

# Pre-Determination Hearings (PDHs)



Pre-Determination Hearings (PDHs) are required in certain cases as part of the enhanced scrutiny measures introduced through the Planning (etc) Scotland Act 2006.

Fife Council wishes the planning system to be more inclusive enabling the views of applicants and those who have made representations to be heard at Committee before a planning decision is taken.

## What type of development will require a Pre-Determination Hearing?

- National developments and
- Major developments which are significantly contrary to the Development Plan

*It is a matter for Fife Council to determine whether a development would be 'significantly' contrary to the Development Plan. The general expectation of Scottish Ministers is that this applies where approval would be contrary to the vision or wider spatial strategy of the plan.*

## What is the process?

- Persons who submit representations to Fife Council will be given the opportunity of appearing before and being heard by the relevant committee. This right to appear includes individuals and organisations, such as Community Councils, and also other interest groups who have submitted objections and representations e.g. Preservation Trusts.
- The applicant also has an opportunity to appear and respond to any representations and a hearing must be offered to the applicant even if no representations have been received.

Where a PDH is necessary it must be heard by a Committee of the Council with the related application being decided by the Full Council, with a recommendation from the Committee concerned.

The precise procedure for these mandatory PDHs is a matter for Fife Council to decide, including who should be invited to participate. Fife Council proposes to use a similar method to the established practice for Development Plan Departure Hearings.

Further information can be located by checking the following documents online.

- The Town & Country Planning (Development Management Procedure)(Scotland) Regulations 2013 (Section 27)
- Circular 3/2013 - Development Management Procedures

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