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Development Department

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LOCAL PLANNING

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planning series:

- **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

1. Planning is concerned with providing for development and maintaining and enhancing the quality of our environment in the wider public interest, while protecting the rights of the individual. Sustainable development is now an integral part of Government policy and the planning system has an important role in delivering the policy. Local plans, which are prepared and adopted by planning authorities, are the key documents in setting out planning policy directed at all these ends. In addition, their role in guiding development control decisions has been given enhanced importance following the introduction of section 18A of the *Town and Country Planning (Scotland) Act 1972*.

2. As a result, the Department has produced this new advice on good practice with the help of suggestions from local plan users and technical advisers from the Convention of Scottish Local Authorities. It is intended to help not only the new planning authorities achieve high standards in plan preparation, but also everyone in Scotland who uses local plans, whether members and officers of planning authorities or interested participants in the process. It replaces earlier Scottish Office advice on local planning, development opportunities and plan presentation (PANs 30, 32 and 34), and will itself be kept under review in light of other changes under consideration.

the role of local plans

3. The structure plan and the local plan together make up the statutory development plan for an area. They express a planning authority's policies and proposals for the development and use of land, including measures for the conservation and improvement of the physical environment and the management of traffic. In so doing, they can contribute to sustainable economic and employment opportunities that take into account the long term qualitative as well as quantitative needs of society. Under the *Planning and Compensation Act 1991* they must also indicate measures for the conservation of the natural beauty and amenity of the land.

4. Structure plans provide the strategic locational guidance for development. There has been full coverage since 1989, and current reviews will ensure that by late 1996 most plans will be recent or up to date. They remain an integral part of the planning system after local government reorganisation. Plan areas have been prescribed in regulations and, in certain areas, responsibility for structure planning will be exercised by more than one authority.

5. Within this strategic policy framework, local plans should set out detailed policies and specific proposals for the development and use of land that should guide most day-to-day decisions. They should provide a stable and consistent framework within which investment decisions can be made with confidence. This can only be achieved if there is an adequate quality and choice of effective opportunities for development which do not compromise the environment. To provide a relevant basis for development control and investment guidance it is essential that plans are regularly reviewed and policies reaffirmed or amended in line with current conditions and expectations. *National Planning Policy Guideline 1* (NPPG 1) requires that authorities preparing plans take account of national and regional policies, the views of the development industry, amenity organisations, statutory bodies and the public. As a general principle, the Secretary of State will intervene in the local planning process only in exceptional circumstances.

6. The benefits of local planning are widely recognised. Increasingly, local plans have informed investment decisions, have demonstrated what is and is not

acceptable, and have given a clear justification for policies and proposals which has been useful in explaining and underpinning development control decisions. Many are now more positive in highlighting development opportunities, and more attractive and user-friendly.

7. Nevertheless, there is a general acceptance that a broad burden is placed on them, as they must be both legally robust and user friendly. As a result there continue to be concerns about:-

- overlong plan processing times, particularly that associated with delays in arranging inquiry dates, with inquiry procedures and with the post-inquiry steps to plan adoption;
- poor co-ordination between structure and local plan preparation;
- plans not providing adequate up-to-date development guidance because they are not monitored and reviewed, often resulting in frequent departures;
- public and business interests not being taken fully into account, particularly at formative stages of plan preparation;
- plans which do not provide a clear vision for an area and those where local communities have failed to gain a sense of 'owning' the plan, or of the relevance of its policies to their needs;
- an inadequate distinction between policies and other matters;
- a failure, in some cases, to tackle important design issues or to address emerging issues like environmental quality and sustainable development;
- the handling of irrelevant, frivolous or vexatious objections;
- the scope for a Reporter's recommendations to be set aside by a planning authority after a PLI; and
- the implications of the new single tier local government structure.

8. This advice note draws on the successful work of many planning authorities and suggests ways of addressing these issues within the context of current regulations. Some concerns cannot be entirely addressed without changes to regulations or primary legislation. Separate consideration is being given to the scope for such changes and this advice note will be reviewed, if necessary, once these are made.

preparing effective local plans

KEY POINTS

- *Authorities should aim for complete local plan coverage as soon as practicable (para 10)*
- *Authorities should aim to take less than 3 years to prepare and adopt a local plan (para 11)*
- *Plans should be relevant and realistic, positive and practical, clear and concise (para 12)*

9. In Scotland, full coverage of local plans has been required for 20 years. Almost 90% of the country is now covered by adopted plans. Because of their importance in implementing the provisions on the status of development plans, *NPPG1* indicated that the Secretary of State expected complete coverage by the end of 1995. Although this has not been achieved, **planning authorities should renew their commitment to aim for complete coverage as soon as practicable. New authorities, taking over responsibility for plans at an advanced stage of preparation, should complete and adopt these rather than start a new plan preparation process.**

10. However, the main task of most authorities will be to keep existing plans under review, and adjust them as required to ensure that they continue to be relevant. The content of local plans, and their preparation and approval are primarily the responsibility of planning authorities. The legislative requirements are relatively straightforward and give authorities discretion in their management of the process, to reflect local conditions and staffing arrangements.

11. Once a decision is taken to prepare a replacement plan or alteration, It should be produced quickly in order to maintain adequate policy coverage and avoid needless uncertainty and blight. Some authorities have shown that it is possible to prepare plans within a tight timetable. **Under current regulations, best practice indicates that planning authorities should be able to take less than 3 years to prepare and adopt most new or replacement local plans, and less than 2 years for alterations using the expedited procedures.** The diagram below indicates how this could be achieved in the case of those plans requiring a one week PLI.

Local Plan Preparation Timescale (assuming 1 week PLI)				
Note: statutory periods indicated *				
	(a) new/replacement plan		(b) expedited alteration	
	Weeks	Cumulative total	Weeks	Cumulative total
Notice of Intention to prepare		0		0
<i>consult/prepare plan alteration</i>	26		14	
<i>obtain Committee agreement/print/advertise</i>	12			
Publish draft plan		38		
<i>period for representations *</i>	4			
<i>consider representations(prepare finalised plan</i>	16			
<i>obtain Committee agreement/print/advertise</i>	12		12	
Publish finalised plan/alteration		70		26
<i>deposit period *</i>	6		6	
<i>consider objection/negotiate</i>	12		6	
<i>obtain Committee agreement/print/advertise</i>	4		4	
<i>publicise proposed modifications/prepare for PLI</i>	8		8	
PLI held		100		50
<i>PLI</i>	1		1	
<i>PLI report prepared</i>	6		6	
<i>consider report/prepare statement of decisions</i>	6		6	
<i>obtain Committee agreement/print/advertise</i>	8		8	
Notice of Proposed Modifications		121		71
<i>representations period *</i>	6		6	
<i>consider representations</i>	4		4	
<i>obtain Committee agreement/print/advertise</i>	10		10	
Notice of Intention to Adopt		141		91
<i>possible call in period*</i>	4		4	
<i>advertise</i>	1		1	
Notice of Adoption		146		96
<i>possible legal challenge</i>	6		6	
plan operative date		152		102

12. The objective should be to prepare plans which are:

- **Relevant.** To be useful in decision making, local plans must reflect current conditions in the area, as well as in the wider context. They have to convey current priorities and anticipate future ones, and be alive to emerging concerns, such as design quality and sustainable development. Authorities must maintain the momentum and resources to keep policy coverage relevant and up-to-date.

- **Realistic.** Each local plan should be an expression of local policy rather than a wish-list which decision makers have neither power nor intention to deliver. It should admit difficulties and constraints if there is to be any hope of overcoming them, as these will influence the rate at which policies and proposals can be delivered. It should not mislead users by suggesting certainty where review is already foreseen, or by posing choices when events have already been determined. It should highlight the extent to which implementation is in the hands of the private sector.
- **Positive.** A local plan should convey a sense of the place and the things that make it special, and a sense of purpose to which everyone involved feel they can respond. This means being positive, not negative, about the things which have to be changed or to be defended. It means identifying appropriate opportunities and offering choice in land use terms for different developments. It also means being attractive to users, engaging their interest and activating their imagination.
- **Practical.** A local plan should spell out policy in practical and relevant ways which everyone concerned can understand and relate to. The plan can set out the actions required, how one step can build upon another, and the measures which will be applied in judging success or failure of policy.
- **Clear.** Clarity is essential, and the most effective local plans will be those which convey their policies in plain English and straightforward illustrations without ambiguity. The different needs of users should be considered when arranging the contents.
- **Concise.** Local plans should be succinct without losing their clarity. However, there are many pressures to make plans longer. National and international policy increasingly looks to them for detailed expression and methods of implementation. Also, it is better to explain clearly with examples and illustrations, rather than leave policies cryptic or opaque. Therefore, it is vital to prune away less relevant material so that plans are as concise as possible whilst allowing them to be robust, useful and attractive.

This is not a theoretical wish list. Local plans have evolved positively over recent years and there are real examples that contain many of these qualities.

13. This advice note outlines good practice for improving local planning to achieve these aims. The main suggestions are concerned with ways of:-

- **keeping plans relevant through quicker review and alteration;**
- **ensuring that plans are prepared within an appropriate national, structure plan and local context;**
- **ensuring that public interests are adequately taken into account;**
- **ensuring that plans, through appropriately framed policies, deal with all significant land use issues, and are capable of implementation in a reasonable timescale; and**
- **managing the process to achieve speedier plan preparation.**

keeping plans relevant

KEY POINTS

- *Undertake systematic monitoring (para 14)*
- *Review the currency of plans at least every 2 years (para 15)*
- *Alter, replace or confirm that plans are still relevant at no more than 5 year intervals (para 19)*
- *Use expedited procedures for most alterations (para 19)*

Monitoring and Review

14. Planning authorities should ensure that statutory plans maintain their relevance by addressing current and emerging land use and environmental issues and that they contain robust policies for the promotion and control of development. Policies which are no longer relevant will mislead investment decisions, cause needless procedural delays, and harm the interests of developers, the public and the authority. They will also carry less weight at an appeal against refusal of planning permission. Because there is nearly full local plan coverage in Scotland, the main task will be to review plans and to reaffirm, alter or replace the contents accordingly. Monitoring changes, development pressures and political priorities and reviewing the relationship between these and the plan will provide information with which to judge whether an alteration is required. The inclusion in the plan of specific monitoring criteria for policies and proposals will greatly help the monitoring process.

15. Effective monitoring will involve giving special attention to the following questions:

- Has structure plan strategy or national guidance changed so that the local plan no longer conforms?
- Have new problems or development issues emerged for which the local plan has not catered?
- Have any new national issues emerged which could have an influence on local planning policy?
- Are the local plan policies and proposals performing as expected in terms of solving problems and dealing with issues; and are they sufficiently fine grained to provide a framework for development control decisions?
- Do changes in local investment or in authority or agency spending programmes have implications for policies or proposals?

16. As a result of monitoring, authorities will have to make a judgement as to whether the plan remains relevant to changed conditions. However, authorities should aim to review or appraise local plans at least every 2 years. It should look out for signs of stress, including indications from departure rates or appeal decisions which could suggest that parts of the plan may not be performing adequately. In looking at experience gained and the changing background against which each plan is being applied, the authority should be prepared to indicate, with brief reasons, whether each policy, proposal and recommendation:

- is in good standing and continues to be fully applicable; or
- may have to be adjusted; or
- is likely to be removed or replaced because it can no longer be fully supported as a basis for decision making.

The results of such evaluation should be presented to the Planning Committee and subsequently published so that interested parties have the opportunity to contribute at the next annual or biennial review. Plan elements in the second category should be re-examined carefully to resolve uncertainty, perhaps at the next review, and elements classified in the third should trigger immediate steps to alter the plan.

Confirmation or Alteration

17. As a result of the review process, authorities will be in a position to regularly confirm the continuing relevance of their plans, or to take action to alter them, amending policies and introducing new ones, as circumstances demand. Immediate issues may prompt supplementary guidance (see annex 3), but any policy changes should, thereafter, be incorporated into the statutory local plan as quickly as possible. Alteration and expedited procedures can be helpful in achieving this. In any case, authorities should ensure that local plans are altered or reaffirmed at no greater than five-year intervals so that they are demonstrably relevant. Where they decide that a plan continues to be relevant without alteration, they should consider publicising the outcome of their review. Where change is necessary, this will often be achieved through alteration, although there will be circumstances where plan repeal and replacement will be required (see paragraph 20 below).

18. Alteration of a local plan may be indicated by the review, and will generally be necessary to conform with a newly approved or altered structure plan. To avoid a hiatus at local level, structure plan approval should be anticipated and preparatory work on local plan alterations commenced as soon as possible. Alteration may also be desirable:

- when individual policies or proposals are not performing effectively, or are not being achieved at the rate or direction indicated in the plan;
- if new issues have arisen outwith the scope of existing policies and proposals;
- if issues have been resolved, changed their nature or ceased to be important;
- where census analysis or comparisons of progress show that assumptions are no longer valid or policies are wide of the mark; or
- where further land allocations are needed due to take up original provisions.

An alteration to one policy or proposal may well have implications for others, and side effects must be identified and dealt with in order to preserve the plan's integrity.

19. The optional expedited alteration procedure, introduced by S40 of the *Local Government and Planning (Scotland) Act 1982* (described in annex B to *SDD Circular 29/1982*) is designed to streamline procedures for straightforward alterations. It should be the normal procedure, unless significant and wide ranging issues are involved, where the planning authority consider that the public interest could be prejudiced by the reduced publicity and consultation requirements.

Repeal and Replacement

20. Each authority, on the basis of its regular reviews, will be in the best position to decide the point at which the plan must be completely replaced if it is to continue to perform its function adequately. The dividing line between alteration and replacement is not at all precise, and will depend upon particular circumstances. Repeal and replacement is indicated:

- when a significant change in direction is required in order to conform with a new structure plan policy or national guideline;
- where review shows that the overall direction of the plan is seriously adrift; or
- where it is decided in the interests of efficiency or consistency to combine local plans, or to adjust boundaries amongst them;
- when a succession of alterations indicates that a more fundamental revision is required.

setting local plans in context

KEY POINTS

- *A national policy context for development plans being provided in NPPGs (para 23)*
- *The Scottish Office will issue regular updated lists national planning policy guidance (para 23)*
- *Structure and local planning must be closely co-ordinated (para 24)*
- *Ways of justifying variance from national or structure plan policy (para 28)*
- *Priority should be given to comprehensive local plan coverage (para 30)*
- *Recognise scope for local plans directly related to decentralised local authority structures (para 31)*
- *Plan should include an overall view and vision for the area (para 32)*

The National Context

21. The main primary legislation for local planning is the *Town and Country Planning (Scotland) Act 1972*, as amended by subsequent Acts. The main subordinate legislation is *The Town and Country Planning (Structure and Local Plans) (Scotland) Regulations 1983*. The strategic planning framework is provided by structure plans, although local plans must also take account of national planning policy guidance, Circulars and any wider international obligations. As appropriate, these obligations are set out in NPPGs. Some issues relate to European Community (EC) commitments and are closely linked to planning; *NPPG 1* lists the main EC directives which should be taken into account.

22. The Secretary of State does not expect normally to become involved in the approval of local plans, provided they take full account of national policy considerations. However, in line with advice in paragraphs 14 to 20, all local plans should be reappraised regularly to ensure that their policies are consistent with broader national policy and environmental objectives, as well as providing an adequate choice of sites for development which do not compromise the environment.

23. Specific policy guidance for local planning is included in all the published NPPGs. Some policy guidance still applies from the former old-series SDD guidelines, such as the Coastal Planning Guidelines, or SDD Circulars, for example, Circular 24/1985 on Green Belts. Authorities should comply with any local planning requirements of these and all other NPPGs and Circulars as they are published. Lists of published NPPGs and Circulars are available from The Scottish Office Development Department.

Links with the Structure Plan

24. The development plan for an area consists of the structure plan provisions in force for that area and the relevant local plan. When preparing a local plan, the planning authority must ensure that policies and proposals contained in the plan conform generally to the structure plan as it stands, whether or not it has been approved. In addition, a local plan should not be adopted if it is out of conformity with the approved structure plan. When a structure plan alteration is being prepared, early consideration must be given to altering local plans to achieve conformity, or to implement the new policies or proposals of the structure plan.

25. Structure plans and local plans are therefore inter-dependent and in many ways complementary. Regular and close dialogue is needed between those involved in their preparation and monitoring if they are to be effectively co-ordinated. Structure plan strategy should be realistic and that depends to a large extent on information, judgements and detailed action inherent in the local plan preparation and monitoring processes. The links should work both ways. Local plan guidance

should be clearly set out in the structure plan, and, equally, the local plan should highlight those matters which it is obliged to take into account following approval of a structure plan.

26. Local planners should make full use of structure plan information and broad locational requirements for matters such as population, employment and housing land. Effective co-ordination demands that the structure plan and local plan make use of common dates for information analysis and forecasting, and that they identify the extent to which existing planning permissions are included in land allocations.

Justifying Variance from National or Structure Plan Policy

27. Occasionally, in interpreting national or structure plan issues, there may be a potential conflict with the intentions of the local plan. Where National Planning Policy Guidelines express a national interest in the way a land resource should be used or safeguarded for future use, or in development planning priorities, that interest should be recognised in local plan policies. In certain circumstances, local issues and problems may have a bearing on the practicability of current policies at the national and structure plan level. Such conflicts should be rare, but they should be recognised early, so that all interested parties can consider them before firm policy responses are finally agreed.

28. Any apparent variance with national policy, or with a structure plan approved by the Secretary of State, requires careful explanation and justification. Discussion with the planning officer contact in The Scottish Office Development Department should help to clarify what is required. If, after discussion, it is found that the higher-level guidance does not reasonably apply to the circumstances of a particular local plan area, the finalised local plan should clearly indicate which are the relevant policies, setting out the reasons for wishing to include them and the implications for national or structure plan policy. Consultees will then be in a position to consider the possible effects of the local plan policies and whether to lodge objections. Bearing in mind the requirement for conformity with an approved structure plan, any conflict must be resolved before the local plan is adopted.

Links with Other Plans and Programmes

29. Implementation of policies and proposals will depend on both public and private sector funding. Interaction with a wide range of plans and programmes, particularly for economic development and regeneration, housing, transport, and infrastructure is essential, and policies and proposals should be realistic having regard to likely resource allocations and current expenditure. While the process of plan preparation and alteration offers an opportunity for advocacy and negotiation, it will also be important to take account of firm private sector investment plans and proposals and those of agencies, such as Local Enterprise Companies and the Scottish Environment Protection Agency. Accordingly, the finalised plan should, as far as possible, reflect an agreed corporate position on the part of the planning authority, taking account of the plans and programmes of statutory agencies and the private sector.

Plan Areas

30. The pattern and programme of local plan coverage will depend on the characteristics of the area and the planning authority's approach to local planning. In recent years, many authorities have amalgamated plans to speed up progress towards the full coverage required by statute. Authority-wide local plans have therefore become more common. As well as achieving quicker coverage, they can help authorities to apply consistent development control policies and to update them promptly. But account now needs to be taken of the new single tier structure of local government, particularly where new boundaries have been adopted, and

successor authorities may wish to review their predecessor's approach to ensure that no radical change is required. Whatever is decided, priority should be given to comprehensive local plans. Occasionally a subject plan may be required, sometimes produced jointly by several authorities.

Local Focus

31. Furthermore, if the local planning function is to be included in an authority's decentralisation scheme, every local plan must be precise enough to inform the public and developers of the location of development opportunities and to provide a detailed basis for development control. Plan areas should also take account of areas of community interest and need. Therefore, it may sometimes be appropriate to prepare local plans providing a more local focus, particularly where there is an authority wide structure plan. This could also make political commitment to local planning easier to achieve and facilitate councillors' involvement in publicity and consultation. Except where an authority wide plan is being prepared, the territory should be divided into contiguous areas with no overlaps.

32. Local plans should communicate the individual nature and salient characteristics of their area by including:

- a short account of key characteristics of the place and the life within it;
- a summary of how the area's land use pattern has developed;
- an indication of how previous planning policies have shaped the area; and
- photographs, sketches and diagrams, where resources permit.

taking public interests into account

KEY POINTS

- *Individuals and interest groups have a right of access to information on local planning (para 33)*
- *Prepare simplified versions of plans for particular communities and general distribution (para 35)*
- *Consider the preparation of a charter for local planning (para 35)*
- *Unless major issues are involved, a draft alteration for consultation is unnecessary (para 38)*
- *Consult widely and resolve concerns as early as possible (para 39 onwards)*
- *Use a consultation approach tailored to the interests of particular groups (para 40)*
- *Consultation with the public should be concentrated at the draft plan stage (para 43)*

Principles and Procedures

33. Individuals and interest groups have a right to expect access to information about planning issues likely to affect them, and to be sure that their views will be given due weight when decisions are made. This legitimate public interest extends beyond those directly affected by individual policies and proposals to a wider community of interest in the wise development of the local environment. The aim should be to ensure that those with an interest in the area have an opportunity to contribute opinions before decisions are taken. This should produce more acceptable plans and help foster relationships between planning authorities and the public. Nevertheless, the responsibility for the contents of a prepared plan rests firmly with the planning authority who must make their decisions in the light of the information and advice they receive.

34. In dealing with local planning issues, people have a right to expect:

- plans which are kept relevant and responsive to changing circumstances;
- the opportunity to contribute to the formulation and alteration of plan policies;
- planning decisions that conform to the local plan, or departures that are adequately explained;

- easy and timely access to information about plan changes and development applications which are likely to affect them;
- constructive and prompt answers to planning queries; and
- a positively managed service meeting recognised standards of good practice, with all complaints thoroughly investigated.

35. Access to the service - and to information on current issues - is vital to its efficiency. Authorities may wish to consider what special arrangements should be made to serve communities from which the main planning office is relatively inaccessible or to relate to decentralised structures which they may set up. The quality and ready availability of help to people who call for information at the planning office, or on the telephone, should be given special attention. As well as the local plan, it may be useful to have target leaflets for particular areas or types of development, and perhaps to prepare a summary of policies and proposals for general distribution. It will help to keep a record of those who buy copies of the plan and a suggestions box. Improvements to service quality can be identified by reviewing complaints, eliminating misconceptions and considering user comments. Authorities should consider drawing up their own local charter for local planning.

36. There is a statutory requirement to publish a notice of the intention to prepare a local plan. Planning authorities should ensure that, whenever policies are being prepared, altered or confirmed, all those concerned should be made clearly aware of the fact. The aim should be to involve them effectively in plan preparation, meeting statutory requirements within a modest budget. People have a right to know, but they expect economy in the use of time and value in the way public money is spent.

37. Throughout these exchanges the planning authority should try to identify the firmness of consultees' development intentions so that these can be included in the draft plan, where they are consistent with it. But if the inclusion of particular proposals and recommendations might give rise to the possibility of blight, the planning authority should take special care to explain the implications to the consultees and gain their full agreement before including them in the plan.

38. As many representations as possible should have been resolved at the draft plan stage. There may be some which would prejudice a widely supported provision in the plan and reference to these should be made in the publicity and consultation statement. The aim should be to allow the parties concerned to see the position clearly so that they can exercise their right to object if they wish. Where representations to a draft plan cannot be met, it may be helpful to find out whether they are likely to result in formal objections once the finalised plan goes on deposit.

39. For local plan alterations, authorities have discretion to dispense with publicity and consultation on a draft plan and may go straight to the stage of placing the finalised plan on deposit (see paragraph 19).

Consulting the Public, Community Councils and Local Groups

40. The main phase of publicity for the general public should take place when the draft policies and proposals are published. The exercise should be strictly tailored to the nature of the material, the character of the area and the expectations of the public. It will also be important to consider the special needs of particular groups in the community. Consideration of the best techniques of public participation should be an early element in the plan making process. The preparation of clear and concise documents will help to elicit a consistently worthwhile contribution from the public and enable them to comment substantively rather than simply to seek clarification. As well as giving publicity to the documents, the authority should make people aware of their right to make representations on the plan before it is finalised.

The planning authority should ensure that it fully understands representations by seeking clarification if necessary.

41. The needs and wishes of those with a key interest in the area should be identified as early as possible. These will include local councillors, community councils, the local enterprise company, local traders, amenity societies, developers and investors. At the outset, the authority should advertise that a plan or alteration is to be prepared, explain the reasons for it, inviting views, opinions and information, and contact known bodies and interest groups by letter initially, but giving the opportunity for exploratory discussion. Community councils, in particular, can provide helpful contacts and local expertise, and a focus for the discussion of local issues. Further advice is contained in PAN 47 *Community Councils and Planning*.

42. A consultation approach tailored to client groups can focus the presentation of views and improve the efficiency of the response. Thus, for example, when authorities approach the police for advice on planning for crime prevention issues they should highlight the particular points on which they would welcome comment.

43. The draft policies and proposals and summary of survey findings should be sent to all groups with a key interest. To help them identify the matters of particular concern, authorities should indicate those parts to which consultees' attention is specially directed. While these consultees may have been approached earlier, this is the opportunity to see the results of their input in the context of the plan as a whole, and to make further suggestions and representations if they wish.

Government Departments, Agencies and Other Bodies

44. Any Government department, Government agency, statutory undertaker or public body which may be affected by the content of the plan should be consulted directly by the planning authority on the relevant matters; and should make every effort to respond within the period specified by the planning authority. If discussion on a national issue is needed, adequate time should be given for consultation and debate before a solution is embodied in a local plan. Other proposals of national significance and proposals in the programmes of public bodies should be included in the plan. Where the proposal has a necessary statutory approval it may be treated as committed development (see paragraph 56) and so described in the plan.

Links with Other Planning Authorities

45. In preparing a local plan, it is a statutory requirement for the planning authority to consult neighbouring authorities. Under the new structure of local government such consultation is maintained and will cover the new councils structure plan as well as local plan responsibilities. Development proposals adjacent to the planning authority's boundary may prove relevant to neighbouring authorities' own plans, and a co-ordinated response to common issues may be appropriate. The needs of each authority and the overall parameters set by structure plans are also relevant. Existing approved structure plans remain in force until replaced, and it will be for the local plan authority to satisfy itself about conformity with the approved structure plan. However, consultation with the structure plan authority, whether acting on its own or jointly with other councils, will be important in safeguarding strategic interests. Structure and local planning links, and the question of variance, are considered in paragraphs 24-28.

After the Plan is Finalised

46. Once the plan has been finalised and placed on deposit for formal objections, the authority should continue to keep people and bodies informed of progress. The period prior to adoption can be very frustrating for those who have contributed to the local plan. Time should be used effectively and unnecessary slippage avoided. Any objections should be logged as they are received, and efforts made to seek their withdrawal by careful explanation and, where possible, compromise. But if the plan is altered substantially to meet an objection, it may have to be placed on deposit again.

dealing with the main issues

KEY POINTS

- ***The plan must have clear objectives and be focussed on the main issues (para 47)***
- ***Survey material in the plan should be kept to the minimum (para 49)***
- ***Advice on framing policies and proposals (paras 50-56)***
- ***Policies and proposals must be capable of implementation (para 59)***

47. A local plan should have clear aims and objectives, be focused on the main problems or issues to be tackled and be prepared from the start within that discipline. The issues will specify problems and opportunities in the pattern of land uses and activities, and the way they function, and demonstrate the need for the plan to resolve land use conflicts or imbalances. They also give the plan coherence by providing a focus for preparing policies and proposals. Because every plan includes policies and proposals for different areas of land within its boundaries, there is always the danger of it appearing fragmented and unconnected. Many plans avoid this by explaining the overall approach to planning the area - the plan's guiding objectives - before detailing policies and proposals. This can help to give greater clarity and direction.

48. The matters to be covered in a local plan are for the local authority to decide in the light of local circumstances. But there are likely to be a number of core topics like the environment, economic development, regeneration, housing, transport and retailing, relating them to local conditions and to the overall direction of the plan as a whole. Annex 1 indicates how local plans should deal with other aspects of plan content, including the handling of special policy arrangements (such as SPZs), sustainable development and environmental appraisal matters, and design and crime prevention issues.

Survey Information

49. A separate report of survey is not required. The data collected and its analysis should be held in the planning department for reference and subsequent monitoring. For a new or replacement local plan, statute requires that publicity be given to "*any relevant matter arising out of a survey*". For a local plan alteration, such publicity can be discretionary under expedited procedures. It will usually be enough to summarise the survey findings in the introduction to the consultative draft, and meet the publicity requirement for both at the same time. The "*relevant matters*" should include the main findings of the analysis and the issues derived, with an indication of committed development of significance to the plan area.

Framing Policies

50. Bearing in mind the importance of local plans for development control decisions, it is critical for planning authorities to frame policies so that they:

- are properly justified to explain their intention;
- provide clear guidance to the public and the developer;
- are expressed in simple, positive and unambiguous terms;
- set out any criteria necessary for their interpretation; and
- can be readily monitored

Policies that meet these tests will offer a sound basis for public confidence in the planning system. They should give all parties some certainty about the kinds of development that will and will not be permitted. Consistent decision making, and policy monitoring and review on a regular basis (as explained in paragraphs 14 to 20), are essential if that confidence and degree of certainty are to be maintained.

51. As well as providing a basis for the control of development, local plan policies can promote investment in development and help to create a better environment. This is specially important when economic constraints limit the number of firm development proposals which can realistically be expected. In putting forward such policies full consideration should be given to the views and intentions of those likely to undertake development. Policies should take account of the requirements of the structure plan and of the resources available to support new development. They should be clearly expressed and identify the land or area to which they apply. In some cases it will be appropriate to prepare separate development opportunities brochures (see annex 3).

52. The intention of policy should always be clear. Ambiguous expressions such as *generally* or *'where appropriate'* should not be used unless the exceptions are defined in the policy. There are procedures for dealing with development contrary to a local plan and policies should not be framed to accommodate every possibility. Even with regular updating and review, there will be development control decisions to be made where policy is uncertain or considerations conflict.

53. Building on the experience of their initial local plans in development control, authorities should try to respond effectively to local issues by looking for more positive and practical ways to express policies, identify the resources to be conserved, and identify redevelopment and new development opportunities. Getting the message across may mean a clearer specification of what is expected of development, avoiding unjustified complication, giving practical examples, or explanatory illustrations.

54. Information from development control staff can make an important contribution to policy making. They can advise on policy wording to meet local conditions and have the experience to help to elaborate and target policies which have been formulated in more general terms elsewhere.

Proposals

55. As well as policies, local plans should include firm proposals which:

- refer to the development or change of use of land (unless they are clearly identified as supporting proposals: see glossary);
- the implementing agency (public, private or individual) intend to develop within about five years of the plan's adoption; and
- involve the development or change of use of land significant to the plan area.

56. The precise planning status of committed development proposals should be described in the written statement, if appropriate indicating its place in the financial programme of the implementing body. It is essential to explain that it will not

normally be possible to accommodate any public views expressed on such proposals in response to consultation. But the plan may usefully indicate the authority's policy for the areas involved should any such project fail to be implemented.

Reasoned Justification

57. Clear, reasoned justification of local plan policies and proposals is vital. In making development control decisions, NPPG 1 states that authorities must consider whether development applications are consistent with the expressed purpose as well as the terms of development plan policy. And it will not be enough for an authority to refuse applications for development as contrary to a statutory plan without showing that the plan itself provides sound policy reasons for refusal.

58. Reasoned justification for policies and proposals should describe:

- what it is intended to achieve;
- how and by whom it will be implemented;
- the priority and phasing attached to proposals;
- any general or particular environmental impacts;
- the timing of infrastructure provision and the priorities for action; and
- the relationship with other elements of the plan.

Plan Implementation

59. Policies and proposals to promote development are dependent on a combination of both public and private sector investment. The local plan should be clear about how policies will be implemented, whether through specific proposals or by applying development control criteria. The plan should specify where local authority action is required to make land available or to provide infrastructure, and explain how its proposals fit in with the local authority's financial programmes, taking into account Government policy on capital expenditure.

60. Where implementation of a proposal or provision of infrastructure is the responsibility of a body other than the planning authority, the plan should indicate the extent to which that body has made appropriate provision for implementation in the plan period, so far as can be ascertained. A table is a useful way of setting out the proposals, agencies involved, commitment of each, and year of implementation. If implementation depends on the implementing body acquiring land not already owned, the policy or proposal should only be included with their agreement. A blight notice might be served relating to that land which might fall to the implementing body to deal with. If the body does not agree with the plan's provisions, they will be able to make representations or objections at draft or finalised plan stage with a view to having the disputed material removed. Site specific recommendations could also attract blight notices and again should not be included in a finalised or adopted plan without a clear commitment to accept this responsibility.

61. Experience shows that it can be misleading to be too precise about the timing of proposals. The plan should emphasise priorities, phasing and the order in which the inter-dependent proposals of the plan should be carried out. Thus while a change in the availability of resources may affect the implementation of a particular proposal, it should not undermine the integrity of the plan as a whole.

Plan Periods

62. Although local plans should provide some certainty over a minimum 5 year period, it is unrealistic for them to have a fixed plan period. Many elements, particularly those which deal with conservation, can be expected to continue indefinitely subject to regular review, refinement or adjustment. Other policies and proposals may be phased with their own timescales for implementation to achieve the plan's objectives. This timescale may be constrained by priorities in the

structure plan. Any timescales or target dates by which objectives are expected to be achieved should be set out in the explanation and justification of that policy or proposal. This helps monitoring and means that policies or proposals can be reviewed regularly in the light of their performance towards the targets and new or altered policies or proposals can be brought forward as required - allowing the plan to evolve flexibly rather than proceed by sudden jumps and changes every few years.

managing the plan preparation process

KEY POINTS

- *Set out timetable and work targets before preparation commences, and monitor progress (para 63)*
- *Process objections quickly (para 65)*
- *Encourage use of written representations (para 65)*
- *Arrange local plan PLIs in advance of a specific requirement (para 66)*
- *Follow SOIRU's revised code of practice on local plan inquiries (para 66/67)*

63. Some authorities have shown that it is possible to prepare local plans relatively quickly, as a result of careful management, including a timetable and work targets. This enables specific technical and management tasks to be identified within the relevant departments of the authority, together with the advisory and executive roles of individual members and committees of the Council. Plan preparation and review will proceed more efficiently if everyone knows what is expected of them. A number of lessons can be drawn from current good practice for the preparation process:

- **Plan ahead.** Local plans can go out of time and budget if planning departments fail, at the outset, to set up the tasks with senior staff and other participants. A critical path network and a financial and staff resources budget for the life of the project may be appropriate. These will highlight problems and allow key participants to offer advice and allocate resources.
- **Monitor.** Local plan work may start well but become sidetracked because authorities carry out inadequate project and budgetary monitoring. On a monthly basis, senior management should use the critical path network and the resource budget to check performance and expectations. Regular and honest appraisal of performance and targets are essential to avoid hitches and keep network and budget reliable and up-to-date.
- **Target the plan.** Some plans fail to achieve their purpose or are rejected by target groups because authorities have not paid enough attention to content and format. Informal discussion with the authority's decision makers and groups like community councils, business associations and the development industry can help the plan to tackle real issues and offer practical solutions. These informal contacts are often useful in building up working relationships for later projects, particularly where the authority is acting in an enabling role.
- **Get the message across.** The target audience must be able to read and understand the main message. In this age of good graphics, plain English and cheap desktop publishing, there is no excuse for planning documents to appear uninteresting or off-putting.
- **Learn from experience.** Some authorities are slow to adapt their methods and improve plans because they work in relative isolation from customers and professional colleagues. Better practice depends on analysis of the successes and failures of previous projects and the experience of others.

Handling Objections

64. Authorities should aim to process objections as quickly as possible by:-
- sifting and analysing objections as soon as they arrive;
 - seeking early clarification of objectors' specific concerns to minimise Inquiry time. Use of standard reply forms will also be helpful;
 - negotiating with objectors to resolve differences and to identify the specific remaining points for resolution at the Inquiry, including the elimination of non-planning objections;
 - refusing to accept late objections, except in the most exceptional circumstances; and
 - encouraging potential objectors to submit written representations.

PLIs

65. A vital part of managing the process is looking ahead to the time when the plan has been finalised, objections received, and arrangements have to be made for a public local inquiry. Authorities should try to anticipate the PLI requirement, and make arrangements in advance - they can always be abandoned if expected objections fail to materialise or are withdrawn in good time. Where there is a prospect of an inquiry, early warning will also help SOIRU plan its own resources. Details of PLI arrangements and conduct are outside the scope of this advice, and are dealt with in the draft revised Code of Practice published by the Scottish Office Inquiry Reporters Unit in March 1996, which all interested parties are expected to observe in the interests of efficient and effective handling of the inquiry stage.

66. Speeding up the adoption process will be vital to maintain relevant coverage and avoid needless uncertainty and blight. All concerned need to look for ways to avoid delays, without curtailing the rights of objectors. In particular, The Scottish Office Chief Reporter is taking steps to ensure that necessary public local inquiries are arranged to meet the requests of planning authorities, provided that at least 6 months notice is given, and that Reporters' findings are made available to the planning authority without delay.

conclusion

67. In the period since 1975, local plans have been produced for most of the country, and many of the more recent ones have been prepared to a high standard. Local plans have now been given an enhanced status and planning authorities have a duty to ensure that these plans are clear, concise and relevant to the needs of the people living in the area, potential developers and those with a local conservation interest. This advice sets out best practice in the pursuit of efficient, effective and responsive handling of the local plan process which authorities are encouraged to follow.

note

68. This Planning Advice Note incorporates and updates the advice of PANs 30, 32 and 34. These are now withdrawn. Enquiries about the advice should be addressed to Ken Jobling (0131 244 7548). Further copies, together with other PANs, NPPGs and a list of current advice and guidelines, are available from SODD Planning Division 2-H72, Victoria Quay, Edinburgh EH6 6QQ (0131 244 7543).

annex 1: some aspects of plan content

As paragraph 48 indicates, the content of a local plan should be decided in the light of local circumstances. Besides the core topics, there may be other issues which require inclusion. Some of these are discussed below.

Special Planning Arrangements

2. Local plans characteristically apply different land use policies to different areas. Some particular kinds of area policy deserve special attention here. As the vehicle for informing everyone with a personal, proprietorial or development interest in planning policies, it is important that local plans provide justification for making special policy relaxations or restrictions. This may be, for example, where the planning authority is going to extend or limit the scope of permitted development by Simplified Planning Zones or Article 4 Directions, or where it will impose special conditions or seek Section 50 planning agreements. The plan should also signal any policies related to design, discussed in paragraph 11 below, indicating overall landscape and design requirements for special areas.

Simplified Planning Zones

3. Authorities should actively consider where the normal planning regime should be relaxed for certain forms of development in specified areas by promoting Simplified Planning Zones (SPZs). These can help to ease the burden of submitting planning applications for forms of development the plan seeks to encourage. The wide variety of locations and activities for which planning permission could be granted 'in advance' through SPZ procedures is a measure of their versatility. A local plan is the best way to identify the potential for an SPZ and to set suitable parameters. Local plan policies can justify and explain the relaxation, and set out its limits, to be carried forward and defined in the SPZ scheme. Good practice advice for SPZs is set out in PAN 31, and more recent changes in procedures are dealt with in Circular 18/1995.

Article 4 Directions

4. Conversely, there may be some areas where particular local conditions justify a restriction of permitted development rights. Here, authorities may seek to extend the planning regime so that planning permission is required for forms of development permitted automatically elsewhere. The local plan should provide the policy, the explanation and the justification for such special arrangements, which would be sought concurrently through confirmation of an Article 4 Direction by the Secretary of State. Without adequate justification in the context of a local plan, the Secretary of state will not normally consider proposals for Article 4 Directions.

Planning Conditions and Section 50 Agreements

5. Planning authorities can apply conditions to the grant of planning permission. Also, under Section 50 of the Town and Country Planning (Scotland) Act 1972, they can enter into voluntary agreements with persons having an interest in land for the purpose of restricting or regulating its use. A new Development Department Circular (12/1996) on Planning Agreements was issued in April 1996.

Landscape and Heritage Designations

6. Landscape and heritage designations should be treated consistently in local plans, and any local designations fully justified in the context of the plan. Attention has already been drawn to the natural heritage aspects of European legislation, and to the treatment of archaeological matters. Advice on listed buildings and conservation areas may be sought from Historic Scotland and more local or specific heritage organisations. The *Memorandum of Guidance on Listed Buildings and*

Conservation Areas 1993, which accompanied SOEnD Circular 27/1993 sets out procedural advice, and reminds authorities of the *Inventory of Gardens and Designed Landscapes*.

Environmental Appraisal of Development Plans

7. Following its introduction in 1988, the environmental assessment of projects has been successfully incorporated into the planning system. But project-based environmental assessment not enough on its own to ensure that we move towards sustainable development. The environmental appraisal of development plans involves testing a plan's aims, policies and proposals against the aims of sustainable development to identify their likely consequences. It is now recognised as a policy means of helping to achieve development and growth which is sustainable.

8. Provisional suggestions on techniques for putting that policy commitment into practice are available in *Environmental Appraisal of Development Plans A good practice guide* (HMSO 1993, ISBN 0 11 752866 8). This DOE-sponsored guide is not government policy, and its suggestions are not prescriptive. It provides a starting framework and method which can be adapted to an authority's particular requirements. This can be developed to respond and adapt as technical information on environmental issues develops. The guide presents a set of techniques, for use together or on their own, for defining environmental stock (audit), scoping the plan, consistency analysis, and policy and proposals impact analysis.

9. The Scottish Office Development Department has been working with Gordon District Council and its consultants to carry out an environmental appraisal of its district-wide local plan. A planning advice note will be prepared, but some first principles for environmental appraisal in local planning can be set out as follows:

- The approach must be practical, achievable and capable of being applied within budgets by practising planners.
- Local plans should be founded on the principle of sustainable development, so that effort is not wasted developing policies which are not sustainable.
- Environmental appraisal should be integral to plan preparation, not an afterthought.
- The appraisal should be an "added value" exercise, generating better policies and giving decision makers better information on the likely consequences of their actions.
- It should seek to identify positive as well as negative environmental impacts.

Energy Conservation

10. The planning implications of energy conservation are explored in a recently published research report *Energy Conservation and Planning* prepared by Gaia Planning for The Scottish Office (HMSO, ISBN 0 7480 5138 4). Some of the main conclusions are that:

- development should be located with an eye to exposure, orientation, shelter and cold air flow;
- landscape treatment should be used with landform to maximise energy benefits;
- there should be relaxed attitudes to mixed use where activities can sit well together and reduce the need for travel;
- decisions to retain or replace buildings should take account of the energy already embodied in their materials and construction; and
- planning authorities should take a lead in co-ordinating local energy conservation measures and partnerships.

The Approach to Design

11. Local plans should provide a planning framework which positively promotes the quality of new development, setting out design expectations and the development control criteria that the planning authority will apply. This should also relate to spaces between and around buildings, which can be important in maintaining and enhancing the environmental quality of an area as well as the maintenance and creation of open space. Local plans should provide guidance to developers on broad design principles relevant to particular locations, rather than a prescribed set of rules, with the emphasis on encouraging good design without stifling experiment, originality or initiative. It will usually be appropriate to deal with detailed design matters in supplementary non-statutory guidance. A number of Planning Advice Notes deal with design issues, and the Royal Fine Art Commission for Scotland should also be consulted as provided for in SDD Circular 24/1986.

Dealing with Crime Prevention

12. Including policies in local plans to enhance security and safety in the environment can give notice of the planning authority's commitment to crime prevention. The police Architectural Liaison Group may be able to advise on the implications for crime prevention of locating developments in particular areas or on specific sites. Local plans have a role to play in promoting varied, lively and well used environments rather than over-large, single use developments which are empty at certain times of day. They can introduce policies to support a wide range of recreational and cultural facilities in town centres, and encourage the return of residential use to town and district centres. A good mix of uses can help to reduce crime by increasing the everyday opportunities for observation. But it is important to avoid the juxtaposition of incompatible land uses, for example late night discos and clubs, which could give rise to nuisance or conflict with nearby residential property. More detailed advice will be found in Planning Advice Note 46: *Planning and Crime Prevention*.

annex 2: presentation of plan documents

General Approach

1. Everyone with an interest in investing time and resources in an area should be able to look to the local plan for helpful guidance. But presentation often makes local plans difficult to understand and prevents them from being used productively. Planners should try to make sure that:

- written statements are not too long and detailed;
- they convey a sense of place and potential;
- proposals maps are easy to read;
- policies are expressed clearly, avoiding statements of the obvious on the one hand and complex recitations of exceptions and exclusions on the other; and
- the local plan's basis in land use planning is made plain.

2. Unless authorities are using the expedited procedure for alterations, a consultative draft will be needed to cover relevant survey findings and the matters proposed to be included. When plans or alterations are finalised, statute requires a written statement, a proposals map and a statement of publicity and consultation. Emphasis in the documents should be on the main issues and outcomes; it is not necessary to record the detail of how that position has been reached.

3. Documents which may be required later, during the adoption process, include a reasoned statement of the authority's response to each objection and a reasoned statement of the authority's response to each recommendation included in the report of any public local inquiry. Which of these is required in any particular case will depend on the adoption procedure being followed. Planning authorities are asked to send their professional planning contact in SODD copies of any statement in response to objections, any Reporters report and any statement in response to it.

Consultative Drafts

4. A consultative draft should be clearly presented and substantially in the form of the finalised written statement. However, it need not be a polished document as the planning authority may have to change its content in response to representations.

Written Statements

5. Written statements should be user friendly, communicating quickly and effectively the nature and location of land use change and environmental improvement. The text should therefore be concise and simple, yet positive. The volume of written material in local plans can be reduced in a number of ways:

- make the written statement concise with a clear strong structure - this will make it easier to understand and to use
- include only a brief explanation of plan functions and preparation procedures;
- summarise key survey findings, simplify presentation (for example by making more use of clear maps, graphics and diagrams) and demonstrate the link between survey findings and policy;
- consider whether a policy is really necessary - a policy should give genuine guidance rather than state the obvious;
- highlight the priorities for implementation and avoid detailed cost schedules of projects and proposals which become quickly outdated;

- resist the temptation to cover everything - local plans should provide the essential policy framework. Supplementary 'target' documents like development opportunity brochures, town centre management schemes or design guides, can provide extra elaboration if needed, but there must be a clear policy peg in the local plan;
- group statements of reasoned justification and policy to avoid repetition;
- consider typesetting and double columns to reduce bulk; and
- consider whether illustrations like maps, sketches or photographs could make the plan easier to understand and attract interest and investment to the area.

6. There is no statutory requirement for a separate report of survey. Survey findings summarised in the written statement could deal with:

- the individual nature and salient characteristics of the local area highlighting key development and conservation considerations which policy must address;
- local aspects of applying structure plan strategy;
- constraints and opportunities including resources for implementation;
- significant committed development expected to be implemented within about five years of the adoption of the plan or alteration; and
- the dynamics of change in local circumstances or priorities, or in the national or regional context within which local planning policy applies.

7. All the main elements of the written statement: survey findings, objectives, policies, explanation and justification are usually best kept in close relation with one another, by area or topic order, but the most effective arrangement of any written statement must be judged according to the local circumstances.

8. It is essential for the easy comprehension of the plan that terms like '*policy*', '*proposal*' and '*recommendation*' are clearly defined and are used consistently. The glossary defines these and other relevant terms. Simple presentation techniques can be used to make the distinction clear in the text without being too obtrusive.

9. Graphics can be used to make the document more attractive and express its structure; and thus hold the interest of the reader. Bold headings, typefaces, outlining and colour have all been used with good results. Even more can be achieved if photographs, sketches, tables, diagrams and maps are used to illustrate or even replace text.

Proposals Maps

10. The main purpose of the proposals map is to identify policies and proposals which affect any given piece of land. Therefore, it should be easy to read, otherwise it cannot fulfil its potential in promoting development and focusing the interest of consultees, elected members and the public. All parts of the area should be covered by development control policies. Significant committed development and proposals shown on the proposals map may be endorsed by policies for interim use or subsequent control. Other maps or diagrams may be used to show how the policies and proposals relate to one another and to the planning authority's overall view of the future form and function of the area.

11. It will usually be more cost-effective to choose a reproduction method that is directly controlled by those preparing the plan. Modern copy print techniques, from masters prepared in-house by desktop publishing, have much to recommend them.

Proposals Maps: Presentational Techniques

Base Maps

The proposals map must be reproduced from or based on the Ordnance Survey (OS) map and should show national grid lines and numbers. The choice of production method involves a compromise between high presentation standards, costs and available techniques. Colour can greatly increase the clarity of information but where it is not used a screened (grey) map base with black overprinting is effective.

- Do not reduce standard OS scales unless absolutely necessary.
- Control the density of tone and colour to produce a legible but subdued base.
- In settlement areas where resources allow, or where updating is necessary, redraw the OS base to leave out unwanted detail.

Map size and scale

The size of maps will often be linked to other factors such as methods of production, the area of territory being covered, and the number and complexity of the policies and proposals.

- Choose a size of proposals map which will allow the best scale to show most policies and proposals.
- If necessary show areas of greater detail as insets either on the map or set in the written statement next to the relevant text.
- Maps larger than A1 are difficult to handle and should be avoided. But in extensive rural areas, suitable small scale maps may be inevitably large.

Insets

Insets, if used, should avoid ambiguity. They should be clearly identified and their relationship to the main map should be evident.

- Show inset boundaries on the proposals map but within them only the base map should appear with the inset name or number (It contravenes the Regulations to include information on policies or proposals);
- Give each inset a title, scale and key.
- Avoid nesting insets at different scales, and intersecting inset boundaries.

Techniques

The map should be conceived as a series of areas, within each of which a particular policy, proposal, or more usually a combination of these applies.

- Keep the types of boundary line to a minimum, and avoid lines of symbols.
- If possible, follow the convention that all policy areas end at the plan boundary unless it is otherwise marked, for example with a crossline.
- Give thought to defining areas as particular combinations of policies and proposals which differ from those of adjacent areas.
- Make sure that lines, hatching, shading or colour do not form a confusing pattern or hide the base.

Referencing

Cross-references between map and written statement should be as easy as possible.

- It is helpful to mark each policy area on the map with the policy reference used in the text.
- make the policy subject clear from the reference, using a keyword like 'housing' or a prefix like 'hsg. 1'.
- Show the key next to the map. It should explain the graphics, listing policies and other elements that apply to the whole map area and then those defined by location.
- Use the key to relate the map to the written statement, with a brief description of proposed land use or development control attitude.

Publicity and Consultation Statements

12. Where authorities have gone directly to the finalised plan stage on alterations they are required to provide a statement justifying that action. But in all other circumstances they should continue to produce the traditional publicity and consultation statement. Most people refer to such a statement to find out how their representations have been dealt with before considering whether to make objections. Potential objectors should be able to see how their views have been taken into account and the authority's reason for proceeding in the way it intends. Presentation should be simple and straight-forward, where possible in list or table form, and can be based largely on the statutory requirements as shown below. It must cater for the majority of users who need only a summary of the main points. Those who require more detail should be referred to the planning authority where the full portfolio of information should be available for reference.

One way to set out a Publicity and Consultation Statement

Introduction: The statutory requirement and purpose of the statement See Sec 10 of 1972 Act as amended, para 19 of Schedule 2 of the Local Govt. (Misc. Provisions) (Scotland) Act 1981 and the 1983 Regulations: 3, 4 and 30.

Local Plan Preparation Diary: Set out the main timetable of publicity and consultation, to be referred to in sections to follow.

Publicity and representations from the public:

- steps to secure publicity for survey findings and the matters to be included in the plan
- opportunities given for making representations
- Dates of the four week minimum representations period
- Note dates, main points and how consideration was given

Consultation with organisations; list the community councils and other bodies consulted - note dates, main points and how consideration was given.

Table of representations and consultations: This can set out a summary, by the main plan elements, of the comments received and the authority's responses to the.

Annexes may include facsimiles of statutory notices, advertisements and other publicity material.

annex 3: supplementary documents

Status of Supplementary Guidance

1. *NPPG 1* states that planning authorities should seek to have all policies for the development and use of land expressed through either the structure plan or local plan. It recognises that occasionally these may need to be supplemented, for example where an urgent policy response is required to an emerging issue, or the level of detail involved would not be appropriate to a structure or local plan (for example: development briefs, design guides). Where an immediate policy response is required on a particular issue, a planning authority may seek to approve an interim policy statement. Because such a statement will not have been subject to statutory public scrutiny and debate, it will not have the same status as policies contained in an adopted local plan; and it will be for the authority or a Reporter to decide what weight should attach to it. As a matter of good practice, authorities should take steps to incorporate any non-statutory policies into their development plans as quickly as possible. In the absence of an early opportunity, authorities should, as a matter of best practice, consider whether consultation is required and take account of any representations received before using such policies.

2. Local plans deal with a broad range of policy issues and serve a number of functions and there is sometimes a limit to how far the statutory documents can go in providing specific guidance or encouraging local investment and action. Detailed documents such as development briefs and design guidance provide a useful follow-up. They can be very effective in promoting specific opportunities for development or highlighting the standards expected for particular areas or development types. But it is always important that they derive from the policies and proposals of the statutory plan, and that they do not seek to introduce new elements to the decision making process. Supplementary 'target' documents can be used to more clearly demonstrate design guidance or the information needed for concerted action on topics like development opportunities, environmental improvement, town centre management, and the re-use of building materials.

Development Opportunities Brochures

3 Stimulating development and identifying local opportunities for change are a primary function of plans in many areas, and brochures which highlight investment opportunities in land and buildings can be a useful adjunct to the statutory documents. They are not themselves substitutes for local plans; but they augment one of the main functions of the statutory plan, and can be kept up-to-date without procedural delays. Development opportunity brochures do not have to be restricted or extended to one local plan area. They could identify opportunities for part of a local plan area like a town centre, cover a number of local plans or cover a whole authority.

4. When preparing an opportunities brochure, authorities should seek the views of relevant private sector interests and the local enterprise company; their input can be valuable in deciding its scope and content. The published brochure should:

- reflect policies in adopted local plans;
- contain information about the area which a developer would find useful, for example: location plan, population, land prices, property values, etc.;
- be consistent in presenting information on site area, ownership, access, etc. for individual opportunity areas;
- include a list of contacts from whom further information can be obtained;
- be compact, clearly dated and easily updated; and
- be readily available to prospective developers.

5. Information in opportunities brochures may be open to interpretation and qualification depending on the nature of development proposed or the availability of further studies. It is therefore essential that brochures state that the information which they contain, while believed to be correct, is not guaranteed and is subject to confirmation by the authorities concerned. And if there is any discrepancy between an opportunities brochure and an adopted local plan, the latter must obviously prevail.

6. The purpose of such brochures is to pinpoint opportunities for development which can be realised in a short timescale. Their credibility will be undermined if potential opportunity areas are constrained by engineering, servicing, access or ownership difficulties which are not programmed to be dealt with very soon. Preparing opportunities brochures can help to put priorities for implementation into sharper focus. Where sites have remained undeveloped authorities should consider why this has been the case and what action they should take. For example the promotional efforts may have to be re-examined, difficulties on infrastructure or ownership overcome or alternative uses considered; in some cases a site may have to be removed from the land bank and alternative land uses sought by local plan alteration or replacement

Development Opportunities in Rural Areas

7. It can be difficult to be as size specific about development opportunities in rural areas as it is in urban locations. Nevertheless since *Circular 18/1987* and the accompanying *National Planning Guideline on Agricultural Land* there has been more scope for diversifying the rural economy. A target brochure could help to amplify the structure and local plan policy context by giving details about the scale, nature and location of the development opportunities available. The Government's policies for the rural communities in Scotland are set out in the White paper *Rural Scotland: People, Prosperity and Partnership*, published in December 1995.

Development Opportunities in Simplified Planning Zones

8. SDD Circular 18/1995 and PAN 31 explain the policy behind the creation of Simplified Planning Zones and the procedures for designating them. SPZs can be used to encourage the development and redevelopment of an area by removing the need to obtain planning permission. SPZ schemes can provide the certainty of knowing what developments can be carried out and can save prospective developers time, money and effort. An opportunities brochure can be used to supplement the operation of an adopted SPZ. It could identify the area to which the SPZ relates, the permitted and excluded uses, locations in the zone with potential for development or redevelopment and the factors which will influence its form like access, drainage, water supply, and so on. It can also give helpful information on ownership and the availability of grants and incentives.

glossary

Action Area Local Plan

A local plan prepared to accommodate intensive physical change in a small area over a fixed timescale.

Adoption

The bringing into force of a local plan as part of the statutory development plan through a resolution of the planning authority.

Alteration

A change made to an adopted or approved local plan.

Approval

The Secretary of State's formal agreement to a structure plan, or to any local plan he has called it in for his own decision.

Committed Development

Includes intended actions of some significance to the plan area, by the planning authority, or by other private or public bodies or exceptionally by individuals, which is in current financial programmes or has been granted planning permission or has some equivalent deemed permission, and which the planning authority are confident will be implemented within about five years of the adoption of the plan.

Comprehensive Local Plan

The normal local plan, being an integrated planning approach to a range of issues, setting out proposals for development and policies for development control for the whole area. On adoption it supersedes the old development plan and together with the structure plan, forms the new development plan for the area.

Consultative Draft

A document containing the "*matters proposed to be included in the plan*" referred to in Section 10(1)(a) of the Town and Country Planning (Scotland) Act 1972. This advice suggests that it should also contain a summary of the "*matters arising from survey*".

Finalised Local Plan

A local plan which has taken account of public representations and consultations and has been placed on deposit for the statutory six weeks objection period; in the case of an expedited alteration, the public representations and consultations phase need not have taken place.

Issues

Problems and opportunities which emerge from data collection and analysis, or from the concern expressed by elected members or the public. They are the matters which the plan should deal with through its policies and proposals.

Modification

A change made to a finalised local plan or alteration by the planning authority before adoption, or by the Secretary of State before approval.

Policies

Statement of attitudes or intentions towards existing or postulated situations which require action. In a local plan they will include policies for development control.

Policies are of two types:

- ***Land Use Policies*** relate solely to physical land use development including the management of traffic and the improvement of the environment. They are limited to those which can be applied by the planning authority itself, or by other public bodies after full consultation and agreement.

- **Supporting policies**, while not themselves dealing with physical land use planning, are those the planning authority considers desirable to include in the plan because they contribute to implementation of land use aspects.

Proposals

Proposals are intended actions of some significance to the plan area, by the planning authority, or by other private or public bodies or individuals, which the planning authority is confident will be implemented within about five years of the adoption of the plan. Proposals having necessary approvals can be included in the plan to give a comprehensive picture of the intended pattern of development; the proposals of the plan are those proposals arising directly from the local planning process. Proposals are of two types:

- **Land Use Proposals** are development or other changes in land use relating solely to physical land use development, the management of traffic or the improvement of the environment.
- **Supporting Proposals** are actions which the planning authority considers desirable to include in the plan which contribute to the implementation of land use aspects, while not themselves proposals for physical land use development.

Recommendations

Statements where the planning authority have no direct control over implementation and where another body has been asked to take action in support of the land use aspects in the plan.

Reasoned Justification

That part of a local plan which explains the justification for and the reasoning behind each policy or proposal. It includes explanation of how the policy or proposal relates to the overall direction of the plan; how it is to be implemented; the financial and other resources required and an indication of the timescale; how it relates to other policies or proposals and what consequential programming or phasing relationships exists; how it is to be monitored and whether circumstances are identified in which alteration will be necessary. If the policy or proposal is an alteration the reasoned justification will include the reasons for change. In the finalised written statement it will explain any changes from a consultative draft.

Repeal and Replacement

Withdrawal of all or part of an adopted or approved local plan where a newly prepared local plan for the area is adopted or approved.

Review

Re-examination of the validity of the information and assumptions on which a plan is based, which may lead to alteration, or repeal and replacement, or confirmation that the plan is still relevant.

Subject Local Plan

A local plan dealing with a self contained subject. Wide ranging and essentially area-related subjects (such as countryside) are not appropriate. Linear features and specific subjects which can be planned without significant implications for other land use factors but if the subject has implications for these in turn, then a comprehensive local plan is probably a better medium.