

Form provided by



This form should be used by prospective applicants to serve notice to both the Planning Authority and other relevant persons/community groups/agencies that 'PAC' is to be undertaken in respect of a prospective planning application.

For Official Use Only
Date Received:
Ref:

Pre-Application Consultation ('PAC') - Proposal of Application Notice

Requisite Notice under Section 35B(2) & (5) of the Town and Country Planning (Scotland) Act 1997

TAKE NOTICE:

1) That pre-application consultation is to be undertaken by: (insert name and contact details of prospective applicant - see note 1)

Name: .....

Address: .....

Telephone:....., E-mail: .....

2) represented in this matter by: (if applicable, insert name and contact details of agent - see note 2)

Name: .....

Address: .....

Telephone:....., E-mail: .....

3) for a prospective planning application for: (insert general description of development - see note 3)

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4) at: (insert address of prospective development - see note 4)

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as identified on the accompanying scale location plan. (see note 5)

**SUBMISSION OF COMMENTS TO PRE-APPLICATION CONSULTATION:**

- 5) **If you wish to make comments about the prospective development these should be submitted to the prospective applicant at:** (insert postal/e-mail address/telephone to which consultation comments should be submitted to the prospective applicant or their representative in this matter – see note 6):

Name: .....

Address: .....

Telephone:....., E-mail: .....

- 6) **no later than:** (insert closing date for receipt of comments to 'PAC' – see note 7)

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***Note: PAC is undertaken by prospective applicants in advance of the submission of a formal planning application to Argyll and Bute Council. Comments in respect of a PAC exercise must be submitted to the PROSPECTIVE APPLICANT and should not be submitted to the planning authority at this time. Any correspondence received by Argyll and Bute Council's Planning Services in respect of a PAC exercise will be returned to the sender. Comments submitted to a prospective applicant at this time are not representations to the Planning Authority; in the event that the prospective applicant submits an application for planning permission then there would be an opportunity to make representations on that application following its submission to the Planning Authority.***

**SUMMARY OF PRE-APPLICATION CONSULTATION TO BE UNDERTAKEN BY THE PROSPECTIVE APPLICANT:**

- 7) **Having regard to the requirements of Section 35B(2) of the Act, this notice has been served upon Argyll and Bute Council, Development Management, Major Applications Team, 1A Manse Brae, Lochgilphead, Argyll, PA31 8RD on:** (enter date notice served upon planning authority – see note 8)

.....,

**from which a minimum of 12 weeks must elapse prior to the submission of a formal application for planning permission.**

- 8) **Those notified in terms of Regulation 7(1) of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 are:** (insert details of relevant Community Council consultation – see note 9 – continue on a separate sheet if necessary)

Community Council	Address	Date Notified

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- 9) **In addition to the requirements of Regulation 7(1), the following community stakeholders and other community interests have also been served notice:** (insert details of other relevant individuals/property/community organisations/consultees to be notified during ‘PAC’ – continue on a separate sheet if necessary – see note 10)

Other Community Interests	Address	Date Notified

- 10) **Having regard to the requirements of Regulation 7(2) of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 public events where members of the public may make comments to the prospective applicant/agent as regards the proposed development will be held at:**(insert details of public event location(s)/venue(s) – see note 11)

Public Event	Venue	Time(s) & Date(s)

11) **the full details of which shall be published a minimum of 7 days in advance in:**  
(insert name of publication local to development site/location of public event(s) – see note 12)

<b>Publication</b>	<b>Date Published</b>

12) **In addition to the above it is also proposed to undertake the following additional forms and types of consultations:** (insert details of who is to be consulted, form of consultation, date and time consultation will be undertaken – continue on another sheet if necessary - see note 13)

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**13) DECLARATION**

**I hereby certify that I, the prospective applicant/agent, have given correct and complete information and given the requisite notice to all parties listed above in respect of the requirements of S35B of the Act.**

**SIGNATURE OF PROSPECTIVE APPLICANT/AGENT:** \_\_\_\_\_

**PRINT NAME:** \_\_\_\_\_

**DATED:** \_\_\_\_\_

## Guidance Notes for the Prospective Applicant/Agent:

1. Prospective Applicant: The applicant name as stated on the 'Proposal of Application Notice' must be the same as that which will be stated on any subsequent formal application for planning permission.
2. Agent: If an agent is being used (e.g. a Solicitor or an Architect) all correspondence regarding the submission will be sent to the agent by the Council.
3. Description of the proposed development: Sufficient detail should be provided to enable the Planning Authority to determine the class of the development in respect of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. Such details should also include the proposed use(s) which will comprise, and the scale of the development, e.g. number of residential units proposed; the range or maximum gross floor area of buildings expressed in square metres; the capacity of the facility; and the length of infrastructure projects.
4. Address of the prospective development site: Where available, this should be the full postal address, including postcode; where this is unavailable then a descriptive site address should be provided.
5. The Proposal of Application Notice requires to be accompanied by an OS base plan scaled 1:10000/1:2500/1:1250 (as appropriate to show the site within its locality) identifying the outline of the site at which the development is to be carried out.
6. Contact details for submission of comments to the prospective applicant: the regulations do not prescribe the form which comments must be submitted to 'PAC'; however in completing this notice prospective applicants are advised that the arrangements provided for the submission of comments should be inclusive rather than exclusive of any section of the community. It is also advised that where possible the submission of written/e-mail comments is encouraged as this will not only be of assistance in providing evidence that 'PAC' has been undertaken, but will also restrict the scope for any unintentional misinterpretation of comments.
7. Closing date for submission of 'PAC' comments: The regulations do not prescribe the minimum period which should be allowed from service of the proposal of application notice for submission of comments. Prospective applicants are advised that consultees and the community should be afforded a reasonable time period for the submission of comments to 'PAC', in this respect Argyll and Bute Council would suggest that such a period comprises a minimum of 21 days following the holding of a public event.
8. Date notification served upon the Planning Authority: This is the date that the proposal of application notice is issued to the Planning Authority; the provisions of Section 35B(3) of the Act specify that a minimum period of 12 weeks must elapse between this date and a formal planning application for the development being submitted.
9. Community Councils: The provisions of Regulation 7(1) require the proposal of application notice to be served upon the community council(s) within whose area the proposed development is situated or, which adjoin the development site.

10. Additional Notifications: Prospective applicants should have a meaningful, proportionate engagement with those who can represent communities' views, in order to achieve this they should also seek to identify and serve the proposal of application notice upon other persons, community groups/stakeholders who may be affected by the proposed development – further guidance in this respect is provided in the PAC Process Pack produced by Argyll and Bute Council.
11. Public Event: The provisions of Regulation 7(2) require the prospective applicant to hold at least two public events where members of the public may make comments. It is advised that the location/venue of any such event and the date(s) and time(s) at which it is held is given careful consideration in order to include as large a cross-section of the community as possible; in some cases where the proposed development will affect a number of communities separated by significant distances then it may be necessary to hold a public event in more than one location. The provisions of Regulation 7(3) specify that the public event shall not be held earlier than 7 days after notification of the date and place of the event is published in a notice in a local newspaper.
12. Publication of notice: The provisions of Regulation 7(2) also require the prospective applicant to advertise the proposed development in a local newspaper which circulates in the locality of the proposed development, this notice must contain:
  - i) A description of, and 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.

Argyll and Bute Council have provided an advert template within the PAC Process Pack which may be used for this purpose.
13. Additional Consultation: Prospective applicants should use a range of methods and techniques to ensure that they access all sections of the community in question. Ultimately this process will benefit prospective applicants, as without a proper understanding of the context, communities will not be able to provide the sort of informed input that is of most use to prospective applicants when developing proposals. Advice on effective community engagement is contained within the Government's Planning Advice Note 81; the Council's PAC Process Guidance contains other references which may be of use in identifying good practice in community consultation.

### **What happens next**

Within 21 days from receipt of the proposal of application notice the Planning Authority may require that the prospective applicant undertake additional consultation/public events/newspaper advertisement if, having due regard to the scale, nature and likely impact of the proposed development, it considers this necessary. If there is no response to a proposal of application notice by the Planning Authority within 21 days then only the statutory minimum 'PAC' activities will be required although prospective applicants will also be required to fulfil any additional activities specified in the proposal of application notice.

**Additional Page No. .... (copy/delete as required)**

<b>Community Council</b>	<b>Address</b>	<b>Date Notified</b>

<b>Notification issued to:</b>	<b>Address</b>	<b>Date Notified</b>

