

New Hierarchy of Developments

Delivering planning reforms in Fife



A critical element in the planning reform agenda is the creation of a hierarchy of development across Scotland. This will help to deliver Scottish Minister's aim that the planning system should respond in a more proportionate and efficient way to proposals that come before it. All planning applications submitted to Fife Council after 3rd August 2009 will require to be identified as national, major or local. These descriptions are set out in the Town and Country Planning Hierarchy of Developments (Scotland) Regulations 2009 and represent three different levels of decision making.

National developments relate to specific developments identified in the National Planning Framework (NPF). The NPF is the Scottish Government's strategy for Scotland's long term spatial development.

In Fife, the new Forth Crossing, Rosyth and Longannet are included. These will be determined by the Council in the first instance but may be subject to call-in by Scottish Government. National developments will trigger a Pre-Determination Hearing (PDH) and be considered by the Planning Committee following consultation with Area Committees. However, the final decision will require to be taken by Full Council.

All local developments will normally be determined under delegated powers granted to officers. The exact details of these arrangements have been agreed and approved by the Council. The Scheme has been submitted to the Scottish Government for approval before it is applied.

Major and local developments are described in full in the 'Hierarchy of Developments' Regulations 2009 and in Scottish Government Circular 5/2009. Major developments are determined by 9 classes of development and depend on a threshold or criteria being met or exceeded.

The 9 classes of major developments are, in summary:

- All development under Schedule 1 of the EIA (Scotland) Regulations 1999.
- Housing proposals of 50 dwellings or more, or housing sites exceeding 2 hectares (ha).
- Business and general industrial, storage and distribution with a gross floor space of 10,000m² or a site exceeding 2 ha.
- Electricity Generation where capacity is or exceeds 20MW.
- Waste Management Facilities where capacity is or exceeds 25,000 tonnes per annum, or for sludge treatment facilities where capacity exceeds 50 tonnes (wet weight) daily.
- Transport and infrastructure where the road, railway, tramway, waterway, aquaduct or pipeline exceeding 8 km in length.
- Fish farming where the surface area of water covered exceeds 2 ha.
- Mineral extraction where the site area is or exceed 2 ha.
- Other development not falling wholly within one of the above classes where the gross floor space is or exceeds 5000m² or a site area exceeding 2 ha.

If the proposal does not meet the criteria for a national or major development, it will be classed as a local development.

Major and national applications which are refused permission can be appealed to the Directorate for Planning and Environmental Appeals.

Local developments which are refused can be reviewed by the Fife Planning Review Body. (See customer information leaflet on **Fife Planning Review Body** for more information.