

T: 0131-244 7547  
E: [Fiona.simpson@gov.scot](mailto:Fiona.simpson@gov.scot)

David Littlejohn  
Tayplan Manager  
Tayplan Strategic Development Planning Authority  
Enterprise House  
3 Greenmarket  
Dundee  
DD1 4QB

By email to: [david.littlejohn@taycities.co.uk](mailto:david.littlejohn@taycities.co.uk)

Our ref: A17164433

11 October 2017

Dear David

## **THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997: TAYPLAN STRATEGIC DEVELOPMENT PLAN - MINISTERIAL APPROVAL**

The Scottish Ministers have decided to approve the above plan with modifications. In reaching their decision they have considered the issues raised in representations made in accordance with the Town and Country Planning (Scotland) Act 1997 (as amended) (“the Planning Act”) and the report from the examination conducted under Section 12 of the Planning Act.

The Scottish Ministers approve the TAYplan Strategic Development Plan with the modifications specified in the Annex to this letter. Ministers accept the reasons set out in the examination report of the modifications in Part 1 of the Annex and adopt them as their own. Ministers also accept, and adopt as their own, the reasons set out in the examination report for not making modifications for the remaining issues and propose no modifications in respect of them. The modifications specified in Part 2 of the Annex are minor, technical amendments for the purposes of clarity.

Scottish Ministers have chosen to amend one of the modifications that was recommended by the reporter. This is to ensure accuracy and consistency with national policy and practice relating to development plans, flooding, water supply and Section 75 planning obligations. The amended modification is as shown in Annex A Part 1.

Ministers have assessed the modifications for the purposes of Strategic Environmental Assessment, Habitats Regulations Appraisal and Equalities Impact Assessment and have determined that no significant impacts are expected from the modifications.

The TAYplan Strategic Development Plan as modified is constituted as the strategic development plan for the TAYplan development plan area from the date of this letter.

Scottish Ministers' approval of the proposed plan, as modified, is founded primarily on the consideration of its policies and general purposes and relates to the proposed plan as a whole. It should be understood that the Scottish Ministers' approval of the plan does not convey any approval of any matter therein for any other statutory purpose. In particular it does not commit the Scottish Ministers, or any other government department, to the payment of grant on any particular project or to the amount or timing of any capital expenditure. Approval does not extend to other documents submitted with the proposed plan.

The foregoing decision is final, subject to the right, conferred by Section 238 of the Planning Act, of any person aggrieved by the Scottish Ministers' decision to apply to the Court of Session within six weeks from the date of publication of the plan, as modified, whereby the Court may quash the plan (in whole or in part) if it is satisfied that it is not within the powers of the Act or that the applicant's interests have been substantially prejudiced by a failure to comply with any requirement of the Act.

Under Section 14 of the Planning Act, the Strategic Development Planning Authority must now publish the strategic development plan, as modified, send two copies to the Scottish Ministers, place a copy of it in public libraries in the strategic development plan area, notify those who made representations on the plan and advertise in a local newspaper that the plan has been published. Information about this decision will also be posted on the Scottish Government's website.

Yours sincerely

**Dr Fiona Simpson**  
Assistant Chief Planner

**ANNEX: THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997: TAYPLAN  
STRATEGIC DEVELOPMENT PLAN - MINISTERIAL APPROVAL**

**PART 1**

**MODIFICATIONS**

<b>ISSUE</b>	<b>RECOMMENDATION / MODIFICATION</b>
Issue 1 Vision and Transformational Projects Map	The following additional settlements to be named on the map on page 5 of the plan: Blairgowrie / Rattray, Forfar, Montrose, Arbroath, Cupar and St Andrews.
Issue 2 Policy 1 Location Priorities – Settlement Hierarchy – Named Settlements	No modifications.
Issue 3 Policy 1A Location Priorities – Settlement Hierarchy – Policy Principle	No modifications.
Issue 4 Location Priorities – Policy 1 Part B Sequential Approach	<p>1. Amend Policy 1B to read: “Strategies, plans and programmes shall prioritise land release for all principal settlements using the sequential approach in this policy; shall prioritise within each category, as appropriate, the reuse of previously developed land and buildings (particularly listed buildings); and shall ensure that such land is effective or expected to become effective in the plan period, and that a range of sites is made available as follows: [<i>continue as in Proposed Plan</i>].”</p> <p>2. Amend the first two sentences of the third paragraph on page 13 of the plan to read: “Local development plans will identify appropriate effective land that is capable of delivering this sustainable pattern of development in the plan period, whilst also considering the requirements of other policies in this plan. This will provide for a mix of development, infrastructure and green space on a range of sites.”</p>
Issue 5 Policy 1C Location Priorities – Outside of Principal Settlements and Settlement Boundaries	Amend the final sentence of the first paragraph of page 13 to read: “Their boundaries should be defined and reviewed regularly through the respective local development plan.”
Issue 6 Policy 1 Location Priorities – Green Belts	No modifications.
Issue 7 Policy 2D Shaping Better Quality Places – Efficient Resource Consumption	No modifications.
Issue 8 Policy 2 Shaping Better Quality Places – Whole Policy and Other	<p>Delete Policy 2 Shaping Better Quality Places, Part B. Active and Healthy by Design, iv., b. and replace by:</p> <p><i>“b. make the best use of existing infrastructure to achieve an active travel environment combining different land uses with green space; and,”</i></p>
Issue 9 Policy 3: A First Choice for Investment – Whole Policy	<p>1. Add a new final sentence to paragraph 2, page 22 as follows: “<i>Tourism will play a major role in the Tayplan area, as envisaged by the National Tourism Development Framework (2013).</i>”</p> <p>2. Amend paragraph 1 on page 23 with the addition of the following text as a new final sentence:</p>

ISSUE	RECOMMENDATION / MODIFICATION																											
	<p><i>“Local Development Plans should have regard to the National Marine Plan, and Regional Marine Plans, where appropriate.”</i></p>																											
Issue 10 Policy 3D and Map 3: A First Choice for Investment – Strategic Development Areas	No modifications.																											
Issue 11 Policy 3D and Map 3: A First Choice for Investment – Cupar North Strategic Development Area	No modifications.																											
Issue 12 Policy 4 Homes – Technical and Background Assumptions	No modifications																											
Issue 13 Annual Housing Supply Targets and Housing Land Requirements – TAYplan Level	No modifications. See Issue 16.																											
Issue 14 Policy 4A and Map 4 Annual Housing Supply Targets and Housing Land Requirements – Angus	No modifications.																											
Issue 15 Policy 4 Homes – Annual Housing Supply Targets and Housing Land Requirements – Fife	No modifications.																											
Issue 16 Policy 4 Homes – Annual Housing Supply Targets and Housing Land Requirements – Perth and Kinross	<p>1. Amend Policy 4A the Tayplan-wide 20 year housing supply target to 38,620, amend the 12 year housing supply target to 23,172 and the 2028 to 2036 housing supply target to 15,448.</p> <p>2. Amend Map 4 - the housing supply targets and housing land requirements within Perth and Kinross, and for Tayplan as a whole, in accordance with the following table.</p> <table border="1" data-bbox="544 1444 1453 2011"> <thead> <tr> <th>Housing Market Area</th> <th>Housing Supply Target</th> <th>Housing Land Requirement</th> </tr> </thead> <tbody> <tr> <td>Perth and Kinross Part of Greater Dundee</td> <td>5</td> <td>6</td> </tr> <tr> <td>Greater Perth</td> <td>457</td> <td>540</td> </tr> <tr> <td>Kinross</td> <td>71</td> <td>84</td> </tr> <tr> <td>Strathearn</td> <td>120</td> <td>142</td> </tr> <tr> <td>Highland Perthshire</td> <td>72</td> <td>85</td> </tr> <tr> <td>Strathmore and Glens</td> <td>121</td> <td>143</td> </tr> <tr> <td>Perth and Kinross total</td> <td>846</td> <td>1,000 (<i>i.e. no change from Proposed Plan</i>)</td> </tr> <tr> <td>Tayplan</td> <td>1,931</td> <td>2195 (<i>i.e. no change from Proposed Plan</i>)</td> </tr> </tbody> </table>	Housing Market Area	Housing Supply Target	Housing Land Requirement	Perth and Kinross Part of Greater Dundee	5	6	Greater Perth	457	540	Kinross	71	84	Strathearn	120	142	Highland Perthshire	72	85	Strathmore and Glens	121	143	Perth and Kinross total	846	1,000 ( <i>i.e. no change from Proposed Plan</i> )	Tayplan	1,931	2195 ( <i>i.e. no change from Proposed Plan</i> )
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ISSUE	RECOMMENDATION / MODIFICATION
	<p>3. Amend the first paragraph on page 27 of the plan to read: “Policy 4 / Map 4 plan for housing supply targets of 1,931 new homes per year across the Tayplan area. This is 23,172 over the first 12 years of this plan (2016-28) and approximately 38,620 homes over the whole 20 year period.”</p> <p>4. Amend the second paragraph on page 27 of the plan to read: “The housing land requirement provides a generous land supply equivalent to at least 10% above the respective housing supply target for each housing market area. This is to ensure flexibility and choice in delivering the housing supply target. 10% is the minimum Tayplan is required to include by the Scottish Government (Scottish Planning Policy).”</p> <p>5. Delete the final paragraph on page 28 of the plan (extending onto page 29).</p>
Issue 17 Policy 4 Homes – Annual Housing Supply Targets and Housing Land Requirements – Dundee City and the Greater Dundee Housing Market Area	No modifications.
Issue 18 Policy 4 Homes – Effective Housing Land and Areas Surrounding Perth and Dundee Core Areas	No modifications.
Issue 19 Policy 4 Homes – Mix of Housing Type, Size and Tenure	No modifications.
Issue 20 – Policy 4 Homes – Environmental and Infrastructure Constraints	<p>Amend Policy 4D to read:</p> <p>“D. have the flexibility, in serious cases of appropriately evidenced environmental or infrastructure capacity constraints that cannot be practically and cost-effectively overcome, and where no suitable alternative sites exist that are compliant with the spatial strategy of this plan, to provide for ... [<i>continue as in Proposed Plan</i>].</p>
Issue 21 Policy 4E: Homes – Exceeding Housing Land Requirement	<p>Amend Policy 4E to read:</p> <p>“E. for Dundee City only, have the flexibility to plan for housing numbers in excess of the housing land requirement set out in Map 4.”</p>
Issue 22 Town Centres First	<p>Amend paragraph 6 on page 33, first sentence as follows:</p> <p>“Community, healthcare, education and sporting facilities are best located at the heart of the communities they serve.”</p>
Issue 23 Developer Contributions	<p>Amend policy 6 to read:</p> <p>“To ensure suitable infrastructure is in place to facilitate new development, local development plans should set out a policy framework for seeking developer contributions to mitigate any adverse impact on infrastructure, services and amenities brought about by development. This framework-should specify the items for which, and the circumstances where, contributions will be sought.</p>

ISSUE	RECOMMENDATION / MODIFICATION
	<p>This may include contributions towards schools, the delivery of affordable housing, transport infrastructure and facilities (including for road, rail, walking, cycling, and public transport), green infrastructure, mitigating flood risk, surface water drainage and other community facilities. Timeously produced supplementary guidance should set out detailed matters such as the level of contributions and methodologies for their calculation. All policies should be in accordance with the Scottish Government <i>Circular 3/2012: Planning Obligations and Good Neighbour Agreements.</i>”</p>
<p>Issue 24 Energy, Waste and Resources: Whole Policy and Other Issues</p>	<p>1. Amend paragraph 3 on page 43, with the addition of a new final sentence as follows:</p> <p><i>“Proposals should be justified on the basis of national objectives and the Scottish Government Heat Policy Statement (2015) on efficiency and heat generation.”</i></p> <p>2. Replace the “Waste and Resource Management Hierarchy” diagram on page 45 with the diagram in Part 1, paragraph 1.2, Figure 3 of “Guidance on Applying the Waste Hierarchy 2012.”</p>
<p>Issue 25 Energy, Waste and Resources: Wind Energy</p>	<p>1. Amend Map 7a to reflect Map 9 – Plan Options for Offshore Wind and Marine Renewable Energy and Planned Developments in Scotland of the National Marine Plan by adding an inset box to Map 7a on page 41 of the plan, illustrating the relevant extract, in the waters adjacent to the Tayplan area.</p> <p>2. Modify Map 7b with the addition of the Cairngorms National Park boundary and the Loch Lomond and The Trossachs National Park boundary, where shared with the Tayplan area boundary.</p>
<p>Issue 26 Energy, Waste and Resources: Minerals</p>	<p>No modifications.</p>
<p>Issue 27 Policy 8: Green Networks – Whole Policy</p>	<p>1. Amend the key to Map 8, page 49 to read:</p> <p><i>“Coastal Routes including National Cycle Network Route 1”</i></p> <p>2. Amend Policy 8 Part C (iii) so that the final line reads:</p> <p><i>“....., and connecting with existing routes including the National Cycle Network.”</i></p>
<p>Policy 28 Managing TAYplan’s Assets</p>	<p>1. Amend Policy 9 Part D with the addition of the following text as a new final sentence:</p> <p><i>“Local Development Plans should have regard to the National Marine Plan, and Regional Marine Plans, where appropriate.”</i></p> <p>2. Delete Policy 9 Part A (iv) and replace with the following (new text in bold):</p> <p><i>“protect prime agricultural land <b>or land of lesser quality that is locally important</b>, new and existing forestry areas, and carbon rich soils where the advantages of development do not outweigh the loss of this land.”</i></p> <p>3. Add a new final sentence to Policy 9 Part C (i) as follows:</p>

ISSUE	RECOMMENDATION / MODIFICATION
	<p><i>“Local Development plans should set out the factors which will be taken into account in development management. The level of protection given to local designations should not be as high as that given to international or national designations. International, national and locally designated areas and sites should be identified and afforded the appropriate level of protection, and the reasons for local designations should be clearly explained and their function and continuing relevance considered, when preparing plans.”</i></p> <p>4. Modify Map 9b Nature and Landscape with the addition of the Cairngorms National Park boundary and the Loch Lomond and The Trossachs National Park boundary, where shared with the Tayplan area boundary.</p> <p>5. Insert a new paragraph 3 on page 56 as follows:</p> <p><i>“The potential for the nomination of a UNESCO Biosphere Reserve on the Lower Tay will be further explored with the relevant parties.”</i></p>
Issue 29 Policy 10: Connecting People, Places and Markets – Whole Policy	No modifications.
Issue 30 Policy 10: Connecting People, Places and Markets – Map 10	<p>Amend Map 10 with the introduction of a new marker on the map and a new key notation as follows:</p> <p><i>“3 Proposed A90 / A937 junction upgrade”</i></p>
Issue 31 Policy 10: Connecting People, Places and Markets – Rail (inc Map 10)	<p>1. Amend Map 10 page 59 by changing the notation on the key for Actions 15 and 16 to <i>“Area for Transport Appraisal”</i></p> <p>2. Amend Map 10, page 59 by changing the notation on the key for Action 18 to <i>“Potential relocation of Invergowrie rail station to Dundee West.”</i></p>
Issue 32 Something Else	No modifications.

## **PART 2 MINOR CONSEQUENTIAL MODIFICATIONS**

Front Cover	Change title from 'Proposed Strategic Development Plan' to 'Strategic Development Plan'
Front Cover	Change the publication date 'May 2015' to 'Approved July 2017' – the date the plan was approved.
Inside Fly page	Change copyright date from 2015 to 2017, the year of plan approval.
Page 3 Leadership and Action	<ul style="list-style-type: none"> <li>• Update picture and name to reflect current TAYplan Convenor at time of approval <u>or</u> remove picture, quotation marks and italics and show as normal text.</li> <li>• Para 1 – delete word 'proposed' so it no longer reads '<i>...this proposed plan...</i>' and instead says '<i>...this plan...</i>'</li> <li>• Replace graphic of Proposed Action Programme (2015) with graphic of Action Programme 2017 which will sit alongside the Plan.</li> <li>• Last para remove the word '<i>proposed</i>' so it reads '<i>...accompanying Action Programme...</i>'</li> <li>• Remove column 1 final sentence "<i>Now we want to hear whether you agree with this plan.</i>"</li> </ul>
Page 5 Transformational Projects map	Change copyright date from 2015 to 2017, the year of plan approval.
Pages 6 and 7	Delete both pages. All subsequent page numbering will alter and there will be a consequential change to the contents page 8 (see below).
Page 8 onwards	Amend this and subsequent page numbers to reflect consequential change to numbering following deletion of pages 6 and 7 as well as any other ministerial amendments upon approval.
Map 1 Page 11	Change copyright date from 2015 to 2017, the year of plan approval.
Map 3 page 21	Change copyright date from 2015 to 2017, the year of plan approval.
Map 4 page 25	Change copyright date from 2015 to 2017, the year of plan approval.
Map 5 page 31	Change copyright date from 2015 to 2017, the year of plan approval.
Map 7a page 41	Change copyright date from 2015 to 2017, the year of plan approval.
Map 7b page 42	Change copyright date from 2015 to 2017, the year of plan approval.
Map 8 page 49	Change copyright date from 2015 to 2017, the year of plan approval.
Map 9a page 53	Change copyright date from 2015 to 2017, the year of plan approval.
Map 9b page 54	Change copyright date from 2015 to 2017, the year of plan approval.
Map 10 page 59	Change copyright date from 2015 to 2017, the year of plan approval.