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Access to Planning Information

The planning system often appears complicated and inaccessible. Even finding out simple facts about what is happening in your area can seem an impossible task. But by law, a great deal of planning information is open to everybody - the secret is knowing who to ask, and what to ask for!

How would I hear about planning issues in my area?

You may hear about a planning application in the following ways:

1. As a neighbour - When a planning application is made, the applicant must notify you of the proposal if you are an immediate neighbour to the land affected.
2. Advertisements in the local newspaper - These are placed by the local council for certain types of planning applications only.
3. Through your local community council - all community councils in Scotland receive notification regularly of planning applications in their areas. Sometimes these notices may be displayed on local premises but for details of where your community council meets, contact your local authority.

You may hear about changes to planning policies through advertisements in the local press. The local council must advertise when new plans are being prepared or when existing plans are being modified.

Who keeps planning information?

Most planning information is kept by your local council. So your first point of enquiry should be your Council's planning office. The Council keeps information about planning applications, planning policies and may also have guidelines on house extensions and other types of development. Some planning related information may also be available in local libraries, along with structure and local plans. Information on plans or planning applications will also be available on your local council's web site.

A telephone call to your local planning office is useful to check that the information you need is available, or to check when it will be available.

How can I find out about a planning application?

Every local council must keep a register of planning applications available for you to see. The information should include copies of all current applications (with plans), a list of all previous planning applications (with dates and decisions) and a map index.

You may request copies of plans submitted with a planning application, although a fee may be charged for providing these copies. Some background information about current planning applications may also be available for inspection. You may also be able to speak to the planning officer who is dealing with the planning application to get more information. You have the right to comment on planning applications.

How can I find out about the Council's long term plans for my area?

Structure Plans and Local Plans are the documents in which Councils set out their long term plans for an area and so are important sources of planning information available to you.

Structure Plans contain broad policies for your area to set the direction for the development of, for example, housing, shopping and industry. Although they do not show sites for new development, they set guidance for local plans, and contain useful background information. Local Plans are more site specific and define the areas to which policies apply. They show how your local area may be developed. Together they set a framework of policies to guide decisions on individual planning applications.

At certain stages before a plan is adopted, you have the right to comment or object to anything contained in a plan and for Local Plans, to ask for a public local inquiry.

Your local council must keep a register of all the structure and local plans that affect your area. This should include a map which shows the areas covered by each plan. Copies of these plans will be available for you to inspect. You can also buy copies of Structure and Local Plans from your Council. Copies of Structure and Local Plans may also be downloadable for free from your Council's web site.

Can I see how the Council makes decisions (Meetings And Documents)?

By law, you can attend most official meetings of your local council and its committees, to see how decisions are made. You can find out the time and place of the meeting at least three clear working days beforehand.

You can also inspect copies of the agenda, committee reports

and background papers at least three clear working days before the date of the meeting.

Although you do not have the right to speak at council or committee meetings, you may be allowed to speak, if you ask in advance. Where a meeting is closed to the public, you may be able to see a summary of proceedings. The minutes of these meetings (along with agendas, reports and background papers) must remain open for public inspection for six years after the date of the meeting.

You may have to pay a fee to inspect background papers, but the inspection of minutes, reports and agendas is free. Photocopies of these documents may be requested from the council, although a fee may be charged.

Your local council will be able to supply you with a register of names and addresses of councillors, their surgeries and the committees which they attend.

You can also request a list of decision making powers delegated to officers. Delegation means that in certain circumstances planning applications may be refused or approved by a senior officer rather than by a committee of councillors. This will only be where the decision is compatible with approved policies. A list of delegated decisions will be available for public inspection.

What other planning information is open to me?

Your local council will also be able to tell you whether a building or property is "listed" (as being of special architectural or historic interest) or whether it is affected by any other planning regulations. For example, certain regulations cover Conservation Areas or Tree Preservation Orders.

Planning appeal decision letters can usually be inspected at your local planning office. In exceptional circumstances, copies may be requested from the Scottish Executive Inquiry Reporters Unit (a charge may be payable). All planning appeal decision letters, and most structure and local plans, are also lodged in the National Library of Scotland in Edinburgh. Copies of most planning appeal decisions made since 1st January 2001 are also available on the Scottish Executive Inquiry Reporters Unit web site at www.scotland.gov.uk/about/DD/IRU

Can I get more advice?

Your local planning office should be your first stop for planning information. If you are still unsure or need independent advice then Planning Aid for Scotland may be able to help. We offer professional advice free of charge to individuals and community groups.

For more information please contact Planning Aid for Scotland.