

8. PLANNING AND TRANSPORT

This information sheet is aimed at anyone who is involved with or affected by a planning matter involving transport considerations.

Update: Update: The Planning (Scotland) Act received Royal Assent in July 2019 and introduces many changes to the Scottish planning system. A programme for introducing reforms has been prepared by the Scottish Government. National Planning Framework 4 was adopted by Scottish Ministers on 13 February 2023 representing a very significant change to the Scottish planning system.

This information sheet provides impartial information about the Scottish planning system and was written by chartered planners.

THE SCOTTISH PLANNING SYSTEM

- The Planning (Scotland) Act received Royal Assent in July 2019 and introduces many changes to the Scottish planning system. A programme for introducing reforms has been prepared by the Scottish Government. National Planning Framework 4 was adopted by Scottish Ministers on 13 February 2023 representing a very significant change to the Scottish planning system.
- The purpose of planning as set out in the Planning (Scotland) Act 2019 is “to manage the use and development of land in the long term public interest”. Addressing climate change sits the forefront of current planning policy. Alongside this lies a desire for a system of governance with greater public participation in planning and placemaking, with new opportunities under the 2019 Act for local communities to prepare Local Place Plans.

HOW DOES TRANSPORT RELATE TO PLANNING?

Many development proposals have implications for transport in the surrounding area. The National Planning Framework, the Scottish Government’s long-term plan for Scotland that sets out where development and infrastructure is needed, and includes planning policies, seeks to encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably.

HOW DOES TRANSPORT RELATE TO THE DEVELOPMENT PLAN?

Your planning authority (the local Council or National Park Authority) must prepare a Local Development Plan (LDP) for its area, setting out how it will develop.

Local Development Plans should take account of larger new transport infrastructure requirements which might be set out in Transport Scotland's National Transport Projects, within Regional Transport Strategies, or in the Strategic Development Plans which Scotland's 4 city regions are required to produce. In preparing a LDP, planning authorities are also expected to be mindful of national policy, and to identify suitable development sites. For a large housing site, they look for a location near a railway station or local bus routes, rather than one relying only on road access. (See also our information sheet on Development Planning.)

Before identifying sites, planning authorities must take account of potential transport consequences. They may carry out their own transport modelling before even identifying sites to go into the LDP, to ensure that they can be adequately served. (In other cases, transport modelling may be done by the developer.) It might be identified that a major road needs to be improved, a new car park is required at a station, or a whole package of measures. Early modelling can identify a solution and cost, and the planning authority can then seek to secure appropriate contributions from each developer to fund the overall measures to be introduced.

HOW ARE THE TRANSPORT IMPLICATIONS OF PLANNING APPLICATIONS ASSESSED?

Your planning authority will often consult the local roads authority (usually another department of the same Council) on planning applications they receive. If the application is near a trunk road, or is likely to significantly affect the operation of a trunk road, then Transport Scotland must also be consulted. If the development is big enough, or in a sensitive location, the roads authority will indicate in their reply that a Transport Assessment (see below) is required. Travel Plans (see below) are also encouraged for larger developments.

WHAT IS A TRANSPORT ASSESSMENT?

A Transport Assessment is a comprehensive review of the potential transport impacts of proposed development, with an agreed plan to reduce any adverse consequences. It should provide information on how the proposed development is likely to function in transport terms, and should detail the measures proposed to reduce adverse transport impacts.

The main roles of a Transport Assessment are to:

- Provide supporting evidence to ensure that developments are sited in locations where current and likely future travel behaviour will ensure that congestion and environmental problems will be minimised.
- Provide supporting evidence to ensure that, at any given location, the resulting travel behaviour will produce a desired and predicted transport output.

- Provide supporting evidence to ensure that where developments are proposed in locations that have not been identified as being compliant with planning policy, including Development Plan policy, a developer has an opportunity to explain how the development can support policy.

WHAT IS A TRAVEL PLAN?

For large developments e.g. supermarkets, the applicant is expected to prepare a Travel Plan detailing a range of measures to encourage a shift to non-car travel modes and how they propose to monitor and measure it. Travel Plans can bring benefits to the environment (e.g. improving carbon footprints), to the community (e.g. reduced traffic congestion), and to the individual employees or visitors, for example through improved health.

Travel Plans set out Mode Share Targets, and will set a minimum level for non-car modes of transport, guided by national transport policy (SPP sets limits on the car parking that can be provided at different developments), or by the Council. A Staff Travel Survey is often carried out soon after the development opens, to identify travel behaviour and what would encourage people to reconsider their travel options. The Plan should include a comprehensive package of measures to bring about change e.g. displaying public transport information, interest-free loans or discounts on rail or bus season tickets, or promoting car-sharing.

WHO PREPARES THE TRANSPORT ASSESSMENT?

Transport Assessments are normally carried out by the applicant, often engaging a specialist consultant, who will liaise with the relevant authorities (the local transport authority - normally the Council), and Transport Scotland (if the development is on or near a trunk road) to ensure that all the necessary matters are taken into account.

WHAT ARE THE STAGES IN A TRANSPORT ASSESSMENT?

The Assessment should be carried out in accordance with the Guide to Transport Assessments for Development Proposals in Scotland, (Scottish Government,2005).

The main stages are:

1. Identify the nature of the proposed development, e.g. its land use (retail, leisure, commercial, housing etc.) and its size.
2. Examine the existing transport infrastructure in the vicinity of the site. e.g. pedestrian/cycling routes; distance to bus services frequency/routes of buses; and any known stress points for delays/accidents.
3. Estimate the number of people likely to use the proposed development, both when the development is at its busiest, and when the adjacent transport network is busiest.

4. Identify other developments in the area that already have planning permission, but have yet to be built.
5. Undertake a scoping discussion with the Council (and Transport Scotland if applicable) to agree the matters which should be addressed e.g. extent of the road network to be examined, and methods to be used.
6. Prepare and agree a Scoping Report based on the points above, to be submitted to the relevant authorities, and forming the agreed basis for the detailed Transport Assessment.
7. Identify required improvements to pedestrian and cycle access.
8. Consider whether improved bus services are required, possibly in discussion with bus operators.
9. Carry out traffic counts on the road network as agreed at step (5).
10. Estimate how much traffic the development will add at those roads/junctions.
11. Test the capacity of those junctions, with and without the development, and identify any improvements, but also ensure that the development does not impact negatively on existing road users.

WHAT HAPPENS AFTER THE TRANSPORT ASSESSMENT IS SUBMITTED?

The Transport Assessment report becomes part of the relevant planning application, and is available for public inspection with the application documents. If the application requires an Environmental Impact Assessment, the Transport Assessment may be submitted as part of this document.

The Council's Roads and Transport department (and Transport Scotland if the development affects a trunk road) will review the Transport Assessment in detail, to make sure that it addresses all of their concerns, and may liaise further with the applicant and their consultants to assess or clarify any points that need more detail.

HOW DOES ALL OF THIS RELATE TO THE PLANNING APPLICATION?

At the end of the Transport Assessment process, the roads and transport authorities will respond to the planning department, either recommending refusal of the application because transport impacts cannot be addressed, or accepting the development, possibly subject to planning conditions.

These might cover layout or require the applicant to make a financial contribution e.g. to road improvements, or improved pedestrian/cycle access. Conditions may have to be met before the development commences, or be introduced at key stage of the development.

WHAT ABOUT ACCESS TO PROPOSED DEVELOPMENTS?

The application drawings should identify how the development is to be accessed.

The Transport Assessment report should normally assess the operation of the access junction(s) to make sure that they will work efficiently when the development is completed.

CAN THE DEVELOPER BUY LAND TO IMPROVE THE ACCESS OR TO CARRY OUT THESE OTHER IMPROVEMENTS?

Developers have no special powers, such as compulsory purchase, to buy any land they need to implement the development, or any of the off-site road works that might be specified.

Any land required has to be bought by negotiation with the land owners. Most developers will make sure that they do not propose or accept improvements that extend into land they do not own, unless that land is already part of the public road (which includes its footways and verges, as defined in the Roads (Scotland) Act 1984).

CAN DEVELOPMENT BE SERVED FROM A PRIVATE ROAD?

This can be very difficult to determine, and depends on the ownership of the private road, any requirements in the adjoining title deeds to maintain it, or any limits on its use.

WHAT ABOUT ACCESSING DEVELOPMENT FROM A PUBLIC ROAD?

Most development will be accessed from public roads (i.e. those maintained by a Council). Roads within a development will normally also be adopted by the Council as public roads, particularly for residential developments of more than 3 or 4 houses, or for developments where the site is likely to be split into multiple ownerships. In some cases e.g. retail parks, which will remain in a single ownership, but with individual tenants, the roads inside the development might not be adopted, but will be maintained by the site owner.

WHAT IF A NEW ROAD, OR AN EXTENSION TO AN EXISTING ROAD, IS REQUIRED?

The construction of new roads requires Roads Construction Consent under the Roads (Scotland) Act 1984. The applicant has to submit detailed designs of the road - adjoining landowners are notified by the Council of the application and can make representations on the design of the road (but not the principle – that will have already been granted at the planning application stage of the proposed development).

The Roads Construction Consent papers will set out if a Road Bond (a sum of money available to the Council to complete the road if the developer goes out of business or fails to complete the road) is required. Roads Construction Consent lasts for 3 years from the date of granting.

As the road includes the verge and footways, widening the road carriageway within the existing footway or verge does not require Roads Construction Consent, because the road is not being extended beyond its existing boundary. Works of this kind do still require the Council's approval, either by way of an agreement under Section 48 of the Roads (Scotland) Act 1984, or by the Council issuing consent under Section 56 of the same Act, to carry out works in the public road.

WHAT IF I LIVE NEAR A PROPOSED DEVELOPMENT AND HAVE TRAFFIC OR TRANSPORT CONCERNS?

As the Transport Assessment report forms part of the application, you are entitled to examine it along with the rest of the application papers. It is recommended that the report includes a non-technical summary, or at least non-technical commentary throughout, explaining the technical outcomes.

OBTAINING FURTHER INFORMATION

- Contact your planning authority

RELEVANT SCOTTISH GOVERNMENT PUBLICATIONS

- Scottish Planning Policy is available on the [Scottish Government website](#)
- [Transport Assessment and Implementation: A Guide](#)

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).

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