

**REPORT TO: DUNDEE, PERTH, ANGUS AND NORTH FIFE  
STRATEGIC DEVELOPMENT PLANNING AUTHORITY  
JOINT COMMITTEE MEETING ON 2nd OCTOBER 2012**

**REPORT ON: STRATEGIC DEVELOPMENT PLANNING AUTHORITY  
BOUNDARY CHANGE**

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**REPORT NO: SDPA10-2012**

## **1 PURPOSE OF REPORT**

- 1.1 The purpose of this report is to amend the TAYplan boundary following the extension of the Cairngorms National Park during 2010 into parts of Eastern and Highland Perthshire.

## **2 SUMMARY**

- 2.1 In 2010 the boundary of Cairngorms National Park was extended to include part of Highland Perthshire following an amendment to the National Parks (Scotland) Act. To reflect this material change in circumstance, TAYplan's boundary should be altered given Strategic Development Plans do not cover national park areas. This requires the TAYplan boundary in northern Perthshire to move south to exclude the new national park area. TAYplans boundary will not be altered in Angus, Dundee or Fife.

## **3 RECOMMENDATION**

- 3.1 It is recommended that The Joint Committee:
- a) Agree to the alteration of the TAYplan boundary as set out in figure 2 of this report to be submitted to Scottish Ministers for approval; and,
  - b) Request that the four constituent councils ratify the alteration of the TAYplan boundary prior to submission to Scottish Ministers.

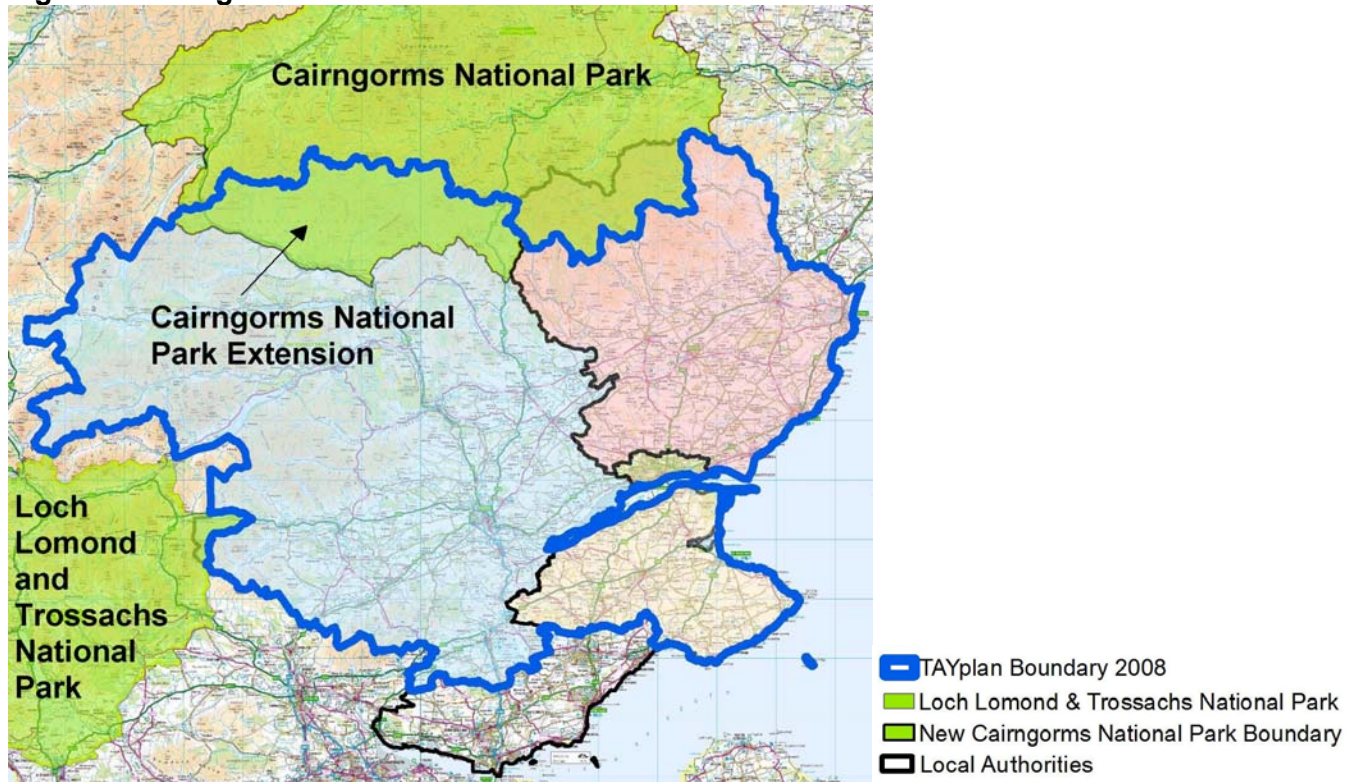
## **4 FINANCIAL IMPLICATIONS**

- 4.1 There are no financial implications arising from the boundary change.

## **5 PROPOSED TAYPLAN BOUNDARY CHANGE**

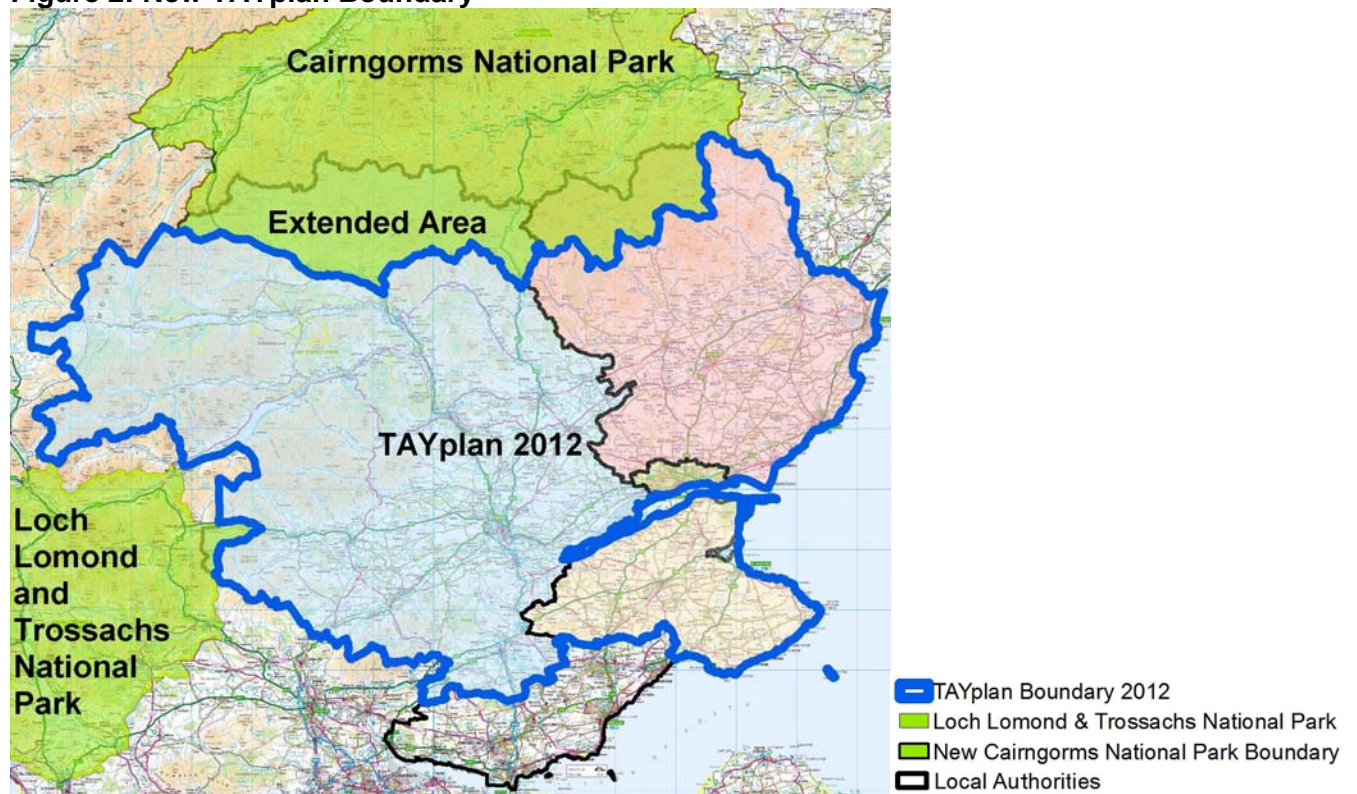
- 5.1 The first TAYplan boundary was set in 2008 following the creation of the Strategic Development Planning Authority. At a Scottish Parliament debate on national parks in March 2008 Scottish Ministers announced the proposal to extend the Cairngorms National Park into Perth and Kinross. In 2010 the National Parks (Scotland) Act 2000 was updated to include parts of Eastern and Highland Perthshire as shown in Figure 1.

**Figure 1: Cairngorms National Park Extension**



- 5.2 Following this extension, the Cairngorms National Park boundary now runs from Drumochter down Glen Garry to Killiecrankie and includes the Forest of Atholl. From Blair Atholl, the boundary runs east to the south of the Beinn a' Ghlo massif and the Glenshee Munros, and to the north of the A924 road from Pitlochry to Bridge of Cally to reach Glenshee at Cray, south of Spittal of Glenshee. The overall area covered by TAYplan will be reduced by 281 square miles. TAYplan will continue to cover the Local Authority administrative areas of Dundee City and North Fife as well as the parts of Angus and Perth and Kinross that are outwith the Cairngorms National Park and Loch Lomond and Trossachs National Park.
- 5.3 The Town and Country Planning (Scotland) Act 1997 states that at any time a Strategic Development Planning Authority can conclude that, because of a material change in circumstances, the boundary of their Strategic Development Planning Authority area is no longer appropriate. Should this occur they are, within three months after so concluding, to submit to the Scottish Ministers both a plan showing a boundary which they propose in place of the determined boundary, and a statement in justification of that proposal.
- 5.4 Circular 2/2008 states that where Scottish Ministers determine that the proposed boundary should be amended or different; Ministers are required to give their reasons for their decision on the final boundary. In order for the second Strategic Development Plan to be up to date the TAYplan boundary should be altered to reflect this material change in circumstances, as shown in Figure 2 overleaf.

**Figure 2: New TAYplan Boundary**



## **6 Reason behind the change and procedures**

6.1 Scottish Government Circular 2/2008 states that Strategic Development Plan boundaries are expected to follow local authority boundaries with the exception of national parks which are expected to be excluded from Strategic Development Planning Authority Areas. The Strategic Development Plan currently does not cover national park areas. The change to the Cairngorms National Park extension is a material change in circumstances and under The Town and Country Planning (Scotland) Act 1997 the TAYplan boundary should be re-determined and should be amended to reflect this change. Scottish Ministers in approving the boundary when the Strategic Development Planning Authority was established stated that the boundary should not be amended until after the approval of the first Strategic Development Plan. It is now considered appropriate to seek amendment to the boundary to reflect this material change.

6.2 Wherever the boundary is drawn, Strategic Development Planning Authorities and planning authorities adjacent to Strategic Development Plan areas will continue to work together on common issues of concern, taking particular care to address the needs of areas just outside the agreed plan boundary.

- 6.3 TAYplan is required to define any changes to its boundary and submit it, with a justification statement, to Scottish Ministers for their determination. It is proposed to submit by end December 2012. The Ministers decision on the boundary is thought would take immediate effect, i.e. the part of the area within Cairngorms National Park would be removed from TAYplan on Ministers decision.

## **7 CONSULTATIONS**

- 7.1 The Treasurer and Clerk to TAYplan, the Director of Infrastructure Services, Angus Council, The Director of City Development, Dundee City Council, The Head of Enterprise, Planning and Protective Services, Fife Council, the Executive Director (Environment), Perth & Kinross Council, Cairngorms National Park, and TAYplan's Key Stakeholder key agencies/organisations have been consulted and are in agreement with the contents of this report.

## **8 BACKGROUND PAPERS**

- 8.1 Circular 2/2008 (<http://www.scotland.gov.uk/Resource/Doc/220868/0059416.pdf>)
- 8.2 Circular 1/2009: Development Planning, Scottish Government (<http://www.scotland.gov.uk/Resource/Doc/261030/0077887.pdf>)
- 8.3 National Park (Scotland) Act 2000 (<http://www.legislation.gov.uk/asp/2000/10/notes/contents>)
- 8.4 Planning etc. (Scotland) Act 2006 ([http://www.legislation.gov.uk/asp/2006/17/pdfs/asp\\_20060017\\_en.pdf](http://www.legislation.gov.uk/asp/2006/17/pdfs/asp_20060017_en.pdf))
- 8.5 Town and Country Planning (Scotland) Act 1997 (<http://www.scotland.gov.uk/Publications/2005/01/20576/50663>)
- 8.6 Town and Country Planning (Development Planning) (Scotland) Regulations 2008 (<http://www.legislation.gov.uk/ssi/2008/426/contents/made>)

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21 September 2012