

**TAYplan Strategic Development Plan Authority**

**Summary of Unresolved Issues (Schedule 4)**

*Issue number 5: Shaping Better Quality Places*

## Contents

### 1. Summary of Unresolved Issues

2. Copy of actual representations pertinent to this issue (*Personal details have been redacted. Full details have been provided to the DPEA separately.*)

- 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

- 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		
<b>Issue number 5: Shaping Better Quality Places</b>		
<b>Development plan reference:</b>	Page 10: Shaping Better Quality Places <i>Supporting Text</i> Page 11: Policy 2 Shaping Better Quality Places	<b>Reporter:</b> [Note: For DPEA use only.]
<b>Body or person(s) submitting a representation raising the issue and representation references</b>		
<b>Seeking a change</b>		
<b>ID Number</b>	<b>Person/Organisation</b>	<b>Representation Reference</b>
443109	Barton Willmore for Scotia Homes	PLAN380
450103	CTC Right to Ride Network	PLAN838
450103	CTC Right to Ride Network	PLAN839
548525	Dr Peter Symon	PLAN897
548117	Dundas Estates and Development Co	PLAN432
445201	Emac Planning for A & J Stephen	PLAN695
548522	Emac Planning for A & J Stephen Ltd/ Bett Homes Ltd	PLAN738
445204	Emac Planning for Angus Estates	PLAN602
548523	Emac Planning for Bett Homes Ltd	PLAN763
445206	Emac Planning for J G Lang & Son	PLAN536
445203	Emac Planning for James Keiller Estates Ltd	PLAN715
548383	Emac Planning for L Porter	PLAN564
548301	Emac Planning for M Batchelor (K)	PLAN519
445205	Emac Planning for Mr R Watson	PLAN510
548524	Emac Planning for Stewart Milne Homes	PLAN779
329236	Forth Ports PLC	PLAN682
548389	Halliday Fraser Munro for Barratt Homes	PLAN584
442882	Homes for Scotland	PLAN216
441086	Jones Lang La Salle for Scottish and Southern Energy and its Group Companies	PLAN907
443979	Lynne Palmer	PLAN160
443979	Lynne Palmer	PLAN161
443979	Lynne Palmer	PLAN292
406092	Mr Ken Russell	PLAN33
547710	NHS Tayside	PLAN298
344887	Penny Uprichard	PLAN875
545597	Prof Charles McKean	PLAN148
442290	Rosscro Properties	PLAN162
453889	Royal Burgh of St. Andrews Community Council	PLAN920
344848	Scottish Natural Heritage	PLAN408
444087	Scottish Property Federation	PLAN246
442870	Smiths Gore for Mansfield Estates	PLAN550
442870	Smiths Gore for Mansfield Estates	PLAN551
539251	Stewart Milne Homes	PLAN324

## Support as written

ID Number	Person/Organisation	Representation Reference
349314	Architecture and Design Scotland	PLAN905
419429	Auchterarder and District Community Council	PLAN81
443109	Barton Willmore for Scotia Homes	PLAN379
442149	Bidwells for Zurich Assurance Ltd	PLAN664
423150	Braes of the Carse Conservation Group	PLAN22
335193	Broughty Ferry Community Council	PLAN3
416017	Colliers International for Persimmon Homes Ltd	PLAN42
541486	Colliers International for Taylor Wimpey East Scotland	PLAN65
450613	Councillor Michael A Barnacle	PLAN813
547239	Forestry Commission Scotland	PLAN268
445299	Inchture Area Community Council	PLAN801
263542	Kingsbarns Community Council	PLAN384
263542	Kingsbarns Community Council	PLAN377
442806	Loch Lomond and The Trossachs National Park Authority	PLAN102
450585	Methven and District Community Council	PLAN863
445161	Montgomery Forgan Associates for Morris Leslie Group	PLAN655
547710	NHS Tayside	PLAN297
349010	PPCA Ltd for Alfred Stewart Properties Ltd	PLAN16
330884	Ryden for Bon Accord Land Limited/ Stewart Milne Homes	PLAN128
548335	Savills for John Dewar Lamberkin Trust and Needhill LLP	PLAN651
344939	Scottish Enterprise	PLAN424
442031	Scottish Environmental Protection Agency	PLAN173
442031	Scottish Environmental Protection Agency	PLAN174
442031	Scottish Environmental Protection Agency	PLAN175
442031	Scottish Environmental Protection Agency	PLAN176
442031	Scottish Environmental Protection Agency	PLAN172
344848	Scottish Natural Heritage	PLAN417
344848	Scottish Natural Heritage	PLAN416
337414	Scottish Water	PLAN131
548745	Scottish Wildlife Trust Angus and Dundee Members	PLAN806
441235	Tactran Regional Transport Partnership	PLAN121

Provision of the development plan to which the issue relates:

To set a framework for better quality places to provide for improved resilience through greater adaptability.

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

## SUMMARY OF REPRESENTATIONS SEEKING A CHANGE

### RESILIENCE (Policy 2 Part A)

#### a) Flooding and the Undeveloped Coast

Whilst there is a common understanding that there should be an overall presumption against development in areas of flood risk and coastal erosion, **Dr Peter Symon (548525)** seeks more

detail on such flood-prone areas and **Jones Lang LaSalle for Scottish and Southern Energy and its Group Companies (441086)** seek greater detail in recognising that an exception may be made for essential infrastructure on areas vulnerable to coastal erosion, flood risk and on the undeveloped coast. **Jones Lang LaSalle for Scottish and Southern Energy and its Group Companies (441086)** consider that there may be some circumstances where locational decisions are required to support, for example, the development of the offshore marine renewables industry.

**Lynne Palmer (443979)** and the **Royal Burgh of St. Andrews Community Council (453889)** seek small changes to the wording and grammar of sections 2ai) and 2aii) to include greater consideration of green networks and to enhance the clarity of these sections and remove ambiguity or variance from national policy.

TAYplan also note that whilst some respondents support the policy, they have identified some specific areas that seek a change:

**Scottish Water (337414)** suggest that in addition to SUDs, flood routing is used to mitigate flooding, the **Forestry Commission Scotland (547239)** suggest relating SUDs and green networks to improve and expand our environment for the enjoyment of all, and the **Scottish Environmental Protection Agency (442031)** suggest that avoidance of flooding and flood risk from all sources, not just coastal and fluvial should be considered in future revisions of the Plan.

#### **b) Green Infrastructure**

The **Royal Burgh of St. Andrews Community Council (453889)** seek a change to the expression 'green infrastructure' to ensure clarity of the meaning behind the term.

### **COMMUNITY INFRASTRUCTURE (Policy 2 Part B)**

#### **a) Community Facilities**

**Mr Ken Russell (406092)** seeks a change to Policy 2 (Part B) to provide recognition of use class 10 and 11 facilities at a strategic scale to provide clear guidance for Local Development Plans.

#### **b) New Development**

Whilst **Bon Accord Land Limited/ Stewart Milne Homes (330884)** support pages 10 and 11 in general, they have identified a specific area that they seek a change. They consider that encouragement should be given, where capacity, to new development outwith cities.

### **TRANSPORT INTEGRATION (Policy 2 Part C)**

**Smiths Gore for Mansfield Estates (442870) PLAN550** and **CTC Right to Ride Network (450103)** both seek a change to the wording of Policy 2 (Part C). **Smiths Gore for Mansfield Estates (442870)** seek to ensure that there is more mention of supporting rural and remote areas, providing realistic sustainable transport objectives for these areas as per information provided in Scottish Planning Policy (2010). **CTC Right to Ride Network (450103) PLAN838** seek to provide clarity on the section as a whole by small changes to wording and on providing specific emphasis on reducing the need to travel by car, and developing the approach to sustainable transport by providing additional reference to cycling.

### **WASTE MANAGEMENT (Policy 2 Part D)**

**Lynne Palmer (443979) PLAN160** seeks a change to Policy 2 (Part D) to provide greater clarity around finding solutions to recycling which are not currently be possible.

## **RESOURCE EFFICIENCY AND LOW/ZERO CARBON GENERATION** **(Policy 2 Part E)**

### **a) Resource Efficiency and Low/Zero Carbon Generation**

**Homes for Scotland (442882), Scottish Property Federation (444087), Stewart Milne Homes (539251), Smiths Gore for Mansfield Estates (442870) PLAN551, Emac Planning (for L Porter (548383), James Keiller Estates Ltd (445203), J G Lang & Son (445206), Mr R Watson (445205), M Batchelor (K) (548301), A & J Stephen (445201), Bett Homes Ltd (548523), A & J Stephen Ltd/ Bett Homes Ltd (548522), Angus Estates (445204), Stewart Milne Homes (548524)), Barton Willmore for Scotia Homes (443109) and Dundas Estates and Development Co (548117)** are concerned about the reference to exceeding Scottish Government low carbon targets and wish to seek a change to the wording in Policy 2 (Part E).

**Smiths Gore for Mansfield Estates (442870), Homes for Scotland (442882), Stewart Milne Homes (539251), Dundas Estates and Development Co (548117) and Emac Planning (for L Porter (548383), James Keiller Estates Ltd (445203), J G Lang & Son (445206), Mr R Watson (445205), M Batchelor (K) (548301))** seek a change to provide greater flexibility to respond to continuing changes in Scottish Government policy.

**Smiths Gore for Mansfield Estates (442870), Homes for Scotland (442882), Barton Willmore for Scotia Homes (443109), Dundas Estates and Development Co (548117), and Emac Planning (for L Porter (548383), James Keiller Estates Ltd (445203), J G Lang & Son (445206), Mr R Watson (445205), M Batchelor (K) (548301))** seek a change to provide greater consideration of more effective building design, materials and construction methods rather than low and zero carbon generating technologies as more viable in the present and foreseeable future economic climate.

The **Scottish Property Federation (444087)** consider 15% reductions to be achievable, but have concern about the final 5% reduction and view this as a threat to the viability of development and question why such an issue should be an issue for TAYplan, given what the **Scottish Property Federation (444087)** consider to be misleading requirements of Scottish Planning Policy and Planning Advice Note 84. **Emac Planning (for L Porter (548383), James Keiller Estates Ltd (445203), J G Lang & Son (445206), Mr R Watson (445205), M Batchelor (K) (548301)) and Emac Planning (for A & J Stephen (445201), A & J Stephen Ltd/ Bett Homes Ltd (548522), Bett Homes Ltd (548523), Angus Estates (445204), Stewart Milne Homes (548524))** agree with the above point in balancing the level of current low carbon targets against the viability of development in this economic climate.

**Stewart Milne Homes (539251)** seek a replacement of text in Policy 2 (Part E) to focus on a generic statement which ensures consideration of the fabric of the development site, rather than focusing on shortsighted low and zero carbon technologies. **Stewart Milne Homes (539251)** view this as the most appropriate, cost effective and long-term solution to meet or exceed Scottish Government targets.

### **b) Large Scale Renewable Technologies**

**Forth Ports PLC (329236)** seek a change to replace the implicit reference to renewable energy throughout pages 10, 11 and specifically in Policy 2 (Part E) to be made explicit to provide greater flexibility for encourage development of renewable technologies on a larger scale and the integration of these with smaller developments to meet the Scottish

Government's 2020 targets for renewable electricity generation and heat.

## **ARRANGEMENT, LAYOUT, DESIGN, DENSITY AND MIX OF DEVELOPMENT** **(Policy 2 Part F)**

### **a) Green Infrastructure**

**Scottish Natural Heritage (344848)** seek a change to amend Policy 2 (Part F) to ensure that the design of development includes the provision of additional green infrastructure, to ensure respect for existing features and assets and to link with other policies in the Proposed Strategic Development Plan which make reference to green infrastructure.

### **b) Scottish Government Policy**

**CTC Right to Ride Network (450103) PLAN839** seeks a change to Policy 2 (Part F) to provide greater consideration of other Scottish Government policy documents which are considered relevant, in addition to Designing Places and Designing Streets, already mentioned. They also seeks clarity on the meanings of phrases in the policy which state, integrating networks and utilising existing green spaces.

## **SUPPORTING TEXT, POLICY AND GENERAL**

### **a) Place Quality**

**Dr Peter Symon (548525)** seeks a change to provide explicit reference to the orientation and aspect of dwellings.

**Penny Uprichard (344887)** welcomes the aspirations of Policy 2, but expresses concern that if the Plan is approved, it is unlikely the aspirations will lead to a new culture in delivering the aims.

**Prof Charles McKean (545597)** expresses concern about recent poor new-build standards and suggests that understanding the historic grain should not be a substitute for achieving quality. **Lynne Palmer (443979) PLAN161** also expresses concern about place quality in general, with specific reference to Bridgend in Perth and how current standards in Bridgend need to be carefully thought through, to develop a better quality of life, before any further development is brought to the area through the Local Development Plan process.

### **b) Graphics**

**Halliday Fraser Munro for Barratt Homes (548389)** seek a change to remove the graphics from page 10 completely as suggest that these are not relevant to a strategic planning document, are not clear, nor are significant to the overall strategy of TAYplan and instead suggest that these should be covered in supplementary planning guidance or within the emerging Local Development Plans.

**NHS Tayside (547710)** seek changes to the scale/principle/outcome diagram on page 10 to provide greater clarity and detail. **NHS Tayside (547710)** consider that this diagram should reflect, more closely, the local planning needs to involve local people. **Lynne Palmer (443979) PLAN292** seeks clarification on the reference to 'frontage developments' in the Inverness City Vision diagram.

The **Royal Burgh of St. Andrews Community Council (453889)** seek changes to the wording accompanying the diagrams in Policy 2 (Part F) for greater clarity and relevance at a

strategic scale.

**Halliday Fraser Munro for Barratt Homes (548389)** seek a change to remove the graphics from Policy 2 (Part F) completely as suggest that these are not relevant to a strategic planning document, are not clear, nor are significant to the overall strategy of TAYplan and instead suggest that these should be covered in supplementary planning guidance or within the emerging Local Development Plans.

### **c) Economic Viability**

**Roscco Properties (442290)** seeks a change to take full account of economic and viability issues of development proposals.

## **SUMMARY OF REPRESENTATIONS SUPPORTING AS WRITTEN**

### **RESILIENCE (Policy 2 Part A)**

**Scottish Water (337414)** and the **Scottish Environmental Protection Agency (442031) PLAN173** both support Policy 2 (Part A), with the **Scottish Environmental Protection Agency (442031) PLAN173** showing particular support to the emphasis on climate change, reference to the importance of reducing surface runoff through sustainable urban drainage systems and reference to the strategic importance of carbon rich soils.

The **Forestry Commission Scotland (547239)** are generally supportive of the whole plan.

### **COMMUNITY INFRASTRUCTURE (Policy 2 Part B)**

**Colliers International (for Persimmon Homes Ltd (416017) and Taylor Wimpey East Scotland (541486) )** both support Policy 2 (Part B), drawing particular attention to the fact that infrastructure should enhance not just the physical land use but also the social and environmental infrastructure.

### **TRANSPORT INTEGRATION (Policy 2 Part C)**

The **Scottish Environmental Protection Agency (442031) PLAN174** and **Montgomery Forgan Associates for the Morris Leslie Group (445161)** both support Policy 2 (Part C). The **Scottish Environmental Protection Agency (442031) PLAN174** show particular support for the mention of infrastructure improvements, especially in Air Quality Management Areas. **Montgomery Forgan Associates for Morris Leslie Group (445161)** support the aspiration of developing and integrating sustainable transport and land uses.

### **WASTE MANAGEMENT (Policy 2 Part D)**

The **Scottish Environmental Protection Agency (442031) PLAN175** support Policy 2 (Part D) and the incorporation of waste solutions.

### **RESOURCE EFFICIENCY AND LOW/ZERO CARBON GENERATION (Policy 2 Part E)**

The **Scottish Environmental Protection Agency (442031) PLAN176** support Policy 2 (Part E) and the requirements for local plans and masterplans to require high resource efficiency in development, including low carbon energy technologies, suggesting that heat recovery mapping could further develop opportunities for heat recovery.

## **ARRANGEMENT, LAYOUT, DESIGN, DENSITY AND MIX OF DEVELOPMENT (Policy 2 Part F)**

**Broughty Ferry Community Council (335193)** and **Kingsbarns Community Council (263542) PLAN384/377** both support Policy 2 (Part F). **Broughty Ferry Community Council (335193)** state the importance of protecting built assets and the use of traditional materials to provide a sense of place and regional character. **Kingsbarns Community Council (263542) PLAN384/377** believe that this part of the policy is particularly important in a Conservation village like Kingsbarns and to protect its unique landscape and small townscape qualities which attract tourists to visit.

## **SUPPORTING TEXT, POLICY AND GENERAL**

**PPCA Ltd for Alfred Stewart Properties Ltd (349010), Loch Lomond and The Trossachs National Park Authority (442806), Scottish Enterprise (344848), Scottish Natural Heritage (344848) PLAN417, Inchtute Area Community Council (445299), Scottish Wildlife Trust Angus and Dundee Members (548745), Councillor Michael A Barnacle (450613), Methven and District Community Council (450585) and Architecture and Design Scotland (349314)** all support the whole of policy 2. **PPCA Ltd for Alfred Stewart Properties Ltd (349010)** specifically support the infrastructure led approach, **Scottish Enterprise (344848)** support the attractiveness of locations for economic development and **Scottish Natural Heritage (344848) PLAN417** support quality of place and the emphasis on protecting and enhancing habitats, landscapes and networks of green space. **Inchtute Area Community Council (445299)** shows particular support for Part A i), the **Scottish Wildlife Trust Angus and Dundee Members (548745)** particularly supporting the recognition of climate change and **Councillor Michael A Barnacle (450613)** the overall aims of this policy. **Architecture and Design Scotland (349314)** particularly support the briefing, structure and delivery and stewardship emphasis of the policy.

**Tactran Regional Transport Partnership (441235), Auchterarder and District Community Council (419429), Ryden for Bon Accord Land Limited/ Stewart Milne Homes (330884), Braes of the Carse Conservation Group (423150), Bidwells for Zurich Assurance Ltd (442149) and Savills for John Dewar Lamberkin Trust and Needhill LLP (548335)** support pages 10 and 11 of the Proposed Plan in general. The **Braes of the Carse Conservation Group (423150)** show particular support for the presumption against development in areas vulnerable to flood risk and rising sea level and **Bidwells for Zurich Assurance Ltd (442149)** is pleased that the quality of place within TAYplan is central to the vision and objectives of the Plan as this contributes to a better quality of life and makes the region more attractive. **Savills for John Dewar Lamberkin Trust and Needhill LLP (548335)** show support specifically for Policy 2.

The **Scottish Environmental Protection Agency (442031) PLAN172, NHS Tayside (547710), Scottish Natural Heritage (344848) PLAN416** and **Barton Willmore for Scotia Homes (443109)** all support the supporting text on page 10 of the Proposed Plan. The **Scottish Environmental Protection Agency (442031) PLAN172** specifically support the emphasis on local authorities using the **Scottish Environmental Protection Agency's (442031) PLAN172** map based advice on pressures affecting the water environment. **NHS Tayside (547710)** support the promotion of active travel through the design of the environment. **Scottish Natural Heritage (344848) PLAN416** support paragraphs 1-7 of the supporting text and the diagrams. **Barton Willmore for Scotia Homes (443109)** specifically support the sentence 'good quality development properly considers how location, design and layout can reduce the need to consume resources, maximise the contribution of sustainable

economic and support a better quality of life’.

**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.

**RESILIENCE (Part A)**

**a) Flooding and the Undeveloped Coast**

***Dr Peter Symon (548525)***

- *‘discussion of presumption against development in areas at risk of flooding (p 11) should be accompanied by a list of such flood-prone areas and a map showing their locations (including inter alia any in the lower Earn valley, the Almond valley and the Tay valley north of Perth).’*

***Jones Lang LaSalle for Scottish and Southern Energy and its Group Companies (441086)***

- *‘recommended that, with respect to the presumption against development in areas vulnerable to coastal erosion or flood risk, this is clarified with recognising that an exception may be made for essential infrastructure.’*
- *‘recommend that Policy 2 is amended to allow for essential infrastructure to be located on the majority of coastal locations, subject to appropriate justifications and assessment of environmental impact.’*

***Forestry Commission Scotland (547239)***

- *‘under policy 2 para A, would like to see under (ii) something relating to SUDS and green networks.’*

***Lynne Palmer (443979)***

- *‘page 11 at Ai 3rd sentence down, remove semi-colon after "measures". Should be a comma.’*

***Royal Burgh of St. Andrews Community Council (453889)***

- *Page 11, Policy 2Ai: ‘Change "a presumption against development in areas vulnerable to coastal erosion, flood risk and rising sea levels; including the undeveloped coast." to "a presumption against development in areas vulnerable to coastal erosion, flood risk or rising sea levels; or situated on the undeveloped coast." ’*
- *Page 11, Policy 2Ai: ‘Delete "To ensure flood risk is not exacerbated, mitigation and management measures; such as those envisaged by Scottish Planning Policy, should be promoted;" ’*

***Scottish Water (337414)***

- *Section ii): ‘in addition to the use of SUDS, flood routing should also be considered as a method of dealing with flooding as this will require less land and will help to route flood water away from housing.’*

***Scottish Environmental Protection Agency (442031)***

- *‘consideration be given to placing greater emphasis in future revisions of the Plan on avoidance of flooding and flood risk from all sources, not just coastal and fluvial.’*

**b) Green Infrastructure**

**Royal Burgh of St. Andrews Community Council (453889)**

- Page 11, Policy 2Aiv: 'Change "Identifying, retaining and enhancing existing green infrastructure and spaces" to "Identifying, retaining and enhancing existing open spaces." '

**COMMUNITY INFRASTRUCTURE (Part B)**

**a) Community Facilities**

**Mr Ken Russell (406092)**

- Part B: 'integrate new development with existing community infrastructure and work with other delivery bodies to integrate, concentrate and co-locate additional new infrastructure ADD and community facilities to optimise its coverage and capability.'

**b) New Development**

**Bon Accord Land Limited/ Stewart Milne Homes (330884)**

- Part B: 'Encouragement should be given to the provision of new homes in suitable, sustainable locations in settlements outwith the major cities which have the capacity to accept new development.'

**TRANSPORT INTEGRATION (Part C)**

**Smiths Gore for Mansfield Estates (442870) PLAN550**

- Proposal C: 'Add "ensure that rural areas are also supported and be realistic about the likely availability of alternative to access by car in rural and remote rural areas." '

**CTC Right to Ride Network (450103) PLAN838**

- 'To reduce the need to travel. We would be obliged if the words "especially by car" were to be added. Ref. Scottish Planning Policy, February 2010, para 165, 3rd line "this means a shift from car based travel...". Para 167, 4th last line, "reducing reliance on the car", Para 169, "Hierarchy of Priorities" i.e.: -walking, cycling, public transport, then car and other motorised modes. 4th line "to achieve a walkable". We would be obliged if this was altered to "achieve a walking and cycling environment.....Ref. above mentioned SPP reference.'
- '5th line, "land uses with green space". Would changing the word "with" to "also" be appropriate. I.e.: - what has previously been suggested, "the improved usage of existing established networks, before the introduction of highly expensive new infrastructure.'

**WASTE MANAGEMENT (Part D)**

**Lynne Palmer (443979) PLAN160**

- 'Policy 2D insert after the word "solutions", including recycling.'

**RESOURCE EFFICIENCY AND LOW/ZERO CARBON GENERATION (Part E)**

**a) Resource Efficiency and Low/Zero Carbon Generation**

**Homes for Scotland (442882) and Smiths Gore for Mansfield Estates (442870) PLAN551**

- 'Ensure that high resource efficiency and low/zero carbon energy generation technologies are incorporated within development to reduce carbon emissions and energy consumption...' should be changed to 'Ensure that new developments are created with the full recognition of the need to reduce carbon emissions and energy consumption to meet or exceed Scottish Government's standards. This may be through

*improved building techniques; low and zero carbon energy generation technologies; or other mechanisms proposed by the Scottish Government.'*

**Emac Planning for (L Porter (548383), James Keiller Estates Ltd (445203), J G Lang & Son (445206), M Batchelor (K) (548301) and Mr R Watson (445205))**

- *'Delete sentence or replace 'Ensure that new developments are built to standards that create low energy buildings and development. This may be achieved through improved building techniques and/or low and zero carbon energy generation technologies, in order to seek to meet Scottish Government standards". The requirement to "exceed" Government Targets should be removed.'*

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

- *'Delete sentence and insert 'Ensure that new developments are built to standards that create low energy buildings and development. This may be through improved building techniques and/or low and zero carbon energy generation technologies.'*
- *'The requirement to "exceed" Government Targets should be removed.'*

**Barton Willmore for Scotia Homes (443109)**

- *'Reword as follows: "ensure that high resource efficiency and low/zero carbon energy generation technologies are incorporated within development, where appropriate and practical, to reduce carbon emissions and energy consumption to meet or exceed Scottish Governments standards." '*

**Scottish Property Federation (444087)**

- *'The plan should recognise that reductions of 15% and more can be achieved by construction methods, including better insulation, different wall materials, and general air tightness. However, requiring development to achieve the final 5% to reach zero carbon is extremely costly and will threaten the viability of development.'*

**Stewart Milne Homes (539251)**

- *'Section E. from Policy 2 be removed and replaced with a generic "fabric first" or resource efficient approach to carbon saving measures through development to meet or exceed Government targets.'*

**Dundas Estates and Development Co (548117)**

- *'The commentary at 'E' should be expanded to include for all technical building improvements rather than simply low/zero carbon generation technologies.'*

**b) Large Scale Renewable Technologies**

**Forth Ports PLC (329236)**

- *'The need to consider the generation of renewable energy is implicit in the text in pages 10 and 11, but should be made explicit.'*
- *Part E: 'should promote renewable energy technologies to service development in its widest sense, rather than just as a small scale part of an individual development.'*

**ARRANGEMENT, LAYOUT, DESIGN, DENSITY AND MIX OF DEVELOPMENT (Part F)**

**a) Green Infrastructure**

**Scottish Natural Heritage (344848)**

- *'The introductory sentence of 'F' should be amended to include "...assets, the multiple roles of infrastructure and networks and local design context and provision of additional*

*green infrastructure to deliver these roles, and meet the requirements of Scottish Government's Designing Places and Designing Streets."* '

**b) Scottish Government Policy**

**CTC Right to Ride Network (450103) PLAN839**

- Add: *'Transport Scotland, Disability Discrimination Act, Good practice Guide for Roads.'*

**SUPPORTING TEXT, POLICY AND GENERAL**

**a) Place Quality**

**Dr Peter Symon (548525)**

- *'discussion of good quality (housing) development (p.10) should include explicit reference to orientation and aspect of dwellings.'*

**Penny Uprichard (344887) and Lynne Palmer (443979) PLAN161**

- None stated.

**Prof Charles McKean (545597)**

- Policy 2F: *'after 'context ' add 'raise procurement patterns and quality standards to at least those recommended by Architecture and Design Scotland' and meet.... '*

**b) Graphics**

**Halliday Fraser Munro for Barratt Homes (548389)**

- Page 10: *'Remove graphics.'*

**NHS Tayside (547710)**

- *'Diagram - 'Region: Settlement: Neighbourhood'. Emphasis should reflect that local planning needs to involve local people.'*

**Lynne Palmer (443979) PLAN292**

- None stated.

**Royal Burgh of St. Andrews Community Council (453889)**

- Page 11, Policy 2F: *'Change "Making it easy, safe and desirable to walk and cycle within and between neighbourhoods utilising existing green space and water networks" to "Making it easy, safe and desirable to walk and cycle within and between neighbourhoods utilising existing green space and paths alongside water networks". '*
- Page 11, Policy 2F: *'Change "This approach will help determine the size, shape and form of development and how it can respond to adaptation to help achieve future-proofing our new communities and facilities" to "This approach will help determine the size, shape and form of development and make communities and facilities more sustainable". '*

**Halliday Fraser Munro for Barratt Homes (548389)**

- Page 11, F: *'Remove graphics.'*

**c) Economic Viability**

**Roscco Properties (442290)**

- *'Policy 2 needs to take full account of economic and viability issues of development proposals.'*

## RESPONSE TO REPRESENTATIONS SEEKING A CHANGE

### RESILIENCE (Policy 2 Part A)

#### a) Flooding and the Undeveloped Coast

***Dr Peter Symon (548525) and Jones Lang LaSalle for Scottish and Southern Energy and its Group Companies (441086)***

Policy 2 (Part A) cannot consider all types of development proposals that may come forward but the policy framework does broadly cover the key strategic aspects of climate change resilience and flood risk (CL/Doc65). Paragraph 5.16 (page 12) of TAYplan Topic Paper 3: Resources and Climate Change (June 2011) (006/SL/Doc47) states: '...define broad areas where Scottish Planning Policy (2010) (CL/Doc2) requirements apply but it could be for Local Development Plans to determine which areas are at risk from flooding and sea level rise and to develop policies to manage retreat an realignment'.

The location of onshore infrastructure for marine renewables will be assessed against a broad range of development plan and national policy.

The ***Scottish Environmental Protection Agency (442031)*** support the approach taken in Policy 2 (Part A).

***Lynne Palmer (443979) and Royal Burgh of St. Andrews Community Council (453889)***

This policy is clear and coherent and accords with Scottish Planning Policy (2010) (paragraphs 43, 98, 102 and 103 (pages 8, 20 and 21) (006/SL/Doc44). The policy has been prepared in close consultation with the Key Agencies, many of whom have noted their support to change the policy is unnecessary and would raise issues of inconsistency across the Plan.

***Scottish Water (337414), Forestry Commission Scotland (547239) and Scottish Environmental Protection Agency (442031)***

The policy covers these issues and further detail will be provided through Local Development Plan policies. The policy is consistent with Scottish Planning Policy (2010) (CL/Doc2). Some of the respondents have not been clear on what they wish the policy to be changed to.

#### b) Green Infrastructure

***Royal Burgh of St. Andrews Community Council (453889)***

Paragraph 5.19 in TAYplan Topic Paper 3: Resources and Climate Change (June 2011) (CL/Doc32) provides clarity on the definition of the term 'green infrastructure' used in the Strategic Development Plan. This term is considered appropriate for use in this policy, is widely used, and therefore it is not considered that a change will be required.

### COMMUNITY INFRASTRUCTURE (Policy 2 Part B)

#### a) Community Facilities

***Mr Ken Russell (406092)***

Community infrastructure includes all types of community facilities. The emphasis of the Plan on quality of place and this part of Policy is about the provision of community facilities. TAYplan

proposes to make no change. There is not a need to be specific on the use classes. Using the term 'facilities', is more understandable to people.

**b) New Development**

***Bon Accord Land Limited/ Stewart Milne Homes (330884)***

TAYplan's strategy does not prevent new development outwith cities. TAYplan is minded to retain the current wording in Policy 2, Part B which relates to all new development and fits in with the context of Policy 1: Location Priorities (Schedule 4: Issue 3 - Policy 1: Locational Priorities).

**TRANSPORT INTEGRATION (Policy 2 Part C)**

***Smiths Gore for Mansfield Estates (442870) PLAN550 and CTC Right to Ride Network (450103) PLAN838***

TAYplan consider that Policy 2 (Part C) adequately covers TAYplan's rural and urban area with adequate reference to cycling and modal shift. To introduce such a change to this policy would result in unnecessary detail.

**WASTE MANAGEMENT (Policy 2 Part D)**

***Lynne Palmer (443979) PLAN160***

The policy is flexible to include new technologies as they advance over the next 20 years.

**RESOURCE EFFICIENCY AND LOW/ZERO CARBON GENERATION (Policy 2 Part E)**

**a) Resource Efficiency and Low/Zero Carbon Generation**

***Homes for Scotland (442882), Scottish Property Federation (444087), Stewart Milne Homes (539251), Smiths Gore for Mansfield Estates (442870) PLAN551, Emac Planning (for L Porter (548383), James Keiller Estates Ltd (445203), J G Lang & Son (445206), M Batchelor (K) (548301) and Mr R Watson (445205)), Emac Planning (for A & J Stephen (445201), A & J Stephen Ltd/ Bett Homes Ltd (548522), Bett Homes Ltd (548523), Angus Estates (445204) and Stewart Milne Homes (548524)), Barton Willmore for Scotia Homes (443109) and Dundas Estates and Development Co (548117)***

The Proposed Plan has a strong emphasis on helping achieve relevant targets in the Climate Change Act. This is required within the Planning etc (Scotland) Act (CL/Doc17). The policy requires 'to meet' as a minimum. Some developers may well wish 'to exceed' and the policy accommodates this.

The policy is flexible to at least align with building control regulations. Paragraph 182 of Scottish Planning Policy (2010) (006/SL/Doc45) specifically states that 'The current target is for 50% of Scotland's electricity to be generated from renewable sources by 2020 and 11% of heat demand to be met from renewable sources. These targets are not a cap.' This statement reinforces the flexibility required in this policy, particularly given the 20 year lifespan of the Strategic Development Plan.

The phrase 'Scottish Government's standards' as a benchmark and not stating a specific percentage is used in Policy 2 (Part E) as these standards may change within the Strategic Development Plan's lifespan.

TAYplan does not consider it necessary to outline how such targets could be achieved due to the vast number of possible solutions. The Strategic Development Plan must consider these standards as these are a legitimate and important component and consideration for any

development of firstly reducing resource demand and secondly switching its source to low/zero carbon. Failure to consider this element of place quality would represent a major deficit in any policy framework, particularly one which aims to support the delivery of targets to reduce carbon emissions in the Climate Change (Scotland) Act 2009 (CL/Doc13) through a variety of measures.

TAYplan considers that the policy seeks to align with national standards in considering the current economic climate. Such changes to this policy would run contrary to Planning Authorities being required/ encouraged by the Scottish Government to assist in meeting Climate Change targets. The **Scottish Environmental Protection Agency (442031)** support this section of Policy 2 (Part E).

#### **b) Large Scale Renewable Technologies**

##### ***Forth Ports PLC (329236)***

The policy is encouraging an increase in such technology across the TAYplan area. The policy is focused on all scales of development, such a change is not considered necessary.

### **ARRANGEMENT, LAYOUT, DESIGN, DENSITY AND MIX OF DEVELOPMENT (Policy 2 Part F)**

#### **a) Green Infrastructure**

##### ***Scottish Natural Heritage (344848)***

The wording accompanying the 'Integrate Networks' part of the policy uses the word 'enhance' which refers both to the scale and quality of green infrastructure. Additionally, Policy 2 (Part Aiv) also states 'enhance existing green infrastructure'.

#### **b) Scottish Government Policy**

##### ***CTC Right to Ride Network (450103) PLAN839***

The policy takes account of all relevant legislation and statutory policy and listing further is not conducive of the production of a concise, strategically focused and land-use policy document. This modification would prevent the Proposed Plan from being a short, concise and visionary Strategic Development Plan (Planning Circular 1/2009: Development Planning, Page 4, Paragraph 14) (006/SL/Doc42).

### **SUPPORTING TEXT, POLICY AND GENERAL**

#### **a) Place Quality**

##### ***Dr Peter Symon (548525)***

Consideration of the orientation and aspect of dwellings is included within the reference to 'design and layout' in the 4<sup>th</sup> paragraph of page 10's supporting text.

##### ***Penny Uprichard (344887)***

The Proposed Action Programme (October 2011) (006/SL/Doc46) specifically states the action: 'Delivering sustainable communities through leadership' (page 41) which is the approach that will be carried forward by TAYplan in delivering the aims of the Strategic Development Plan. Local Development Plans require through legislation (Circular 1/2009) (CL/Doc29) to be consistent with the Strategic Development Plan.

##### ***Prof Charles McKean (545597) and Lynne Palmer (443979) PLAN161***

The focus of place quality is to improve the overall quality across the TAYplan area. The

specifics of the Bridgend area of Perth is a Local Development Plan issue.

## **b) Graphics**

**Halliday Fraser Munro for Barratt Homes (548389), NHS Tayside (547710), Lynne Palmer (443979) PLAN292, Royal Burgh of St. Andrews Community Council (453889) and Halliday Fraser Munro for Barratt Homes (548389)**

The graphics are important in illustrating the desired approach, key principles, objectives and strategy of TAYplan to shaping better quality places. TAYplan Topic paper 4: Place Shaping (June 2011) (CL/Doc33) provides further detail on how the diagrams provide a basis for TAYplan's constituent authorities to implement this policy. They provide further detail on how these principles could and should be developed at a local authority, settlement and site specific scale and therefore no changes are commended by TAYplan. The footnote on page 10 specifically refers to Strategic Development Frameworks role in consulting local communities.

The reference to Tornagrain is for illustrative purposes only. Where the diagrams are based is irrelevant. The fundamental point of this Architecture and Design Scotland national diagram being included is to assist in explaining what a Strategic Development Framework is. To make such a change would have a major impact on the style of the Plan, a style widely welcomed in moving to a new style of Strategic Development Plans.

In supporting the whole of Policy 2, **Architecture and Design Scotland (349314)** stated in their response that 'This Plan recognises that different measures to deliver quality, being applied at different scales, in the different spatial contexts of TAYplan, contribute individually and collectively to the delivery of this Plan's vision'. TAYplan Topic Paper 4: Place Shaping (June 2011) (Page 13, paragraph 5.14) (006/SL/Doc48) states that the Plan should: 'set out requirements to ensure that the arrangement, layout, design, density and mix of development and its connections are the result of understanding, incorporating and enhancing present natural and historic assets, the multiple roles of infrastructure and networks and local design context, and meet the requirements of Scottish Government's *Designing Places (2008)* and *Designing Streets (2010)*' (CL/Doc 26 and 27). This is encapsulated through these diagrams.

The diagrams provide a basis for TAYplan's constituent authorities to implement this policy. They provide further detail on how these principles could and should be developed at a local authority, settlement and site specific scale. No changes have been sought to the graphics by the Scottish Government or any key agency. These graphics have been developed with the key agencies. It does represent a new style of policy. It is innovative, clear, concise and consistent with Scottish Government Policy. To change these graphics would have a major impact on the style of the Plan, and how it has used graphics rather than all text, to express key statements/processes. This point is an example of how a Strategic Development Plan differs from old style Structure Plans and has a clear focus on setting out how places should change.

## **c) Economic Viability**

**Rosco Properties (442290)**

A Strategic Development Framework would take account of an economic and viability framework. This, in part, is recognised in the supporting text of Policy 2.

## **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. Some of the changes being sought by respondents are considered at odds with the emphasis being place by the Scottish Government on a move to more concise, visionary Strategic Plans, utilising graphics to illustrate points and aid interpretation. These graphics are the output of close partnership working with a number of Key Agencies.

Quality of place is central to the Proposed Plan vision. To change this Policy could have fundamental implications for delivering the Scottish Government's objective of improving the quality of our places.

<b>Reporter's conclusions:</b>
[Note: For DPEA use only.]
<b>Reporter's recommendations:</b>
[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**