

Issue (ref and heading):	Issue 006: Policy 1 Location Priorities - Green Belts	
Development plan reference:	Policy 1 Part D and Map 1 pages 10 to 13	Reporter: [DPEA use only]
Body or person(s) submitting a representation raising the issue (including reference number):		
Seeking a change Dr Peter Symon (548525) Emac Planning LLP for A&J Stephen Ltd & Avant Homes (910368) Emac Planning LLP for Stewart Milne Homes North Scotland (347277) Friends of the Earth Tayside (845935) Homes For Scotland (785148) Mrs Jennifer Hopgood (348875) Royal Burgh of St Andrews Community Council (910325) Savills-SmithsGore for Scone Estate (909972) St Andrews Environmental Protection Association Ltd (STEPAL) (910367) St Andrews Preservation Trust (910253)	Supporting as written Dundee Civic Trust (845127) NHS Tayside (908896) Scottish Environment Protection Agency (835401) Scottish Water (762198) SEStran Regional Transport Partnership (908118) sportscotland (905989) Tactran Regional Transport Partnership (441235)	
Provision of the development plan to which the issue relates:		
Policy 1 Part D (Doc80) proposes the continuation of green belts for both Perth and St Andrews. These are also shown in Map 1. It is for Local Development Plans to define their respective boundaries.		
Planning Authority's summary of the representation(s):		
Summary of Representations Seeking a change <u>TAYPLAN'S OPERATIONAL REMIT</u> Mrs Jennifer Hopgood (348875) PLAN2015_517 expresses concern about the landscape impacts of St Andrews West and Science Park Strategic Development Area (Policy 3) (Doc80) on St Andrews and suggests that it cannot be accommodated within the town's boundary and will be outside the boundary of the town. She also considers that 'high quality green space and access routes that connect to the St Andrews Coast Green Network 'cannot in any way compensate for the loss of the landscape setting to the west of St Andrews'. She notes that TAYplan is not consulted on any planning application from any constituent council, and has no remit to individually comment on planning applications. As a result she considers this to mean that there is what she describes as 'very little concern in TAYplan about the future of St Andrews and its landscape setting'. Matters relating to Strategic Development Areas (Policy 3) (Doc80) are specifically covered in the Schedule 4 Summary of Unresolved Issues 010 Strategic Development Areas. Royal Burgh of St Andrews Community Council (910325) PLAN2015_560 and St Andrews Environmental Protection Association Limited (STEPAL) (910367) PLAN2015_551 are each concerned about development in the St Andrews area that they consider to be adversely impacting on the green belt. They note that TAYplan is not involved in commenting on planning applications. St Andrews Environmental Protection Association Limited (STEPAL) (910367) PLAN2015_551 consider this to mean that TAYplan has been 'silent' on the issue of green belt protection. They consider these circumstances to be 'disappointing' and suggest this could be overcome if TAYplan 'set out policies, procedures and standards for the protection of the environment' rather than what they consider to be the current situation where		

TAYplan is 'nominally responsible for Green Belt, but takes no active part in commenting on planning applications which would erode it'. They consider that a continuation of this will make the designation of green belt effectively redundant.

St Andrews Preservation Trust (910253) PLAN2015_540 considers that the green belts for St Andrews and Perth are 'vital' to 'protect their landscape setting from development'. They consider there should be a reference to continually audit development of brownfield sites and ensure consistency with future allocations for all categories of land use. They also propose the strengthening of Policy 1D (Doc80) to provide an 'unambiguous definition of green belts and very clear direction to developers and infrastructure providers regarding the need for consistency with policies 2, 7, 8 and 9 (Doc80)'.

REVIEW OF GREEN BELTS

Homes For Scotland (785148) PLAN2015_238 consider that the principle of green belt and extent of its boundaries should be kept under review through Local Development Plans. **Emac Planning LLP for Stewart Milne Homes North Scotland (347277) PLAN2015_531** and **Emac Planning LLP for A&J Stephen Ltd & Avant Homes (910368) PLAN2015_552** share this view and justify it on the basis of Scottish Planning Policy (2014) paragraph 51 (Doc84). **Emac Planning LLP for Stewart Milne Homes North Scotland (347277) PLAN2015_531** and **Emac Planning LLP for A&J Stephen Ltd & Avant Homes (910368) PLAN2015_552** suggest that this would enable 'early scoping for future opportunities to develop in the West of St Andrews Strategic Development Area and in the Perth Core Area'.

GREEN BELT PROPOSED FOR DUNDEE

Friends of the Earth Tayside (845935) PLAN2015_418 appear to suggest the need for a green belt around Dundee in order to 'restrict' what they describe as 'further encroachment of developments into open space on the periphery of Dundee'. They also suggest that no evidence is provided about why a green belt has not been adopted for Dundee.

PROPOSED DELETION OR REVIEW OF THE PERTH GREEN BELT

Savills-SmithsGore for Scone Estate (909972) PLAN2015_460 propose a review of the Perth green belt in the light of revised Scottish Planning Policy content to ensure that the designation is 'necessary, proportionate and appropriate' and 'does not harm the potential sustainable development of Perth, Perthshire and consequently the TAYplan area'. They also propose that the Proposed Plan requires the Perth & Kinross Local Development Plan review to address the content of its green belt policy to ensure it allows for appropriate types of renewable energy where what they term 'understandable locational requirements can be met such as acceptable landscape and visual impact'. They justify this on the basis of Scottish Planning Policy (2014) paragraphs 50, 54, 155 and 156 (Doc84).

They consider that other policies and designations - such as designed landscapes and gardens along with Perth & Kinross Council's 'Housing in the countryside policy' could do the same job as the green belt. They also consider that the size of the green belt is disproportionate to Perth's size; and, that the methodology for the green belt boundaries is out of date and that landscape management is not static.

They go on to suggest that the green belt coverage of the Scone Estate limits its ability to operate and list locations in their ownership, including land and buildings, where they would be interested in pursuing development which they suggest is prevented by the green belt. They acknowledge recent support for this by Perth & Kinross Council which they say was 'rejected at examination for the Local Development Plan (2014) by the reporter' (Doc5).

Dr Peter Symon (548525) PLAN2015_410 proposes the deletion of the Perth green belt to comply with Scottish Planning Policy (2014), paragraph 49 (Doc84).

Summary of Supporting Representations

Dundee Civic Trust (845127) PLAN2015_279 supports Policy 1 (Doc80) on the basis that it represents 'best use of resources and infrastructure capitalising on investment, skills and strategic infrastructure'. They consider that one of the constituent authorities has granted some planning permissions which the respondent considers to be contrary to the Plan. They question what powers TAYplan has to ensure the plan is adhered to and they consider that a single authority should be responsible for the wider Dundee area.

NHS Tayside (908896) PLAN2015_322 supports the continuation the same strategic focus as the previous plan, concentrating development in a tiered way as part of the 'long term planning to drive sustainability and economic progress for the region'.

Scottish Environment Protection Agency (835401) PLAN2015_193 support the strategy as part of a response to emissions, climate change, travel choices and air quality.

Scottish Water (762198) PLAN2015_266 support the continuation of the current development strategy.

SEStran Regional Transport Partnership (908118) PLAN2015_33 support approach from sustainability perspective.

Tactran Regional Transport Partnership (441235) PLAN2015_357 support approach as consistent with the Regional Transport Strategy (Doc94).

sportscotland (905989) PLAN2015_5 supports the policy on the basis that some sport or recreation related development requires an outdoor countryside location and these are considered to be 'permissible in the Green belt', in accordance with Scottish Planning Policy.

Modifications sought by those submitting representations:

TAYPLAN'S OPERATIONAL REMIT

Mrs Jennifer Hopgood (348875) PLAN2015_517 appears to seek the removal of St Andrews West Strategic Development Area from the Plan.

Royal Burgh of St Andrews Community Council (910325) PLAN2015_560 and **St Andrews Environmental Protection Association Limited (STEPAL) (910367) PLAN2015_551** both propose stronger protection for the St Andrews green belt.

St Andrews Preservation Trust (910253) PLAN2015_540 propose a reference to continually audit development of brownfield sites and ensure consistency with future allocations for all categories of land use. They also propose the strengthening of Policy 1D to provide an 'unambiguous definition of green belts and very clear direction to developers and infrastructure providers regarding the need for consistency with policies 2, 7, 8 and 9 (Doc80)'.

REVIEW OF GREEN BELTS

Homes For Scotland (785148) PLAN2015_238, **Emac Planning LLP for Stewart Milne Homes North Scotland (347277) PLAN2015_531** and **Emac Planning LLP for A&J Stephen Ltd & Avant Homes (910368) PLAN2015_552** each propose amendments to the final paragraph of the 'how this policy works' (page 13) (Doc80) to refer to the need to keep the principle and extent of green belts under review

through the local development plan preparation and review process.

GREEN BELT PROPOSED FOR DUNDEE

Friends of the Earth Tayside (845935) PLAN2015_418 proposes amendments at the end of the policy statement saying that 'urgent consideration should be given to introducing a similar green belt policy for Dundee, with the same objectives'.

PERTH GREEN BELT

Savills-SmithsGore for Scone Estate (909972) PLAN2015_460 propose two amendments as follows:

- That the status of the Perth green belt is reviewed in the light of revised Scottish Planning Policy; and,
- That TAYplan requires the Perth & Kinross Local Development Plan review to address the content of the green belt policy to ensure that it allows for appropriate types of renewable energy where understandable locational requirements can be met such as acceptable landscape and visual impact.

Dr Peter Symon (548525) PLAN2015_410 proposes the following amendments:

Page.10 - Delete Policy 1D Green Belts; (Doc80)

Page 13 - Delete paragraph 6, commencing "Green Belts". (Doc80)

Page 13 - Delete paragraph 4, commencing "There will be". (Doc80)

Summary of responses (including reasons) by Planning Authority:

Context

The green belt for St Andrews was established in the Fife Structure Plan (2009) Policy ENV1 (Doc44). The approved TAYplan (2012) Policy 3 (Doc80) directs Fife to continue with the establishment of the green belt at St Andrews and directs Perth & Kinross Council to establish a green belt for Perth. This requirement continues in Proposed Plan (2015) Policy 1 Part D (Doc80).

The green belts have now been established in the Perth & Kinross Local Development Plan (2014) (Doc5) and the St Andrews & East Fife Local Plan (2012). Therefore the role of the Strategic Development Plan is to state that these are proposed to continue and this is set out in Proposed Plan (2015) Policy 1 Part D (Doc80). The remaining details are a matter for the respective councils as described in Scottish Planning Policy (2014) paragraphs 48 to 55 (Doc84). Both St Andrews and Perth differ in character and so the respective Councils are considered to be best placed to determine the details regarding appropriate land uses within the context of policies already set out in the Proposed Plan (2015) (Doc80).

Responses To Proposed Changes

TAYPLAN'S OPERATIONAL REMIT

Mrs Jennifer Hopgood (348875) PLAN2015_517, Royal Burgh of St Andrews Community Council (910325) PLAN2015_560, St Andrews Environmental Protection Association Limited (STEPAL) (910367) PLAN2015_551 and St Andrews Preservation Trust (910253) PLAN2015_540

For clarity TAYplan does not have any operational duty or remit to comment on the general conformity or otherwise of any planning applications or development plans. As such TAYplan is not resourced to carry out such functions. The consideration of planning applications is carried out by Local Planning Authorities. The Planning etc. (Scotland) Act 2006 section 16 (6) (Doc74) requires Local Development Plans to be consistent with the respective Strategic Development Plan. Judgements about the general conformity or otherwise of Local Development Plans with an approved TAYplan will take place at the Examination stage of the respective proposed Local Development Plan.

TAYplan does not agree that it is 'silent on protecting the green belt'. The green belt for St Andrews was originally put forward by the Fife Structure Plan (2009) Policy ENV1 (Doc44). Subsequently the Approved TAYplan (2012) Policy 3 (Doc16) continued the green belts for St Andrews and Perth and these continue under Proposed Plan (2015) Policy 1 (Doc80).

TAYplan considers that the appropriate protection and policy framework to define the purpose, role and operation of green belts as well as appropriate development within them has been established by Scottish Planning Policy (2014) paragraphs 49 to 53 (Doc84). Paragraph 52 (Doc84) also makes provision for Local Authorities to specify appropriate land uses. TAYplan does not consider it necessary to repeat Scottish Planning Policy. Proposed Plan (2015) also sets out broader measures for environmental protection and place quality in Policies 2, 8 and 9 (Doc80). Therefore TAYplan does not consider that additional policy protection is necessary.

St Andrews Preservation Trust (910253) PLAN2015_540

TAYplan agrees that it is important to evaluate brownfield land capacity. Councils already evaluate brownfield land, as well as other considerations, for both housing and employment land annually through land audits. Councils also undertake urban capacity studies to identify additional, potential sources of land that have not been identified in previous housing land audits. Land audits and Urban Capacity Studies are published as a matter of public record. Their conclusions are also considered in depth during the review and preparation of Local Development Plans. Therefore TAYplan is satisfied that there is no need for additional requirements to carry out this type of evaluation.

REVIEW OF GREEN BELTS

Homes For Scotland (785148) PLAN2015_238, Emac Planning LLP for Stewart Milne Homes North Scotland (347277) PLAN2015_531 and Emac Planning LLP for A&J Stephen Ltd & Avant Homes (910368) PLAN2015_552

TAYplan considers that the approach of Scottish Planning Policy (2014) paragraphs 48 to 55 (Doc84) covers the spatial strategy considerations that any planning authority would need to explore in preparing a new plan or reviewing an existing plan, including the principle and extent of green belts. As such any planning authority is therefore already expected to review their current position in light of the emerging issues and investigate such changes in their Main Issues Report. TAYplan does not consider there to be a need to repeat Scottish Planning Policy.

The TAYplan Main Issues Report (2014) pages 7 and 16 to 20 (Doc56) make clear that no changes were proposed to the vision, the spatial strategy or the Strategic Development Areas that had been set out in the approved TAYplan (2012) (Doc16). This consequently meant that there was no strategic reason to consider a review of either the principle or the extent of the St Andrews and Perth green belts. Therefore any decision to amend the boundary of either green belt will be driven by local priorities that would, in accordance with Scottish Planning Policy (2014) paragraphs 48 to 55 (Doc84), need to be investigated at Local Development Plan Main Issues stage.

GREEN BELT PROPOSED FOR DUNDEE

Friends of the Earth Tayside (845935) PLAN2015_418

TAYplan considers that the approach of Scottish Planning Policy (2014) paragraphs 48 to 55 (Doc84) appropriately cover various matters of spatial strategy including green belts. The key point of paragraph 49 (Doc84) is that green belts will not be necessary for most settlements because other mechanisms can provide the appropriate basis for directing development to the right locations.

TAYplan considers that Policy 1 is already clear in setting out those settlements which constitute the Dundee Core Area (and which do not); prioritising development within principal settlements ahead of other locations; and, also the approach to development outside of principal settlements established in Proposed Plan (2015) Policies 1C and 4F (Doc80), which operate together as explained on Page 13 (Doc80). Proposed Plan (2015) Policies 2, 3, 4, 5, 8 and 9 (Doc80) also specifically direct development to specific locations; which afford protection to particular assets or ensure that adverse impacts are limited through design.

The St Andrews greenbelt was originally established by the Fife Structure Plan (2009) Policy ENV1 (Doc44). This continued along with the establishment of a green belt for Perth in the approved TAYplan (2012) Policy 3 (Doc16) which protects and enhances the character, landscape setting and identity of those settlements or others that are included within the designated green belts. No equivalent need was established for Dundee that could not otherwise have been achieved by the methods currently deployed for determining the location of new development.

No evidence has been presented to make a strategic case for a green belt at Dundee based on the principles set out in Scottish Planning Policy (2014) paragraphs 48 to 55 (Doc84) or to explore whether this would be better at achieving the outcomes sought than the existing policy framework or other mechanisms. The Proposed Action Programme (2015) page 59 (Doc76) indicates that the next Strategic Development Plan review will consider the growth of Dundee, what this means and the necessary policy tools. Therefore TAYplan does not propose to make the proposed changes.

PERTH GREEN BELT

Savills-SmithsGore for Scone Estate (909972) PLAN2015_460

TAYplan considers that the approach of Scottish Planning Policy (2014) paragraphs 48 to 55 (Doc84) covers the spatial strategy considerations that any planning authority would need to explore in preparing a new plan or reviewing an existing plan, including the principle and extent of green belts. As such any planning authority is therefore already expected to review their current position in light of the emerging issues and investigate such changes in their Main Issues Report. TAYplan does not consider there to be a need to repeat Scottish Planning Policy.

The TAYplan Main Issues Report (2014) pages 7, 56 and 57 (Doc56) made clear that no changes were proposed to the vision, the spatial strategy or the Strategic Development Areas that had been set out in the approved TAYplan (2012) (Doc16). This consequently meant that there was no strategic reason to consider a review of either the principle or the extent of the Perth green belt (or the St Andrews green belt). Therefore any decision to amend the boundary of either green belt will be driven by local priorities that would, in accordance with Scottish Planning Policy (2014) paragraphs 48 to 55 (Doc84), need to be investigated at Local Development Plan Main Issues stage.

Scottish Planning Policy (2014) paragraph 51 (Doc84) already explains the factors that Local Development Plans should consider when drawing boundaries for green belts. Scottish Planning Policy (2014) paragraph 52 (Doc84) already explains that Local Development Plans should describe the types of development that are appropriate within green belts and provides some examples of what these 'may include'. As noted above there are no strategic issues that have been identified in TAYplan's work or by respondents that justify removal or alteration to the Perth green belt or what types of development may take place there. Therefore these decisions will be driven by local matters that are best judged by Perth & Kinross Council.

Dr Peter Symon (548525) PLAN2015_410

TAYplan agrees that not every settlement will need a green belt as set out in Scottish Planning Policy (2014) paragraph 49 (Doc84). The purpose of the Perth and St Andrews green belts are to protect and enhance the character, landscape setting and identity of those settlements or others that affected by the designated green belts. This is consistent with Scottish Planning Policy (2014) paragraph 40 bullet 2 (Doc84). This is a continuation of the current approach of green belts at Perth and St Andrews as set out in approved TAYplan (2012) Policy 3. The respondent has not provided any compelling evidence to justify the deletion of either the Perth or the St Andrews green belts.

TAYplan remains satisfied that there will be no need for any new settlements during the lifetime of this Plan (as stated on Proposed Plan (2015) page 13 – Doc80) and considers that no compelling evidence has been provided to the contrary. TAYplan does not propose to make any changes.

Authority's Responses To Supporting Representations

Dundee Civic Trust (845127) PLAN2015_279, Tactran Regional Transport Partnership (441235) PLAN2015_357, SEStran Regional Transport Partnership (908118) PLAN2015_33, Scottish Environment Protection Agency (835401) PLAN2015_193, Scottish Water (762198) PLAN2015_266 and NHS Tayside (908896) PLAN2015_322

TAYplan welcomes this support for the continuation of the location priorities set out in Policy 1.

Dundee Civic Trust (845127) PLAN2015_279

There is no legal duty for TAYplan to comment on the conformity or otherwise of planning applications. It is the duty of councils as Local Planning Authorities to determine planning applications and make the appropriate decisions. Council boundaries or any amendments to these are a matter for Scottish Government and the appropriate public bodies.

TAYplan agrees with **sportscotland (905989) PLAN2015_5** that Scottish Planning Policy (2014) paragraph 52 (Doc84) describes some sport and recreational land uses that may be appropriate within green belts.

OVERALL

TAYplan considers that Scottish Planning Policy (2014) paragraphs 48 to 55 (Doc84) contain a clear framework to ensure that green belts are considered as part of any review of spatial strategies. This also provides clarity for Local Development Plans about their role in determining the boundaries of green belts and appropriate land uses within them. TAYplan does not consider it to be necessary to repeat Scottish Planning Policy.

TAYplan considers that no compelling evidence has been provided which suggests a strategic case for the removal or amendment of the St Andrews or Perth green belts. This means that any local issues relating to boundaries or land uses within green belts can be appropriately considered by the respective Council when preparing their Local Development Plans.

Therefore TAYplan proposes to retain the current approach to continue the Perth and St Andrews green belts and to make no changes to the Proposed Plan.

TAYplan is satisfied that many of these issues are dealt with appropriately by the Policy as currently written, by supporting elements of other Proposed Plan (2015) (Doc80) policies or Scottish Planning Policy (2014) (Doc84). It is also noted that Scottish Government/ Key Agencies have specifically supported the policy and/or

have not sought changes to it.

TAYplan considers that all of the issues raised do not warrant any change to the Proposed Strategic Development Plan (May, 2015) (Doc80) and propose that the elements dealt with in this Schedule 4 Summary of Unresolved Issues remain as written and unchanged.

Reporter's conclusions:

DPEA use only

Reporter's recommendations:

DPEA use only