

Planning Service Charter

2006

What you can expect from us

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INTRODUCTION

This Charter tells you what the Planning Service does. It also sets out the standards of service that you can expect from us and indicates how you can help us to help you.

The Planning Service is concerned with ensuring that Shetland's physical development occurs in ways that bring economic, environmental and social benefit to the islands. We want development to be sustainable, in other words to manage resources in a way that will benefit not just today's Shetland, but the Shetland inhabited by future generations.

The Planning Service strives to support the Council and the people of Shetland in creating or maintaining:

- A society that is vibrant, healthy and safe, and one in which everyone is able to participate fully
- An economy that is prosperous, competitive and diverse
- An environment of exceptional quality that is rich and varied
- A unique culture and an identity that is celebrated and promoted

The Planning Service's activities are undertaken under four main headings, namely Building Standards, Heritage, Development Plans and Development Management. However, these labels do not convey the full range of the Service's work, which extends to (for example) regeneration, countryside access and flooding and influencing national and international policy on nuclear and marine issues.

OUR CLIENTS AND PARTNERS

The Planning Service must meet the needs of many different groups and individuals, for example the people of Shetland, community and political representatives, developers, government, local and national agencies, voluntary organisations such as local Trusts, the media and international partners.

We engage with individuals and groups in a number of ways. We shall try to improve our understanding of their needs.

THE SERVICES WE PROVIDE, AND WHY

Various Acts and Regulations govern the operation of the Planning Service. At a local level, the key documents are the Structure Plan and the Local Plan.

At the same time, the Service takes account of the Community Planning framework, the Council's Corporate Plan and other Council strategies, policies and guidance covering such matters as housing, economic development, biodiversity, culture and transport. The Shetland Structure Plan sets out policies on these and other matters.

The Corporate Plan sets out four priorities. Through our work, we assist in helping the Council achieve its aims, involving:

- Sustainable development
- Looking after where we live
- Benefiting people and communities
- Celebrating Shetland's cultural identity

SERVICE CORE ACTIVITIES

Our four core activities are described below.

The **Development Plans Service** prepares, maintains, reviews and implements the Structure Plan and Local Plan, which set out the framework for development and area regeneration, reflecting the priorities established by the Council and local communities. Among other tasks, the Service also promotes environmental improvement; undertakes work related to flooding and coast protection; and implements the new countryside access legislation.

The **Development Management Service** undertakes wide consultation and resulting negotiations on new development proposals to ensure that they are carefully considered and take account of Council policies. It also follows up cases where development has proceeded in contravention of planning legislation. It provides advice to other parts of the Council in relation to major capital projects.

The **Building Standards Service** ensures that new building work achieves national standards relating to the health, safety, welfare and convenience of people in and around buildings, minimises energy demands and provides fair access for disabled people. The Service also ensures that dangerous buildings or structures are made safe and buildings are demolished in a safe manner.

The **Heritage Service** looks after our very rich heritage of buildings, landscapes, plants and animals. It also promotes energy conservation. Internationally and nationally, it is involved in partnerships and projects aimed at protecting our marine environment, including especially KIMO (the international local authorities' environmental organisation) and NFLA (the local government voice on nuclear issues) aimed at preventing pollution that threatens the sustainability of our community.

OUR COMMITMENT TO YOU

We aim to provide a friendly, courteous and prompt service and to maintain high professional standards, making the best possible decisions for local communities. In particular, we aim to achieve the following service standards:

We shall:

- Answer telephone calls promptly during office hours
- Respond to telephone messages within one working day, where possible
- Respond to e-mails within one working day, where possible
- Try to arrange meetings at a time convenient for you

The Planning Service aims to

- Provide a full response to letters within 10 working days, unless indicated otherwise
- If it is not possible to respond within 10 working days we will contact you, letting you know when you can expect a response
- Respond to Freedom of Information request within 20 working days
- Deal fairly with complaints about the service, in accordance with the Council's Comments & Complaints procedure.

We shall always try to provide information in a way that is easy for you to understand. If you need an interpreter or have other special communication needs, we shall try to arrange help.

What we ask of you:

If you are making an enquiry or submitting an application for planning permission, building warrant or anything else, it will help us to help you if you ensure that the application is as complete as possible. Incomplete, applications, or proposals that lack the necessary detailed drawings, can cause lengthy delays in dealing with your application. We strongly recommend that you use a competent professional agent to submit applications.

We also ask that you treat our staff politely and with respect. They do a difficult job that sometimes involves them in having to deal with proposals that don't comply with regulations or with Council policy. We shall often be able to suggest ways in which proposals can be made to comply, but that isn't always possible. We shall not, in any circumstances, tolerate threatening or abusive language or behaviour; any such incident will lead to the ending of any meeting or telephone call and a report will be prepared for possible further action.

DEVELOPMENT MANAGEMENT

Development Management Advice

We aim to:

- Provide a duty planning officer at specified times during working hours.
- Provide guidance with duty officer hours by appointment.
- Welcome and provide opportunities to discuss development proposals with applicants before they submit a planning application.
- Reply to pre-application enquiries within 21 days.
- Suggest changes where proposals are felt to be unacceptable and give general advice the submission of planning applications.
- Provide guidance notes on how to make a planning application on the web site and on paper.
- Provide guidance on planning topics on the web site and on paper.

Planning Application Publicity and Consultation

We shall:

- Give you access to planning applications at Reception during normal working hours.
- Provide copies at a reasonable cost for you to examine at a more convenient time and place.
- Put valid applications on the web site within 3 working days.
- Undertake relevant consultations on valid applications within 3 working days.
- Make the weekly list of planning applications available on the web site.
- Make planning decisions available on the website within 3 working days.
- Make guidance on the planning process available on the web site and on paper.

For those making representations

We shall:

- Inform you, within 3 working days, of the process and case officer details.
- Take account of all written representations before a decision is made.
- Report written representations to the Committee for consideration along with the application.
- Provide you with advice about your rights to make a representation, or appear at a Hearing.
- Inform you of the Council's decision within 3 days.
- Where the Council's decision is contrary to officer's recommendation, we shall inform you of that decision within 3 days of the reasons for the decision being confirmed.

ENFORCEMENT

We shall:

- Investigate all complaints and enquiries and make necessary site inspections within 10 working days.
- Notify the enquirer of any decision to take formal enforcement action within 3 working days of the decision.
- Produce a separate Planning Enforcement Charter.

DEVELOPMENT PLANS

We shall:

- Maintain an up to date Local Plan.
- Publicise Local Plan policies and proposals widely, including on the Council's website, giving opportunities for people to comment in accordance with the relevant planning regulations.
- Make copies of the Local Plan and other documents available at reasonable prices and on the website.
- Be available during office hours to provide advice and information on matters relating to the Local Plan.
- Carefully consider each representation made to the Local Plan and inform respondents how the Council will deal with their concerns.
- Uphold and maintain Public Rights of Way.
- Respond to incidents of Flooding within 48 hours.
- Undertake environmental improvements in accord with the Local Plan
- Undertake improvements in the countryside that will benefit the land manager and the user.
- Process applications for assistance under the Flooding and Coast Protection Grant Scheme.
- Work with Community Councils and groups, agencies and organisations in improving Shetland.

BUILDING STANDARDS

We shall:

- Provide a duty Building Standards Surveyor at specified times during working hours.
- Provide guidance outwith duty officer hours by appointment; or, if you wish an appointment with a particular member of staff, we can do so.
- Welcome, and provide, opportunities to discuss development proposals with applicants before they submit a Building Warrant application.
- Reply to pre-application enquiries within 21 days.
- Suggest changes where proposals are felt to be unacceptable and give general advice on how to progress the application.
- Give you access to building warrant applications at Reception during normal working hours.
- Provide copies at a reasonable cost for you to examine at a more convenient time and place.
- Provide guidance on the building warrant and completion certificate processes on our web site and on paper.

We also aim to:

- Respond to building warrant applications within 30 working days.
- Accept or reject completion certificate submissions within 10 working days.

We shall try to respond within a reasonable time to all applications. However, very large or complex applications may take longer. A more accurate estimate of the expected response time can be discussed with any member of staff.

HERITAGE

We shall:

- Be available by appointment to provide specialist advice on conservation areas and historic buildings.
- Provide advice and guidance on the Council's Conservation Grant scheme to assist with the costs of repair of historic buildings
- Welcome and provide opportunities to discuss development proposals that affect listed buildings and conservation areas with applicants before they submit an application.
- Suggest alternative solutions to proposals that we believe may help to achieve a better outcome for heritage assets.
- Provide advice and guidance on designated landscape and wildlife sites and help communities play their part in implementing the Living Shetland Local Biodiversity Action Plan

- Help communities develop priorities for safeguarding natural heritage and to explore ways that it can contribute to the socio-economic well being of Shetland.
- Assist you with access to the statutory records that we hold in connection with Tree Preservation Orders, Sites of Special Scientific Interest European Sites (SACs and SPAs) and other related records
- Reply to pre-application enquiries within 21 days.
- Provide guidance on relevant topics on the web site and on paper.

KIMO

We shall:

- Provide specialist advice in relation to Council environmental policy, in particular nuclear and marine pollution issues.
- Undertake administrative, financial and executive functions of the Secretariat for KIMO.
- Develop and implement KIMO strategies and policy.
- Represent KIMO as Head of Delegation at International, National and Local forums.
- Promote and publicise KIMO at local, national and international levels and act as Press Officer.
- Develop the Council's policy on nuclear issues, including Nuclear Free Local Authorities (NFLA) Member Support.
- Develop, seek funding and manage environmental research projects and liaison activities.

ENERGY UNIT

We shall:

- Provide general advice and guidance on energy efficiency and renewable/low carbon technologies.
- Promote these areas within the local Community by means of leaflets and promotional events.
- Undertake affordable warmth surveys for Housing Improvement Grant applications.

Further information is available at Reception or at [**www.shetland.gov.uk/planning**](http://www.shetland.gov.uk/planning).

We hope that this Charter explains what we do, and the service you can expect from us. If you have any queries, please contact the relevant Service Manager on 01595 744800.

Iain McDiarmid
Head of Planning

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