

The Fife Planning Review Body

Delivering planning reforms in Fife

From 6th April 2009, all applications for planning permission in Scotland have been divided into 3 categories:

- **National** – contained in the National Planning Framework (in Fife, these include Rosyth, Longannet and the new Forth Crossing).
- **Major** – more than 50 houses and retail exceeding 5,000 square metres.
- **Local** – all smaller developments which are neither major nor national i.e. developments of up to 49 houses.

Planning authorities are required to put in place a scheme of delegation which allows officers to determine planning applications relating to local developments. There will be very few exceptions to this. Major and national developments will always be determined by a Committee.

From 3rd August 2009, Fife Council will have in place the Fife Planning Review Body (FPRB) to deal with requests by applicants, who submitted local development applications within 3 months of the decision or the determination date, to review decisions taken by officers under delegated powers.

An applicant may ask for a review of an application for planning permission, falling within the scheme of delegation, which may have been:

- Refused by an appointed officer.
- Granted subject to conditions.
- Undetermined after 2 months.

What will the Fife Planning Review Body be like?

It is important to recognise that review bodies will only be reviewing decisions of planning officers. They will not be reviewing their own, or another Committee's decision. The first time a member will normally have seen an application before a review body will be at the review meeting.

The regulations say that review bodies should comprise no less than 3 members. The Fife Planning Review Body consists of a pool of 23 Councillors, with 3 Chairs. The appointed Chairs are Councillors John Beare, David Herbert and Bill Kay, and the FPRB will consist of 5 members.

The Review Body is a committee of the Council and this means that the usual requirements about sending out agendas, notice of meetings etc, will continue to apply. All the meetings of the FPRB will be held in public. Initially the meetings will be on a 3 week cycle depending on the number of reviews received.

All meetings of the FPRB will be advised by senior staff on legal, procedural and planning matters.

It is expected that decisions will be issued within 2 months of receipt of reviews for non-determination of the application, and in other areas as soon as practicable.

Many review decisions will be taken at the first review meeting but, in some cases, where no immediate determination can be made, there can be:

- A **Pre-Examination meeting** - to consider the manner in which the review is to be handled. This will only be necessary in the more complex cases.
- **Written submissions** - a straightforward procedure for requiring additional information from parties in writing, within 14 days.
- **Hearings** - when a Local Review Body proposes to hear oral evidence. Hearings are not intended to be controversial, and it should be a discussion led by the Chair. It is envisaged that cross-examination of witnesses would be on an exceptional basis, to provide a thorough examination of a particular issue.
- A **Site Inspection** – the FPRB can inspect the land which is the subject of the review at any time in the process. This may be a site visit which is unaccompanied or accompanied with the applicant.

In some complex cases there may be a need for a mixture of processes.

Decision

The FPRB must give a decision notice to the applicant, including a statement of the terms in which the Planning Authority has decided the case. The decision notice must also include a statement of the reasons on which the Council based that decision.

All parties who made representations at the review are informed of the review decision.

Reporting of Review Decisions

All review decisions will be reported to the relevant Area Committee and the Planning Committee for information and scrutiny purposes.

This information is available in different languages and formats	
Polish	Polskojęzyczna linia telefoniczna: 08451 55 55 44
Bengali	বাংলায় আলাপ করার জন্য টেলিফোন লাইন: 08451 55 55 99
Cantonese	中文語言熱線電話: 08451 55 55 88
Urdu/Punjabi	اُردو زبان کے لیے ٹیلیفون نمبر 08451 55 55 66
Arabic	خط هاتف اللغة العربية: 08451 55 55 77
Alternative Formats	Braille, LARGE PRINT, tape/CD, 08451 55 55 00 British Sign Language Interpretation
BT Text Direct	18001 08451 55 55 00