

TAYplan Strategic Development Plan Authority

Summary of Unresolved Issues (Schedule 4)

Issue number 23: Delivering the Strategic Development Plan

Contents

1. Summary of Unresolved Issues
2. Copy of actual representations pertinent to this issue (<i>Personal details have been redacted. Full details have been provided to the DPEA separately.</i>) <ul style="list-style-type: none">• All representations include any attachments submitted by the respondent.• Where representations were submitted in hard copy or by email these were entered into TAYplan's online system and all material originally submitted has been attached and appears here with the representation.
3. Library of documents <ul style="list-style-type: none">• All documents and extracts referred to in the representation and/or the Schedule 4 are either contained in the library attached to this Schedule or where over 50 pages within the Core Library (separate folders).

1. Summary of Unresolved Issues

Issue		
Issue number 23: Policy 8: Delivering the Strategic Development Plan		
Development plan reference:	Page 22: Delivering the Strategic Development Plan	Reporter: [Note: For DPEA use only.]
Seeking a Change		
ID Number	Person/Organisation	Representation Reference
545593	Auchterhouse Community Council	PLAN871
442149	Bidwells for Zurich Assurance Limited	PLAN672
346407	D G Coutts Associates for Linlathen Developments	PLAN288
346407	D G Coutts Associates for Linlathen Developments	PLAN291
547625	D G Coutts Associates for The Morris Leslie Group	PLAN431
548113	DTZ for Headon Developments	PLAN516
548117	Dundas Estates & Development Company	PLAN467
548522	EMAC Planning for A & J Stephen Limited / Bett Homes Limited	PLAN756
445201	EMAC Planning for A & J Stephen Ltd	PLAN709
445204	EMAC Planning for Angus Estates Limited	PLAN647
548523	EMAC Planning for Bett Homes Limited	PLAN773
548524	EMAC Planning for Stewart Milne Homes	PLAN788
329236	Forth Ports PLC	PLAN711
329236	Forth Ports PLC	PLAN713
543112	GS Brown Construction	PLAN88
543112	GS Brown Construction	PLAN89
548389	Halliday Fraser Munro for Barratt Homes	PLAN592
442882	Homes for Scotland	PLAN222
442882	Homes for Scotland	PLAN223
441086	Jones Lang LaSalle for Scottish and Southern Energy and its Group Companies	PLAN910
349140	Montgomery Forgan Associates for Headon Developments Limited	PLAN625
442083	Montgomery Forgan Associates for Strategic Land (Scotland) Limited	PLAN702
331497	Montgomery Forgan Associates for Taylor Wimpey	PLAN699
349134	Montgomery Forgan Associates for VGH (VICO Limited/Bett Homes/Headon Developments Limited	PLAN580
331257	Mountaineering Council of Scotland	PLAN853
548760	Mrs D Jeffrey	PLAN810
548250	Ms Joan McEwen Sprunt	PLAN477
547710	NHS Tayside	PLAN301
344887	Penny Uprichard	PLAN882
453889	Royal Burgh of St. Andrews Community Council	PLAN928
444087	Scottish Property Federation	PLAN253
442871	Smiths Gore for Errol Park Estate	PLAN680
442870	Smiths Gore for Mansfield Estates	PLAN558

547750	St. Andrews Preservation Trust	PLAN847
539251	Stewart Milne Homes	PLAN344
539251	Stewart Milne Homes	PLAN343

Support as written

ID Number	Person/Organisation	Representation Reference
419429	Auchterarder & District Community Council	PLAN111
335193	Broughty Ferry Community Council	PLAN12
416017	Colliers International for Persimmon Homes Limited	PLAN45
541486	Colliers International for Taylor Wimpey East Scotland	PLAN68
442806	Loch Lomond and The Trossachs National Park Authority	PLAN106
347686	Network Rail	PLAN282
337414	Scottish Water	PLAN132
441235	Tactran Regional Transport Partnership	PLAN125

Provision of the development plan to which the issue relates:

Setting out a clear and certain framework for delivering the Strategic Development Plan and the requirements for developer contributions.

Planning Authority's summary of the representation(s):

SUMMARY OF REPRESENTATIONS SEEKING A CHANGE

SCOTTISH GOVERNMENT POLICY

Dundas Estates and Development Company (548117) and Montgomery Forgan Associates (for Taylor Wimpey (331497), Strategic Land (Scotland) Ltd (442083), VGH (VICO Ltd/ Bett Homes/ Headon Developments Ltd) (349134) and Headon Developments Ltd (349140)) seek a change to Policy 8 to ensure consistency with Circular 1/2010. *Dundas Estates and Development Company (548117)* state that the circumstances set out in Circular 1/2010 outlining that the development industry will have an obligation to mitigate the direct impact of development, but not fund requirements which are not directly related to development, should be specifically referred to.

EXTENT OF POLICY WORDING

a) Public and Private Sector Contributions and Mechanisms

Homes for Scotland (442882), Smiths Gore for Errol Park Estate (442871) and Stewart Milne Homes (539251) seek a change to the narrative in Policy 8 which suggests that as and when additional burdens are placed on infrastructure and services, as a result of development, these are mitigated by the developer. Whilst it is accepted that there is a need for collaborative working relationships between the public and private sector to fund large scale infrastructure projects, this should not be private investors for funding. Further consideration should be given to the scope, timing, public sector funding delivery mechanisms and reviewing the essentials for developer contributions. *Halliday Fraser Munro for Barratt Homes (548389)* reinforce this point by considering it critical that the public sector invests in strategic infrastructure to deliver development in the TAYplan area.

St. Andrews Preservation Trust (547750) seek a change to the suggestion that local authorities can fill the gap in the funding of developer contributions, whilst question whether much development will take place in the near future, with or without developer contributions and view it as necessary to consider annual housing targets in respect of the current economic conditions. **Homes for Scotland (442882)** seek a further change to include an additional statement regarding the role of the public sector and funding models. **Homes for Scotland (442882), Emac Planning (for A & J Stephen Ltd (445201), Angus Estates Limited (445204), A & J Stephen Limited/ Bett Homes Limited (548522), Bett Homes Limited (548523) and Stewart Milne Homes (548524)** agree that the cumulative burden of current developer contribution requirements is placing an unsustainable burden on the housebuilding industry. **Homes for Scotland (442882)** consider that whilst it is welcomed that local authorities in the TAYplan area have been pro-active and forward thinking in their approach to developer contributions, it is hoped, also by **Emac Planning (for A & J Stephen Ltd (445201), Angus Estates Limited (445204), A & J Stephen Limited/ Bett Homes Limited (548522), Bett Homes Limited (548523) and Stewart Milne Homes (548524)** that further discussions can be had in recognising continuing funding constraints and enabling sites to be unlocked. **Halliday Fraser Munro for Barratt Homes (548389)** also seek a change to expand on and clarify the Plan's current reference to new mechanisms may be needed to deliver financial models to prevent financially unworkable requirements at a later stage. **Forth Ports PLC (329236) PLAN713** also seeks a change for the Plan to go further in its consideration of the means to fund infrastructure, specifically funding mechanisms.

A further concern is expressed by **Emac Planning (for A & J Stephen Ltd (445201), Angus Estates Limited (445204), A & J Stephen Limited/ Bett Homes Limited (548522), Bett Homes Limited (548523) and Stewart Milne Homes (548524)** and **Stewart Milne Homes (539251)** that widening the provision of strategic infrastructure to deliver development proposals in the TAYplan area in the future, which are tenuous and fail the tests of scale and kind, would be unacceptable and in some cases, unlawful. A further change is sought to the wording in the supporting text that suggests the private sector bring forward all necessary funding for new infrastructure and service provision for new development, supporting the need for public-private partnership.

Stewart Milne Homes (539251) considers that the scope, timing and delivery mechanisms ought to be addressed through the Proposed Plan Action Programme.

The **Mountaineering Council of Scotland (331257)** expresses concern they do not consider developer contributions reduce the adverse impacts of development on local residents and the wider community.

b) Economy and Viability

Smiths Gore for Mansfield Estates (442870) seek a change to Policy 8 to provide greater recognition of the current market conditions and requirements for local authorities to have a realistic and supportive approach in facilitating development. Whilst **Emac Planning (for A & J Stephen Ltd (445201), Angus Estates Limited (445204), A & J Stephen Limited/ Bett Homes Limited (548522), Bett Homes Limited (548523) and Stewart Milne Homes (548524)** welcome the reference to the future role of the public sector in the supporting text, a change is sought in ensuring this is endorsed in Policy 8. The policy should recognise that developer contributions will be more difficult to fund and contributions must be fair and accurately assessed.

Halliday Fraser Munro for Barratt Homes (548389) seek clarification on the reference to 'quality' in the policy and suggest that this does not broadly encapsulate aspects of infrastructure other than their design. They suggest the delivery of TAYplan's strategy could be threatened if the public sector relies on the private sector to make good defects in existing

services.

While ***Bidwells for Zurich Assurance Ltd (442149)*** support the principle of developer contributions brought out in Policy 8, but seek a change to make it clear that contributions must be realistic and linked to the scale of development, thus not threaten development viability or housing market recovery. Likewise, ***DTZ for Headon Developments (548113)*** seek a change to the calculation of developer contributions to ensure that these are undertaken on a flexible basis, taking into account the impact of contributions upon development viability. Furthermore, ***GS Brown Construction (543112) PLAN88*** express concern that local authorities are off loading responsibilities and costs on developers, failing to recognise the cumulative impact this has on development viability and house prices. ***GS Brown Construction (543112) PLAN89*** expressed concern that developers cannot be expected to pick up the tab for the costs of funding projects in the Action Programme and at the same time bear affordable housing levies, education levies, rising building regulations and green energy demands - a tension which is not picked up in the Proposed Strategic Development Plan. The ***Scottish Property Federation (444087)*** also advise against relying on developers to fund public projects through developer contributions and urge further consideration to proportionality and flexibility in seeking developer contributions. In addition to those points made previously regarding seeking further finance from public funding streams, the ***Scottish Property Federation (444087)*** seek further consideration into other funding streams available locally, regionally, nationally and internationally.

DG Coutts Associates for Linlathen Developments (346407) PLAN288/291 and The Morris Leslie Group (547625) seek a change to develop the policy very early in the Local Development Plan process, ensuring consistent requirements across local authorities. Concern is expressed about the evolution of levels and standards, ensuring a realistic balance between the essential and the luxury.

Forth Ports PLC (329236) PLAN711 seek a change to the text to recognise that development brings benefits as well as burdens, with specific emphasis on the renewable energy industry and its economic growth benefits. Furthermore, concern is expressed that such developments may locate elsewhere without a visionary approach to alternative funding.

Mrs D Jeffrey (548760) expresses concern about discounting any prospect of building new settlements as this would rule out the possibilities for the developer promoting the new settlement at Craigend, Perthshire to be developed even though the funding of infrastructure has already been agreed by the developer.

c) Population Health

NHS Tayside (547710) seek a change to Policy 8 to ensure consideration is given to the improvements in the health of the population, through development.

d) Flood Mitigation and Prevention

Ms Joan McEwen Sprunt (548250) seeks a change to Policy 8 to include specific mention of flood mitigation and prevention given proposed housing growth projects in the Perth area.

e) General

Penny Uprichard (344887) seeks clarification on the intention of mitigating any adverse impact on developer contributions.

SUPPORTING TEXT AND SECTION AS A WHOLE

The ***Royal Burgh of St. Andrews Community Council (453889)*** seek a change to the wording of paragraph 1 in the supporting text as consider that the planning system should be acknowledged for a lot more than promoting economic growth.

Auchterhouse Community Council (545593) seek a specific change to mention Sites of Special Scientific Interest in the text of the supporting text.

Jones Lang La Salle for Scottish and Southern Energy and its Group Companies (441086) seek a change to the supporting text of the policy to specifically recognise that for some projects, such as transmission and distribution projects, there may be a limitation to the extent to which mitigation can be funded to minimise or offset the environmental impacts of the project.

SUMMARY OF REPRESENTATIONS SUPPORTING AS WRITTEN

EXTENT OF POLICY WORDING

Colliers International (for Persimmon Homes Limited (416017) and Taylor Wimpey East Scotland (541486), Broughty Ferry Community Council (335193), Loch Lomond and The Trossachs National Park Authority (442806) and Scottish Water (337414) all support the wording of Policy 8. ***Colliers International (for Persimmon Homes Limited (416017) and Taylor Wimpey East Scotland (541486)*** express specific support for the reference to new financial models as there is an emphasis on reality. The ***Loch Lomond and The Trossachs National Park Authority (442806)*** specifically welcome the use of developer contributions within TAYplan as there will be a positive flow on effects to the National Park to improve infrastructure and amenities. Whilst ***Scottish Water (337414)*** support the general approach to developer contributions, they state that their preference is for development to be focused on areas where there is existing infrastructure capacity, however where this is not possible state that they will work with developers and local authorities to enable development in line with current funding rules.

SUPPORTING TEXT AND SECTION AS A WHOLE

Tactran Regional Transport Partnership (441235), Auchterarder and District Community Council (419429) and Network Rail (347686) all support page 22 in general, each stating specific support for policy 8. ***Auchterarder and District Community Council (419429)*** state specific support for the appropriate and sufficient strategic direction for the delivery of the long term plan through Local Development Plans and national/geographical actions in the Action Programme. ***Network Rail (347686)*** specifically support the principles of the Strategic Development Plan's requirements through Policy 8 for developer contributions particularly towards rail infrastructure and facilities.

Modifications sought by those submitting representations:

NOTE TO REPORTER 1: The text in italics in this section has been lifted directly from the each individual/organisation's representation with minor typographical errors corrected.

SCOTTISH GOVERNMENT POLICY

Dundas Estates and Development Company (548117)

- *'The statement at Policy 8 should be tempered by referring specifically to national policy which requires that contributions are fair and reasonable and satisfy the tests of 'scale and kind.'*

Montgomery Forgan Associates (for Taylor Wimpey (331497), Strategic Land (Scotland) Ltd (442083), VGH (VICO Ltd/ Bett Homes/ Headon Developments Ltd) (349134) and Headon Developments Ltd (349140))

- *'Policy 8 sets out TAYplan's position in respect of developer contributions. It is submitted that the text of Policy 8 is not specific enough. To ensure consistency with Circular 1/2010, it should be amended to the following: "... to mitigate any related, quantified and proportionate impact on infrastructure, services and amenities specifically brought about by development including contributions towards schools, affordable housing, transport infrastructure and facilities (including for road, rail, walking, cycling and public transport), and other community facilities in accordance with the Scottish Government Circular 1/2010 where such contributions will not undermine the economic viability or delivery of development."'*

EXTENT OF POLICY WORDING

a) Public and Private Sector Contributions and Mechanisms

Homes for Scotland (442882), Smiths Gore for Errol Park Estate (442871) and Stewart Milne Homes (539251)

- *'The opening statement should be amended to say: 'To ensure that quality is designed-in to development and places developer contributions shall be sought for new development where contributions are fair and reasonable and satisfy the tests of "scale and kind."'*

Stewart Milne Homes (539251)

- *'Paragraph 3 on page 22 be reworded to: "In times of economic recession, the funding of new projects is difficult. This is however a long-term Plan and it is important that where developer contributions are required for essential infrastructure, these are fairly and reasonable applied and satisfy the tests of "scale and Kind".'*

Homes for Scotland (442882)

- *'The greater role of the public sector and the requirement for new and innovative funding models must be included within this policy, as well as the preceding paragraphs. An additional sentence along these lines might be appropriate: 'Local Development Plans will establish mechanisms, which may require new financial models, to ensure that fair and reasonable contributions are achieved.'*

Halliday Fraser Munro for Barratt Homes (548389)

- *'Policy on page 22: This should be amended to 'Where deemed appropriate developer contributions shall be sought for new development where these are fair and reasonable and essential to the delivery of the proposed development.'*

St. Andrews Preservation Trust (547750)

- *'We note that developer contributions may not be forthcoming during the present economic downturn. It seems questionable whether much development will take place in the foreseeable future, with or without developer contributions, but given that local authorities will also have greatly constrained budgets, the suggestion that local*

authorities can fill the gap also seems to be in doubt. While there may be reluctance to re-schedule the planned housing development (with concomitant infrastructure, schools etc, funded from developer contributions) we consider that annual housing targets should reflect this economic reality.'

Emac Planning (for A & J Stephen Ltd (445201), Angus Estates Limited (445204), A & J Stephen Limited/ Bett Homes Limited (548522), Bett Homes Limited (548523) and Stewart Milne Homes (548524))

- 'Paragraph 3 on page 22 be removed from the Proposed Plan and Policy 8 be changed to include "where contributions are fair and reasonable and relate in scale and kind" after "...developer contributions shall be sought for new development". Also insert at the end of the Policy "Local Development Plans will establish mechanisms, which may require new financial models, to ensure that these contributions are achieved, including public sector funding."'

Mountaineering Council of Scotland (331257)

- 'This policy must recognise that developer contributions, however attractive, can not be used to make palatable adverse impacts that affect a far wider community than the local residents.'

Forth Ports PLC (329236) PLAN713

- 'The plan's recognition of the need for infrastructure improvements is recognised, but the plan should go further in its consideration of the means to fund infrastructure. It is unrealistic to assume that developer contributions alone will meet needs. The Plan should encourage the use of innovative funding mechanisms such as Tax Increment Finance, to ensure key economic development projects can be delivered with appropriate infrastructure.'

b) Economy and Viability

Smiths Gore for Mansfield Estates (442870)

- 'The following phrase should be added to the policy; "...developer contributions shall be sought for new development, which are proportionate to the impact of the development and which are balanced against the absolute necessity to deliver sufficient housing and other forms of development to support the economy. Developer contributions should be carefully and cautiously applied to ensure that developments are not unreasonably burdened.'

Bidwells for Zurich Assurance Ltd (442149)

- 'Emphasis should be placed on deliverability of development and that the level of contribution should be commensurate with development impacts, not of a scale to prohibit new development.'

DTZ for Headon Developments (548113)

- 'Policy 8: Delivering the Strategic Development Plan should include specific reference to the issue of 'development viability' which should provide a basis for any policies relating to Developer Contributions.'

GS Brown Construction (543112) PLAN88/ PLAN89

- None stated.

Scottish Property Federation (444087)

- 'SPF advises against relying on developers to fund public projects through developer contributions.'

DG Coutts Associates for Linlathen Developments (346407) PLAN288

- *'The developer contributions require to be realistically tabled.'*

DG Coutts Associates for Linlathen Developments (346407) PLAN291 and The Morris Leslie Group (547625)

- *'When setting development costs, including contributions, it is likely that some sites will rule themselves out. Relatively unconstrained sites should be the focus for early development in order to stimulate the anticipated recovery.'*

Forth Ports PLC (329236) PLAN711

- *'The text should be modified to recognise that development brings benefits as well as 'burdens' and to recognise that developer contributions alone will not be sufficient to effect major infrastructure improvements. The plan should acknowledge the requirement to find alternative, and more innovative means of funding infrastructure improvements, to ensure the continued economic success of the region in the future.'*

Mrs D Jeffrey (548760)

- *'Page 22 "In times of economic recession, the funding of new projects is difficult. This is however a long term Plan and it is important that developer contributions ensure that additional burdens placed on infrastructure and services as a result of development are mitigated by the developer."'*

c) Population Health

NHS Tayside (547710)

- *'"to mitigate any adverse impact on infrastructure, services and amenities brought about by developing including contributions towards schools....." This statement should include any adverse impact on health of the population.'*

d) Flood Mitigation and Prevention

Ms Joan McEwen Sprunt (548250)

- *'With flood mitigation and prevention, hard surface run-off and drainage infrastructure of major concern to everyone, this issue should be specifically and overtly mentioned in the developer 'including contributions towards' list given in Policy 8.'*

e) General

Penny Uprichard (344887)

- None stated.

SUPPORTING TEXT AND SECTION AS A WHOLE

Royal Burgh of St. Andrews Community Council (453889)

- *'Page 22, Delivering the Strategic Development Plan, para. 1. Change "The key role of the planning system is to provide a clear and certain framework for taking planning decisions to foster sustainable economic growth" to "One important role of the planning system is to provide a clear and certain framework for taking planning decisions to foster sustainable economic growth.'*

Auchterhouse Community Council (545593)

- *'At end of 4th para add: and sites of special scientific interest.'*

Jones Lang La Salle for Scottish and Southern Energy and its Group Companies (441086)

- 'It would be appropriate for the supporting text to the policy to recognise that for some projects, such as transmission and distribution projects, there may be a limitation to the extent to which mitigation can be funded to minimise or offset the environmental impacts of the project.'

Summary of responses (including reasons) by Planning Authority:

RESPONSE TO REPRESENTATIONS SEEKING A CHANGE

SCOTTISH GOVERNMENT POLICY

Dundas Estates and Development Company (548117) and Montgomery Forgan Associates (for Taylor Wimpey (331497), Strategic Land (Scotland) Ltd (442083), VGH (VICO Ltd/ Bett Homes/ Headon Developments Ltd) (349134) and Headon Developments Ltd (349140))

Policy 8 in its entirety is consistent with Circular 1/2010 (006/SL/Doc2). In addition, paragraph 3 of the supporting text for Policy 8 acknowledges that 'In times of economic recession, the funding of new projects is difficult. This is however a long-term Plan and it is important that developer contributions ensure that the additional burdens placed on infrastructure and services as a result of development are mitigated by the developer'. This section of the supporting text complies with paragraph 16 (page 5) of Circular 1/2010 (006/SL/Doc18) which sets out that 'There should be a link between the development and any mitigation offered as part of the developer's contribution'. Additionally the policy states within it 'in accordance with the Scottish Government Circular 1/2010'. Any such change to this Policy is unnecessary. The Scottish Government have sought no change.

EXTENT OF POLICY WORDING

a) Public and Private Sector Contributions and Mechanisms

Homes for Scotland (442882), Smiths Gore for Errol Park Estate (442871) and Stewart Milne Homes (539251)

The Proposed Action Programme (CL/Doc37), where possible, does set out the phasing and timing of infrastructure and service provision. This can be further assessed through the emerging Local Development Plans and at the planning application stage. The Action Programme contains as much detail as is possible at this point. Government Agencies have worked in partnership with TAYplan to produce an Action Programme and have provided as much information as possible. There is no specific suggestion provided in the representation which indicates what the narrative in Policy 8 should be changed to.

St. Andrews Preservation Trust (547750), Halliday Fraser Munro for Barratt Homes (548389), Halliday Fraser Munro for Barratt Homes (548389), Emac Planning (for A & J Stephen Ltd (445201), Angus Estates Limited (445204), A & J Stephen Limited/ Bett Homes Limited (548522), Bett Homes Limited (548523) and Stewart Milne Homes (548524)), Stewart Milne Homes (539251), Homes for Scotland (442882) and Forth Ports PLC (329236) PLAN713

Policy 8 and the supporting text is not saying that Local Authorities will fill a gap in funding, instead the Proposed Plan states, in paragraph 4 of page 22, that Local Authorities will play a greater role in establishing 'new mechanism(s), which may require new financial models'. This does not equate to Local Authorities filling a financial gap. However, the supporting text accompanying this policy adequately deals with this issue of developing new financial/funding

models and mechanism. The policy does recognise the economic downturn. Issues relating to housing targets are dealt within another Schedule 4 (Issue 16: Policy 4: Housing – scale and distribution (Policy 5a+b).

TAYplan considers that in accordance with Circular 1/2010 (006/SL/Doc2) Policy 8 adequately recognise the need to establish new mechanism(s) and it is not clear in the representation what this should be changed to.

Circular 1/2010 (006/SL/Doc19) (paragraph 29, page 8) states that: 'local authority departments and consultees to undertake a robust assessment of infrastructure requirements, the funding implications and the timescales involved'. In accordance with this, TAYplan considers that within paragraph 2 of the supporting text on page 22 of the Proposed Plan, the recognition that the public sector will have a greater role to play is acknowledged: '... Local Authorities; private sector agencies and the private sector will be responsible for the delivery of development'. It is unclear any further specific change sought to this section.

Homes for Scotland (442882) and Emac Planning (for A & J Stephen Ltd (445201), Angus Estates Limited (445204), A & J Stephen Limited/ Bett Homes Limited (548522), Bett Homes Limited (548523) and Stewart Milne Homes (548524))

Detailed discussions with the housebuilding industry and infrastructure providers will continue to be had with the four Local Authorities. This is not an issue which requires to be addressed in the Proposed Plan. The Proposed Action Programme (October, 2011) (CL/Doc37) is a document which sets out how the Plan will be delivered, and it is the Proposed Action Programme which will be updated and consider such actions on how infrastructure issues continue to be discussed.

Stewart Milne Homes (539251)

Details of a delivery mechanism could be added as the Proposed Action Programme (October, 2011) (CL/Doc37) is monitored and updated, and when such information is available. It is considered that the information provided in the deliverability/timing and lead partners/person responsible columns provide the information available to encourage joint working relationships at this stage in the Plan process. This issue should not result in a change to the Plan. The Proposed Action Programme (October, 2011) (CL/Doc37) is the document which sets out how the Plan will be delivered.

Mountaineering Council of Scotland (331257)

This is in accordance with Circular 1/2010 (paragraph 16, page 5) which states that 'Planning agreements must relate to the development being proposed. Where a proposed development would create a direct need for particular facilities, place additional requirements on infrastructure (cumulative impact) or have a negative impact on the environment or local amenity that cannot be resolved satisfactorily through the use of planning conditions, a planning agreement could be used provided it would clearly overcome or mitigate those identified barriers to the grant of planning permission'. No change is required as the point is already covered in the wording of the policy.

b) Economy and Viability

Smiths Gore for Mansfield Estates (442870), Emac Planning (for A & J Stephen Ltd (445201), Angus Estates Limited (445204), A & J Stephen Limited/ Bett Homes Limited (548522), Bett Homes Limited (548523) and Stewart Milne Homes (548524)), Halliday Fraser Munro for Barratt Homes (548389), Bidwells for Zurich Assurance Ltd (442149), DTZ for Headon Developments (548113), GS Brown Construction (543112), Scottish Property Federation (444087), DG Coutts Associates for Linlathen Developments (346407) PLAN288/PLAN291 and The Morris Leslie Group (547625)

The Policy accords with Circular 1/2010 (006/SL/Doc2) and paragraph 4 of the supporting text on page 22 recognises the role of other funding mechanisms: 'Local Development Plans to establish a mechanism(s), which may require new financial models...'

The Plan recognises current market conditions and economic difficulties in stating in paragraph 3 of the supporting text that 'In time of economic recession, the funding of new projects is difficult'. The Plan also states specific mechanisms, which in accordance with Circular 1/2010 (006/SL/Doc2) highlights TAYplan's recognition of the economy. In the Plan's vision and objectives on page 6, TAYplan states under a number of objectives its focus to grow the economy. Furthermore, in the Foreword to the Plan in paragraph 7 on page 3, TAYplan states its commitment to 'maximising the assets we have and growing our economy in a manner which does not place unacceptable burdens on our planet'.

The flexibility and timing of developer contributions will be considered through Local Development Plans and/or planning applications.

Forth Ports PLC (329236) PLAN711

The Proposed Plan has been written to facilitate investment across the TAYplan area. The benefits of development are recognised throughout the Plan. Local Authorities will continue to consider alternative funding models to assist in delivering development.

Mrs D Jeffrey (548760)

The principal of a new settlement at Craigend as an alternative strategic allocations is addressed under another Schedule 4 (Issue 14: Policy 4: Strategic Development Areas – Alternative sites). The Proposed Plan does not require nor support any new settlements. The overview submission made does not clearly demonstrate that all infrastructure funding is agreed, nor has there been any detailed discussions on the infrastructure that would be required.

c) Population Health

NHS Tayside (547710)

This is not directly relevant to developer contributions. Any community infrastructure requirements would be considered at Local Development Plans and/or Masterplan stage.

d) Flood Mitigation and Prevention

Ms Joan McEwen Sprunt (548250)

The policy is generic and must firstly accord with Circular 1/2010 and would be detailed at Local Development Plan and/or Masterplan stage.

e) General

Penny Uprichard (344887)

The principal of developer contributions is to mitigate against 'any adverse impact' as stated in Policy 8. Any more detailed consideration of adverse impact will be considered at the planning application stage.

SUPPORTING TEXT AND SECTION AS A WHOLE

Royal Burgh of St. Andrews Community Council (453889)

The primary objective of the Scottish Government is to foster sustainable economic growth. This is highlighted in the foreword to the National Planning Framework 2 (006/SL/Doc20) on page 1 (paragraph 1): 'Scottish Government's central purpose – sustainable economic growth'.

The Plan's vision and objectives illustrates that the Plan has many focuses, primarily delivering sustainable economic growth through delivering better quality places and responding to the Climate Change (Scotland) Act 2009 (CL/Doc13).

Auchterhouse Community Council (545593)

Sites of Special Scientific Interest are not a strategic issue and will be covered in the Local Development Plans.

Jones Lang La Salle for Scottish and Southern Energy and its Group Companies (441086)

Any limitation on specific projects would be considered as part of the planning application process. It is not the role of the Strategic Development Plan to cover such specific instances.

RESPONSE TO REPRESENTATIONS IN SUPPORTING AS WRITTEN

TAYplan welcomes the support for these issues.

CONCLUSION

TAYplan considers that all of the issues raised do not warrant any change to the Proposed Strategic Development Plan (June, 2011) and propose that the elements dealt with in this Schedule 4 Summary of Unresolved Issues remain as written and unchanged. The Policy is clear and entirely consistent with Circular 1/2010 (006/SL/Doc2). TAYplan's Topic Paper 2: Growth Strategy clearly sets out a clear framework for delivering the Strategic Development Plan, whilst achieving better quality places (CL/Doc31). As set out in Scottish Planning Policy (2010) (page 3, paragraph 18) (006/SL/Doc21) 'The action programme is a key means of delivering the objectives of a plan. It should set out how the plan is to be implemented, in particular what should happen over the following two years'. TAYplan's Proposed Action Programme will be monitored and updated to include more detailed information, when available. All key agencies worked in partnership in developing TAYplan's Proposed Action Programme and are in agreement with this document.

Reporter's conclusions:

[Note: For DPEA use only.]

Reporter's recommendations:

[Note: For DPEA use only.]

2. Copy of representations pertinent to this issue

3. Library of documents and extracts (less than 50 pages) referred to within representations and/or this Schedule