

How to comment on Planning Proposals and Applications



There are various stages in the Planning process where you can make an input into how the City develops and grows. The Council encourages involvement in Planning to ensure people have a say. Further advice on [community engagement](#) is also available from the Scottish Government.

This guidance note is divided into five sections

- The Development Plan and non-statutory guidance
- The pre-application stage of planning proposals
- Commenting on planning applications
- Appeals and reviews
- Finding information on planning proposals

The Development Plan and Non-Statutory Guidance

The Strategic Development Plan steers the future development and growth of the City Region up to 2032. A participation statement sets out the public consultation process. Further details can be found on the [SESplan website](#).

The Local Development Plan drills down to more local development issues and a full public consultation process is at the heart of this process. Further details can be found on the [Local Development Plan](#) pages of the Council website.

The Council also has non-statutory guidance on a range of subjects. These assist decision-making by offering guidance on when certain developments may be acceptable. Although they are not legal documents, they are subject to public consultation and these can be found on the [Planning consultations](#) webpage of the Council website.

The Pre-Application Stage of Planning Proposals

There is a statutory process for commenting on national and major development proposals at pre-application stage. There is not a formal process for local developments but this does not stop the developer liaising with the local community to gauge views.

The definition of a national or major development is set out in the [Planning hierarchy](#) and developers must consult with the local community as part of this process.

At least 12 weeks before submitting a formal planning application, the potential developer must send a Proposal of Application Notice to the Council and the local Community Council setting out how the local community is going to be consulted. At least one public event must be held. You can find out more about this public consultation process on our [community engagement](#) page on the Council website.

Commenting on Proposal of Application Notices

- The pre-application stage provides an opportunity for individuals and the community to contribute their views on a proposal before a formal planning application is submitted. The applicant can then decide whether to amend the scheme in line with these comments.
- Comments should be made directly to the applicant or their named agent. This can be done either individually, at the public meeting or through your community council if you prefer. The applicant's contact details will be available with the publicity. Any comments the Council receives at this stage will be passed directly to the applicant. Comments made at pre-application stage are not representations on any subsequent planning application which is then submitted and fresh comments must be submitted for this.

Commenting on Planning Applications

It is important to realise that an application simply cannot be refused because a lot of people object to it or approved simply because a lot of people are in favour of it. Local views are one consideration to be set alongside other planning issues.

We can only consider objections or letters of support which are relevant to planning issues. These can include for example, the effect of the proposal on traffic, the appearance of the area, or the privacy of neighbours.

We cannot take into account such matters as the loss of a private view, the effect the development might have on property values, or matters dealt with under Building Regulations or other legislation.

The Council will not consider letters of comment which include racist remarks. The writer will be advised of the authority's concerns and the matter may be referred to the Police.

Your comments cannot be treated as confidential. It may be necessary to make them available to the applicant/agent to resolve matters of concern. Material which forms part of an application and on which the final decision is based must also be available by law for public inspection. All representations will be made available on the Council website with any personal information redacted to comply with the Data Protection Act.

Time periods for comments

- Public comments on planning applications must be made within 21 days of the validation date, advert date or neighbour notification date, whichever is the later. The weekly list date has no statutory significance in relation to the period for comments.

- If you are using [Planning and Building Standards Online Services](#) to comment on an application, you will be advised whether you still have time to make your views known.
- The [Weekly List](#) of Planning Applications, available on the Council website and in local libraries, includes reference to the period for comments on applications included within the list.
- During public holiday periods, there will be extra time for comments to be submitted. Please refer to the relevant Weekly List for details.
- For applications which require an Environmental Statement, the period for submitting comments is increased to 28 days.

Submitting comments on a planning application

- The easiest way is to make comments online using [Planning and Building Standards Online Services](#). You must register to make online comments and this then allows us to keep you up-to-date with the progress of the application. By registering, you can track the application and you will also be quickly informed by email of any Committee date or decision on the application. [Registering](#) is quick and simple.
- Comments can also be submitted in writing to the Head of Planning and Building Standards. Contact details are

Head of Planning and Building Standards, Services for Communities,
Waverley Court, Level C5, 4 East Market Street, Edinburgh , EH8 8BG

- Anonymous letters commenting on an application cannot be considered.
- You should state clearly what you are commenting on, and the comments must include:
 - the date
 - the name and address of the sender
 - the reference number of the application
 - the name and/or address of the site
- Remember that there may be more than one application for the same site and the reference number must be included so that your comments are attached to the correct application. For instance, there may be separate applications for planning permission and listed building consent.
- You will need to comment on each application separately if you are commenting online.

Petitions

- Petitions of objection or support may also be submitted and will be considered provided that :
 - each page of the petition is headed with the aim of the petition;
 - the names and addresses of those signing are provided and are readable;
 - the comments are relevant in planning terms and are clearly stated;
 - the name and address of the petition co-ordinator is included for receipt of acknowledgement and notification of decision.

Please note that acknowledgement and notification of the decision will only be made to the petition co-ordinator.

How we deal with your comments

Your comment will be acknowledged either by email or in writing. You will be told whether your comments raise material planning issues and whether they will be taken into account.

If your comments do raise planning issues, the case officer will fully assess these against the proposals and make a recommendation on the case.

You will be notified of any Committee date and the final decision on the application.

If there are changes to applications:

- Where a change is made to a proposal either prior to a decision being made on the application or following the decision on the application, there will generally be no further publicity, unless new issues are raised.

The decision making process

Delegated items

Approximately 90% of applications are decided by planning officers under the Council's [scheme of delegation](#). These are generally local applications that are not controversial and do not raise wider issues. However, there are processes in place to ensure that planning officers cannot determine their own cases and some cases are signed off by two other officers.

Items considered at Committee

Approximately 10% of all applications are decided by councillors. These are the applications which raise new planning issues, are of wider importance to the City or are controversial.

Those who made representations will be informed of the Committee date.

Committee members can see copies of all comments on the applications and comments are summarised in the Committee report.

As part of the enhanced scrutiny measures for planning applications, some applications will be subject to pre-determination hearings. These are mandatory for major developments which are significantly contrary to the development plan and in respect of national developments. Any applications which are required to have a pre-determination hearing will also have to be decided by full Council.

Other significant applications may also be the subject of a hearing, although these do not have to be decided by the full Council. Selected objectors will be contacted if this is the case.

Appeals and Reviews

Applicants have the right to appeal or ask for a review of a planning decision for three reasons – where the application is refused, where the applicant does not agree with a condition of consent and where the application is not determined within the specified time period. More details can be found on the [Planning Appeals](#) webpage.

Anyone who has made comments on the application will be informed of the appeal or review and asked if they wish to amend their comments.

Finding Information on Planning Proposals

Neighbour notification

If you live within 20m of the application boundary, you will receive a letter from the Council about the planning application.

Newspaper adverts

Some applications are advertised in the newspaper on a Friday notably if the address is a listed building or within a conservation area or it raises particular neighbourhood issues.

Site notices

Some applications require a site notice to be placed near the property notably if the address is a listed building or within a conservation area.

Planning and Building Standards Online Services

Once you have registered to [view or comment on planning applications](#), you can save searches so that you will be notified of any new applications that match the saved search details.

For instance, you can enter keywords such as Marchmont or postcodes and save these as searches. You can then be notified by email of any new cases that match your searches.

You can also track applications that interest you and you can be notified of any updates.

Weekly list (online)

The [on-line Weekly List](#) of applications is updated daily during the working week, and will contain a statement as to how further information on an application may be obtained.

Weekly list (applications received and decided)

A weekly list of all applications received and decided the previous week, including Proposal of Application Notices, is published every week. This is available to view on the [weekly list webpage](#) but is also emailed to community councils and others on the distribution list.

Tell Me Scotland

[Tellme Scotland](#) is a portal for accessing public information notices issued by local authorities across Scotland. You can search for planning notices or sign up to receive alerts within a specified radius of a postal code. Currently planning notices are only those that are advertised in the press.

Further Information

The Enquiry Office/Planning and Building Standards Help Desk

The Planning and Building Standards Help Desk is part of the Enquiry Office service and is staffed by officers. For people wishing to make comments on applications, assistance in understanding proposals and plans can be provided.

Office hours are:

Monday to Thursday	8.30 - 5.00pm
Friday	8.30 - 3.40pm

Tel: 0131 529 3550

Email planning@edinburgh.gov.uk

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