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Introduction

This Guide provides information for customers on the pre-application advice service offered by the City of Edinburgh Council. Pre-application advice gives customers who anticipate making an application for planning permission to the Council the opportunity to receive feedback on their proposals before making the application. This can help the customer to improve the quality of their application, avoiding wasting time and money. It is important to note that pre-application advice is provided strictly without prejudice to the Council as Planning Authority's determination of any subsequent planning application, which will be determined based upon all material considerations, including views of all stakeholders (including the public) as at the date of determination.

Requests for pre-application advice can be made using the electronic form at www.edinburgh.gov.uk/preapplicationadvice. Please ensure you have read this Guide in full before submitting a request form. Queries should be directed to preapplicationadvice@edinburgh.gov.uk.

Eligibility for pre-application advice

The Council offers two tiers of pre-application advice: generic and bespoke. Generic advice is free guidance on the Council website that customers can use to determine whether their proposals are in accordance with planning policies. Bespoke advice is tailored advice prepared by planning officers based on information provided by the customer. This Guide relates to bespoke advice.

Please note that certain types of development are not eligible for bespoke advice other than in exceptional circumstances: householder developments, advertising and signage, or simple changes of use/alterations. Please refer to the [Planning and Building Standards Customer Charter](#) for advice. Customers in any doubt about whether they are eligible for pre-application advice are requested to email the Council at preapplicationadvice@edinburgh.gov.uk **before** submitting a request form. The Council may decline to provide pre-application advice at its discretion.

Please note that advice on non-material variations does not fall within the scope of the service.

Charges

As of 1 July 2019, all bespoke pre-application advice provided by the Council is subject to a charge with the sole exception of developments **primarily** relating to works to improve accessibility for people with disabilities, for example the installation of a wheelchair ramp. Customers should specify in their request form if they consider that they are exempt from charges on this basis. Charges are based upon the scale of development that is being proposed; this reflects the greater costs associated with providing advice on larger, more complex, development proposals. Charges will be reviewed regularly to ensure they accurately reflect the costs of delivering the pre-application advice service.

Payment can be made by credit/debit card or BACS (Council service areas can pay by internal journal transfer). When completing the Request Form, please specify how you wish to pay and who will be making payment.

- If you wish to pay by credit/debit card, the Council will email the person you have identified as making payment to ask them to phone the Council to make payment. Receipts will be issued by mail. Please note that the Council will no longer phone customers to take payment.
- If you wish to pay by BACS, the Council bank details are: Royal Bank of Scotland, account number 00740589, sort code 83 06 08. Please email a screenshot of the payment confirmation to preapplicationadvice@edinburgh.gov.uk. Please do not make payment until after you have submitted the Request Form and the Council has responded to you to confirm that the service(s) you have selected are valid.
- City of Edinburgh Council service areas can pay for pre-application advice by internal journal transfer. Please include a folio code in the Request Form. NB – VAT is not payable on internal journal transfers so the charge exclusive of VAT will apply.

Timescale

The Council will endeavour to provide pre-application advice within a set timescale as set out below. The clock will begin counting only when an application for pre-application advice has been submitted, validated, and payment made in full and will be paused when additional payments are due.

Where pre-application advice is required urgently, the Council will seek to accommodate this where possible but this will be dependent upon workloads and officer capacity.

Service

The service the Council will provide and the relevant charges are set out below. The service set out below is the minimum level of service the Council will undertake to provide. In some cases, the Council may at its discretion provide additional service at no cost if this is judged to be in the public interest or appropriate for professional reasons.

Where developments fulfil the criteria for different categories, the service (and charge) for the larger category will apply. For example, a development of 40 homes on a site of 2.1 hectares would be classed as a major development due to the site area being at least 2 hectares.

In addition to the standard service, customers have the option of paying a surcharge for additional services. It is anticipated that the suite of optional additional services will be expanded over time.

A: Local development (small)

Local developments (small) are defined as developments of up to 11 residential units, or up to 999m² commercial/other space.

Standard service

The cost of the standard service is **£220 + VAT (£264)**. The case officer will review the information submitted by the customer accompanying their request form. As the advice the case officer will provide is based wholly upon the information provided by the customer, it is important that this is as comprehensive as possible. The case officer may contact the customer if any clarification is required.

The target is for an advice letter to be provided to the customer within 20 working days of the request for pre-application advice being submitted and validated (and payment made in full).

Additional services

As an optional additional service, customers can pay a surcharge of **£110 + VAT (£132)** for a one hour meeting with the case officer. This may be appropriate for more complex local developments (small) where a face-to-face meeting is more practical. Please note that customers cannot request additional services i.e. a meeting, as an alternative to paying for the standard service.

B: Local development (medium)

Local developments (medium) are defined as developments of 12 to 49 residential units, or between 1,000m² and 9,999m² of class 4/5/6 space, or between 1,000m² and 4,999m² of other use classes, including mixed uses. Please refer to the [Town and Country Planning \(Hierarchy of Developments\) \(Scotland\) Regulations 2009](#) for further information.

Standard service

The cost of the standard service is **£945 + VAT (£1,134)**. The case officer will review the information submitted by the customer accompanying their request form and contact the customer within 10 working days of the request for pre-application advice being submitted and validated (and payment made in full) to agree a date for an initial meeting. The initial meeting will last one hour and will be hosted by the Council. The case officer will then agree a suitable date for a one hour follow-up meeting with the customer. The case officer will also share the proposals with relevant Council service areas.

The target is for an advice letter to be provided to the customer within 10 working days of the follow-up meeting. The advice letter will incorporate feedback from the other Council service areas.

Additional services

As an optional additional service, customers can pay a surcharge of **£550 + VAT (£660)** for a further one hour meeting with the case officer. Officers from other relevant Council service areas will also be invited to this further meeting (based on the case officer's judgement of which service areas are relevant). This may be appropriate for more complex local developments (medium) where the two meetings provided as part of the standard service are insufficient to wholly cover the issues.

Customer also have the option of paying a surcharge of **£220 + VAT (£264)** to meet the case officer on site. This may be appropriate for developments where there are issues that the customers wishes to discuss with the case officer on site. Customers further have the option of paying a surcharge of **£550**

+ VAT (£660) for advice on detailed information required to accompany a planning application which may be appropriate for developments where extensive supporting information is required.

C: Major / national development

A major development is one where the site size is two hectares or greater, or of 50 or more residential units, or of 10,000m² or greater of class 4/5/6 space, or of 5,000m² or greater of other use classes, including mixed uses, or which meets any other criteria for a major development as set out in the [Town and Country Planning \(Hierarchy of Developments\) \(Scotland\) Regulations 2009](#). National developments are those specified in the National Planning Framework.

For major / national developments, there are two tiers of service.

Pre-position discussion

The first tier of service, which costs **£1,100 + VAT (£1,320)** is a two hour pre-position discussion with the case officer, team manager, and officers from other relevant Council service areas (at the case officer's discretion). The customer will not be provided with an advice letter. NB – this option is aimed at customers requiring a high-level view from Planning (for example, customers considering purchasing a site who are seeking a general opinion on the development potential of the site) and will not be appropriate for customers with more developed proposals requiring detailed information or complex advice. Customers cannot add additional services to the pre-position discussion option as an alternative to paying for the full service.

Standard service

The second tier of service – the standard service – costs **£5,400 + VAT (£6,480)**. The case officer will review the information submitted by the customer accompanying their request form and contact the customer within 10 working days of the request for pre-application advice being submitted and validated (and payment made in full) to agree a date for an initial meeting. The initial meeting will last two hours, will be hosted by the Council, and will be attended by the case officer and the relevant planning team manager. The customer will also receive:

- A one hour on-site meeting with the case officer;
- A two hour long meeting with the case officer, the relevant planning team manager, and other relevant Council service areas and statutory external consultees (based on the case officer's judgement of which service areas and external consultees are relevant);
- A two hour long follow-up meeting with the case officer, team manager and other relevant service areas;
- A one hour long wrap-up meeting with case officer and team manager.

The target is for an advice letter to be provided to the customer within 10 working days of the follow-up meeting. The advice letter will incorporate feedback from the other Council service areas.

Additional services

Customers have the option of paying a surcharge of **£550 + VAT (£660)** for an additional one hour meeting with the case officer, team manager, and other relevant Council officers. This may be appropriate where issues are not able to be addressed via the five meetings provided as part of the standard service. Customers can request multiple additional one hour meetings if required.

Customers further have the option of paying a surcharge of **£550 + VAT (£660)** for advice on the detailed information required to accompany a planning application, which may be appropriate for developments where extensive or complex supporting information is required.

Process

All applications for pre-application advice should be made using the form on the Council website at www.edinburgh.gov.uk/preapplicationadvice. Requests for pre-application advice made via other channels will not be accepted and will be directed to the above webpage.

Customers should complete the form in full, providing as much information as possible about their development proposals and the information sought. Pre-application advice can only be offered based upon information that has been seen and considered by the case officers. The customer must therefore ensure that all relevant information on what they are proposing has been provided to the case officer. Where the customer is meeting with the case officer, information must be provided in advance. The case officer may not be able to comment on any information that the customer does not provide prior to the meeting.

Customers may also provide accompanying documents to further help explain their development proposals. At minimum, the customer is asked to provide a location plan with the site outlined in red and any known environmental constraints marked (e.g. existing trees, levels, and water management issues such as flood plains, culverted water courses, etc) in 1:1,250 or 1:2,500 scale. It is also recommended that the customer provide the below documents if available:

- Block plan (1:500 or 1:250 scale);
- Existing/proposed elevations (1:100 or 1:50 scale);
- Existing/proposed floor plans (1:100 or 1:50 scale);
- Draft outline design/access statement.

The completed form and the accompanying documents should be submitted by email to preapplicationadvice@edinburgh.gov.uk. Accompanying documents should be in PDF format and should total no more than 10 MB in file size.

Once the form has been submitted, the Council will make contact to take payment and then to deliver the service. A case officer will be nominated within the Council's Planning service who will lead on delivering the service. Should the Council decline to offer pre-application advice, the customer will be advised of this and the reasons why as soon as possible.

Outputs

The customer will receive an advice letter from the Council (other than in the case of pre-position discussions). This will be issued electronically in line with the timescales set out above.

The advice letter will be signed by the relevant team manager and will contain, at minimum:

- An overall view on whether the development proposals are likely to be acceptable.
- Key mitigation required to make a proposal (more) acceptable.
- An indication of likely developer contributions required from the development.
- An expiration date for the advice after which renewed advice should be sought.

Any other relevant information arising during the provision of the pre-application advice service, for example detailed feedback from consultees, will be appended to the letter.

The advice letter will be the property of the customer and can be shared at their discretion. A copy of the advice letter will be held by the Council and will be referred to should an application subsequently be made for the site in question to ensure continuity.

Frequently asked questions

Q1: *Will I receive a refund if my planning application is ultimately refused?*

A1: *No. Pre-application advice is provided strictly without prejudice to the Council as Planning Authority's determination of any subsequent planning application.*

Q2: *If I go on to make a planning application, are the costs of the pre-application advice deducted from my planning fee?*

A2: *No. Charges for pre-application advice are entirely separate from statutory planning fees.*

Q3: *Can the Council provide simple advice at no cost?*

A3: *Due to the high costs of providing pre-application advice, the Council is unable to offer free bespoke advice, with the exception of advice on developments relating primarily to improving accessibility for disabled people. However, there are substantial resources available on the Council website to help people answer simple queries without the need for the Council's help.*

Q4: *How does the pre-application advice service relate to the Planning Helpdesk?*

A4: *The Planning Helpdesk will remain in place as a source of free advice on general planning matters. Requests for specific advice will be referred to the pre-application advice service.*

Q5: *How does the pre-application advice service relate to the Urban Design Panel?*

A5: *The Council will continue to invite a small number of developments to present their proposals to the Urban Design Panel each year. For the avoidance of doubt, there is no charge for this.*

Q6: *How does the pre-application advice service relate to non-material variations?*

A6: *Non-material variations are not within the scope of the service. The Council will continue to provide advice on these at no charge.*

Q7: *Can I purchase optional services after purchasing the standard service?*

A7: *Yes. Optional services can be purchased at the same time as the standard service or later.*

Q8: *If I have not requested pre-application advice, will I still receive a consultee meeting upon submitting a proposal of application notice?*

A8: *No.*

Q9: *Can I receive pre-application advice on a live application?*

A9: *No. Should customers wish to receive advice on development proposals that are the subject of a live application they will be required to first withdraw the application.*

Q10: *Is there a risk that the advice provided will not reflect an eventual officer's recommendation on a planning application?*

- A10: *Planning applications must take into account considerations that are not present during the pre-application advice phase, for example relevant feedback from consultation with the public. These considerations will potentially change the case officer's balanced view.*
- Q11: *Can I opt for a lower or higher category of service?*
- A11: *No. The level of service for each of the categories of development reflects the input from Council officers judged necessary to enable an adequate response to be prepared.*
- Q12: *Can I apply for pre-application advice on a site I have no material interest in, e.g. a site I am interested in buying?*
- A12: *Yes. The pre-position discussion service is particularly suitable for customers in this situation.*
- Q13: *What if external consultees don't provide advice?*
- A13: *The Council will work on best endeavours to obtain input from relevant statutory external consultees. However, the Council cannot control whether or what input external consultees provide and can accept no responsibility and offer no refunds if external consultees are unable to provide advice or attend meetings or if the advice provided is not comprehensive.*
- Q14: *Can I pay for the service by cash or cheque?*
- A14: *For accounting reasons the Council cannot accept payment by cash or cheque. Payment can be made by credit/debit card or BACS. Council service areas can pay by journal transfer.*
- Q15: *Will the advice provided be made public?*
- A15: *The Council will not share or publish pre-application advice other than with statutory external consultees except at the request of the customer or where compelled to do so by a request made under the Freedom of Information or the Environmental Information Regulations. For the purposes of requests made under either of the above Regulations, advice given will be treated as commercially sensitive (and its release contested) until such time as an application has been determined. The letters provided to customers are their property and the customer may share or publish these at their discretion.*
- Q16: *Will the Council provide pre-application advice for listed building consent (LBC) applications and, if so, how will this be charged?*
- A16: *The Council will not provide advice on householder developments, advertising and signage, or simple changes of use/alterations but other development proposals are eligible to receive pre-application advice. Charges are based on the scale of development – so, for example, works to a single property would be classed as a local development (small). For the avoidance of doubt, developments relating to listed buildings are not exempt from charges.*
- Q17: *What if I am not certain what quantum of development I am proposing?*
- A17: *In line with the [Town and Country Planning \(Hierarchy of Developments\) \(Scotland\) Regulations 2009](#), all developments on sites of two hectares or greater will be treated as major developments. Where the quantum of development is unknown, the Council will make a judgement on which scale of development the proposals correspond.*
- Q18: *Under what powers have the charges been introduced?*
- A18: *The "power to advance wellbeing" granted by the Local Government in Scotland Act 2003 enables the Council to provide services and to impose reasonable charges for them.*

Q19: *I am unhappy with the service provided; what can I do?*

A19: *Please direct any complaints to the planning team manager in the first instance. Complaints can be escalated via the [Council's complaints procedure](#) and, if necessary, the [Scottish Public Services Ombudsman](#). Please note that the Council can only address complaints relating to the service itself, not the nature of the advice offered.*

Appendix: summary of service

Category	Charge	Standard service	Optional additional services
Householder developments / advertising and signage / simple changes of use / alterations (both listed and non-listed buildings)	N/A	<ul style="list-style-type: none"> ▪ Council website-based resources to enable self-service 	<ul style="list-style-type: none"> ▪ Local development (small) service (in exceptional circumstances, at the discretion of the team manager) = £220 + VAT (£264)
Local development (small) <ul style="list-style-type: none"> ▪ Up to 11 residential units ▪ Up to 999m² class 4/5/6 / other / mixed space 	£220 + VAT (£264)	<ul style="list-style-type: none"> ▪ Desktop review by case officer of information submitted electronically ▪ Advice letter provided within 20 working days of submission/validation 	<ul style="list-style-type: none"> ▪ 1 hour face-to-face meeting with case officer = £110 + VAT (£132)
Local development (medium) <ul style="list-style-type: none"> ▪ 12 to 49 residential units ▪ 1,000m² to 9,999m² class 4/5/6 space ▪ 1,000m² to 4,999m² other / mixed space 	£945 + VAT (£1,134)	<ul style="list-style-type: none"> ▪ 1 hour inception meeting with case officer; date to be agreed within 10 working days ▪ 1 hour follow-up meeting with case officer ▪ Advice letter (incorporating advice from relevant Council service areas) to be provided within 10 working days of follow-up meeting 	<ul style="list-style-type: none"> ▪ Accompanied site visit by case officer = £220 + VAT (£264) ▪ Additional 1 hour meeting with case officer and other service areas = £550 + VAT (£660) ▪ Guidance on information required for assessment of an application = £550 + VAT (£660)
Major/national development <ul style="list-style-type: none"> ▪ 50+ residential units ▪ 10,000m²+ class 4/5/6 space ▪ 5,000m²+ other / mixed space ▪ 2 hectares+ site size ▪ Other criteria per the Hierarchy of Development Regulations 2009 	£1,100 + VAT (£1,320)	<ul style="list-style-type: none"> ▪ 2 hour pre-position discussion with case officer, team manager, and other relevant Council officers 	<ul style="list-style-type: none"> ▪ N/A
	£5,400 + VAT (£6,480)	<ul style="list-style-type: none"> ▪ 2 hour inception meeting with case officer and team manager; date to be agreed within 10 working days ▪ Accompanied site visit by case officer ▪ 2 hour meeting with case officer, team manager, other relevant Council service areas, and statutory external consultees ▪ 2 hour follow-up meeting with case officer, team manager and other service areas ▪ 1 hour wrap-up meeting with case officer and team manager ▪ Advice letter to be provided within 10 working days of wrap-up meeting 	<ul style="list-style-type: none"> ▪ Additional 1 hour meeting with case officer, team manager, and other relevant Council service areas = £550 + VAT (£660) ▪ Guidance on information required for assessment of an application = £550 + VAT (£660)