

9. Glossary of Common Planning Terms in Scotland

This glossary explains the general meaning of some terms which you may encounter within planning documents. Planning authorities may define many of these terms in a specific way in relation to their own policies. Care should therefore be taken in applying the following definitions.

Please note that PAS may be required to update this glossary on an ongoing basis to take account of any relevant changes.

Update: The Scottish planning system is currently undergoing a reform process which is documented at this [link](#). In December 2017, the [Planning \(Scotland\) Bill](#) was introduced to the Scottish Parliament and it is expected that a new planning act will follow in mid 2019. In the meantime, the planning system operates as set out below.

AFFORDABLE HOUSING: Housing reserved for those for whom it would be impossible or inappropriate to pay full market price for housing in a particular area. This may be low cost owner occupation, co-ownership or rent from a Registered Social Landlord (RSL).

AGENT: A person or business appointed to make a planning application or Development Plan representation on behalf of a person or organisation, and who will normally receive the relevant correspondence from the planning authority. (See also APPLICANT)

ALLOCATED SITE: An area of land which has been approved in principle by the planning authority for a certain type of future development e.g. housing.

APPEAL/LOCAL REVIEW: The process by which an applicant may challenge the decision of the planning authority on their application, a refusal of permission, condition attached to a permission or the lack of a decision. Refer to our separate information sheet on Appeals and Local Reviews for more information. (See also NON DETERMINATION/DEEMED REFUSAL)

APPLICANT: A person, business or organisation making a planning application. There is no requirement that they own the land affected by the application as long as they notify the owner. (See also AGENT)

AGLV (Area of Great Landscape Value): An area designated for its local landscape significance in the Development Plan which is subject to planning policies to protect its character.

ARTICLE 4 DIRECTION: A direction made by the Scottish Ministers under Article 4 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (GPDO). This requires that works that are normally permitted development should obtain formal consent. Article 4 directions usually exist for such areas as conservation areas which require additional levels of protection. (Note: the GPDO is currently being reviewed by the Scottish Government.) (See also PERMITTED DEVELOPMENT)

BROWNFIELD SITE: A site which has previously been developed or used for some purpose which has ceased.

CIRCULAR: A planning document produced by the Scottish Government containing guidance on the policy implications of legislative or procedural change.

COMMUNITY COUNCIL: A local body with a statutory right to be consulted on local issues and a duty to reflect the views of the local community to the local authority on various issues, including planning.

COMMUNITY PLANNING: A process, delivered through Community Planning Partnerships, aimed at helping public agencies to work together with the local community to plan and deliver better services, with community engagement as a key aim. Community planning is, however, separate from the land-use planning system, and how it is implemented generally depends of the local authority.

CONSERVATION AREA: An area designated by the planning authority as being of special architectural or historic interest, the character of which it wishes to protect and enhance. Refer to our separate information sheet Listed Buildings and Conservation Areas for more information.

CALL IN (AND NOTIFICATION): Scottish Ministers have the power to intervene and call in any planning application for their own determination. This power is rarely used, although sometimes a proposal raises issues of such importance that call in is reasonable. To monitor the progress of such cases, Ministers issue a direction to planning authorities requesting notification if they are considering granting permission. Planning permission may not be granted until this notification has taken place.

COMMUNITY EMPOWERMENT (SCOTLAND) ACT 2015: this [Act](#) aims to empower communities through ownership of land and buildings; by strengthening their voices in the local decision making; and improve outcomes for communities by improving the process of community planning. Provisions of the Act: include extending the community right to buy, participation requests to have a dialogue with a service provider about improving an outcome, making it simpler for communities to take over public sector land and buildings.

COMMUNITY PLANNING: a statutory process in Scotland which sets out how public bodies should work together and with local communities to design and deliver better services and improve local outcomes, especially for those people who need those services most. The Community Empowerment (Scotland) Act 2015 strengthens the statutory base for community planning and how it will operate in Scotland. Community Planning Partnerships are required to prepare **Local Outcomes Improvement Plans** (LOIPs) for their area and **Locality Plans** for the areas experiencing higher levels of disadvantage.

COMPULSORY PURCHASE ORDER: Notice issued by the government or a local authority to acquire land or buildings for public interest purposes. This may include property to enable private development to achieve a priority aim of the Development Plan.

DEPARTURE (from the Development Plan): A planning application considered not to be in accordance with a Development Plan but which, due to exceptional circumstances, the planning authority intends to approve. Significant departures must be notified to Scottish

Ministers. All national developments and major developments which are significantly contrary to a Development Plan must also be subject to a pre-determination hearing.

DESIGN AND ACCESS STATEMENT: Required to be submitted with certain planning applications (e.g. for national or major developments, or within conservation areas), outlining the design principles guiding the application, and how design issues impacting on disabled people have been addressed.

DESIGNED LANDSCAPE: An area of significant parkland and woodland, generally centred on a castle or mansion house, which has been laid out for artistic effect and identified in the Scottish Inventory of Gardens and Designed Landscapes.

DEVELOPMENT: The carrying out of building, mining, engineering or other operations in, on, over or under the land or the making of any material change of use in the use of any buildings or land (as defined by the planning acts). Development so defined requires planning permission. (See also PERMITTED DEVELOPMENT)

DEVELOPMENT PLAN: A generic term for the Structure Plan and/or Local Plan, or Strategic Development Plan and/or Local Development Plan, which apply to a planning authority area. Refer to our separate information sheet Development Plans for more information. Any planning application should be determined in accordance with the Development Plan unless material considerations indicate otherwise.

DEVELOPMENT PLAN SCHEME: A document required to be published annually by every planning authority, outlining their timetable for preparing and reviewing their Development Plan; and also a participation statement outlining when, how and with whom, consultation will take place.

ENVIRONMENTAL IMPACT ASSESSMENT (EIA): EIA is required for certain developments and is the process of gathering information to ensure environmental effects are taken into consideration. The assessments are reported in an Environmental Statement which must be submitted alongside the planning application to inform the decision.

EUROPEAN SITES: Nature conservation sites (e.g. Sites of Special Scientific Interest (SSSIs)) which are designated under the European Habitat or Birds Directives as Special Protection Areas (SPAs) or Special Areas for Conservation (SACs). Development affecting such sites is subject to special controls and may be called in by Scottish Ministers.

GREEN BELT: An area designated in a Development Plan where there is strong presumption against development, with the aim of protecting landscape settings, promoting bio-diversity and providing open space for recreation, encouraging regeneration within the urban area and directing urban growth to appropriate locations.

GREENFIELD SITE: Land which has not been developed, in either urban or rural areas.

HIERARCHY OF DEVELOPMENT: As of 2009, planning proposals are divided into 3 categories: National, Major and local. National developments are set out in the National Planning Framework. For information on major (e.g. 50 houses or more) and local developments, refer to our separate information sheet on Development Management) and see Scottish Government [Planning Circular 5/2009 Hierarchy of Developments](#). Note -

National and major proposals require pre-application consultation. (See also: PRE-APPLICATION CONSULTATION)

HOMEZONE: A street or wider area with specific design features aimed at achieving a pedestrian friendly environment.

INFILL DEVELOPMENT: Development within a built up area, usually involving building on a gap site, or between two sites.

INFRASTRUCTURE: Utility services (roads, sewers, and supplies of gas, water, electricity) or social/community services (schools, community halls, health centres etc.) which are needed to allow a development to take place.

LANDFILL/LANDRAISE: Methods of disposing of waste below or above ground level, nowadays subject to stringent measures to contain leachate and methane, but which was not always the case.

LEGAL CHALLENGE: Apart from applicants' right of appeal, the law provides for legal challenge of some planning decisions by any affected party; but only on the basis that there was an error in law and procedure, not on the planning merits of the decision itself. The best outcome is that a decision may be quashed and sent back to the decision maker (who may end up making the same decision). Such proceedings, by way of statutory challenge or by judicial review, may only be heard in the Court of Session and are extremely expensive if unsuccessful.

LISTED BUILDING: A building designated by Historic Scotland on behalf of Scottish Ministers for its special architectural or historic interest and accorded special protection.

LOCAL DEVELOPMENT PLAN (LDP): Part of the Development Plan - a statutory document required to be prepared (as of 2009), after full public consultation, by all planning authorities in Scotland to replace existing Local Plans (see below). The LDP is the basis for making planning decisions in a given area. It must contain a spatial strategy and a vision statement, planning policies and maps. In the four city-regions, the LDP will be supplemented with a Strategic Development Plan; elsewhere the Development Plan will comprise only the Local Development Plan.

LOCAL PLAN: Part of the Development Plan - a statutory document prepared after full public consultation - containing maps, and planning policies which are the main basis for assessing planning applications. As of 2009, planning authorities are required to replace Local Plans with Local Development Plans (see above).

LOCAL REVIEW: see entry for APPEAL; or refer to our separate information sheet Planning Appeals and Local Reviews.

MASTERPLAN: A document, usually comprising a schematic plan, 3-dimensional images, and text, which illustrates and explains how it is intended to develop a site.

MATERIAL CONSIDERATIONS: Matters in addition to the Development Plan which a planning authority is required to take into account when making a planning decision. Material considerations in planning must be factors relating to the use and development of land and

not to the personal circumstances of individual applicants, for instance. (Refer also to our separate Information Sheet Material Considerations)

MEDIATION: A process involving a neutral, independent, trained facilitator who aims to assist parties with differences to communicate effectively to resolve their differences. Mediation is not a statutory part of the Scottish planning system.

NATIONAL DEVELOPMENTS: Designated in the National Planning Framework, these are the Scottish Government's priority projects for the development of Scotland. For more information, see Scottish Government [Circular 3/2013 Development Management Procedures](#) & [Circular 5/2009 Hierarchy of Developments](#).

NATIONAL PLANNING FRAMEWORK (NPF): The Scottish Government's strategy for the long-term development of Scotland's towns, cities and countryside. It sets out a vision for Scotland's development for the next 20 to 25 years and designates developments of national importance (National Developments – see above). Development Plans must have regard to the content of the NPF.

NATIONAL PARK: An area of land or sea - usually an extensive area - identified as being of the very highest value to the nation for its scenery and wildlife, and often for its cultural heritage value. Scotland has two National Parks – Loch Lomond and The Trossachs and the Cairngorms. Both have their own planning services.

NATIONAL SCENIC AREA (NSA): Areas of land designated by the Scottish Government and considered of national significance to Scotland due to their outstanding scenic interest; and which must be conserved as part of the country's natural heritage.

NEIGHBOUR NOTIFICATION: Planning authorities are required to notify those with an interest in neighbouring land when relevant new proposals are to be introduced into the Development Plan, or when a relevant planning application has been submitted. Notification will apply to land that is conterminous or within 20 metres of the proposed development site. See Scottish Government [Circular 3/2013 Development Management Procedures](#).

NON-DETERMINATION / DEEMED REFUSAL: If a planning application remains undetermined after either two or four months (depending on the type of application), the applicant can demand that a decision be made, by appealing to Scottish Ministers or to the Local Review Body. The appeal or review is into the non-determination of the application which is considered as if deemed to have been refused.

OPEN SPACE: Areas of greenspace or water within and on the edges of settlements, including allotments, trees, woodland, paths; and civic space consisting of squares, market places and other paved or hard landscaped areas with a civic function.

PERMITTED DEVELOPMENT: Certain classes of development which do not require express planning permission through an application to the planning authority, because permission is automatically granted, as set out in [The Town and Country Planning \(General Permitted Development\) \(Scotland\) Order 1992](#). (Note: this document is reviewed and amended as required on an on-going basis.)

PLACE STANDARD TOOLKIT: provides a simple [framework](#) to structure conversations about place. It allows you to think about the physical elements of a place

as well as the social. It is a very useful community engagement tool that could be used by local authorities, community planning partnerships, community groups and in charrettes. The tool pinpoints the assets of a place as well as areas where a place could improve.

PLANNING ADVICE NOTES (PANs): Documents produced by the Scottish Government providing advice on good practice and other relevant planning information.

PLANNING APPLICATION: An application to a planning authority seeking planning permission for development. Refer to our separate information Sheet: Development Management.

PLANNING BRIEF/DEVELOPMENT BRIEF: A document which sets out the planning authority's requirements and guidelines for the development of a site. These may be prepared as supplementary guidance.

PLANNING PERMISSION: Formal permission granted by a planning authority or Scottish Ministers for development of land or buildings. Refer to our separate information Sheet: Development Management.

PLANNING GAIN: Aspects of a development proposal required for the development to go ahead (including financial contributions to public services), secured by the local authority to mitigate the impact of the development on the local community.

PLANNING POLICIES: Contained in Development Plans or in supplementary planning guidance, these set out criteria against which planning applications are determined.

PRE-APPLICATION CONSULTATION (PAC): Public events required to be held by prospective applicants prior to submission of applications for national developments and major developments, to enable local communities to be better informed about significant development proposals in their area. Prospective applicants must notify community councils (and other parties as agreed with the planning authority) and hold a minimum of one public event (to be advertised 7 days in advance in a local newspaper) at which members of the public can make comments. (Note – there is no requirement that views of those consulted are taken on board.) See Scottish Government [Circular 3/2013 Development Management Procedures](#).

PRE-DETERMINATION HEARING: National applications or major applications significantly contrary to the Development Plan must go to a Pre-Determination Hearing if one is requested. This must take place before a committee of the council and be determined by the full council, and enables those who made representations to have the opportunity to be heard.

PRIME AGRICULTURAL LAND: Agricultural land, classified by the Scottish Executive as Categories 1, 2 or 3.1 according to the Macaulay Land Use Research Institute's Land Capability Classification, and which may be protected from development.

PROCESSING AGREEMENT: A non-compulsory agreement, following the advice of Scottish Government [Circular 3/2013 Development Management Procedures](#), between the applicant for a national development or major development and the planning authority to ensure smooth processing of an application, or related group of applications.

SCHEDULED ANCIENT MONUMENT: A monument or site of archaeological importance which has been scheduled for protection by Historic Scotland under the terms of the Ancient Monuments and Archaeological Areas Act 1979. Special consent from Historic Scotland is required for any form of works affecting the monument, in addition to any planning permission required.

SCHEME OF DELEGATION: A formally agreed scheme within each planning authority by which planning officers (rather than full council or appointed committee) may carry out certain procedures and take certain planning decisions on behalf of the authority. This must include a scheme for decisions by an appointed officer on planning applications for local developments, paving the way for local review by a local review body comprising elected members of the authority.

SCOTTISH PLANNING POLICY (SPP): A documents stating Scottish Government policy on nationally important land use and other planning matters.

PLANNING AGREEMENTS: Legal Agreements made under Section 75 of the Town and Country Planning (Scotland) Act 1997, and regulating the future use of the land. Such agreements are registered in the Land Register and legally binding on future owners of the land. Where the agreement is not intended to tie future owners, other simpler forms of agreement may be used under other statutes.

SINGLE OUTCOME AGREEMENT (SOA): An agreement between the Scottish Government and each of Scotland's 32 local authorities, setting out strategic priority issues based on the Government's 15 [National Outcomes](#). SOAs aim to improve partnership working and allow maximum freedom for funding decisions to be taken at a local level. Planning issues such as affordable housing and community engagement are among topics covered by SOAs, although content varies according to local priorities. Since 2009-10, SOAs have been developed with the full involvement of Community Planning Partnerships, with each statutory partner (of the CCP) signing the SOA. (See also COMMUNITY PLANNING)

SITE OF SPECIAL SCIENTIFIC INTEREST (SSSI): A site identified by Scottish Natural Heritage (SNH) as requiring special protection because of its flora, fauna, geological or physiographical features under the Wildlife and Countryside Acts. SNH must be consulted by a planning authority where a planning application may affect an SSSI.

STATUTORY CONSULTEE: A generic term for an organisation with expertise and statutory responsibility on certain subject matters, to be consulted by planning authorities if an application may affect the interests of that organisation e.g. Historic Scotland, Scottish Natural Heritage, Transport Scotland.

STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA): The requirement to undertake and publish environmental assessment of plans, programmes or strategies at a strategic level.

STRATEGIC DEVELOPMENT PLAN (SDP): Part of the Development Plan – a statutory document prepared after full public consultation. SDPs apply to the 4 city-regions (Aberdeen, Dundee, Edinburgh, Glasgow and their surrounding areas) and cover several local authority areas. SDPs are required to be prepared jointly by planning authorities acting as Strategic Development Planning Authorities (SDPAs) as of 2009 to replace the previous regional level of planning known as Structure Plans. SDPs will set parameters for Local Development

Plans; contain Vision Statements and Spatial Strategies; and will consider how land use proposals for neighbouring areas will impact on the SDP area. Refer to our separate information sheet Development Plans for further information.

SUDS (Sustainable Urban Drainage Systems): A method of water management designed to drain surface water in a manner that will provide a more sustainable approach than what has been the conventional practice of routing run-off through a pipe to a watercourse.

SUPPLEMENTARY GUIDANCE: Documents used by planning authorities to provide additional detailed guidance on certain topics, policies or proposals which are set out in Development Plans.

SUSTAINABLE DEVELOPMENT: Development that meets the needs of the present without compromising the ability of future generations to meet their own needs (as defined by the Brundtland Commission 1987 for the United Nations). The Planning etc. (Scotland) Act 2006 requires Development Plans and the National Planning Framework to be prepared with the objective of achieving sustainable development.

TREE PRESERVATION ORDER (TPO): An order preventing the cutting down, topping, lopping, uprooting or wilful damage to a tree/group of trees. The order is made under Section 160 of the Town and Country Planning (Scotland) Act 1997.

USE CLASSES ORDER (UCO): The Statutory Instrument termed [The Town and Country Planning \(Use Classes\) \(Scotland\) Order 1997](#) which sets out various classes of use for the purpose of clarifying when a change of use requires planning permission.

WINDFALL SITES: Development sites which are not identified through forward planning processes but become available for various ad hoc reasons. Allowance for a certain level of windfall sites is usually made by planning authorities when calculating the forward supply of development land for which Development Plans will make provision.

How can PAS help?

If you are still unsure or need independent advice, then PAS may be able to help. Contact our **planning helpline** on **0300 323 7602*** (*calls cost no more than a national call rate).

www.pas.org.uk