
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 432

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008

PART 2

Pre-application consultation

Pre-application consultation – classes of development

4. The classes of development prescribed for the purposes of section 35A(1) of the Act are development belonging to the categories of national developments and major developments.

Content of pre-application screening notice

5.—(1) A notice under section 35A(3) of the Act in addition to the information mentioned in paragraphs (a) to (d) of section 35B(4) of the Act, must also contain a statement as to whether or not the planning authority have adopted a screening opinion or the Scottish Ministers have made a screening direction in respect of the development to which the notice relates.

(2) In this regulation “screening opinion” and “screening direction” have the same meaning as in the Environmental Impact Assessment (Scotland) Regulations 1999.

Content of proposal of application notice

6. A proposal of application notice must, in addition to those matters required by section 35B(4) of the Act, also contain an account of what consultation the applicant intends to undertake, when such consultation is to take place, with whom and what form it will take.

Pre-application consultation

7.—(1) The prospective applicant is to consult as respects a proposed application every community council any part of whose area is within or adjoins the land where the proposed development is situated and in doing so is to give a copy of the proposal of application notice to such community council.

(2) The prospective applicant is to—

- (a) hold at least one public event where members of the public may make comments to the prospective applicant as regards the proposed development; and
- (b) publish in a local newspaper circulating in the locality in which the proposed development is situated a notice containing—
 - (i) a description of, and the location of, the proposed development;
 - (ii) details as to where further information may be obtained concerning the proposed development;
 - (iii) the date and place of the public event;

- (iv) a statement explaining how, and by when, persons wishing to make comments to the prospective applicant relating to the proposal may do so; and
- (v) a statement that comments made to the prospective applicant are not representations to the planning authority and if the prospective applicant submits an application there will be an opportunity to make representations on that application to the planning authority.

(3) A public event held by the prospective applicant in accordance with paragraph (2)(a) is not to be held earlier than 7 days after notification of the date and place of such event is given under paragraph (2)(b)(iii).