

**TAYplan
Proposed Strategic Development Plan
(June 2011)**

**Note of Representations
including the
Summary of Unresolved Issues**

Published October 2011

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Overall Summary of Representations

Introduction

TAYplan is the Strategic Development Planning Authority for Dundee City, Perth and Kinross, Angus and North Fife. Under the requirements of the Town and Country Planning (Scotland) Act 1997 and the Planning etc. (Scotland) Act 2006 TAYplan has published for submission a Proposed Strategic Development Plan and associated supporting documentations as required by the Act and the Town and Country Planning (Development Plans) (Scotland) Regulations 2008.

TAYplan has fulfilled the requirements of the Act to produce and consult upon a Main Issues Report, Environmental Report and Equalities and Human Rights Impact Assessment (12 weeks from April to July 2010). Subsequently it has produced and sought representations upon a Proposed Strategic Development Plan, Proposed Action Programme and Equalities and Human Rights Impact Assessment (8 weeks June to August 2011). This work has been carried out fully reflecting the operational and procedural requirements of the Planning etc. (Scotland) Act 2006 and the Town and Country Planning (Development Plans) (Scotland) Regulations 2008. It has also been completed within the timescales set out in the project plan explained in the Development Plan Scheme (March 2011).

Background

TAYplan published the Proposed Strategic Development Plan, Proposed Action Programme and Equalities and Human Rights Impact Assessment for representations over an 8 week period from 1st June to 1st August 2011 (along with supporting documents).

Following consideration of the representations made TAYplan has concluded to make no modifications to the Proposed Plan and therefore to submit to Scottish Ministers the Proposed Strategic Development Plan (June 2011) and other documents as required under the Planning etc. (Scotland) 2006 Act and the Town and Country Planning (Development Planning) (Scotland) Regulations 2008.

What is a Note of Representations?

The Note of Representations is required under Section 10 (3) (b) of the Planning etc. (Scotland) 2006 Act and Regulation 20 of the Town and Country Planning (Development Planning) (Scotland) Regulations 2008 to explain how representations made on the Proposed Strategic Development Plan (June 2011) have been taken into account by TAYplan and to what extent. It should set out:

- where the authority is minded to make any modifications to the Proposed Plan and what these are.
- where the authority is not minded to make modifications based on representations made. These are considered to be 'unresolved issues' and are set out in a Summary of Unresolved Issues which forms part of the Note of Representations.

The Note of Representations consists of:

- Overall Summary of Representations
- Summary of Unresolved Issues
- Core Library of documents exceeding 50 pages in length

The Summary of Unresolved Issues

All unresolved issues are grouped into similar themes in a 'Summary of Unresolved Issues'. These have been arranged, so far as practicable, in the order that the issues raised appear in the Proposed Strategic Development Plan and to reflect the format required in Schedule 4

of the Town and Country Planning (Development Planning) (Scotland) Regulations 2008. These include a list of the unresolved representations and names of those making the representations; a summary of the issues raised in the representations; and the authority's reasons for not modifying the Proposed Plan in regard to each issue. TAYplan has published the Schedule 4's.

In addition for Directorate of Planning and Environmental Appeals (DPEA) only this submission also includes:

- All individual representations and accompanying material is attached to each of the relevant Schedule 4 to which it pertains within the Summary of Unresolved Issues.
- All documentations referred to by respondents and by the authority in responding to representations have also been included with the respective Schedule 4 documents in a library pertaining to that Schedule 4.
- A core library has also been submitted of larger documents (exceeding 50 pages in length) including all relevant documentation published by TAYplan and including other relevant documentation such as Scottish Government publications.

All material published by TAYplan can be viewed on the TAYplan website at www.tayplan-sdpa.gov.uk. All material relating to the Main Issues Report stage and the Proposed Plan stage can also be found on the TAYplan website and in all public libraries and council planning and local/area/access offices within the TAYplan region.

It is the responsibility of the DPEA to consider what documents require to be published.

Period for Representations on the Proposed Plan

The TAYplan Proposed Strategic Development Plan (June 2011) was published on 1st June 2011 for an 8 week period for representations running from 6th June 2011 to 1st August 2011 (longer than the minimum 6 week period). The online system for making representations opened early on 23rd May 2011 to allow potential respondents more time to prepare their representations. All documentation had been in the public domain since February 2011. The *Report of Conformity with the Participation Statement (October 2011)* confirms that the participation undertaken at Proposed Plan Stage meet the requirements of the Participation Statement as set out in the *Development Plan Scheme (March 2011)*.

TAYplan received 847 representations, from 188 respondents. Of these approximately 24% were in support and approximately 76% seeking a change. 75% of responses were made using the online system with the remainder by letter and email.

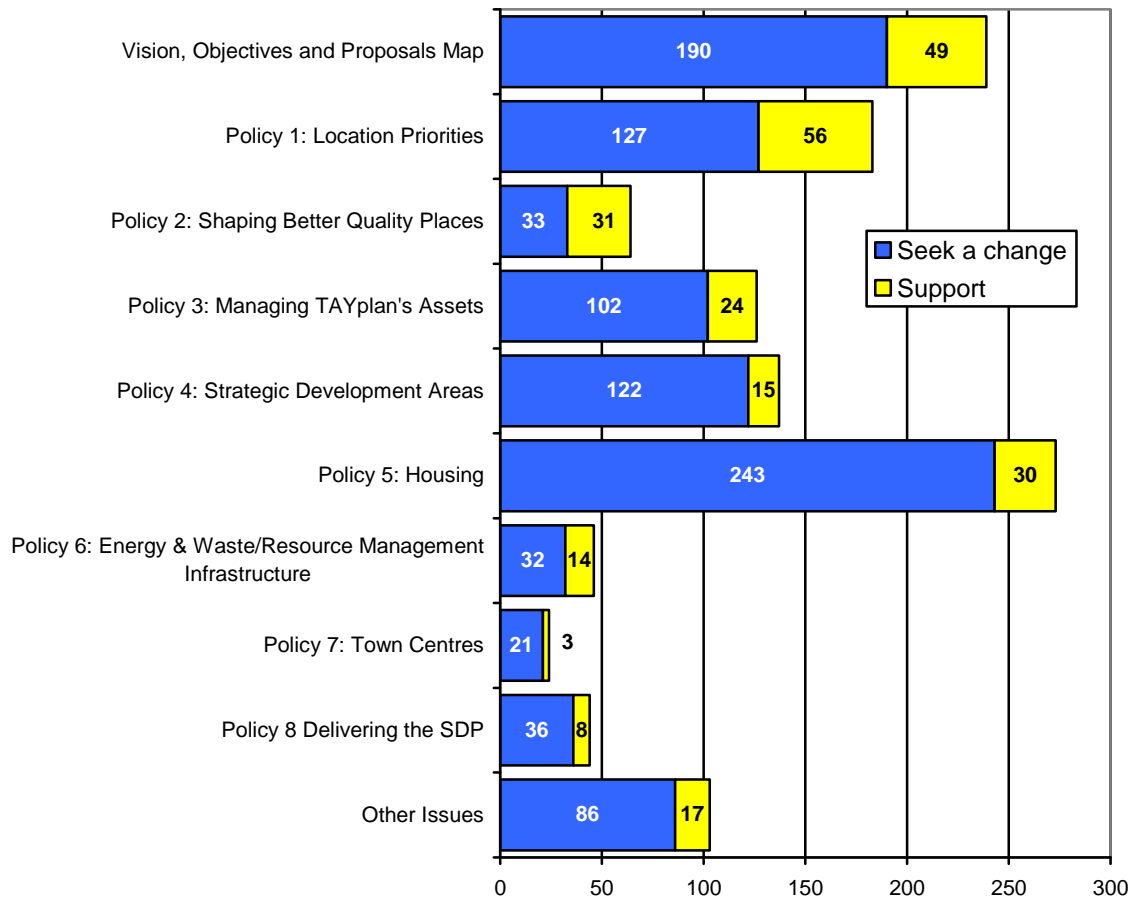
All representations that were made have been taken into consideration, including one late response that was received within one week of the 1st August closing date.

Figure 1 (overleaf) shows the number of representations received on each part/Policy/Proposal within the Proposed Plan. The issues attracting the most representations relate to housing, particularly housing numbers and effectiveness of the housing supply; the location priorities; and the Proposals Map, which sets out the key proposals including infrastructure.

The representations have all been grouped into similar issues around the structure of the Plan itself. The 847 representations raised approximately 1,240 individual issues. These have collectively been grouped into 24 separate Schedule 4's in the Summary of Unresolved Issues.

In some cases the representations have been reorganised to be included in Schedule 4's that TAYplan considers best relate to the issues raised.

Figure 1: Representations raised that support or seek a change to the Proposed Plan by Policy



Source: TAYplan Strategic Development Planning Authority, August 2011

Summary of Issues Raised and TAYplan Response

TAYplan has concluded that it will make no modification to the Proposed Strategic Development Plan (June 2011). Therefore all representations received have been included within the Summary of Unresolved Issues.

Listed below are summaries of the key points covered in each of the 24 Schedule 4s in the Summary of Unresolved Issues:

01: Vision and Objectives

A number of changes are sought to the vision and objectives, mostly detailed changes to text and many different areas of changes to insert or change a few words particularly to the objectives. It is proposed that the Plan remains as written and unchanged. Overall the changes being sought are not considered necessary or appropriate. The Plan's vision and objectives are concise statements.

02: Proposals Map 1

A number of respondents are seeking changes to the road and rail infrastructure set out in the Proposals Map. These relate to the priority of new rail station at Newburgh, a new station at Blackford, as well as opposing view for the removal of

proposed new rail stations. In addition more weight given to sea freight and what are considered as consequential changes should changes be made to other parts of the Plan, for example a Strategic Development Area. It is proposed that the Plan remains as written and unchanged. The additional transport proposals sought are not supported for inclusion in the Proposed Plan. The Plan includes the key strategic proposals that are within both Regional Transport Strategies as well as national proposals. Whilst, a respondent wishes the proposal for new rail stations at Newburgh and Oudenarde to be removed, this is not supported given the importance of enhancing the public transport network.

03: Policy 1: Locational Priorities-settlement tiers

Many representations were made in respect of the hierarchy of settlement tiers in Policy 1a. There are a mix of issues within this Schedule including: some concerns that there is too much emphasis placed on Dundee and Perth core areas and that settlement categorisation is unjustified, contradictory and should be removed; in relation to the Core Areas various respondents seeking a change to include other settlements and others seeking to remove settlements as defined within the Core Areas; and a range of changes being sought to include and exclude different other settlements, predominantly from the development industry.

It is proposed that the Plan remains as written and unchanged. This Policy sets out the preferred spatial strategy identified and consulted upon at the Main Issues Report stage, with 55% supported this and only 14% preferring the alternative.

04: Policy 1: Locational Priorities-Policy 1b, text and general

Changes being sought relate to how land release is prioritised with a variety of detailed changes suggested. It is proposed that the Plan remains as written and unchanged. The Policy is consistent with Scottish Planning Policy (SPP) (2010) and provides a clear and concise strategy for where development should and should not go.

05: Policy 2: Shaping Better Quality Places

This issue attracted an almost equal amount of respondents supporting the Plan as written to those seeking a change. The changes being sought are mainly detailed small changes to the Policy text including more flexibility in respect of ensuring that new developments are built to standards that create low energy buildings and development. The changes also relate to the graphics used within the Policy and accompanying text. This Policy is central to delivering the Plan's vision of improving the quality of place and quality of life. It is proposed that the Plan remains as written and unchanged.

06: Policy 3: Managing TAYplan's Assets-general and text

Almost an equal number of respondents are supporting this issue as are seeking a change. Most of these relate to seeking more detail and commitment in respect of delivering development infrastructure. It is proposed that the Plan remains as written and unchanged. The Proposed Action Programme sets out how the proposals and policies within the Plan are to be taken forward and this will be kept up to date. It is not considered necessary to provide further detail within the Proposed Plan itself.

07: Policy 3: Managing TAYplan's Assets-employment land

A small number of respondents are seeking changes including providing a 7 year supply of effective employment land, and opportunities for employment land across the area. It is proposed that the Plan remains as written and unchanged. The Plan is consistent with SPP and the Policy provides for at least 5 years of effective supply across the TAYplan area, including within rural areas.

08: Policy 3: Managing TAYplan's Assets-green belts

A number of respondents are seeking change to the green belt policy including representations that the Policy should accord with SPP, changes to the Perth and St. Andrews green belts, and seeking inclusion of a green belt at Kinross. The Policy is consistent with SPP and provides a strategic overview from which Local Plans/ Local Development Plans will define the detailed boundaries of the green belts. Only Perth and St. Andrews are considered to require green belts, with other policies including countryside policies through the Local Development Plans controlling development around towns. It is proposed that the Plan remains as written and unchanged.

09: Policy 3: Managing TAYplan's Assets-finite resources

A small number of respondents are seeking changes to more detail being provided in respect of coal resources, and changes to the wording relating to prime agricultural land. It is proposed that the Plan remains as written and unchanged. The Policy is consistent with SPP. Local Plans already provide detail for minerals development and the Proposed Plan provides a strategic framework in respect of safeguarding mineral deposits.

10: Policy 3: Managing TAYplan's Assets-transport

A small number of respondents are seeking changes in respect of more weight given to rail freight, and some detailed wording changes to the Policy itself. It is proposed that the Plan remains as written and unchanged. It is considered that the scope of the Policy is adequate and is consistent with SPP.

11: Policy 3: Managing TAYplan's Assets-natural and historic assets

Almost an equal number of respondents are supporting this issue as are seeking a change. Changes being sought are detailed and considered minor changes to Policy wording. It is proposed that the Plan remains as written and unchanged. The Policy is consistent with SPP and has been written in close partnership working with the Key Agencies.

12: Policy 4: Strategic Development Areas Part A-strategic allocations

Various changes are being sought to the Strategic Development Areas sets out within this Policy including the removal of the St. Andrews development area, and a few concerned on the West/North West Perth, Oudenarde, Dundee, Cupar development areas. It is proposed that the Plan remains as written and unchanged. Any changes or alterations to many of the strategic allocations would fundamentally undermine the existing allocations in each Authority as most are allocated within the approved Development Plan. Circular 1/2009 (Para 17) advises that the Government considers it good practice to draw from existing Structure Plans within the first generation of Strategic Development Plans and goes on (Para 78) to say that reporters should generally not recommend modifications to parts of plans that have

been examined in previous examinations or rolled forward from previous plans, unless circumstances have clearly changed.

13: Policy 4: Strategic Development Areas-alternative sites

Changes are sought to include new development areas at Guardbridge and Leuchars, within the Carse of Gowrie, around Dundee, Craigend (near Methven) and other locations. No additional Strategic Development Area is required. It is proposed that the Plan remains as written and unchanged.

14: Policy 4: Strategic Development Areas-Policy 4b, text and general

A small number of respondents are seeking different changes to these areas of the Plan. These changes are considered minor in detail and some are considered in more detail within other Schedules. It is proposed that the Plan remains as written and unchanged.

15: Policy 5: Housing-Policy 5a+b scale and distribution

Numerous representations from the housebuilding industry seek an increase in the house build rates with detailed comments in respect of the calculation of the housing land requirement targets set out in the Proposed Plan. Other individuals and Community Councils are seeking a decrease in the scale of build rates. It is proposed that the Plan remains as written and unchanged. The TAYplan Housing Needs and Demand Assessment (2010) has been declared as robust and credible. The Scottish Governments guidance on this subject explains that where an assessment has been declared robust and credible its approach will not be considered at examination. Instead the examination will focus on the proposed spatial policies for housing set out in the plan and their relationship with the findings of the assessment. As such, some of the changes being sought are considered to be outwith the scope of the examination. Overall the housing scale and distribution is consistent with SPP and provides flexibility allowing for a generous supply of effective housing across the TAYplan area.

16: Policy 5: Housing-Policy 5a effectiveness of land

A number of changes are being sought to the Policy wording to 'require' (as opposed to 'should') Local Development Plans to allocate additional housing land to provide more flexibility. Others are seeking changes including to provide in more detail what the land supply is, and to question the effectiveness of a few strategic sites. It is proposed that the Plan remains as written and unchanged. The flexibilities sought by many already exist in the Plan and provide clarity and flexibility within the context of SPP. Some of the changes being sought could lead to an over supply and could undermine the vision, objectives and other locational policies in the Plan.

17: Policy 5: Housing-Policy 5c areas surrounding Dundee and Perth Core Areas

A small number of respondents oppose restricting housing development to principal settlements and wish to see further development, in particular, within the Carse of Gowrie and areas north and east of Dundee. It is proposed that the Plan remains as written and unchanged. The Policy is consistent with the locational priorities on where development should and should not be developed and changes to the Policy would undermine the intentions of the spatial strategy and the Plan's objectives.

18: Policy 5: Housing-Policy 5a up to 10% shift between Housing Market Areas

A small number of respondents are seeking changes to widen the flexibility on meeting housing needs in neighbouring housing market areas, identifying Kinross as a settlement where this will apply, and amending this approach. It is proposed that the Plan remains as written and unchanged. The Policy is consistent with SPP and provides flexibility where there are exceptional environmental circumstances. It is appropriate for the Local Development Plan to identify where this should apply when they have considered potential environmental implications of development in more detail.

19: Policy 5: Housing-Policy 5a range and mix of housing including affordable

A number of respondents are seeking changes in respect of delivering affordable housing and thresholds. It is proposed that the Plan remains as written and unchanged. The approach set out in the Plan provides appropriate flexibility in delivering housing, including affordable housing. Local Development Plans will define the levels of affordable housing required within each housing market area. The Policy is consistent with SPP.

20: Policy 6: Energy and Waste/Resource Management Infrastructure (Policy 6a, b, text and general)

Respondents are seeking changes including to the general location of such development, the specific identification of 2 existing strategic facilities, and more detail for hydro power, licence holder obligations, and wave/tidal/wind energy. It is proposed that the Plan remains as written and unchanged. The Policy is consistent with SPP and Scotland's Zero Waste Plan. The Policy guides such development to within or close proximity to Dundee and Perth where the majority of waste arises within the TAYplan area.

21: Policy 6: Energy and Waste/Resource Management Infrastructure (Policy 6c)

A small number of respondents are seeking changes in relation to land take requirements, proximity to resources, sensitivity of landscapes, new grid connections and distribution, cumulative impacts and additional policy criterion. It is proposed that the Plan remains as written and unchanged. Many of these changes are seeking a level of detail which is considered more appropriate for Local Development Plans.

22: Policy 7: Town Centres

Changes are sought to the Policy in respect of the hierarchy of town centres, the sequential process and more general supporting text. It is proposed that the Plan remains as written and unchanged. The retail hierarchy set out in the Policy is consistent with SPP and it is the role of Local Development Plans to identify Commercial Centres.

23: Policy 8: Delivering the Strategic Development Plan

A number of respondents are seeking changes in particular to seeking consistency with Circular 1/2010, changes to the Policy text to provide more detail and emphasis on public sector funding of infrastructure, and contributions being realistic and linked to the scale of development. It is proposed that the Plan remains as written and unchanged. The Policy is consistent with SPP and Circular 1/2010 and specifically refers to the Circular within the Policy itself. The accompanying text recognising the

importance of public and private sector working and the need for partnership working. The detail which some of the respondents are seeking is considered more appropriate for the Proposed Action Programme which details how the Plan should be implemented.

24: Other Issues

Changes are sought including to the foreword wording, monitoring arrangements and more generally timing of the Plan, climate change considerations and the environmental report and landscape assessments. It is proposed that the Plan remains as written and unchanged. The Proposed Plan satisfies the requirements of the Planning etc. Scotland Act 2006 and has been prepared in response to The Scottish Government's drive to see Strategic Development Plans which are clear, concise and visionary whilst utilising graphics.

Conclusion

Having considered all of the representations received the TAYplan Joint Committee determined on 25th October 2011 to make no modifications to the TAYplan Proposed Strategic Development Plan (June 2011). Consequently all representations seeking a change collectively constitute Unresolved Issues. These, along with all supporting comments, have been included in the Schedule 4's in the Summary of Unresolved Issues.

TAYplan therefore requests that Scottish Ministers consider at examination those issues contained in the Summary of Unresolved Issues.

The library of documents includes the seven Topic Papers (June 2011) which were published to explain how the background to the content of the Proposed Plan. It is intended that these will, in particular, provide helpful background information to Ministers and any Reporters in considering Unresolved Issues.