

The Scottish Government's response to the Review of Planning indicated that Planning and Architecture Division (PAD) will be reducing their input to current development plans. This is to better focus our resources on ensuring the pace and inclusive approach to the review is maintained whilst ensuring that Scottish Government maintain appropriate involvement in plan preparation.

PAD have published a Service Standard outlining how we will input to plans from September 2016 via the Development Plan Gateway (DP GW). This accompanying note is intended as an aide to Planning Authorities in preparing Local Development Plans - to highlight issues we have regularly raised in responses and representations over the past couple of years. The note also points to good practice examples of where we consider matters have been appropriately addressed.

Process

SEA

- The DP GW will continue to cross check documents submitted, with those submitted to the SEA Gateway.

Supplementary Guidance (SG)

- We expect supplementary guidance to be kept to the minimum necessary and to focus on key policy areas.
- Key policy areas which may merit further detail being provided in SG could include developer contributions, infrastructure delivery and renewable energy.
- In terms of the connection between the Development Plan and the SG; SG may only deal with the provision of further information or detail in respect of the policies or proposals set out in the plan only provided that those matters are expressly identified in a statement contained in the plan as matters to be dealt with in SG.
- To explain this further, a strong connection provides: a reference to the SG accompanying the plan so readers know the separate document to look for; a clear statement of what is to be covered in the SG; and expands on a policy principle that is clearly established in the plan.
- If a plan states further information or detail will be in SG, then that detail cannot be in non-statutory planning guidance.
- SG cannot be changed or added to without going through the full statutory process, including consultation and notification to Ministers.
- SG falls with the plan that it relates to, therefore it must be reviewed at the same time of the plan.
- Authorities should ensure SEA processes are considered for SG.

Example/s - An example of a good connection to SG within the plan could be:

'Developer Contributions' Supplementary Guidance (SG) will be prepared to provide detail on Policy xxx. This SG will provide further information of the level of developer contributions and the methodology for their calculation to provide greater certainty for landowners, developers and the local authority.

Policy

National Planning Framework

- Plans should reflect and promote national developments and take account of the descriptions and references in NPF3.
- Plans should identify at least one exemplar of a walking and cycling friendly settlement for their area.

Scottish Planning Policy

Town Centres

- Plans should include explicit support for the 'town centre first principle' and promote an approach to decision making that considers the health and vibrancy of town centres.
- Plans should ensure all uses generating significant footfall, including offices and community and cultural facilities, are incorporated into the sequential approach.
- Plan preparation should consider opportunities for promoting residential use in town centres where appropriate.
- Plans should refer to town centre health checks and strategies, identifying whether they have been or are to be prepared. Spatial elements should be included in the plan or supplementary guidance.
- Plans should include policy for impact assessments for both new retail and public building or offices over 2,500 sq m.

Rural Development

- Plans should reflect that there is not a one size fits all approach to rural areas – they should reflect the different types of rural areas set out in paragraphs 81 to 83 of SPP.
- Plans should set out a spatial strategy which reflects the overarching aim of supporting diversification of the rural economy, reflecting matters in paragraph 79 of SPP, including provision for housing and different development needs of local communities.
- Plans should make links with the Land Use Strategy.
- Plans should generally avoid the use of occupancy conditions.

Example/s - Highland Council Local Development Plan and Stirling Council Local Development Plan

Business and Employment

- Plans should make connections to City Deals and associated projects where relevant.
- Plans should support opportunities for integrating efficient energy and waste measures within business environments.
- Plans should consider promoting charging points for electric vehicles.

New Homes

- Plans should use the same terminology as used in the SPP.
- Plans should set out figures, preferably in a table, identifying:
 - HNSA estimates,

- Housing Supply Target for each Housing Market Area. This should be separated into market and affordable sector,
- The percentage of generosity, and a summary of the reason for this, and
- The Housing Land Requirement.
- Plans should set out what approach would be taken where an annual Housing Land Audit indicates there is a shortfall in the 5 year effective housing land supply.
- Plans should consider the level of affordable housing contribution which can realistically be delivered. The level of affordable housing required as a contribution should generally be no more than 25% of the total number of houses.
- Plans should ensure that specialist housing provision and other specific needs are considered and addressed where a need is identified. This includes Gypsy/Travellers and Travelling Show people.

Example/s - The layout of numerical information in tables included in Clydeplan and Stirling LDP are clear.

Historic Environment

- Plans should reflect that Historic Scotland has been replaced by Historic Environment Scotland.
- Plans should reflect that the Scottish Historic Environment Policy (SHEP) has been replaced by [Historic Environment Scotland Policy Statement](#) (June 2016).

Heat

- Plans should explicitly reference heat networks and support them in as many locations as possible.
- Plans should identify existing and potential locations for heat generation and demand, heat networks and storage centres.
- Plans should include a heat map to identify future opportunities.
- Guidance on dealing with heat through the planning system is provided in our online guidance 'Planning and Heat' – see link below.

<http://www.gov.scot/Topics/Built-Environment/planning/Policy/Subject-Policies/low-carbon-place/Heat-Electricity/renewables-advice>

Onshore Wind

- Spatial frameworks should identify the 3 groups on any one map rather than show them as a single area.
- We would prefer to see spatial frameworks in the plan itself rather than supplementary guidance to enable it to be considered at examination.

Example/s - South Ayrshire Council

Waste

- Reference should be made to the Online Waste Management Advice for guidance for development planning – links below.

<http://www.gov.scot/Topics/Built-Environment/planning/Policy/Subject-Policies/low-carbon-place/ZeroWaste/Waste-advice>
<https://beta.gov.scot/publications/planning-and-waste-management-advice/>

Natural Environment

- Plans should not establish buffer zones around areas designated for the natural heritage importance.
- Plan policies on wild land should be designed to safeguard the character of areas of wild land identified on the 2014 SNH map of wild land areas.

Woodland

- Planning authorities should consider preparing forestry and woodland strategies as supplementary guidance (see para 201 of SPP).

** Where planning authorities wish to discuss the forestry elements of plan related documents outwith the DP GW, they should contact the relevant conservancy office for Forestry Commission Scotland – see link below.

<http://scotland.forestry.gov.uk/supporting/management/conservancies>

Green Infrastructure

- Plans should use the terminology of SPP relating to ‘outdoor sports facilities’ when relevant. This is because it has particular meaning under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013.
- Plans should provide policy relating to allotments and community growing spaces and encourage temporary greening where appropriate.

Minerals & Coal

- Plans should be clear that there is a 10 year permitted reserve for construction aggregates.
- Plans should identify where coal extraction is most likely to be acceptable through areas of search. Beyond the plan period the preferred programme for the development of other safeguarded areas should be identified.

Marine

- Where relevant to their plan area, plans should have regard to and reflect the National Marine Plan and forthcoming Regional Marine Plans, as the statutory framework for the marine area (MHWS to 200 nautical miles), recognising there is an overlap of planning jurisdictions in the inter-tidal area and for elements of aquaculture planning and decision making.
- Circular 1/2015 provides additional information on marine planning, its relationship with land use planning and opportunities for alignment to support marine and land-based components required by development.

** Where planning authorities wish to discuss the marine elements of plan related documents outwith the DP GW, they should contact Lorna King, Marine Scotland, 1A South

Victoria Quay, Edinburgh, EH6 6QQ. Tel 0131 244 1540 / email lorna.king@gov.scot. For aquaculture elements, contact the Aquaculture Unit, Marine Scotland, 1B North, Victoria Quay, Edinburgh, EH6 6QQ. Tel 0131 244 6325 / email fishfarmreview@gov.scot

Flooding & Drainage

- Plans should use strategic flood risk assessment (SFRA) to inform choices about the location of development and policies for flood risk management.
- Plans should refer to the flood risk framework of SPP to guide development.
- Plans should protect land with the potential to contribute to managing flood risk, for instance through natural flood management, managed coastal realignment or green infrastructure creation.

Transport

- Understanding transport implications of land use options is essential to producing deliverable Development Plans and achievable Action Programmes.
- Initial transport appraisal work should inform site selection and land use decisions and be largely complete before Main Issues Reports are prepared (see DPMTAG).
- Appraisals should consider cumulative impact on the local and strategic transport network and/or cross-boundary effects where relevant. Early engagement should be had with Transport Scotland in relation to this.
- Potential for developer contribution mechanisms to address cumulative transport impacts should be considered where appropriate.
- Plans should use appropriate wording to make clear the extent to which transport projects or proposals are either aspirational or the extent to which appraisals providing the rationale has been progressed / completed. This may include recognition of on-going studies.
- Plans should make reference to and linkages with Regional and Local Transport Strategies where relevant.
- Spatial strategies in plans should promote opportunities for travel by more sustainable modes in the following order of priority: walking, cycling, public transport, cars. This should include identifying active travel networks, particularly for access to local amenities.
- Planning authorities should consider the need for improved and additional freight facilities and safeguard strategic sites.
- Plans should provide infrastructure to facilitate greater use of low carbon fuel options, including electric charging points and alternative fuelling stations.

** Where planning authorities wish to discuss the transport elements of plan related documents outwith the DP GW, they should contact the following at Transport Scotland, Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF:

Alison Irvine
Alison.irvine@transport.gov.scot
0141 272 7590

David Torrance
david.torrance@transport.gov.scot
0141 272 7587

Adam Priestley
Adam.priestley@transport.gov.scot
0141 272 7596

Digital

- Plans should reflect roll-out plans or opportunities for digital communications.
- Plans should set out the criteria to be applied when determining applications for communications equipment and should set out the matters to be addressed in planning applications (see paras 295 and 296 of SPP).

Example/s - East Ayrshire Local Development Plan

Climate Change - Section 3F

- Section 3F of the Town and Country Planning (Scotland) Act 1997, as amended, requires LDPs to include policies requiring all development in the plan area to be designed as to ensure that all new buildings avoid a specified and rising proportion of the projected greenhouse gas emission from their use. This is calculated on the basis of the approved design and plans for the specific development, through the installation and operation of low and zero carbon generating technologies.
- There are 3 policy tests that must be met:
 1. A proportion of emissions to be saved,
 2. At least one increase in the proportion of emissions to be saved, and
 3. A requirement that the savings should be achieved through the use of generating technology (rather than efficiency measures).
- Further information can be found in the Annual Reports to Parliament on the operation of Section 72 of the Climate Change (Scotland) Act, 2009.

Example/s - Dundee Local Development Plan and Perth and Kinross Local Development Plan

Developer Obligations

- Plans should ensure that policy aligns with Circular 3/2012, Planning Obligations and Good Neighbour Agreements, and the relevant tests of: necessity; planning purpose; relationship to proposed development; proportionality; and reasonableness.
- Circular 6/2013, Development Planning, provides information at paragraph 139 on how plans can handle policy and information relating to developer obligations. Plans themselves should include policy setting out; the types of development that are required to make contributions; the location of developments required to make contributions; and the items for which contributions are sought. Supplementary guidance should then include exact levels of developer contributions and/or methodologies for calculating them.

Example/s - East Renfrewshire Local Development Plan, Supplementary Guidance – Developer Contributions

General

- Figures, maps and tables should have clear titles, legends and the origin of figures used should be identified.