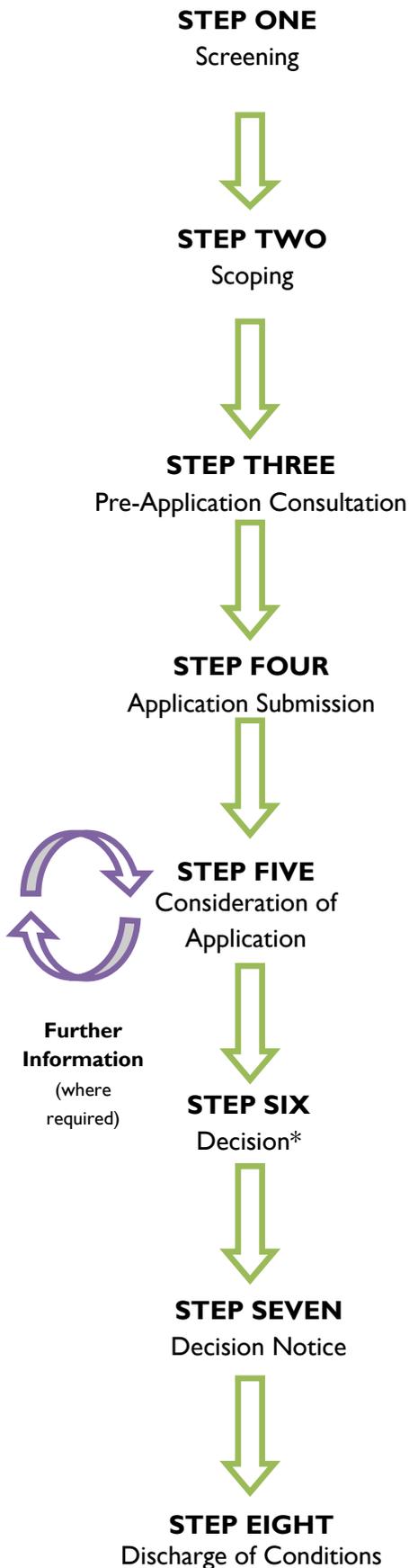


# Town & Country Planning Applications – sub 50MW



## STEP ONE – Screening

Determine with the Local Authority (LA) if an EIA is required. Any scheme above 5MW requires EIA.

**TIMEFRAME:** approximately 28 days for the LA to issue a response to a screening request.

## STEP TWO – Scoping

Where the applicant submits a Scoping Report to the Local Authority who then consult on this document and the resulting Scoping Opinion scopes in, and out, what should be included in the applicant's upcoming Environmental Statement (ES).

**TIMEFRAME:** approximately 21 days to issue consultation, 21 day consultation period, 21 days to finalise document and issue.

## STEP THREE – Pre-Application

Based on the Scoping Opinion, the applicant may re-engage with statutory consultees and relevant stakeholders prior to finalisation of the ES. Schemes of between 20MW and 50MW also require Pre Application Consultation, though it is advised for all scales of project, yet is not a statutory requirement as such. This involves agreeing the scope of consultation with the LA, including details of public meetings, exhibitions etc.

**TIMEFRAME:** Case Dependent. Note: Pre Application Consultation needs to have been agreed with the LA at least 12 weeks prior to the submission of the planning application.

## STEP FOUR – Application Submission

Once the applicant's ES is complete it can be submitted to the LA for consideration. For schemes of between 20MW and 50MW a Pre Application Consultation (PAC) Report needs to be included with the submission.

**TIMEFRAME:** Case Dependent

## STEP FIVE – Consideration of Application

Application is accepted and consultation period begins.

**TIMEFRAME:** 3 month consultation period for consultees and members of the public.

*Further Information:* Additional or further information may be submitted at the applicant's discretion. If additional or further environmental information is provided, this will trigger a further consultation period. In addition, should consultees report that they consider the information provided by the applicant is incomplete or deficient, the applicant can submit further information. This information is subject to further consultation.

**TIMEFRAME:** A further 28 day consultation period for all parties

*Determination Extensions:* It is the responsibility of the LA to request a determination extension beyond the initial 3 month period, however, not all do so without prompting. Once the initial 3 month period has lapsed, should an extension not have been agreed between the applicant and the LA, the application enters the 3 month period within which an appeal can be made for non-determination. Once this further 3 month period expires (6 months from the application submission, presuming no extensions were agreed) the applicant loses their right to appeal for non-determination.

**TIMEFRAME:** Case Dependent

## STEP SIX – Decision

Decision taken by LA, either at committee or by means of delegated powers. Each LA has a Scheme of Delegation that determines whether an application can be determined under delegated powers (i.e. by the Planning Officer without the need to put it before committee). Broadly speaking applications <20MW can be determined by the Planning Officer, unless there are a certain number (usually 5) of representations from members of the public. If a <20MW application is determined under delegated powers there is no right of appeal to the Scottish Government, and appeal is made to the relevant LA Review Board.

**TIMEFRAME:** Case Dependent

*Appeal:* see separate note on appeal process.

## STEP SEVEN – Decision Notice

Once a decision is made the applicant will be issued with a decision notice. If there is a requirement for legal agreements, such as a Section 75, the decision notice will not be issued until these are in place.

**TIMEFRAME:** Case Dependent

## STEP EIGHT – Discharge of Conditions

Should consent be granted the applicant must adhere to the conditions of any consent and, where applicable, fulfil certain obligations before construction can proceed and during operation.

\* See appeals process