walker
Acting Team Leader, Development Management
Dundee City Council
Tel: 01382 433216
email: charles.walker@dundeecity.gov.uk