



THE SCOTTISH OFFICE  
Development Department

## Planning Advice Note

PAN 37 Revised 1996

# STRUCTURE PLANNING



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## *planning series:*

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- **National planning policy guidelines (NPPGs)** provide statements of Government policy on nationally important land use and other planning matters, supported where appropriate by a locational framework.
- **Circulars**, which also provide statements of Government policy, contain guidance on policy implementation through legislative or procedural change.
- **Planning Advice Notes (PANs)** provide advice on good practice and other relevant information.

Statements of Government policy contained in NPPGs and Circulars may, so far as relevant, be material considerations to be taken into account in development plan preparation and development control.

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## *introduction*

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1. This Planning Advice Note complements PAN 49 on local planning and replaces earlier advice on structure planning issued in 1992. The Government's overall policy on structure plans remains as set out in NPPG1: The Planning System. Following the consultation on The Review of the Planning System, The Scottish Office Development Department has commissioned a two-stage research study of development planning. The overall framework of legislation, guidance and advice will be reviewed in the light of the study when it is completed in 1998. In the meantime, this advice note on best practice has been updated to reflect:-

- **responses to the Review of the Planning System**
- **opportunities arising from local government reorganisation**

At the same time the opportunity has been taken to emphasise how structure plans can contribute positively to achieving sustainable development.

2. The PAN is in 5 main sections:-

- **purpose and function of structure plans**
- **structure plans and sustainable development**
- **content of structure plans**
- **process of structure plan preparation and review**
- **structure plan documentation**

## *purpose and function of structure plans*

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3. Structure plans set out the strategic framework for the use of land and make an important contribution towards achieving sustainable development. They should provide:-

- **a framework for the promotion of development and regeneration through private and public sector investment**
- **a strategic approach to conserving and enhancing the quality of the natural and built environment**
- **the basis for decisions on planning applications and appeals which individually or cumulatively raise issues of more than local significance**
- **the context for local plans**

Essentially structure plans should contain the land use planning policies and proposals which coordinate the requirements for development land with the protection of the environment at the strategic level.

## *structure plans and sustainable development*

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4. Structure plans are an important bridge between the broad aims of sustainable development and decisions on the use of land and buildings. Sustainable development is not concerned solely with environmental protection but also embraces economic and social dimensions. This is true of structure plans which seek to coordinate the provision of housing, employment, transport and other services with the conservation of resources

such as energy as well as areas of value for nature conservation or landscape quality. Moreover structure plans go beyond general statements of intent and seek to relate priorities for development and conservation to the needs of specific areas.

5. Sustainable development does not happen by chance, particularly in areas where there are competing demands on natural and man-made systems; nor can sustainable development be achieved by a quick fix. Careful long term planning is required so that the social and economic requirements of the population can be met while protecting local, regional and global natural systems and resources.

6. The nature of strategic land use planning means that local communities are able to see the wider policy and locational context to decisions on the use and development of land. This can involve not only major development proposals which serve the wider community such as shopping centres but might also relate to the cumulative effects of individual decisions on environmental quality, infrastructure provision and patterns of movement. It is clear that the strategic relationship between land use and transport will require special attention. Suggestions for planning authority approaches to energy saving, both strategic and local, are dealt with in a recent Scottish Office Research Report: Energy Conservation and Planning (HMSO).

7. It is important that those involved in preparing structure plans recognise how a long term settlement strategy and the policies and proposals in the plan can contribute to achieving the sustainable development of an area. Well conceived structure plans can provide a coherent locational framework within which the economic, social and environmental needs of present and future generations can be addressed. To help in assessing a structure plan's contribution towards the sustainability of development, the Department expects to issue good practice advice on the environmental appraisal of development plans in the near future.

## ***structure plan: contents***

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8. Structure plans should contain at least 5 main elements:-

- indication of how international and national obligations or policies affect an area
- an overall long term development strategy
- a complementary strategic approach to conserving and enhancing environmental quality
- policies and proposals that provide a sound basis for development control
- priorities for implementation.

### ***International and National Context***

9. Structure plans have an important function in delivering international and national obligations or policies which affect the use and development of land in the area. At the global level this would include documents such as Agenda 21, versions of which are being developed at the local level. European Community legislation has already had an impact on land use planning through, for example, the introduction of environmental assessment or decisions in the European Court of Justice while documents such as Europe 2000+ provide important contextual material for structure planning.

10. At the national level National Planning Policy Guidelines (NPPGs) and Circulars have the most direct impact as they comprise material considerations to be taken into account in preparing structure plans. These documents express the national interest in a particular land resource, type of development or issue and this needs to be recognised in preparing or reviewing a structure plan. This does not mean that every national issue will be reflected in every structure plan; in some areas the national interest may not be an issue, or may not have been identified at the time the structure plan is being prepared. It is for authorities to identify which issues addressed by current national guidance are relevant to their area, and to justify any they choose to exclude.

11. Structure plans have an important role in setting out the spatial or locational implications of national policy which might involve, for example, balancing the requirements for development land with the protection of prime quality agricultural land. In some areas planning authorities may feel that that the national policy guidance is not appropriate. In these circumstances structure plans should indicate the reasons why it is necessary to depart from national guidance and should indicate their policy response with supporting justification.

12. In summary planning authorities need to identify which NPPGs or Circulars are relevant to the area; whether the specific policy guidance is appropriate; and how the spatial consequences of the guidance should be reflected in the overall strategy for the area.

### ***Long Term integrated Development Strategy***

13. Structure plans should be built around a vision of an area which should extend beyond currently programmed developments and provide a long term perspective, in spatial terms, of complementary policies for development and conservation. If structure plans do not indicate the scale and location of development beyond the early period of the plan, their ability to influence future spending programmes and investment decisions will be significantly reduced. The strategy, as well as reflecting the requirements for development and conservation, should also be a product of the partnership which has evolved in preparing the structure plan.

14. Local government reorganisation integrates the work of local authorities in a unitary structure and gives the new councils, in the context of their corporate responsibilities, the opportunity to identify and concentrate on essential strategic issues. A long term strategy should enable authorities to respond constructively to emerging development pressures in an environmentally sustainable manner. For example by taking a longer term perspective and setting criteria, land for development can be brought forward when the take-up rate has been higher than forecast. This should not only provide greater confidence and certainty to the development industry and local communities but also enable planning authorities to defend their decisions on appeals which raise issues which would conflict with or undermine the strategy. The phasing of land release which distinguishes the immediate action required to implement the strategy and sets the longer term criteria and directions for future decision making should eliminate potential dangers of blight.

15. A structure plan strategy must look at least 10 years ahead from the expected date of the approval of the plan. A distinction should be made between development which is essentially committed and longer term requirements, the scale and general direction of which the plan seeks to guide; these may include a substantial component of brownfield development. There may be infrastructure or other constraints such as land acquisition or decontamination works with potentially long lead-in times which must be overcome.

before development can take place. At the same time it is recognised that some policies, for example on built or natural heritage, are enduring rather than time-limited. The structure plan will provide the long term strategic planning framework within which detailed land use policies and proposals can be drawn up with confidence. As such, it should also provide the basis for consistent development control decisions.

16. The generation of a long term integrated development strategy requires that a number of issues be addressed:-

- understanding the current function of settlements in the structure plan area and how their role is expected to change
- awareness of how wider economic, social, environmental and technological change might affect the area
- identifying the strategic relationships between land use and transport, and their impact on sustainable development
- recognising the potential of an area to promote and absorb investment
- identifying environmental constraints and perceptions of the environmental capacity of an area and individual settlements, including relevant infrastructure thresholds

The purpose of a settlement strategy is to focus on the needs and potential of places providing, in turn, the context for specific policies and proposals in the plan. The planning authority's views on the scale and location of settlement change should be explicit rather than derived from assembling policies and proposals from individual topic sections of the plan.

### ***Policies and Proposals***

17. Policies and proposals should support the settlement strategy and provide a consistent basis for development control decisions. They should be selective and focus on essentials. In addition to the statutory requirement that they be concerned with the use and development of land, structure plan policies and proposals should:

- contribute to the strategy as a whole, by reinforcing each other in an integrated way
- deal with issues of more than local significance
- not depend on other documents for an understanding of their strategic essentials
- relate to the circumstances and pressures in the area
- provide clear guidance, explicitly and precisely worded
- be monitorable.

It is important to remember that these policies can be rigorously examined at appeal or, ultimately in the courts. While structure plans are intended to be concise rather than detailed, and should not be read as conveyancing documents, the wording of policies should be sufficiently clear and robust to withstand detailed scrutiny.

### ***Priorities for Implementation***

18. Structure plans should provide a long term locational framework to guide development or redevelopment and to protect the environment. As they are not site specific documents they are dependent on local plans and on other agencies, groups and mechanisms for the achievement of the settlement strategy in general and delivering specific policies and proposals in particular. While a structure plan is not a project management or

programming document it should identify priorities for ensuring the efficient and effective implementation of the strategy. These priorities are twofold:-

- local plan preparation or review
- private and public investment decisions.

19. In some parts of Scotland the relationship between structure and local plans has become uncomfortable. Local government reorganisation gives a stimulus to redefine the interface between structure and local plans to ensure that they complement each other more effectively. In drawing up a structure plan, new Councils should be clear about the implications for local planning and should take the opportunity to identify the priority areas for local plan preparation. These could relate to:

- areas for expansion to draw together more effectively environmental and infrastructure issues as a means for achieving quality in new development
- locations for urban regeneration to ensure, for example, the spatial integration of decisions on new and improved housing, business development, land renewal and environmental improvement
- rural areas in need of renewal or where conflicts need to be addressed

The next round of structure plans should be genuinely strategic, avoiding the level of detail that has characterised some of those in earlier rounds. Structure and local plans need not always be produced sequentially, and councils will be able to select the priorities for development plan making and adjustment which best suit local circumstances.

20. Regulations require a structure plan to indicate the resources likely to be available for implementing the plan. This does not mean that structure plans should contain detailed cost schedules for actions which are required to enable the policies and proposals in the plan to be taken forward. What the plan should do, however, is indicate:-

- the key investment decisions which require to be taken and when they should be taken to help the plan achieve its objectives
- the degree of commitment by the Councils and key agencies to these decisions
- opportunities for investment by the private sector including any strategic proposals to be pursued through the Private Finance Initiative (PFI) or joint ventures etc.

While the structure plan must build on inherited or committed decisions the benefit of a long term strategy is that it should guide infrastructure and other investment in the interests of achieving sustainable development of the area.

## *structure planning: the process*

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21. It is often said that the process of preparing a plan is as important as the plan itself and a process which secures partnership in structure plan preparation and engenders greater ownership of the policies and proposals should be an overarching aim for Councils in embarking on structure plan preparation. There is however a real danger that the process can become over-elaborate and an end in itself. Every effort should be made to manage the preparation and consultation stages as effectively and efficiently as possible so that the national policy content and the data on which the plan is based does not become outdated. The process of structure planning and its relationship with local plans will have to be tailored to the requirements of each structure plan area. The advent of the new Councils gives them the opportunity to:-

- **assess the form and content of the structure plan they have inherited;**
- **work out how best to engage local communities, enterprise agencies, environmental organisations and other key players from the outset of the structure planning process.**

22. The requirement, in some parts of Scotland, for authorities to work together in preparing a structure plan can help foster a strong sense of shared commitment to the objectives of the plan and the supporting strategy. Arrangements for joint working in these areas are for Councils themselves to determine. It will, however, be important for authorities to jointly arrange a common approach to technical or operational considerations such as definitions, identification of key data or indicators, information technology and issues of relevance to more than one authority. A consistent approach to strategic development planning points to consideration of agreements for dealing with development control issues which affect the interests of more than one council's area. Accordingly, authorities may wish to consider what arrangements they might set in place at an early stage for resolving conflicts of interest that might arise between councils in dealing with these matters.

### ***The Start of Plan Preparation***

23. Before starting work authorities must advertise that a plan or alteration is to be prepared, explaining the reasons for it, setting out the programme of work and inviting views and opinions. They should consider preparing and publishing a work programme and target dates for key stages in the process. This is particularly important where Councils have to work jointly to prepare a structure plan, and where arrangements have to be put in place for senior officials and elected members in the constituent authorities to contribute at key stages. The programme and targets for plan preparation should provide the framework for the efficient and effective management of the process.

24. At the outset of plan preparation key public and private sector interests and community groups should be identified and their active participation in the process encouraged. These should include:

- relevant departments of the council, to reflect the new authority's corporate interests
- the new water and sewerage authorities
- national agencies such as Scottish Natural Heritage (SNH), the Scottish Environmental Protection Agency (SEPA), Historic Scotland and Scottish Homes
- utility companies
- the Enterprise Network, particularly the Local Enterprise Companies (LECs)
- representatives of the development industry, notably the Scottish House-Builders' Association (SH BA)
- relevant key interests in the voluntary sector
- community groups, particularly the Community Councils set up in each authority's area
- where relevant, the new local rural partnerships formed in the wake of the Rural White Paper (Rural Scotland - People, Prosperity and Partnership)

With increased devolution of decision making among public agencies and the growing involvement of community based organisations in the development of local areas, the input and commitment of a wide range of bodies, public, private and voluntary will be important in helping to shape the development strategy for an area, and should be encouraged from an early stage. Thus the LECs may be able to help guide and support development priorities, Scottish Homes may have a crucial role in regeneration and the

new water and sewerage authorities a part to play in identifying strategic infrastructure opportunities and constraints.

25. The choice of key players will depend on the nature of the issues facing an area. Issues papers may be a useful way of stimulating interest and providing a structure for responses. It is, however, important that these concentrate on genuinely key strategic issues, that they are concise and written in a simple direct manner avoiding technical jargon; where technical terms have to be used they should be explained simply in a footnote or glossary. Issues papers can be widely circulated or more specifically targeted, depending on the subject. Topic panels have also been used successfully to explore issues and the nature of the policy response.

26. If a sense of ownership is to be fostered, early involvement of the key players is essential and should focus on:-

- **providing information**
- **identifying views**
- **defining issues**
- **considering options**
- **generating planning strategy.**

Successful partnership in structure plan preparation should mean there will be less need to explain alternative approaches in detail at the draft plan stage, fewer objections/representations to the finalised structure plan and stronger commitment to implementing the strategy. In addition to those agencies, groups and individuals with a stake in a structure plan area, consultation with neighbouring authorities is required to secure a consistent approach to issues of common interest, particularly in boundary zones.

27. Early discussion with the Scottish Office Development Department on the content and presentation of the plan is also important. Other Government Departments which may be affected by the possible content of the plan or whose policies or development programmes might impact on the strategy should be approached directly.

### ***Preparing the Draft Plan***

28. The consultative draft plan contains the matters which it is proposed to include in the plan and is an important stage in plan preparation. As well as giving general publicity to the draft plan, authorities should make people aware of their right to make representations over a period of at least 4 weeks. A slightly longer timescale will usually be found necessary to give individuals and organisations adequate time to prepare their responses. Representations should be considered and, where appropriate, incorporated in the plan before it is finalised.

29. The draft plan should be sent to all consultees and the report of survey made available on request, unless it is bound into the written statement. The attention of area- or subject-based interests can be drawn to sections of special relevance to them. This stage of plan preparation provides an opportunity for consultees to see the outcome of earlier consultations, to see their own interests in the perspective of the plan as a whole, and to make representations if they wish.

30. As a result of consultation, authorities may wish to make a substantial change to the draft plan. Where this means introducing new material not related to or derived from the draft, authorities should consider whether additional consultation with relevant interests should be undertaken before submitting the plan to the Secretary of State. If, however,

the partnership approach to plan preparation is successful this should happen only in exceptional circumstances.

### ***Preparing the Finalised Plan***

31. The finalised plan is submitted to the Secretary of State for approval. It and the report of survey must be placed on deposit, available to all consultees, and advertised in the press, with a statutory period of 6 weeks within which objections can be sent to the Secretary of State. Authorities are required to submit a publicity and consultation statement to the Secretary of State and this should clearly indicate those parts of the plan which have been amended as a result of representation. This will enable the parties concerned to see how their interests have been taken into account and help them decide whether to object to the finalised plan. If an agreement cannot be reached on particular proposals within the plan, there is provision, in joint structure plan areas, for alternative proposals to be submitted by constituent authorities. However the Secretary of State expects authorities to make every effort to submit a structure plan which has been jointly agreed.

### ***Plan Approval***

32. Following the deposit period, the Secretary of State will proceed to consider the submitted plan, provided he is satisfied with the publicity and consultation arrangements. If he thinks that it is necessary to obtain further information and advice before reaching a decision, an Examination in Public (EiP) may be held. The 'Code of Practice for the Examination in Public of Structure Plans' issued by the Department in 1985 sets out the procedures to be used.

33. The Secretary of State will consider all relevant factors, including objections and representations and his own policy guidance. He may approve the submitted plan in whole or in part or with modifications or reservations. The effect of a reservation is to withhold the Secretary of State's approval from specified matters in the plan. If the Secretary of State proposes to make modifications, these are notified to the planning authority and other relevant persons, and advertised to allow for the submission of any objections. Following consideration of objections to the proposed modifications, the Secretary of State will issue his decision letter incorporating any modifications or reservations and giving the reasoning behind the decision, including reasons for not modifying the plan to take account of objections. As soon as possible after approval, authorities should arrange for the plan to be reproduced incorporating the Secretary of State's decision letter and any modifications/reservations.

34. The planning Charter Statement issued in July 1996 indicates that the Secretary of State will aim to process a submitted plan within one year. Every effort will be made to meet this target.

### ***Monitoring and Review***

35. Structure plans are not blueprints. They must be able to respond to changing circumstances. Regular monitoring of the relationship of the plan to changes in the wider policy environment, development pressures and political priorities is essential if the plan is to remain relevant. Monitoring of structure plans should, however, focus on issues which are likely to affect strategic policy and authorities should identify the key areas where it is required. The written statement should indicate a programme for monitoring and updating the plan.

36. Monitoring will help identify the need to clarify the interpretation of aspects of the plan, to alter certain parts of the plan or to undertake wholesale repeal and replacement. Authorities may find it beneficial to prepare a brief annual or biennial monitoring statement indicating development and conservation progress, the extent to which the structure plan

strategy and its component policies are still relevant and whether an alteration will be brought forward. As well as giving general publicity to such reports, they should be sent to parties in the structure plan process and also to the Secretary of State for information.

37. The structure plan authorities themselves are best placed to determine when a review or update is required. While all plans should be kept up to date and relevant, long term policy stability is important to investment confidence. The strategy, policies and proposals of the plan should be robust enough to accommodate minor fluctuations in economic forecasts or building rates. Where certain policies require minor adjustment, an alteration to the structure plan should only be submitted to the Secretary of State if it is seen as central to achieving the implementation of the plan. There should rarely be a need to submit formal alterations to the Secretary of State within 5 years of plan approval. These circumstances might arise in the case of a request from the Secretary of State to deal with an emerging planning issue, or where authorities decide that the continued effectiveness of a policy or group of policies is being undermined, for example, by significant changes in the scale and location of development pressures.

38. Where authorities consider the scale of a proposed structure plan alteration does not merit the usual procedures for publicity and consultation, the alteration can be progressed using the expedited alteration procedure which was introduced under section 37 of the Local Government and Planning (Scotland) Act 1982. Where the expedited procedure is used authorities must, in submitting the alteration to the Secretary of State, also submit a statement of reasons for deciding not to publicise or consult. It is important that any alteration should clearly indicate its linkages with all other parts of the approved structure plan. Authorities should ensure that the published plan incorporates any alteration as soon as possible after the date on which it becomes operative.

39. Replacing a structure plan is appropriate when the general strategy, rather than specific policies, is seen as being no longer relevant to investment trends, development control decisions or new planning issues of major significance for the area.

## *structure planning documentation*

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40. Local government reorganisation gives Councils the opportunity to make structure plans more influential documents. The documents required as part of the structure plan process are:-

- **report of survey**
- **consultative draft (except where the expedited procedure is being used)**
- **written statement**
- **key diagram**
- **publicity and consultation statement.**

**These should be kept as brief as possible, written in plain English to convey simply and clearly how the long term planning of the area is to be tackled and to outline the scale, nature and location of change.**

### ***Report of Survey***

41. The report of survey should be available with both the consultative draft and finalised plans and must be sent to the Secretary of State. These reports represent a valuable stock-taking exercise; the information they contain forms the basis from which policies and

proposals are prepared; they help the Secretary of State decide whether an EIP is necessary; and, updated by monitoring information, they can have a valuable function in the context of planning appeals.

42. There is no longer a statutory requirement to institute a fresh survey of a structure plan area; indeed much of the survey material should comprise a summary or distillation of existing information. The aim should be to focus on the key strategic topics and to prepare a relatively concise report of survey in which all material clearly relates to the policies and proposals in the written statement. The report of survey will need to establish baseline data and the indicators of change against which structure plan progress towards sustainable development can be charted. Survey reports should not include all technical information but, where appropriate, should indicate that this can be made available by the planning authority. Usually, the report of survey will be presented as a separate document, but in some cases it may be bound in with the written statement at the consultative draft and later stages.

### ***Consultative Draft***

43. To give the public and consultees the opportunity to comment on what is proposed, the process will be handled more efficiently if the consultative draft is presented substantially in the form of the written statement. Only where there are realistic options will it be helpful to set out alternative strategies and policies: these should be presented briefly in the form of a synopsis outlining the strategic options that were considered, rejected and why. The consultative draft should concentrate on setting out the preferred strategy together with the draft policies and proposals which, by stimulating debate at a time when the planning authorities have not committed themselves to a particular approach, should help reduce conflicts at later, more formal, stages. It is important that the planning authorities should make it clear that the content of the plan is not fixed at this stage and could change in response to representations.

### ***Written Statement***

44. The written statement must set out in a clear, concise and coherent manner the overall planning strategy together with the related policies, proposals and recommendations; this should be supported by sufficient reasoned justification to understand the context in which these have been formulated. Where further background explanation is required, plan users should be referred to the report of survey or, if appropriate, technical papers.

45. Consistent use of terms is important if the plan is to be easily understood. Policies, proposals and recommendations should be distinguished graphically from other matters in the written statement. While recommendations can be used to demonstrate how other Council departments, external agencies, etc can be involved in implementing the strategy, they should be used sparingly.

### ***Key Diagram***

46. The key diagram should indicate the spatial implications of the strategy. It should show the general location of key policies and proposals, the scale of new development, priority locations for regeneration where appropriate and also show where restraint is required, for example in relation to green belts or natural heritage designations; these should be cross-referenced to the written statement. It is not the function of the key diagram to identify individual sites or define precise boundaries; this should be reflected in the notation. Supplementary diagrams and illustrations can, however, be used where they help clarify or explain a particular issue.

### ***Publicity and Consultation Statement***

47. This document should summarise the significant dates in plan preparation, the steps taken to secure adequate publicity with the general public and consultation with other authorities and bodies, and how representations and responses were considered. It should indicate where users who seek more information can find it.

### ***Supplementary Guidance***

48. A written statement should be clear and simple enough to be a convenient reference document for regular users although there may be issues and policies in a structure plan which would benefit from documents targeted at specific interest groups or areas. These might include specific types of development opportunity brochure, for example in relation to locations for major retail development which support the strategy, or updated information on the supply of land for housing..

## ***conclusion***

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49. Structure plans continue to be a key element in the planning system in Scotland and can make a major contribution to achieving the aims of sustainable development provided they take a long term view. Effective structure planning is built on partnership with key stakeholders who have an interest in important land use and environmental issues which affect the future development of areas. Setting out a long term settlement strategy supported by robust policies and proposals in a concise and readily comprehensible document is no mean feat but it is a challenge which must be met if structure plans are to guide the scale, direction and location of land use change in a sustainable manner.

## ***note***

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50. This Revised Planning Advice Note updates and replaces the earlier version of PAN 37 published in 1992. Enquiries about the advice should be addressed to Roger Kelly (0131 244 7526) Further copies and a list of current NPPGs and PANs may be obtained from Sandra Carey, Area 2-H, Victoria Quay, Edinburgh EH6 6QQ (0131-244-7540).

