

## 1. Development Plans

**This information sheet is aimed at anyone who wants to get involved in the Development Plan preparation process or is affected by a development plan matter.**

**Update:** The Planning (Scotland) Act received Royal Assent in July 2019. The Act introduces significant changes to the Scottish planning system and a programme for introducing reforms has been prepared by the Scottish Government. Visit this [link](#) for more information. In the meantime, the planning system operates as set out below.

### Background Information

#### What is a Development Plan?

The Development Plan is a document that sets out how places should change and what they could be like in the future. It says what type of development should take place where, and which areas should not be developed. It sets out the best locations for new homes and businesses, describes how any new or improved facilities, such as roads, schools and parks, will be provided and protects places of value to people or wildlife.

It is the legal responsibility of the planning authority (i.e. your Local Council or National Park Authority) to prepare such plans and guidance (and to review them every 5 years). Strategic Development Plans are prepared jointly by the relevant planning authorities.

In Scotland's 4 main city regions (i.e. Aberdeen, Dundee, Edinburgh and Glasgow) the Development Plan is made up of:

- the Strategic Development Plan
- Local Development Plan(s)\*, and
- Supplementary Guidance

In all other areas, the development plan is made up of:

- Local Development Plan(s)\*, and
- Supplementary Guidance

*\* most areas will only have one Local Development Plan.*

(Note - your planning authority may still have a Structure Plan and/or Local Plan – these are in the process of being replaced by Strategic Development Plans and Local Development Plans.)

#### Why is the Development Plan important?

The land-use allocations and policies in development plans affect your everyday life, for example, how you travel, where you live, shop, work and spend your leisure time. Becoming involved in development plan preparation gives you an opportunity at the earliest possible

stage to have a say in shaping the future of your community and environment. Making your opinions known at this stage can be much more effective than trying to influence decisions on planning applications later on, as planning applications must be decided in accordance with the Development Plan unless material considerations indicate otherwise.

*See Information Sheet 3: Material Considerations*

### **How do I find out about the Development Plan for my area?**

This depends on where you live. Each council area in Scotland is covered by a Local Development Plan, which sets out detailed policies and allocations for the use of land.

The Strategic Development Plans for the four city regions also cover region-wide topics such as transport, economy, retail, housing and greenspace strategies.

### **How do I know if my area is also covered by a Strategic Development Plan?**

In addition to the cities of Aberdeen, Dundee, Edinburgh and Glasgow, the following local authority areas are covered by Strategic Development Plans: Aberdeenshire\*, Angus\*, East Dunbartonshire, East Lothian, East Renfrewshire, Fife, Inverclyde, Midlothian, North Lanarkshire, Perth and Kinross\*, Renfrewshire, Scottish Borders, South Lanarkshire, West Dunbartonshire\* and West Lothian. More information on the Strategic Development Plan areas can be found on the development plan section of the Scottish Government website.

*\* parts of these authorities are not included in a Strategic Development Plan where they fall within a national park boundary.*

### **Where do I find out more information on my area's current Development Plan?**

Your planning authority must keep a register of all the development plans that affect your area and provide copies of these plans for you to inspect. You may view copies on the planning authority's website or buy copies from your planning authority – they may also be available in public libraries. Look for both written statements and sets of maps.

### **What is the Development Plan Scheme?**

The Development Plan Scheme for each planning authority is an important document setting out all important information about the development plan in that area and how people can get involved. It is produced annually for Local Development Plans and Strategic Development Plans and includes:

- a programme and timetable for the preparation of the Development Plan
- what is involved at each stage of preparing the plan
- a Participation Statement, which covers how the public will be involved with the plan i.e. when, how and with whom consultation will take place.

The Development Plan Scheme can be obtained from your planning authority or their website.

### **A new Development Plan is being prepared – will I be notified?**

If the planning authority offers the opportunity to be included on a mailing list (details usually in the Development Plan Scheme), you will be notified when each stage of a plan preparation is reached.

If you are an owner, lessee or occupier of a site likely to be affected by development in the Proposed Plan (see below), you will be notified by the planning authority. This also applies to people who own, lease or occupy neighbouring land (i.e. within 20 metres of a site). Be aware that notification is only required where there are premises on the site or neighbouring land.

### **At what stage should I get involved in the Development Plan?**

Development Plans must be reviewed every five years, and planning authorities are required to involve people by undertaking consultation from an early stage. Development Plans go through a number of important stages before they are finalised and adopted. Whilst all stages are important, the two which provide the opportunity for public consultation to allow people to make comments and influence the plan are the **Main Issues Report** and the **Proposed Plan** stages.

### **What is the effect of Scottish Government planning policy on Development Plans?**

The Scottish Government publishes national planning policy in the form of the [National Planning Framework](#), [Scottish Planning Policy](#) and [Designing Streets](#). The National Planning Framework sets out a long-term spatial vision for the development of Scotland and the Scottish Planning Policy provides a policy framework for the objectives for planning. The National Planning Framework also designates developments of strategic importance to Scotland (National Developments) which must be included in Development Plans, and both documents provide the context for Strategic Development Plans and Local Development Plans, which must take them into account when they are being prepared. The law requires Scottish Ministers to prepare or review the National Planning Framework every five years and the SPP is revised when they consider it necessary.

### **Detailed Information**

#### **What are Strategic Development Plans?**

Strategic Development Plans will be prepared by Strategic Development Planning Authorities to cover the four city regions around Aberdeen, Dundee, Edinburgh and Glasgow. They should be visionary documents setting out a long term strategy (up to 20 years) for the development of the city region to inform the preparation of Local Development Plans.

Strategic Development Plans must take account of a range of important documents such as the National Planning Framework, Scottish Planning Policy, the National Waste Plan, regional strategies (such as transport and housing strategies), River Basin Management Plans, Flood Risk Management Plans and neighbouring Strategic Development Plans.

#### **What do Strategic Development Plans cover?**

Strategic Development Plans are primarily to address strategic cross-boundary issues and are expected to cover a variety of topics such as land for housing, business, retail, waste management, green belts and other infrastructure proposals.

Strategic Development Plans are required to include the following:

- **Monitoring Statement:** identifying how the objectives and vision of the previous plan have been met.
- **Vision Statement:** setting out how future development of the city region could and should happen (e.g. how the area could look in 20 years).
- **Spatial Strategy:** building on the vision statement to provide a strategy for the type of development that will occur and general locations. A map or diagram must be produced to demonstrate the spatial strategy.

### **What are Local Development Plans?**

All planning authorities, including those which are also covered by a Strategic Development Plan, are required to produce one Local Development Plan to cover the whole of the authority area (note - if considered necessary, more than one can be produced; or to cover a particular topic e.g. a Minerals Local Development Plan).

Local Development Plans cover smaller areas than Strategic Development Plans, as they are prepared by an individual planning authority for its own area, and are more detailed in terms of land use proposals and policies. For example, they will identify on a Proposals Map the exact locations of sites proposed for housing, business, retail and all kinds of land allocation, as well as areas for regeneration, conservation or landscape improvement or protection etc. Different land use proposals or designations will be marked using a series of different shadings and symbols.

The Written Statement section of the Local Development Plan will have planning policies grouped under chapter headings such as Housing, Retail, Natural Environment etc.

Local Development Plans are expected to be concise, map-based documents focusing on specific proposals for a time horizon of a minimum of 10 years (where they are also covered by a Strategic Development Plan) or 20 years (outwith Strategic Development Plan areas). They must be reviewed every 5 years.

A Schedule of Land Ownership detailing land owned by the planning authority and relevant policies to apply to it must be published alongside the Local Development Plan.

### **What is Supplementary Guidance?**

To ensure that Local Development Plans remain concise and focused, detailed policy guidance can be issued as Supplementary Guidance. Supplementary guidance might expand on a development plan policy matter or be a design brief or masterplan for a particular site. It can be part of or sit outwith the Development Plan.

When adopted by a planning authority the supplementary guidance must be given the same status as the development plan. In order to adopt supplementary guidance as part of the development plan the planning authority must first indicate intention to produce the guidance in the development plan, then publicize and consult on the proposed guidance (the level of consultation is decided by the planning authority). It is open to anyone to comment. The supplementary guidance must then be sent to Scottish Ministers who can direct the planning

authority not to adopt it if correct procedures have not been followed or it does not comply with national policy.

### How are Development Plans prepared?

Strategic Development Plans and Local Development Plans follow the same stages in preparation. It is expected that the whole process will take 4-5 years.

The key stages of Strategic and Local Development Plan preparation are summarised below:



1. **Development Plan Scheme** - see above.
2. **Main Issues Report** – this stage provides the **key opportunity** for people to be involved. It sets out the planning authority’s general ideas for the future development of the area and a preferred set of options and alternatives. Prior to the production of the Main Issues Report, consultation will be undertaken so that the main issues and options can be identified and assessed by the planning authority. This is an excellent opportunity to get involved - many planning authorities include this as a separate stage although this is not required in legislation.

The planning authority will be open to ideas at this stage, so it is **very important to get involved**. Once the Main Issues Report is published, a consultation period (usually 6-12 weeks) opens for people to make representations (i.e. comments, objections or support) to the planning authority.

A Monitoring Report which describes how things have changed since the last plan will be published alongside the Main Issues Report. Another important part of the plan preparation that must have started by this stage is Strategic Environmental Assessment.

3. **Proposed Plan** – after considering representations made at Main Issues Report stage, the planning authority will produce the Proposed Plan, which sets out their view on the content of the final plan. A minimum period of 6 weeks must be provided for people to make representations, although longer is recommended.

As there will be no opportunity to expand upon representations later in the process, it is essential to mention everything you feel is relevant at this stage. Scottish Government guidance suggests that representations should be a maximum of 2000 words, and must fully explain the issues you want to be considered if/when the plan goes to Development Plan Examination (see below). Aim to keep representations focused on Material Considerations (*See our Information sheet on Material Considerations*).

4. **Modifications** – following consultation on the Proposed Plan, the planning authority may or may not decide to make modifications to the plan to take account of representations, consultation responses or minor drafting and technical matters. The extent of modifications will determine whether a further period of consultation is necessary. If no outstanding representations remain, or the planning authority decides to make no notifiable modifications, the Strategic Development Plan will be sent to Scottish Ministers for approval, and the Local Development Plan adopted by the planning authority.
5. **Development Plan Examination & Approval/Adoption** – if unresolved representations remain, Scottish Ministers will appoint one or more Reporters to examine the Proposed Plan. The Development Plan Examination will be advertised in local newspapers and those who made representations will be individually informed. Strategic Development Plans are approved by Scottish Ministers whilst Local Development Plans are adopted by the planning authority.

### **What is a Development Plan Examination?**

Individuals, community groups and other stakeholders have the opportunity to provide representations to Strategic Development Plans and Local Development Plans when they are being prepared. Where there are unresolved representations after the publication of the Proposed Plan, Scottish Ministers will appoint a Reporter to examine the plan (i.e. take a decision on how to deal with the outstanding objections). This process is referred to as a Development Plan Examination and will focus on the representations made earlier on in the process and there is no provision to submit further information unless required to do so by the person appointed to conduct the examination.

For straightforward issues the Reporter may decide there is sufficient information in existing representations and the planning authority response. Where the Reporter believes that more information is needed, further Written Submissions may be requested from the parties involved or arrangements made for appearances in person at a Hearing. A Hearing is an informal round table discussion chaired by the Reporter. Only in exceptional and complex cases will a formal public inquiry (involving leading and cross-examination of witnesses) be held.

Scottish Ministers expect the full examination process to take approximately six to nine months.

For more information see the [Directorate for Planning and Environmental Appeals](#) (DPEA) website.

### **What happens if I receive notification of a Development Plan Examination?**

If you have provided representations which remain outstanding (i.e. you have not withdrawn them, or they have not been taken account of by modifications) you will receive notification of the examination. This will include a Summary of Unresolved Issues and will tell you where documentation can be viewed. The Summary of Unresolved Issues contains details all the issues raised by the representations and the authority's reasons for not agreeing to these and modifying the plan.

### **How do I prepare for a Development Plan Examination?**

The amount of preparation required will be largely dependent on the format of the examination, the issues to be assessed, and whether further information/material is required. In some cases the Reporter will consider that they have all necessary information, so will rely upon your original representation. For a Hearing session or Inquiry more preparation will be required.

### **What happens after the Development Plan Examination?**

The Reporter will produce an examination report which sets out conclusions and recommendations. This report is sent to the planning authority in the case of Local Development Plans, and Scottish Ministers in the case of Strategic Development Plans. Planning authorities, may only depart from Reporters' recommendations in exceptional circumstances.

### **What happens after approval/adoption of a Development Plan?**

Within three months of approval or adoption, the planning authority must publish an Action Programme which sets out a list of actions required to deliver the plan's policies and proposals. This may include matters such as the delivery of key infrastructure such as roads, water supply upgrades and sewage upgrades, or supplementary guidance. The Action Programme must be kept under review and published every 2 years.

Strategic and Local Development Plans must be updated every 5 years.

### **How can I obtain further information?**

- Contact your planning authority

- Scottish Government [Circular 6/2013 Development Planning](#)
- Scottish Government: [A Guide to the Planning System in Scotland](#)
- National Planning Framework and Scottish Planning Policy are available on the Scottish Government website.

Note - This information sheet contains only a brief outline of the Development Planning process. More detailed information is contained within the above Circular.

### **How can PAS help?**

If you are still unsure or need impartial and independent advice, then PAS may be able to help. Please submit your enquiry to our **planning helpline** using this [enquiry form](#) or phone **0300 323 7602\*** (\*calls cost no more than a national call rate).

[www.pas.org.uk](http://www.pas.org.uk)