

Information and advice on the Prior Notification procedure

Unlike planning permission and other consents, prior notification is a procedure whereby a developer must notify the planning authority of proposals before exercising permitted development rights. This procedure will not result in 'planning permission'. The end result will be a determination that "prior approval" is or is not required.

If the planning authority determines that prior approval is required, further information may be requested in order for them to come to a decision. The granting of prior approval may result in conditions being attached to the approval. Prior approval can also be refused, in which case an appeal can be made.

What Happens Once I Submit my Application?

Once you submit your prior notification application, you will receive an acknowledgement informing you of the date of receipt. The planning authority must decide within 28 days of the prior notification being submitted whether the development can go ahead or whether prior approval is required.

You should not start work within the period of 28 days from the date on which the planning authority received your prior notification unless they indicate in writing that you are permitted to do so. If the planning authority does not respond within this 28 day period, then the development can proceed exactly as notified.

Please note that the prior notification procedure requires a fee of £750 for Class 21A developments or £200 for all other Classes.

If you have any queries with regards to permitted development rights and prior notification please contact us at: marine.planning@shetland.gov.uk or use free our pre-application service.