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1. Introduction

- 1.1. This note provides brief guidance on Planning Processing Agreements (PPA's) which Scottish Borders Council (SBC) may require Planning Applicants and Agents to agree to in respect of their development proposals. More detailed information can be found in Guidance on the Scottish Borders Council and Scottish Government websites (See links in section 7).
- 1.2. **Before submitting any Application for Planning Permission you should check whether it complies with all relevant planning policies and guidance. A development proposal that does not satisfy Planning Policy and guidance will not be supported just because a Planning Processing Agreement is entered in to.**

2. What is a planning processing agreement?

- 2.1. A planning processing agreement is a project management tool. It sets out the key processes involved in determining a planning application, identifying what information is required from all stakeholders' involved and setting timescales for the delivery of various stages of the process. **Processing agreements set out a route to a decision on an application, not necessarily to an approval.**
- 2.2. The advantages of using a processing agreement include:
- *Greater transparency in decision-making for everyone involved in the process*
 - *Greater predictability and certainty over the timing of key stages*
 - *Faster decision-making*
 - *Clearer lines of communication between authority and applicant*
 - *More effective and earlier engagement of key stakeholders such as consultees*

3. What type of application is an agreement suitable for?

- 3.1. Although we welcome pre-application discussions on all types of application, a formal processing agreement is most appropriate for major applications or for local developments that are complex, involve legal agreements, or are likely to be contentious or require amendments to be made to the proposals during their processing.
- 3.2. The Council promotes the use of Processing Agreement for all application types (Detailed applications, planning permission in principle, approval of matters specified in conditions, etc.).

4. Submission of revised plans on pending applications

- 4.1. Scottish Borders Council is promoting the extensive use of Planning Processing Agreements. These allow for an agreed determination date to be set on current planning applications.

Where the Planning Authority requires changes

- 4.2. The Authority will continue to highlight the use of PPAs, where such agreements appear appropriate. This will generally be the case where further information or revision of proposals is required after the initial registration of an application.
- 4.3. In such cases, the Planning Officer will normally complete and propose a draft PPA, and enclose it with their correspondence to the applicant or agent requesting submission of revised plans or details.

Where the Applicant or Agent requires or proposes changes

- 4.4. Revision or amendments to live applications are not always due to a request from the Planning Authority. The Council is therefore making available a blank processing agreement template for use by applicants

- 4.5. In cases where **revised plans or additional information** are forwarded to the Planning Authority, it is **necessary** that a draft planning processing agreement also be completed by the agent, and sent to the Planning officer for consideration and agreement of a revised target date for the processing of the application.
- 4.6. This completed draft PPA should accompany the lodging of any revised plans or additional information. Applicants and agents should ensure that any PPA they propose meets the guidance in section 5 of this note. The Case Officer on an application will be able to give guidance.

5. Content of a planning processing agreement

- 5.1. The main purpose of the agreement is to provide clarity to all parties involved in the determination of the application of their responsibilities and to establish realistic timescales for processing the application. Agreements should be proportionate – the more straightforward the application, the more likely that any processing agreement will be a straightforward, concise document.
- 5.2. **As such, all processing agreements should cover the following:**
- *Key contacts in the process*
 - *Information requirements and identified actions to enable the determination the application*
 - *Application processing timetable including target dates for identified actions*
- 5.3. **Agreements for more complex applications may also cover (as appropriate):**
- *Pre-application stage*
 - *Consultees and other stakeholders*
 - *Legal agreements and financial contributions (where required)*
 - *Discharge of conditions*
- 5.4. Target dates set in draft processing agreements should be realistic, and reflect the relevant timescales for re-notification and re-consultation as required. Generally, a minimum of 28 days should be allowed for after the submission of additional information or revised plans.
- 5.5. Scottish Borders Council has prepared a processing agreement template which will be used as the basis for any agreement. It is not intended to be a lengthy document and will clearly set out the key stages in the process and realistic timescales for meeting these.

6. When can a processing agreement be set up?

- 6.1. Pre-application discussion between applicants and the Council is always welcomed. The appropriateness of using a processing agreement should be raised with us at any initial meeting to discuss your proposal.
- 6.2. Agreements do not necessarily have to be prepared by the Council, it is open for applicants and agents to draft and propose an agreement using existing templates as a starting point. In the majority of cases however, the Council will send you a draft processing agreement, for consideration and agreement, if it appears that such an agreement would be appropriate to use for your application.

7. Further Information Resources

- 7.1. Scottish Borders Council's website provides a wide range of information to assist your decision making should you consider applying for Planning Permission for a development proposal:

Internet

- Information on the council website is available:
www.scotborders.gov.uk/info/20012/planning_and_building
- More detailed information on planning processing agreements can be obtained from the Scottish Government: <http://www.gov.scot/Topics/Built-Environment/planning/Development-Management/Processing-Agreements>
- If you do not have access to a computer at home, internet accessible computers are available to use free of charge in all SBC libraries. Booking of this service is advisable. Contact Library Headquarters for more information. Tel: **01750 726400**.

Phone

- For more information contact the Development Management Service at Council Headquarters. Tel: **0300 100 1800**