



# *National Planning Policy Guideline*

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## NPPG 2 - BUSINESS AND INDUSTRY

### *Introduction*

1. The planning system has a vital role to play in providing the land use framework within which economic growth can be accommodated and which is compatible with environmental objectives. This National Planning Policy Guideline sets out the Government's planning policy for industrial and business development in relation to Scottish Enterprise and Highlands and Islands Enterprise, the single European market and the Environment White Paper "This Common Inheritance" (1).

2. This Guideline also defines the factors which the Secretary of State will have in mind in considering policies for business and industry in development plans and alterations, in considering appeals against refusal of planning permission or non-determination of a planning application and in cases otherwise coming before the Secretary of State. It defines applications which the Secretary of State may wish to call-in for his own determination and sets out the action required to be taken by planning authorities in their development plans and in development control.



## NPPG 2 - BUSINESS AND INDUSTRY

### *The policy context*

#### *Industry, Business and Planning*

3. Land use planning for business and industry takes place within the context set by national economic policy. The central theme of the Government's policy towards industry and wealth creation is that economic decisions are best taken by those competing in the market place. The responsibility of Government is first to create the right climate so that markets work efficiently and secondly to stimulate individual initiative and enterprise while having regard to environmental considerations. In summary, the Government's approach is to improve the planning climate for business and industry.

4. One of the Government's key aims is therefore to encourage the continued economic development of Scotland in a way which is compatible with stated environmental objectives. The country's long term economic future is entwined with the maintenance of its high quality environment. This relationship is stressed by the Environment White Paper "This Common Inheritance" which says sustainable development (an approach to using created and natural resources in such a way that future generations are not left worse off) requires "the full integration of environmental considerations into economic policy decisions".

5. In securing this objective, the planning system has to reconcile the need for industrial and business development with the maintenance of environmental quality. Development plans are central to achieving this objective. Their position has been enhanced by the forthcoming introduction of Section 18A of the Town and Country Planning (Scotland) Act 1972 as inserted by Section 58 of the Planning and Compensation Act 1991 which requires relevant planning decisions to accord with the development plan unless material considerations indicate otherwise. In some cases, development plans will require alteration to express Government policies.

#### *Regional Policy and European Assistance*

6. The Assisted Areas map defines those areas of Great Britain where regional industrial incentives operated by The Scottish Office, the Department of Trade and Industry and the Welsh Office are available. The spatial units used in the designation of Assisted Areas are mainly Travel-To-Work Areas (TTWAs) which are broad approximations of self-contained labour markets. There are 2 tiers of Assisted Area - Development Areas and Intermediate Areas (see map 1). Since April 1988 the main regional incentives have been:

**- Regional Selective Assistance - a discretionary grant available to companies in most manufacturing and some service sectors for investment projects which involve expansion, modernisation or rationalisation and which create or safeguard jobs.**

**- Regional Enterprise Grants - grants to support investment and innovation projects being undertaken by small businesses.**

Additional financial incentives and streamlined planning procedures are available in the Enterprise Zones of Tayside, Inverclyde and North Lanarkshire.

7. Many local economies outwith the Assisted Areas are capable of generating their own growth. For the most part these areas have the benefit of a high quality environment which is increasingly attractive to firms seeking new locations. The local economy is often based on strength in a specialist sector such as oil and gas and this will be reflected in development plans. Attention is also drawn to the Rural Framework, issued by The Scottish Office in 1992; an approach with the aim of developing economic opportunities in rural areas by supporting local community initiatives in a co-ordinated way.

8. Planning authorities should also have regard to the implications of European Community financial assistance. European Regional Development Fund support is available through co-ordinated area programmes funding infrastructure, business development, tourism, environmental measures and other action to enhance economic development. These measures are applied to the areas identified under the Community's objectives for the operation of the structural funds which were substantially revised in 1988. Objective 1 covers areas whose development is lagging most behind the Community average, Objective 2 covers areas seriously affected by industrial decline and 5b deals with promoting the development of rural areas. They currently include Strathclyde, parts of Fife, Central, Lothian and Galloway (see map 2). Community initiatives tend to focus on areas with a high dependence on industries undergoing significant restructuring, eg steel, shipbuilding, coal and textiles but are more limited in scale and geographical coverage. The European Social Fund supports training and employment measures throughout Scotland. The European Agricultural Guarantee and Guidance Fund provides support for agricultural and structural measures throughout Scotland. The Structural Funds have been revised for the period of 1994 to 1999. The Highlands and Islands will achieve Objective 1 status from January 1994. Objective 2 and 5b status for other areas is expected to be agreed by the end of 1993.

### ***Scottish Enterprise and Highlands and Islands Enterprise***

9. Scottish Enterprise and Highlands and Islands Enterprise, and the network of Local Enterprise Companies which contract with them, have been established to further the development of Scotland's economy and its environment. The Local Enterprise Companies (LECs) play a major and increasing role in delivering projects and programmes. Scottish Enterprise in full co-operation with the LECs, designs and develops initiatives, and delivers projects and programmes that are of a strategic, major or complicated nature. Highlands and Islands Enterprise performs similar functions in its area. Both organisations operate within the context of the planning system, particularly where they are involved in urban renewal, property development, land renewal and environmental improvements. Each year the LECs prepare 3 year Business Plans and one year detailed operating plans.

10. Locate in Scotland (LIS) is the Government's inward investment organisation. The existence of LIS means that investors need only contact one single co-ordinating body with the capacity to deliver development packages geared to the needs of client companies. LIS aims to answer all the enquiries which inward investors have on matters such as site location, property provision, education, manpower, labour performance, communications and telecommunications, local sub-contract and component and service suppliers, and the quality of the cultural and physical environment. LIS can also provide advice and assistance with loan and equity funding and can directly deliver Government financial assistance where appropriate. In order to make the best use of resources, the LIS marketing strategy targets key countries and sectors on which to focus activity. Currently, these include the electronics, healthcare, advanced engineering and financial services sectors.

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### *The changing scene*

#### **Key Changes**

11. The key changes affecting the demand and supply of land for business and industry are summarised below.

- Manufacturing industry has undergone a time of great change since the mid 1970s; traditional industries have declined whilst new industries, especially in the electronics sector have come to the fore. Electronics output in 1990 for example was nearly 4 times higher than at the start of the decade.
- The service sector has increased in size and service jobs now outnumber those in manufacturing by a ratio of 3:1. This does not detract from the continuing importance of manufacturing because it remains Scotland's main exporting sector and its performance is vital to the overall health of the Scottish economy.
- The continuing decline in traditional wholesaling and general warehousing due to modern trading practices, technological developments, improvements in transport and inventory management has encouraged manufacturers and retailers to set up their own distribution systems based on fewer but larger units.
- The Use Classes Order 1989 (3) and related changes to permitted development rights took account of more flexible working practices alongside increasing control over environmental matters. In effect, the traditional division between general offices and light industrial buildings was removed and both now form part of the Business Class, together with research and development.
- The changing nature and needs of industry and commerce have led some business uses to seek locations for off-centre developments, (ie detached from existing town and city centres), though the traditional locations continue to offer many advantages.
- There are now in Scotland about 7,400 hectares of land on some 960 sites allocated for industrial development. Excluding large and specialist sites there remain about 3,000 hectares (830 sites) identified, equivalent to a 20 year supply based on recent rates of take up (Industrial Sites Register). But there is a mismatch between demand and supply in terms of the quality and distribution of sites available.
- The qualitative and locational aspects of sites are of increasing importance, not only for specialist single user developments. High quality campus developments, industrial theme parks (based on food processing or telecommunications for example) and business parks have an increasingly important role to play in meeting the requirements of both inward investment and expanding indigenous firms.
- There is a limited but very significant demand for high amenity sites for single users, principally in the high technology field. But there is little demand for the larger industrial and some of the petrochemical sites. The maturing of the North Sea oil and gas developments and the development of new fields have resulted in expansion at St Fergus, Mossmorran and Grangemouth, but overall less land has been required than previously anticipated.
- The onset of the single European market will mean that the future success of Scotland's economy and the prosperity of her people will depend on an ability to compete efficiently and effectively in new and expanding markets. It is anticipated that high technology industries, including health care and biotechnology, together with financial and business services are most likely to benefit.

## NPPG 2 - BUSINESS AND INDUSTRY

### *Policy guidelines*

#### *The Planning System*

12. The Government looks to the planning system to assist economic growth, reconciling the development needs of industry and business with concern for the environment. This requires development plans which are up to date, relevant to demand, and which indicate where development may (and may not) take place, a supply of sites which matches need, speedy development control decisions and a general encouraging ethos.

13. Planning authorities should have regard to the following objectives:

- **to give priority to job creation and economic development;**
- **to provide not only an adequate amount of marketable land for business and industry, but also to provide an improved choice and range in terms of quality, size and location;**
- **to ensure that business and industrial development does not lead to unacceptable damage to the environment and that it contributes to the maintenance and where possible the improvement of environmental quality;**
- **to seek a distribution of sites that gives greater weight to energy efficiency in terms of access by public transport including rail as well as by road;**
- **to give support to other Government policy objectives, including the development of small businesses, and the needs of both indigenous and inward investment companies.**

#### *Land Supply - Quality and Choice*

14. The site requirements of business and industry are increasingly specialised and it is the function of the planning system to ensure that the land supply is not only adequate in overall terms but that it offers a choice of size, location and environmental amenity. To meet these requirements, development plan policies and the supply of sites both need to be reviewed.

15. Despite the large over provision of land for general industrial purposes at the national level it does not provide an adequate choice in all areas, particularly in terms of high standards of environmental quality. Developers cannot always be offered sites with the characteristics they are seeking. An attractive environment, compatible neighbouring firms, a mature landscape setting, quality building and landscape design, plus accessibility to a motorway, trunk road or other primary route and to an airport are given more consideration than previously by expanding and incoming firms. With a few exceptions, particularly in the new towns, Scotland is deficient in terms of campus developments such as Kirkton Campus (Livingston) or Peel Park (East Kilbride) where greater weight is attached to environmental quality (see paragraph 20). For local authorities the successful promotion and attraction of industrial development may well depend on being able to offer developers a choice of sites, each with a different blend of factors.

16. The Business Class (Class 4), one of the key changes introduced in the Town and Country Planning (Use Classes) Order (Scotland) 1989 (the UCO), allows greater flexibility to change between light industrial, office and research & development uses. It introduced a distinction between business uses and general industry based on environmental factors. It presents an opportunity for development plans to provide positively for enterprise and investment, whilst affording effective environmental protection. To preserve the flexibility afforded by the UCO and the

General Permitted Development Order4~, development plans should not generally impose restrictions on the freedom they provide. (The operation and effects of the Use Classes Order are the subject of a Departmental Research Project.)

17. It remains open to planning authorities to propose policies in development plans aimed at channelling particular types of business development into particular locations, although in each case a clear justification for the distinction should be made. Where appropriate, plans should also provide specifically for the types of industry which, although necessary, may be detrimental to amenity or a potential source of pollution. Suitable sites are a scarce and important resource for such industry. Development plans should however ensure that development by such industries is separated from sensitive land uses.

18. The need for development plan policies to be relevant and up to date is reinforced by SDD Circular 6/1989 (Use Classes Order)(5). In undertaking the review of policies and land supply required by the Circular, not all the existing land supply, previously identified for manufacturing and service industry will be appropriate automatically for business development. The environmental quality of undeveloped sites and existing industrial estates will be an important determinant in assessing whether business development, say in the form of a business park, would be appropriate. Business parks are distinguished by a highly accessible location, intensive landscaping, low density, high car parking provision and supporting amenities. Campus developments are at an even lower density and offer more extensive landscaping.

19. Where undeveloped sites or existing estates lack the required environmental quality, design standards or locational advantages expected of business development, particularly business parks, the potential for improvement should be considered in liaison with the owners before replacement sites are brought forward.

### ***New Town Provision***

20. The 5 Scottish New Towns provide a wide range of sites for industry and business. Among their achievements is a supply of high quality sites, including business parks and campus developments. These have attracted a large number of firms, particularly in the high technology field, and they have thus made a significant contribution to the growth of the Scottish economy. Many of the firms have been inward investors. Locate in Scotland have confirmed a continuing demand for such sites and Scottish Enterprise ownership will ensure that they can continue to be marketed with confidence. Planning policy should continue to safeguard the investment already made and seek to meet future demand (see paragraph 57).

21. In looking to the future, the Secretary of State expects planning authorities to safeguard the high environmental qualities of these New Town sites and to steer development requiring lesser quality to other sites.

### ***Vacant and Derelict Sites***

22. Vacant and derelict sites are wasted resources and Government policies are directed at bringing them back into use. The Scottish Vacant Land Survey shows that many vacant or derelict sites are intended for new industrial or business activity. Industry and business have a wide range of needs which cannot all be met on rejuvenated sites, but the aim in the longer term should be to increase the supply from this source by investing in environmental improvement. Local plans can identify the development opportunity provided by such sites, taking into account any habitats which have regenerated naturally. The use of vacant and derelict sites, including the rejuvenation of former industrial areas, relieves pressure on sites elsewhere, particularly those which may be suitable for other uses such as housing.

23. The Government's programme of land renewal is operated by Scottish Enterprise and Highlands and Islands Enterprise and delivered largely through the LECs working in conjunction with planning authorities. They are able to combine their derelict land, environmental improvement and economic development powers to ensure maximum environmental and economic gain

including benefits which accrue indirectly to nearby sites. Those schemes which combine these factors should generally merit priority, although a project which provides purely environmental benefits may be desirable in its own right.

## ***Protecting the Environment and Sustainable Development***

24. "This Common Inheritance" points out that economic growth is not an end in itself but is a means to live better and fuller lives. The challenge is to integrate the conservation of the environment with growth in national, regional and local economies and with the provision of land and premises for industrial and business development.

25. The Government supports the principle of sustainable development. 'This Common Inheritance' states it....."means living on the earth's income rather than eroding its capital.....It means handing down to successive generations not only man-made wealth (such as buildings, roads and railways) but also natural wealth, such as clean water, good arable land and a wealth of wildlife". The planning system controls development (man-made wealth) which takes place on the land (a natural resource), it assesses the impact of that development on other natural resources, and it is therefore a means for deciding what natural and man-made wealth is passed on to future generations. The principle of sustainable development is now incorporated in legislation (The Natural Heritage (Scotland) Act 1991).

26. Responsibility for the environment is not solely the preserve of central and local government. Businesses can undertake development responsibly and use natural resources according to sustainable principles. This in particular means recognising the environmental as well as the social and economic benefits and costs. Over the next decade more than ever before, careful attention to environmental issues is going to make good economic sense for business and industry.

## ***Environmental Assessment***

27. An Environmental Assessment (EA) provides a means for a systematic study of a project's effects on a wide range of environmental factors. The EA Regulations (6) empower authorities to require an assessment for specified developments if they give rise to significant environmental effects (Schedule 2 projects), while they are mandatory for a smaller number of projects (Schedule 1). In situations where the planning authority decides a formal comprehensive EA is not warranted on the grounds that the project will not give rise to significant environmental effects, it is still open to them to use their powers under Article 13 of the General Development Procedure Order (7) to request environmental information including where appropriate the impact of traffic. Other techniques which assess the environmental capacity may also be relevant to establishing the environmental issues and facts.

28. SDD Circular 13/1988 Environmental Assessment (8) states that in general terms an environmental assessment will be needed for projects in sensitive locations, for example a National Scenic Area, (and in the future a Natural Heritage Area), a Site of Special Scientific Interest, a National Nature Reserve, an area or monument of major archaeological importance and also urban locations where the characteristics of the proposed development would be likely to have significant effects on heavy concentrations of population. For the nationally designated sites and areas, only overriding social and economic considerations of national importance are likely to outweigh the environmental interests.

## ***Nature Conservation***

29. A development proposal which affects a Site of Special Scientific Interest (SSSI) triggers consultation with Scottish Natural Heritage and can lead to the application coming before the Secretary of State under the Notification of Applications (Nature Conservation) Scotland Direction 1991 (9) Industrial and business proposals should be directed away from SSSIs, and in future Natural Heritage Areas, leaving the scientific and nature conservation interest undisturbed. It is for planning authorities to consider the extent to which similar principles apply in cases where there is a nature conservation site of local importance.

30. Special Protection Areas for birds proposed or designated under the European Community Wild Birds Directive, Wetlands of International Importance designated under the Ramsar Convention and Special Areas for Conservation which will fall to be designated under the European Community Habitats Directive, strengthen the protection already afforded by SSSI designation (see SDD Circular 1/1988(10)). Development likely to affect adversely the conservation interest for which such areas have been designated, are precluded except where imperative reasons of overriding public interest can be demonstrated.

### ***Siting and Design***

31. The siting and design of buildings in sensitive locations including conservation areas and the rural landscape in general is a challenge which planning authorities have to tackle with particular care. Well designed buildings are however not only better for the wider environment, they can also make economic sense by increasing job satisfaction and minimising running costs (see "This Common Inheritance" 8.22 et seq). Examples of where new development has been successfully fitted into sensitive locations include the Dundee Technology Park and the West of Scotland Science Park. Where a proposal is likely to have a strong visual impact or be of exceptional environmental significance companies and planning authorities should consider seeking advice from The Royal Fine Art Commission for Scotland (see Circular 24/1986(11)).

32. The use of conditions and section 50 agreements is already well established as a means of realising environmental objectives, including where appropriate the creation of new habitats. The general approach is set out in SDD Circulars 22/1984(12) and 18/1986(13). Providing basic principles are followed so that conditions are necessary, reasonable, enforceable, precise, and not onerous, as well as being relevant to planning, then conditions may be used to achieve environmental objectives. The annex to Circular 18/1986 deals with conditions relating to noise, intensification, design, siting, landscaping, visual impact, tree planting, maintenance, over-development, restoration of sites and aftercare.

### ***Improvements to Existing Industrial Areas***

33. Some existing factories and industrial areas have been constructed with little if any regard to landscape setting and design, although care for the surroundings of their premises is one of the clearest ways in which a company can show its commitment to the environment. In Urban Programme Areas, authorities can declare Industrial Improvement Areas which are intended primarily to maintain and protect jobs, but which also provide improvements to buildings and the environment.

- **The reuse of land and premises and the environmental improvement of existing industrial areas should be a priority, both as a contribution to the regeneration of older urban areas and as a means of reducing the demand for greenfield sites.**

34. The Brightside Initiative is one example which has provided a cost effective way of improving the working environment and has already helped a large number of firms. Where improvement schemes have taken place the companies and their employees have benefited from an improved environment and from the image it portrays. These improvements can also act as a catalyst for consideration of wider environmental issues.

- **Planning authorities should take steps in local plans to achieving environmental works in existing industrial areas by identifying priorities for improvement.**

### ***Location and Access***

35. The locational needs of industry and business should be a key input to the preparation of development plans. Development plan policies must take account of these needs and at the same time seek to achieve wider objectives in the public interest (see paragraph 36 below). Development plans offer the opportunity to:

- **identify locations for new development which minimise the length and number of trips, especially by motor vehicle;**

- **provide for new development in locations that can be served by more energy efficient modes of transport, this is particularly important in the case of offices, 'light' industrial development, and campus style developments such as science and business parks likely to have large numbers of employees;**
- **discourage new development where it would be likely to add unacceptably to congestion;**
- **locate development requiring access mainly to local roads away from trunk roads, to avoid unnecessary congestion on roads designed for longer distance movement.**

More generally, the preparation of development plans is now the main mechanism by which major new development proposals can be assessed alongside the transport improvements needed to serve them; and by which transport proposals can be linked to the development opportunities they create.

36. The Government's policy, set out in "This Common Inheritance" and subsequent White Papers, is to seek to control the emissions of greenhouse gases which lead to global warming. Locational policies in development plans can help to achieve that objective through reducing the need to travel, and encouraging development in areas that can be served by more energy efficient modes of transport - such as rail or in some cases coastal shipping. In this context it will be important to identify sites adjacent to existing infrastructure but also locations next to disused facilities which might be returned to freight use if demand increases.

37. Industrial and business sites which are poorly located or which have inadequate access should be identified during the preparation of development plans. In consultation with the roads authority and other interested parties, consideration should be given to improving them. For undeveloped sites, consideration should be given to alternative uses if the difficulties cannot be resolved.

38. At an early stage in the planning and designing of all new transport facilities, planning authorities should assess the potential effects so far as business and industry are concerned and the means to maximise any benefits.

39. In relation to improvements to road based transport infrastructure in Scotland the Government's main priorities are the upgrading of the A74 to motorway standard and the completion of the Central Scotland motorway network. Following on from "The Trunk and Key Principal Road Network Review" the Government has published "Roads, Traffic and Safety 1992". This report sets out the investment programme for the core strategic routes on the network where the growth of traffic, congestion and operational problems are imposing costs on industry, commerce and the environment. In relation to air transport, new development is being generated across a wide area by the expansion of services at Edinburgh Airport and at Glasgow Airport, where opportunities may be identified for further investment. The Eurofreight Terminal at Mossend is also expected to change the pattern of demand and generate new demands related to rail accessibility.

## ***Storage and Distribution***

40. A new use class dealing specifically with warehousing and related functions was introduced in The Town and Country Planning (Use Classes) (Scotland) Order 1989 (Class 11, Storage or Distribution). The distinction between this class and the general industrial and business classes is based on the higher level of lorry and van movements which is likely to be associated with storage or distribution depots. Employment densities may be equal to or greater than for manufacturing industry, but even where they are low, storage and distribution are essential components of the wider manufacturing and retailing economies.

41. Development plans do not necessarily need to identify a supply of land for storage and distribution separate to the general industrial and business supply. The majority of smaller storage or distribution units cater for a diverse range of activities and in many cases these will be compatible with adjacent industrial or business developments. Development plans may however identify and safeguard sites when there is a limited choice of sites available with the required accessibility which are also able to accommodate a high volume of goods vehicles. This will be

particularly so for the larger distribution developments of 10,000 sq metres when immediate access to a motorway, trunk road or other primary route is a major consideration. It seems unlikely that uses in this use class, unaccompanied by industry or business, will make the most advantageous use of the highest quality industrial and business sites, but it is not possible to be prescriptive.

42. In determining planning applications the main site specific issues for development of this kind are likely to be the appearance of the building in the landscape and specialised requirements such as very high eaves, floodlighting and trailer parking areas. Planning authorities will need to take these into account together with anticipated traffic movements.

### ***Workshops and Homeworking***

43. The Government is keen to encourage the formation and expansion of small businesses. These can make a significant contribution to employment growth and are an essential component of economic regeneration. Planning authorities should therefore examine the needs of this sector during the preparation of development plans. Where there is a potential demand for small scale workshops, local plans should make site specific allocations. In addition there may be a demand for workshops attached to new housing and local plans may also allocate sites for this form of development.

44. Many small businesses and other non-residential uses are started by people working in their own homes, and technological innovations are likely to increase the incidence of homeworking. This will be particularly important in rural areas where electronic communications permit businesses to be located without any major disadvantages, for example, the Unst Telecroft. Homeworking does not necessarily require planning permission. Permission is not normally required where the use of part of a dwellinghouse for business purposes does not change the overall character of the property's use as a single dwelling, for example, the use by a householder of a room as an office. Those considering working from home are advised to seek the advice of their planning authority at an early stage.

45. Once the business activity increases and the non-residential use of the property ceases to be ancillary to its use as a single dwelling, a material change of use for which planning permission is required is likely to have taken place. The likelihood of there having been such a material change of use may be indicated where the business or non-residential use generates visitors, traffic, noise or fumes over and above what might be expected if the property were in use as a single dwelling without any ancillary use. Planning authorities should ensure that such developments are effectively controlled.

46. Similar principles apply where a new activity is introduced in, or within the curtilage of a commercial or industrial building. The established planning principle of ancillary (or incidental) uses recognises that new activities may be started in a building or within its curtilage without any further need for permission, provided they remain ancillary to the main use. The use of the rear of a shop for office and storage purposes in connection with the shop, for example, would be part of the shop use in planning terms and would not require further permission. However, office or storage use by an unrelated business could well require planning permission. It will always be sensible for businesses to check with the planning authority before instituting any new use of land or premises.

### ***Simplified Planning Zones***

47. Planning authorities can designate Simplified Planning Zones to strengthen the attractiveness of sites. The private sector may also propose a Simplified Planning Zone. New procedures are to be introduced shortly. The growing experience of these zones shows that they offer promotional advantages to the local authority and marketing advantages to the developer seeking funding and clients. An aspect of this is the flexibility to change building layouts to suit market requirements (see Simplified Planning Zones - Progress and Procedures, DOE Research Project. HMSO 1991)(14).

### ***Hazardous Substances and Development***

48. The aims of planning policy regarding developments where hazardous substances are stored or used are to separate new hazards from other development and, over time, to reduce the risk posed to existing development. Well established procedures already exist for consulting the Health and Safety Executive on planning applications involving hazardous substances and development in their vicinity. These are set out in the General Development Procedure Order 1992(7) and Circular 29/1988, Notification of Applications(15) and its associated Direction. The purpose of the procedures is to ensure that planning authorities are properly advised on the hazard posed by the use or storage of hazardous substances and are able to take this into account in determining applications. The advice of the HSE is also available when development plans are being prepared.

49. An additional control is being introduced for the storage or use of hazardous substances in circumstances where there is no related planning application. Under the Town and Country Planning (Hazardous Substances) (Scotland) Regulations an application for Hazardous Substances Consent will have to be made to the planning authority. A guide for industry is set out in Circular 16/1993.16)

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## NPPG 2 - BUSINESS AND INDUSTRY

### *Action required*

#### *Structure and Local Plans*

50. Structure and local plan reviews should take into account the full spectrum of industrial and business employment, both traditional and new, during the identification of locations and sites. Two relevant factors to consider will be the economic restructuring which has taken place since the early 1980s and the particular strength of local economies. Development plans should explain the means for monitoring take up and bringing new sites forward.

51. The benefits of Assisted Area status are a significant factor, particularly for incoming and expanding firms, and planning authorities in the relevant areas have a responsibility to ensure that their policies and proposals build on the local advantages of Assisted Area status.

52. Structure and local plans will continue to set the context for the land use and development implications of Local Enterprise Company business and operating plans. Close co-operation between the planning authority and the LEC is essential. Planning authorities may wish to consider whether existing plans need alteration, especially where they were prepared before the LEC was in operation. In that case the LEC should be consulted so that it can contribute to the plan making process. For specific projects partnership with Scottish Enterprise National and with Highlands and Islands Enterprise will in many cases also be desirable.

#### *Structure Plans*

53. Structure plan land allocations for industry and business should be part of the overall long term strategy and prepared with the aim of ensuring a supply of marketable land (see Annex 1) throughout the plan period. The allocation should be based on an analysis of the market situation, consulting with developers and other agencies as appropriate, and be compatible with the Industrial Sites Register.

54. **In addition Structure Plans should:**

- **allocate land to provide for a marketable supply of general industrial and business class land throughout the plan period;**
- **ensure that the allocation takes full account of the need to protect sensitive and important environmental assets;**
- **justify the allocation by reference to the overall strategy and indicate the spatial distribution of the supply, taking into account the full spectrum of industrial and business needs;**
- **indicate and clearly justify the priority, if any, to be given to particular types of economic development;**
- **make provision for storage and distribution uses within the allocation for industry and business, except where accessibility and amenity issues require a separate allocation;**
- **take account of the interaction between location, transport and the environment (see paragraph 35 et seq);**
- **apply as appropriate the national locational guidelines set out below.**

#### *Local Plans*

55. Local plans should apply the structure plan allocations and identify the sites. These should be backed up by a pool of sites to be brought forward as the supply is developed.

56. A key issue to address will be the spatial distribution of the supply. The historically low rate of take up, the continuing low level of demand and the emphasis on high quality, means that sites need not and should not be identified in every locality, especially in rural areas. While most development will continue to locate on sites in the marketable supply, development elsewhere must not be ruled out, especially when it is related to the needs of an existing small settlement. In addition to the marketable supply, local plans must therefore contain policies for industrial and business development which define both the general criteria of acceptability (eg no comparable marketable supply site available, employment creation, locational requirements, access, infrastructure costs, environmental effects etc) and indicate that conditions may be imposed on a grant of permission.

**In addition local plans should:**

- - identify sites in conformity with the structure plan allocations;
- - indicate and clearly justify the priority, if any, to be given to particular types of economic development for specific sites;
- - propose and clearly justify the priority to be given to land renewal and environmental improvement schemes for vacant industrial sites.
- - reallocate sites which stand little chance of development to suitable alternative uses.
- - find additional sites of high quality, especially for business class development.
- - consider the potential advantages of a Simplified Planning Zone(s).
- - make provision to meet the need for small scale workshops;
- - take account of the interaction between location transport and the environment (see paragraph 35 et seq);
- - include policies for determining development proposals for sites not in the marketable supply;
- - where appropriate set out the required level of environmental amenity and building design, supported if necessary by a development design brief (see Annex 2). Different standards may apply to different parts of the same business park;
- - state the means by which new sites will be brought forward as identified sites are developed;
- - apply as appropriate the national locational guidelines set out below.

57. The local plans for the New Towns of Cumbernauld, East Kilbride, Glenrothes, Irvine and Livingston should also:

- - include policies which protect, maintain and enhance the environmental quality of existing industrial and business areas;
- - set out the high environmental and design standards required of business parks and campus developments;
- - provide for a supply of sites totalling approximately 10-20 hectares to be available on campus developments throughout the plan period;
- - show that the views of Locate in Scotland were taken into account in the preparation of the plan;

## ***Development Control***

### ***A positive approach***

58. Given the importance which the Government attaches to economic development and job creation, planning applications for business and industrial development should be approved, having

regard to the development plan and other material considerations, unless there are sound reasons for refusal. In their consideration of applications, planning authorities should seek to reconcile the need for industrial and business development with other development plan policies and wider environmental objectives.

- **the planning system should create the framework whereby planning applications for industrial and business development can be approved.**

59. Special consideration should be given to applications which have the potential to create conflict between the new development and existing industrial uses nearby. For example, where residential development is proposed in the vicinity of existing industrial uses, the expectations of the residents may exceed the standards applied by the planning authority, and may give rise to pressure to curtail the industrial use. This may be a particularly acute problem where other legislation, such as that relating to environmental pollution or public health, might subsequently result in costly new conditions or restrictions being imposed on the industry as a consequence of the new neighbouring development.

Accordingly:

- **planning authorities should ensure that all new development is compatible with existing industrial and business activities.**

60. Where they are disposed to permit industrial or business development in residential and rural areas, planning authorities should bear in mind that subsequent intensification of the use may become unacceptably intrusive. Unless it amounts to a material change in the character of the use, intensification cannot be controlled if unconditional planning permission has been granted.

- **planning authorities should, therefore, consider the use of planning conditions or planning agreements to safeguard local amenity, where they would be an appropriate means of preventing foreseeable harm.**

61. Save in exceptional circumstances, conditions should not be imposed which restrict either permitted development rights granted by development orders or future changes of use which the UCO would otherwise allow. The Secretary of State would regard such conditions as unreasonable unless there were clear evidence that the uses excluded would have serious adverse effects on amenity or the environment, that there were no other forms of control, and that the condition would serve a clear planning purpose. The use of planning conditions is dealt with in SDD Circular 18/1986(13).

62. Where an authority's planning objectives cannot be achieved by imposing a planning condition (because, for example, they involve the developer making a financial contribution, or they relate to development, roads or buildings other than those covered by the planning permission), it may be appropriate to enter into a planning agreement (see SDD Circular 22/1984(12)). Paragraph 32 also refers.

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## NPPG 2 - BUSINESS AND INDUSTRY

### *Planning applications likely to raise a national issue*

80. Major development proposals for business or industry requiring more than 100 ha are likely to raise a national issue.

- **The Secretary of State must be notified if the planning authority propose to grant planning permission for industrial, petrochemical or business development requiring more than 100 hectares of land.**

81. The notification procedures for oil related development set out in the Notification of Applications Direction will continue to apply.

82. The provision of any single user high amenity sites, large and medium sized sites for petrochemical development, business or industry, in addition to the nationally safeguarded sites, must be justified in structure plans but will carry no indication of a national requirement.



## NPPG 2 - BUSINESS AND INDUSTRY

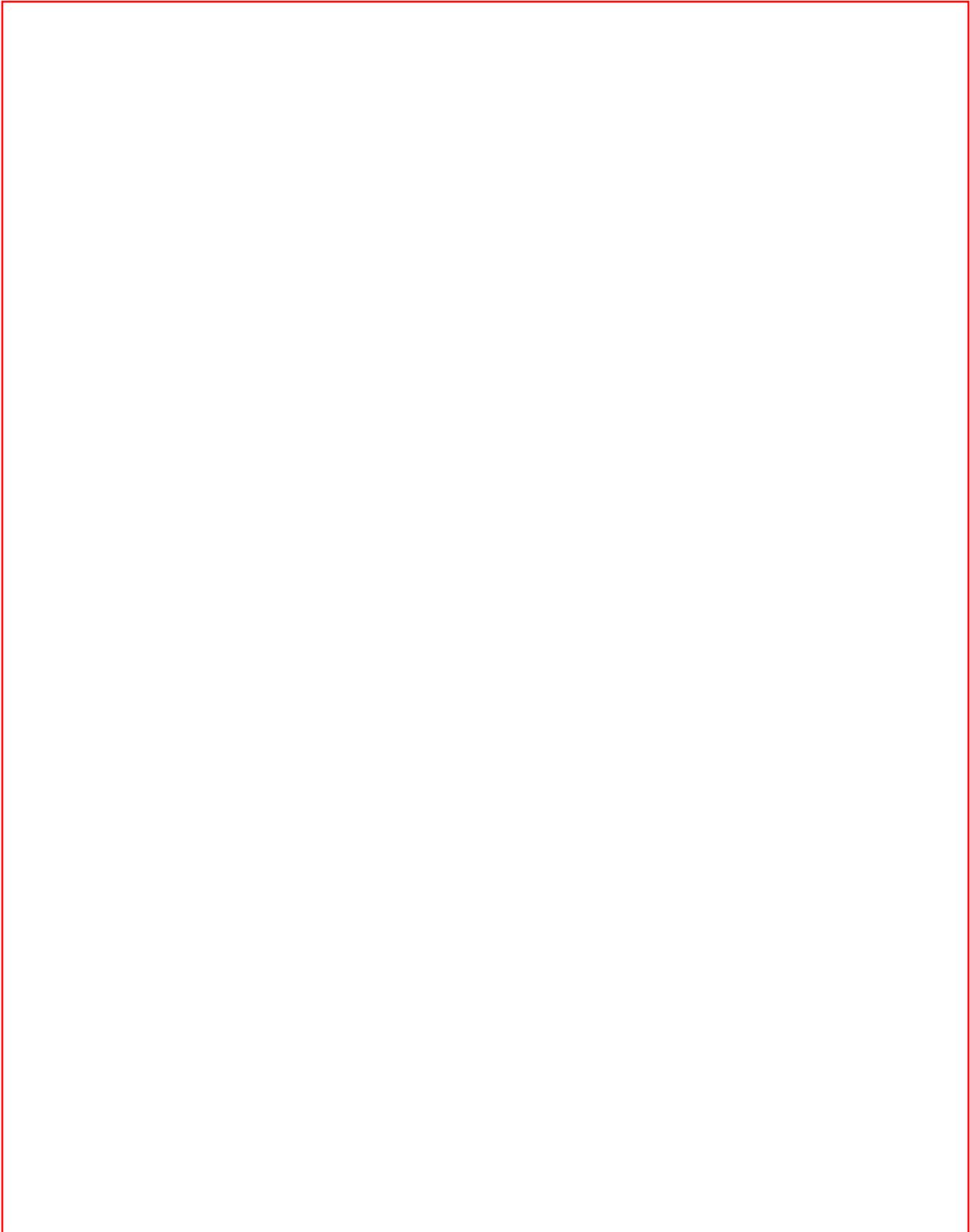
### **Note**

83. This NPPG replaces those parts of the National Planning Guidelines 1981: Priorities for Development Planning which provided guidance on Land for Large Industry and Land for Petrochemical Development together with the relevant background notes. It also replaces the National Planning Guideline 1985: High Technology: Individual High Amenity Sites and Land Use Summary Sheet 16 High Technology Industry. These are now withdrawn. The Notification of Applications (Scotland) Direction 1988, annexed to SDD Circular 29/1988, has not been withdrawn and will be updated in due course.



## NPPG 2 - BUSINESS AND INDUSTRY

### *Map 1 National Planning Policy Guideline Business and Industry*



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## NPPG 2 - BUSINESS AND INDUSTRY

### *annex 1: marketable land*

The Industrial Sites Register defines marketable land as land (including wayleaves) which is:

1. secure in terms of planning permission (including sites agreed in principle but not yet allocated in a development plan);

and 2(i) fully serviced or where site servicing could be provided at short notice and where there is no significant obstacle to development.. Such land should be available within one year;

or 2(ii) not yet serviced but where there is no special constraint on servicing capability or other obstacle to development. Such land **will** be available within 1-5 years or **could** be made available within 1-5 years;

and 3. connected to the strategic road/rail network with access existing or easy to arrange;

and 4. will normally be capable of accommodating a broad range of development without adverse environmental impact.

If a site does not meet these 4 criteria then it should not be included in the Industrial Sites Register. This makes it clear that sites must be available and related to some view of future demand. Land is deemed to be available, even if planning permission has been granted, until physical construction is initiated. The ISR should not include 'option land' held by existing firms for their own expansion or land positively destined for non-industrial purposes.



## NPPG 2 - BUSINESS AND INDUSTRY

### annex 2: development brief for general application

#### **Note:**

The sub-headings which follow are suggested as possible sections of a Brief. Similarly, the text is intended to indicate the subject matter which may typically be included in each section. This is a basic framework which can be augmented according to the circumstances of each site and taking into account as appropriate the contents of this Guideline.

#### **Introduction**

1. This section should set out the purpose of the brief, summarise the special environmental qualities of the site and indicate the exceptional circumstances for its development. It should be made clear that the brief covers planning matters though it may cross refer to other authorisation procedures such as building control.

#### **General Development Objectives**

2. This section should set out the general development objectives arising from planning authority policies (expressed in structure and local plans) bearing upon the development of the site. The objectives should relate to the need to produce a development of appropriate quality and density, and to the desirability of integrating the development as far as possible with any important off-site elements (such as topography and natural features, monuments or buildings of architectural and/or historic importance) when determining the overall layout of the site and disposition of buildings.

#### **Use of the Site**

3. This section should state the design principles for the development having regard to the topography of the site and its surroundings. It should state the maximum development density (ratio of buildings and plant to total site area, expressed as a percentage) which would be acceptable to the planning authority. General guidance should be given about the planning authority's requirements with regard to building height, area, design characteristics, materials and colours. Basic principles regarding the positioning and screening of external plant, chimneys and car parking areas should be indicated. The role and treatment of any existing buildings should be considered in this section.

#### **Landscape Requirements**

4. This section should define the planning authority's overall theme for the landscape treatment of the site. Guidance should be given about the need for screen planting and the relationship of the buildings, external plant and car parking to the site landscape and views into and out of the site. Specific requirements relating to planting and the retention of topographical and natural features should be indicated.

#### **Engineering and Servicing Requirements**

5. This section should give an indication of the main requirements arising from the initial engineering examination of the site. Requirements and limitations in respect of vehicular access points should be described. Guidance should be given about car parking standards, public transport, the treatment of effluent, discharge of surface water and other relevant standards with which the planning authority would expect the development to comply.

The Scottish Office, OM(DPPS) GF0189 8/93



## NPPG 2 - BUSINESS AND INDUSTRY

### *National locational guidelines*

#### *Large Single User High Amenity Sites*

63. Four categories of sites for high technology industry were introduced by the National Planning Guidelines 1985. The provision of large single-user high amenity sites of 5-30 hectares (Category 1) continues to be national guidance (see below). The provision of small high amenity single user sites (Category 2) is well established and planning authorities should where appropriate anticipate demand by bringing forward new sites in structure and local plan reviews. Changes in working practices since 1985, plus the advent of the Use Classes Order 1989, mean however that high amenity industrial estates (Category 3) are no longer the basis of specific national guidance. A more diverse approach is called for and planning authorities should provide such sites in accordance with this guidance, particularly the Action Required section. In making provision, it must be recognised that most but not all the activity usually referred to as "high technology" falls into the business class. Science or research parks (Category 4) are now well established and specific national guidance is no longer needed.

64. The demand for large single-user high amenity sites is limited, but the benefits to the Scottish economy in terms of jobs, investment and spin-off activity from mobile investment opportunities are significant. In addition to the demand for 'stand-alone' sites, Locate in Scotland has identified an emerging demand for sites located in groups or clusters, but with the same requirements for individual identity and amenity. This demand is most likely to be for sites at the lower end of the size range and some "proven" sites may therefore be able to accommodate a cluster of users.

65. Total overseas demand for high amenity sites cannot be quantified precisely. Interest is focused primarily on sites in Development Areas which are well located in relation to the motorway and road network, have good access to a main airport, and are readily available for development. Experience suggests that in order to offer choice it is reasonable to plan on having available a minimum of 10 sites in the Central Belt, of which about 6 should be in Strathclyde and 1 or 2 in Lothian and Fife. (For the purpose of quantifying supply, a cluster of contiguous small sites shall be counted as one site.) To keep the supply in tune with market conditions, new sites will continue to be considered and "proven" sites reconsidered, preferably in the context of development plan reviews.

66. The process of identifying and proving the sites involves local authorities, Scottish Enterprise, Locate in Scotland and The Scottish Office. The scarcity of sites is illustrated by the very large number which have been suggested only to fail the detailed assessment of ground conditions, constraints, access, cost, marketing prospects, etc. Once "proven", the sites have been taken to the planning permission stage, acquired by Scottish Enterprise and used by Locate in Scotland in its overseas marketing. The result has been the successful developments by Compaq at Erskine, Sun Microsystems at Linlithgow and Motorola at Easter Inch.

Accordingly:

- **Proven sites for single-users who require a high standard of amenity and offer exceptional economic benefits should be safeguarded in structure and local plans.**
- **A minimum of 10 proven sites should be available in the Central Belt, of which about 6 should be in Strathclyde and 1 or 2 in Lothian and Fife.**
- **The Secretary of State must be notified if the authority propose to grant planning permission for all or part of a proven high amenity single user site, or for development on a conterminous site which would prejudice the site's development potential.**

## **Medium Sized Industrial Sites**

67. Since the 1970s there has been a demand for industrial sites for single users of between 10 and 30 hectares. The demand is limited in scale and arises from inward industrial developments seeking sites with similar locational characteristics to high amenity sites, namely, good access to motorways, trunk roads or other primary routes and airports and preferably with the advantage of Intermediate or Development Area status. The main difference is that amenity and environmental quality may not be of such paramount importance.

Accordingly:

- **Each structure plan should identify a general location for a minimum of one general industrial site of 10-30 hectares for a single user, preferably within a development or intermediate area where appropriate. A choice of locations should be available in Strathclyde.**
- **The relevant local plan should identify the site.**

## **Large Industrial and Business Sites**

68. The employment and economic potential of the large industrial sites identified in the 1981 Guidelines (sites of 100 ha for a single user) has not been realised. There was a steady though modest demand for large industrial sites throughout the 1970s but this did not continue into the 80s. Large scale industrial developments are extremely rare but it would be imprudent to abandon completely the national policy.

69. In order to improve the likelihood of development at *Linhouse* the 1981 guidelines have been adjusted in 2 ways. Firstly, the 'single user' criterion has been replaced by a requirement for a single planned scheme. There is now the opportunity for a planned development of the site for occupation by up to 3 individual companies. Secondly, to retain the possibility of securing development in the former 'light' industrial class, and to accord with the 1989 Use Classes Order, the site will be safeguarded for Industrial and/or Business development or a combination of both.

70. At *Newhouse* the Scottish Eurofreight Terminal and associated proposals for distribution, business and ancillary uses are planned to occupy the guideline site and the adjoining area. The continuing national interest in the northern part of the site is expressed in the Enterprise Zone arrangements which supersede the need for a separate safeguarding provision through this guideline.

71. These 2 sites will thus have a continuing role to play in providing a choice of amenity, site characteristics, size and location to prospective developers. *Newhouse* in Strathclyde, with its first class accessibility, will remain a nationally important site, though with the area re-defined. *Linhouse* (Livingston) in Lothian will continue to be safeguarded. Its area was reduced to 100 hectares by the approval to develop a small part of the site which has improved access and amenity. Site constraints here are likely to limit the area available for development still further, though it may if required be capable of expansion to the west.

72. Since the large industrial site at Hunterston was safeguarded in 1971, the prospects of securing a major integrated steel works have faded. An independent consultants study has shown that although new steel making capacity is expected to be built in Europe in the longer term, the probability of attracting it to Hunterston is at best only medium to low. They identified other large industries, including chemicals, pulp and paper which warrant further investigation, and demonstrated the need to make provision for downstream users of basic products. In view of the long term uncertainties, the availability of other sites for smaller industries and the fact that the safeguarding policy has created the circumstances whereby planning applications can be dealt with more quickly, the consultants recommended in favour of retaining the safeguarding policy over the whole site. The Secretary of State is considering their report, but in the meantime the existing policy will continue to apply.

Accordingly:

- **The 100 ha large industrial and business site at Linhouse, West Lothian should continue to be safeguarded in structure and local plans for a scheme of up to 3 single use developments giving priority to industrial processes in use classes 4 and 5. The local plan should contain or have associated with it a development brief.**
- **The Eurofreight Terminal and associated proposals at Newhouse should be incorporated in structure and local plan alterations, taking account of the enterprise zone arrangements which express the national interest in the site.**
- **The large industrial site at Hunterston, Cunninghame District, should continue to be safeguarded for large scale industries in the structure and local plans. The local plan should contain or have associated with it a development brief.**
- **The Secretary of State should be notified if an authority propose to grant planning permission for part of a large site or for development in the vicinity which could prejudice the site's potential.**

73. The Hunterston area is also subject to the Reference of Application Direction 1971. All planning applications for industrial development are referred to the Secretary of State for decision.

## ***Large Petrochemical Sites***

74. The 1981 Guidelines safeguarded 6 sites for large petrochemical development at a time when North Sea oil and gas production was still expanding and the industry anticipated a growing demand for land. Growth in the gas landing and processing sector is expected but the existing systems of landing and transmission have spare capacity and more intensive use is being made of already developed sites. Significant additional land should not therefore be required.

75. Two of the 6 sites, *St Fergus North* (Grampian) and *Mossmorran* (Fife) have been the subject of either development or strong developer interest for the landing or processing of oil and gas. This sector is expected to remain buoyant and therefore the whole safeguarding will be retained for both sites.

76. At *Nigg* on the Cromarty Firth (Highland Region) the safeguarded area extends over the land and an area for reclamation from the sea. The original definition of this area was based on the premise, among others, of providing for an oil refinery. This now seems an unlikely prospect. The area continues to have a potential for gas landing and processing and the national policy is to safeguard a reduced area, to be defined by the planning authority having regard to the status of the Cromarty Firth as a potential Special Protection Area/Ramsar site. Meantime the 1981 safeguarding should stand.

77. *North Collielaw* in Grampian is a substitute by the planning authority for the 1981 Guidelines area at Wellington Place Farm, for which reasoned justification is given in the Local Plan. The general area has potential for gas processing and downstream activity and North Collielaw should be safeguarded in the national interest.

78. In Shetland an area at *Scatsta Ness* was safeguarded as a location for an oil refinery together with gas processing and 'downstream' activities. These are now seen as unlikely in this area at least up to the late 1990s and national safeguarding should be removed. There seems little possibility of competing uses from oil related industry wanting to use this area.

79. At *Grangemouth* (kinneil Kerse), ground conditions, proximity to Bo'ness, the difficulties of providing a new marine terminal and the designation of an SSSI extension on the northern portion of the site mean that it is no longer suitable for a petrochemical development of the scale once envisaged. The South Western part of the site does however retain its potential for development and an area of not more than 100 hectares will continue to be safeguarded. This has been reflected in the Secretary of State's decision on the Central 2000 Structure Plan. The boundary of the site

and the associated policy should be redefined by Local Plan alteration in accordance with the Structure Plan.

Accordingly

**· The following sites as shown in structure and local plans are safeguarded for large petrochemical developments. Development briefs should be part of, or associated with, the local plans.**

<b>Site</b>	<b>Region</b>
<b>St Fergus North</b>	<b>Grampian</b>
<b>Mossmorran</b>	<b>Fife</b>
<b>Nigg*</b>	<b>Highland</b>
<b>North Collielaw</b>	<b>Grampian</b>
<b>Grangemouth (Kinneil Kerse)*</b>	<b>Central</b>

**\* New boundary to be defined in local plans**

**The safeguarding should include land needed for associated terminals and pipelines.**

- **The Secretary of State must be notified if the authority propose to grant planning permission for part of an area safeguarded for a large petrochemical development, or for development in the vicinity which would prejudice the site's potential.**
- **Safeguarding in the national interest is removed from Scatsta Ness (Shetland Isles), and Wellington Place Farm (Grampian), and redefined for Grangemouth/Kinneil Kerse (Central) and Nigg (Highland). Structure and local plan policies for these areas should be reassessed and altered if necessary.**

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