



CÒMHDHAIL ALBA TRANSPORT SCOTLAND

DEVELOPMENT MANAGEMENT GUIDANCE

Contents

1. INTRODUCTION	
Transport Scotland.....	1
Development near the Trunk Road Network.....	1
Consultation with Transport Scotland	3
2. CONSULTATION PROCESS	
Processing Applications.....	5
Pre-application Discussions	5
Assessing Major Applications	6
Assessing Minor Applications.....	7
3. ADDITIONAL FACTORS	
Cumulative Assessment.....	8
Travel Plans	8
Trunk Road Junction Proposals	8
No Net Detriment and Mitigation	9
Design Standards.....	9
Site Specific Issues	9
4. DETERMINATION PROCESS	
Transport Scotland Response.....	11
Performance Targets and Indicators.....	11
Planning Authority Decision	12
Permission to Work on the Trunk Road	12
Monitoring	13

Tables and Figures

Table 2.1 Major Application Thresholds.....	6
Figure 1.1 Trunk Road Network in Scotland	2
Figure 1.2 Development Management.....	4

1. INTRODUCTION

Transport Scotland

- 1.1 Transport Scotland is the national transport agency for Scotland accountable to Parliament and public through Scottish Ministers. Its responsibilities include rail and trunk road networks; major public transport projects; and the national concessionary travel schemes.
- 1.2 The primary purpose of the trunk road network (see **Figure 1.1**) is to provide for the safe, efficient and effective movement of people, goods and services.

Development Near the Trunk Road Network

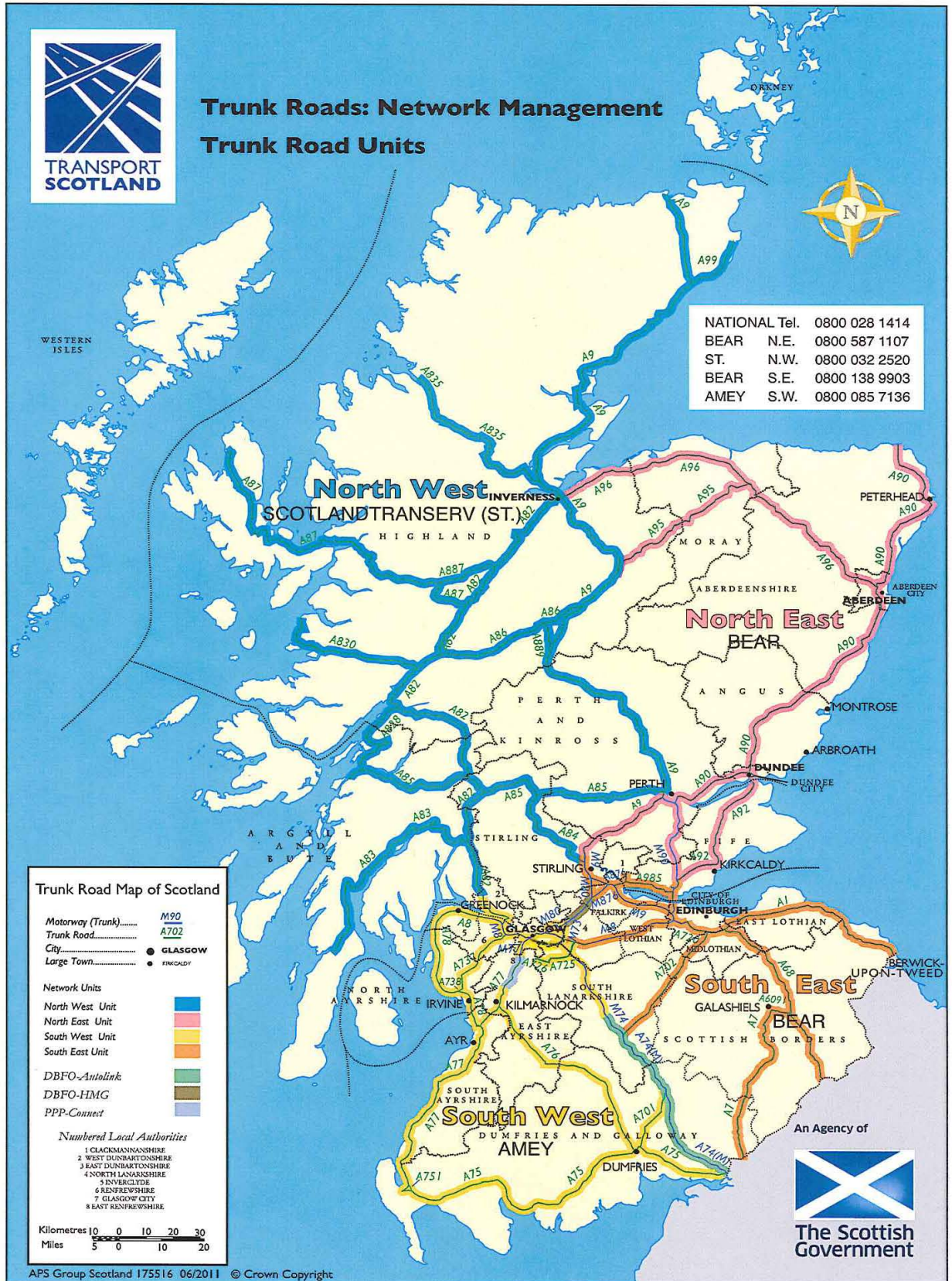
Policy Application

- 1.3 Scottish Planning Policy identifies that a development should mitigate its impact where it would have a detrimental effect on existing levels of service on the trunk road network. In practice, this policy is applied in a flexible and pragmatic manner.. Where the design capacity of the infrastructure is exceeded or road safety is compromised by a proposed development, mitigation measures should be put in place at the cost of the developer. However where no issues around capacity or safety arise, mitigation measures would not be sought.
- 1.4 Furthermore, it is recognised that in some cases the trunk road provides the only road access to a development or forms an important link between communities. In such cases care is needed to ensure a balance is struck between local and wider interests when assessing proposals.

Policy Compliance

- 1.5 In accordance with Schedule 5(5) of The Town and Country Planning (Development Management (Procedure) (Scotland) Regulations 2008 planning authorities are required to consult the Scottish Ministers before granting any development near to a trunk road.
- 1.6 This extends to developments that are likely to increase the volume of traffic or type of traffic entering or leaving a trunk road that require changes to the layout or altering access to trunk roads.
- 1.7 Transport Scotland encourages planning authorities and developers to give early notice about planned developments near trunk roads. This helps determine their potential impact on the trunk road network.
- 1.8 If the proposal is for a major or national development, Transport Scotland would seek to be included in the pre-application consultation.
<http://www.scotland.gov.uk/Topics/Built-Environment/planning/modernising/cc/KeyAgencies/nationaldevelopments>

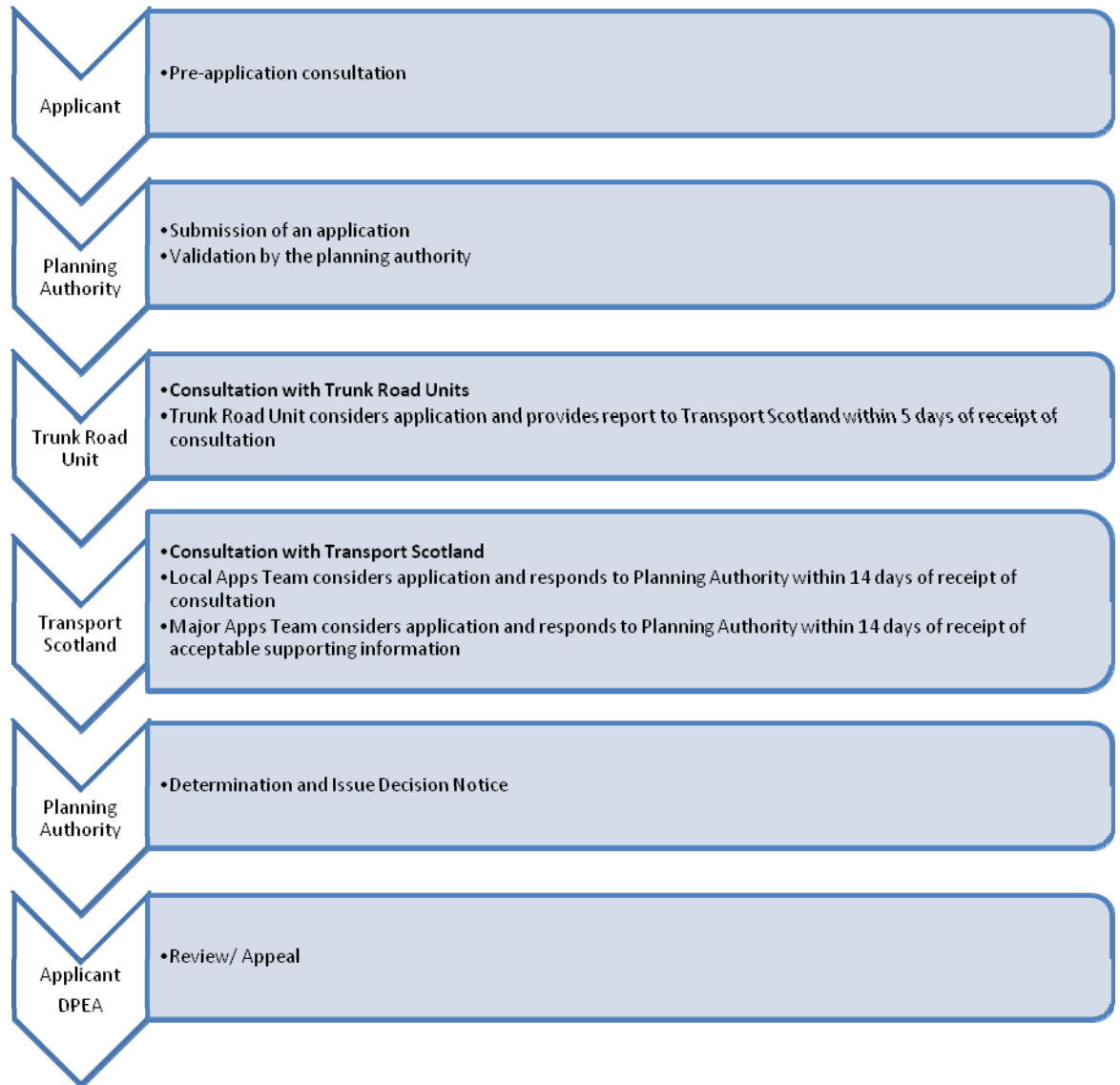
Figure 1.1 Trunk Road Network in Scotland



Consultation with Transport Scotland

- 1.8 Transport Scotland takes a proactive and constructive role in the development management process responding to pre-application requests, planning applications and general development enquiries. It works with stakeholders to deliver sustainable development which is compatible in transport, planning, economic, environmental and social terms thus supporting delivery of the Scottish Government's Economic Strategy and reflecting the commitment made by Transport Scotland in delivering planning reform.
- 1.9 In all facets of its development management role, Transport Scotland examine potential land use impacts in the context of current Scottish Government policies and guidance. Additionally, Transport Scotland aims to ensure the integration of land use and transport within the development management process in line with the aims, policies and objectives of the Scottish Government to attain sustainable economic growth.
- 1.10 Development management is the term used for the process of deciding whether to grant or refuse planning permission. The input of Transport Scotland to the overall process is shown in **Figure 1.2** below:

Figure 1.2 Development Management



2. CONSULTATION PROCESS

Processing Applications

- 2.1 To enable Transport Scotland to make a fully informed decision on the application all necessary supporting information must be available. This will usually include information on the travel demands and an assessment of the impact on the trunk road network due to the proposed development.
- 2.2 In all cases when assessing the acceptability of applications adjacent to, or affecting trunk roads, Transport Scotland will have regard to:
 - Road Safety
 - Operation
 - Design Standards, and
 - Transport and Traffic Impacts
- 2.3 Where the proposed development is not in accordance with the Development Plan, Transport Scotland may consider the proposal more fully in relation to Scottish Planning Policy (SPP). For further information on appraising such proposals refer to the Development Planning and Management Transport Appraisal Guidance. <http://www.transportscotland.gov.uk/analysis/scottish-transport-analysis-guide/development-planning-management>

Pre-application Discussions

- 2.4 The circumstances where Transport Scotland requires to be consulted on a planning application have been established. However, to facilitate a better understanding and more efficient determination process, Transport Scotland encourages pre-application discussions which allows the developer to provide details of the development proposal at an early stage. This allows Transport Scotland to initially indicate the acceptability of proposals and provides the opportunity to highlight any relevant issues which may affect proposals and discuss the likely requirement for a Transport Assessment.
- 2.5 Transport Scotland will provide a response to any written pre-application inquiry and will also try to attend pre-application site visits when appropriate. Given the extent of the road network, this may need to be by arrangement and combined with other such requests.
- 2.6 Pre-application discussions enable Transport Scotland to advise the planning authority and applicants on the general acceptability of proposals and their likely requirements for mitigating any transport, traffic and safety effects. The importance of early discussions is particularly relevant with regard to major development proposals in order to deal with applications timeously. The onus is also on the applicant to initiate these discussions and to ensure that all parties are kept informed of on-going negotiations.

- 2.7 It is, therefore, vital that should an applicant be considering measures affecting the Trunk Road Network, that Transport Scotland be consulted at the earliest opportunity.
- 2.8 If the proposal is for a major or national development (as defined in The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009, as detailed within Paragraph 26A of Part 3, Section 5 of the Planning etc. (Scotland) Act 2006) might impact on the trunk road network, Transport Scotland should be included in pre-application discussions.

Assessing Major Applications

- 2.9 Transport Scotland generally categorise planning applications as ‘Major’ where the size of development proposed exceeds the thresholds contained in Table 2.1 below:

Table 2.1 Major Application Thresholds

Land Use	Parameter	Major Application Threshold
Food retail	GFA	> 1,000m ²
Non-food retail	GFA	> 1,000m ²
Cinemas and conference facilities	GFA	> 1,000m ²
Leisure facilities	GFA	> 1,000m ²
Business	GFA	> 2,500m ²
Industry	GFA	> 5,000m ²
Distribution and warehousing	GFA	> 10,000m ²
Hospitals	GFA	> 2,500m ²
Higher and further education	GFA	> 2,500m ²
Stadia	Seats	> 1,500
Housing	Dwellings	> 100

- 2.10 Applications may also be considered as ‘Major’ where a change to the layout or alteration to the access to a trunk road is proposed. When major applications are put forward, they are required to be submitted with a Transportation Assessment (TA) and additional factors may need to be considered.

- 2.11 All Transport Assessments prepared for developments affecting the trunk road require to be audited by Transport Scotland's consultant. The audit process includes an examination of the scope of the Transport Assessment, basic assumptions such as number of journeys and mode of travel, distribution of trips, calculations or computer programmes and analysis of results. Applicants preparing Transport Assessments will usually find it helpful to discuss the above matters with Transport Scotland's consultant before starting work as this can save time and prevent abortive work. See [Transport Assessment Guidance](#).
- 2.12 As part of the process of auditing the Transport Assessment, it will often be necessary for Transport Scotland and the applicant to discuss in some detail the issues likely to influence the impact on the trunk road and the measures necessary to mitigate it. These discussions may result in the negotiation of detailed planning conditions or, relatively infrequently, matters to be the subject of an agreement between the planning authority and the developer (a "planning agreement"). In the latter case, Transport Scotland will advise the planning authority accordingly as part of its consultation response.

Assessing Minor Applications

- 2.13 The majority of planning applications affecting the trunk road network will be minor in nature and will not have a significant impact on the trunk road network in terms of the potential number of trips generated and thus the resulting effect on network capacity. In such circumstances no detailed assessment will be necessary; a Transport Assessment Form or Transport Statement will generally suffice.
- 2.14 While capacity may not be a concern in many cases with regard to minor applications, safety of trunk road users will always be an issue and as such this will be one of the prime factors against which applications will be considered.
- 2.15 In respect to the design criteria each application will be considered in terms of their requirements on issues such as junction layout and visibility, forward visibility and the effect on overtaking sections. Depending upon the nature and location of an application, further issues may need to be considered.

3. ADDITIONAL FACTORS

Cumulative Assessment

- 3.1 Where it is evident that a number of development proposals are to be promoted and may impact on the trunk road network at a specific junction or length of road, in the case of phased or multiple developments, Transport Scotland will require that an assessment of the cumulative impact of these proposals is undertaken. This will identify the impact and appropriate mitigation required on an area-wide basis. This assessment should ideally be undertaken at the development plan stage; however, in the absence of such an assessment it will require to be undertaken as part of the planning application process. Appropriate mitigation will be determined and thresholds established for development through the use of appropriate conditions.

Travel Plans

- 3.2 A Travel Plan should first appear in the Transport Assessment and be developed as required through the operational phase of the development. It is essential in translating the theoretical work of the Transport Assessment into operational reality. As such, it will need to develop over time to take account of changing circumstances and ensure that it continues to remain focussed on providing up to date information on transport choice. For further information relating to travel plans refer to the [Transport Assessment Guidance](#).

Trunk Road Junction Proposals

- 3.3 SPP states that “new junctions on the motorway and trunk road network are not normally acceptable”. In all cases Transport Scotland will seek to minimise the number of junctions and accesses onto the trunk road network and promote the use of existing points of access. There are clear safety reasons for this view, given that the greater the number of junctions and accesses, the greater the risk of accidents arising from the conflicting turning movements at these locations.
- 3.4 Transport Scotland recognises, however, that in certain locations the trunk road will be the only means of access to development and in these cases consideration will be given to the new access subject to acceptable design criteria as well as justification and need. Such justification would include, amongst others, the support of the development plan and/or significant economic growth or regeneration benefits. The scope for this justification will clearly be related to the location and scale of development. This should, ideally take place at the development plan stage; however, in the absence of such an approach it will require to be undertaken as part of the planning application process.

No Net Detriment & Mitigation

- 3.5 As stated above, development proposals that have the potential to affect the performance or safety of strategic transport networks need to be fully appraised to determine their impact. Mitigation measures should then be sought to achieve no net detriment to safety or in overall performance, including: journey times and journey reliability; emissions; and accessibility. This means that congestion, delays, or accidents on the network will be no worse than they would have been without the development. It does not mean that developers will be expected to cure existing problems on the network, although where the solution involves a step change in provision, such as from at-grade to grade-separated junction, it may appear to be the case.

Design Standards

- 3.6 The standards that are required for trunk roads are contained in the Design Manual for Roads and Bridges (DMRB) updated quarterly and available from HMSO. <http://www.standardsforhighways.co.uk/dmrb/index.htm> Where possible it will be expected that applications will meet or surpass these standards. The following sections give advice on some specific factors that will be considered in assessing an application affecting a trunk road.
- 3.7 For safety reasons, drivers should be able to see any potential hazard in time to slow down or stop comfortably before reaching it. To ensure good lines of sight, junctions have to be designed with suitable visibility splays.
- 3.8 Applicants will usually be required to provide and maintain visibility splays and consideration should therefore be given to the ownership of the land over which the visibility splay sits. Visibility on the trunk road is also important and new or altered accesses where visibility is restricted, such as on bends or crests or dips, will be resisted.
- 3.9 Provision of adequate visibility will not in itself guarantee that Transport Scotland will accept a new or altered access. For example, accesses on overtaking sections of trunk road will be resisted as this reduces the effectiveness of the trunk road to carry high volumes of long distance traffic safely.
- 3.10 The determination of appropriate junction form to serve a development will largely be dependent on the nature of the adjacent road network and the scale of development proposed.
- 3.11 On direct accesses gradients should be less than 10% approaching the trunk road for a minimum distance of 15m.

Site Specific Issues

- 3.12 Consideration may have to be given to the effect of the access on the trunk road drainage system, for example, in the majority of instances no surface water drainage can be connected into the trunk road drainage system and accesses must be designed to prevent surface water flowing on to the trunk road.

- 3.13 Boundary treatment may also require consideration. For many developments a boundary fence will have to be erected to prevent pedestrian access to the trunk road. This will usually be maintained by the developer or applicant.
- 3.14 Drivers on the trunk road should not be dazzled by light from the site and screening may be required.
- 3.15 Vehicles making deliveries should be able to stop safely off the trunk road. Parking spaces might have to be provided to prevent vehicles from parking on the trunk road.
- 3.16 Access onto the trunk road should always be made in a forward gear as this is the safest form of exit, and therefore a service bay or turning facilities within the site may be required.
- 3.17 Accesses should be surfaced in an approved bituminous material for at least the length of the longest vehicle expected to use it. This surfacing will have to be tied into the trunk road surfacing to an approved detail.
- 3.18 Transport Scotland welcome the opportunity to work with developers and consultants to consider the impact of traffic noise within developments, in line with the approach described within PAN1/2011, the related Technical Guidance, and further guidance issued by CIRIA.
- 3.19 Applicants should consult with Transport Scotland for further advice, if any Noise Impact Assessment required under the aforementioned process indicates the need for a noise barrier.

4. DETERMINATION PROCESS & CONSTRUCTION STAGE

Transport Scotland Response

- 4.1 Once consideration of the planning application has been completed, Transport Scotland will issue a consultation response to the planning authority. This will take the form of a recommendation to the planning authority for one of the following:
- Refusal
 - approval without conditions
 - approval subject to conditions
- 4.2 Transport Scotland, in drafting conditions, will ensure that they comply with the guidance and advice contained within Circular 4/1998 on the Use of Planning Conditions. The use of standard conditions should provide some consistency for developers and planning authorities implementing planning consents.
- 4.3 When considering how to respond to consultations on developments affecting the trunk road, Transport Scotland will have regard to Scottish Government policies aimed at achieving a sustainable, integrated and safe transport system. In particular, Transport Scotland will seek compliance with SPP, PAN's and circulars.
- 4.4 Where a proposed development is in accordance with the Development Plan it will be assumed that the appropriateness of the site in transport terms has been fully considered, and Transport Scotland will focus on the transport impacts arising.
- 4.5 However, where a proposed development is **not** in accordance with the Development Plan, it is likely that the suitability of the site in transport terms has either not been considered, or that it has been considered and rejected. In such circumstances, Transport Scotland will look carefully at the development in the light of the locational policies set out in SPP and may recommend refusal in cases where these are not adhered to.

Performance Targets and Indicators

- 4.6 There is a statutory requirement for planning applications to be determined within a specific time period; that being 2 months from validation of the planning application for a minor development or 4 months where the planning application is for a national or major development. An extension to the time period can be agreed in writing with the applicant.
- 4.7 Transport Scotland has set revised targets for responding to consultations and is committed to issuing a consultation response to **90% of minor applications within 14 days of receipt** of all relevant information, and to issue a response on **all major applications within 14 days from receipt** of acceptable supporting data provided by the applicant (i.e. an audited

Transport Assessment). Transport Scotland will advise planning authorities where they are unlikely to be able to respond within 14 days.

Planning Authority Decision

- 4.8 When the planning authority receives the consultation response from Transport Scotland, officers will either take the recommendation and incorporate it within their delegated decision or incorporate it within their recommendation to the planning committee.
- 4.9 If the planning authority decides to grant planning permission against the advice of Transport Scotland, or does not propose to attach planning conditions that have been recommended by Transport Scotland, it is required to notify the Scottish Ministers, who have overall responsibility for planning matters in Scotland. The Scottish Ministers have 28 days from receipt of full documentation or, in exceptional circumstances it may take longer to decide whether to call-in the application for determination or pass it back to the planning authority for decision. Further explanation of the Government's role is provided in Planning Circular 3/09 – Notification of Planning Applications.
- 4.10 Where a planning authority refuses planning permission, or grants permission subject to conditions, it must give clear reasons for its decision.
- 4.11 If planning consent is refused, or conditions have been imposed which the applicant feels are unreasonable, then the applicant has a right of appeal within 3 months of the Council's decision. The appeal procedures depend on the type of application submitted. New procedures were introduced in August 2009, as set out in The Town and Country Planning (Appeals) (Scotland) Regulations 2008.

Permission to Work on the Trunk Road

- 4.12 If planning permission is granted and work is required to be carried out on the trunk road then a standard Minute of Agreement will be required to be signed between Transport Scotland and the applicant/developer. This minute of agreement contains details of the conditions that a developer will require to adhere to if work is to be carried out on the trunk road and if the completed works are to be incorporated as part of the trunk road. Applicants are advised to allow sufficient time for the drafting of the Minute of Agreement and approval of the construction drawings which require to be submitted to Transport Scotland well in advance of the start of works on site. Applicants should note that the Minute of Agreement contains a mechanism to allow the recovery of all reasonable costs incurred by Transport Scotland as a result of the works on the trunk road.
- 4.13 It will be expected that infrastructure improvements required as part of planning consent will meet or surpass the standards that are contained in the Design Manual for Roads and Bridges (DMRB). Departures from Standard will generally not be supported by Transport Scotland. Trunk road modification works will in all aspects be expected to comply with the

requirements of the Equality Act 2010 and be subject to road safety audit procedures.

Monitoring

- 4.14 Monitoring of the implementation of consents and compliance with conditions attached to the grant of consent is an integral part of an effective development management service. Transport Scotland and its Operating Companies will undertake such monitoring to assess the effectiveness of the measures imposed. It is important therefore that planning authorities inform Transport Scotland of decisions on planning applications on which they have been consulted and highlight relevant conditions and sections of planning agreements.
- 4.15 Transport Scotland will monitor compliance with, and the effectiveness of, planning conditions and planning agreements. Where outcomes, such as failure to provide required infrastructure or mode share targets in a travel plan are not achieved, Transport Scotland will seek enforcement action by the planning authority.

Further copies of this document are available, on request, in audio and large print formats and in community languages (Urdu; Bengali; Gaelic; Hindi; Punjabi; Cantonese; Arabic; Polish).

Transport Scotland, Buchanan House,
58 Port Dundas Road, Glasgow, G4 0HF
0141 272 7100
info@transportscotland.gsi.gov.uk
www.transportscotland.gov.uk

ISBN: 978-1-908181-38-1
© Crown copyright 2012

You may re-use this information (excluding logos and images) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence, visit <http://www.nationalarchives.gov.uk/doc/open-government-licence/> or e-mail: psi@nationalarchives.gsi.gov.uk

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

Any enquiries regarding this document / publication should be sent to us at info@transportscotland.gsi.gov.uk

This document is also available on the Transport Scotland website: www.transportscotland.gov.uk