Abstract: The purpose of this report is to set out a suggested response by Angus Council to formal publication of the TAYplan Proposed Strategic Development Plan 2012 – 2032 by the Dundee, Perth, Angus and North Fife Strategic Development Planning Authority on 6 June 2011.

1 RECOMMENDATION

1.1 It is recommended that Committee:-

1. agree that the TAYplan strategy, policies and Action Plan be supported and that no modifications are sought by Angus Council to the Proposed TAYplan Strategic Development Plan and related documents.

2 BACKGROUND

2.1 Members will recall that the Infrastructure Services Committee at their meeting of 19 April 2011 agreed to ratify the decision of the Joint Committee of the Dundee, Perth, Angus and North Fife Strategic Development Planning Authority to approve the TAYplan Proposed Strategic Development Plan 2012 – 2032 and related documents as a basis for public engagement. (Report 276/11 refers). This would provide the development industry, interest groups and general public opportunity to scrutinise and comment on the strategy for the future of the TAYplan area. It was also noted that once the TAYplan and associated documents were formally published, opportunity would be available for Angus Council to consider any implications for land use planning in Angus arising from TAYplan and particularly whether a formal representation should be made to the Proposed Strategic Development Plan.

2.2 The Proposed TAYplan Strategic Development Plan and associated documents were formally published by the Strategic Planning Authority on 6 June 2011; the period for representations extends until 1 August 2011. The suite of published documents includes:

- Proposed TAYplan Strategic Development Plan;
- Proposed Action Programme;
- Equalities and Human Rights Impact Assessment;
- Habitats Regulations Appraisal;
- Schedule of TAYplan’s responses to representations received at the Main Issues Report stage; and
- Background Topic Papers.
2.3 This report sets out a suggested basis for the formal response of Angus Council to the published TAYplan.

2.4 A copy of all the documents is available for reference purposes in the Members Lounge, The Cross, Forfar and can also be viewed online at www.tayplan-sdpa.gov.uk

3 DISCUSSION

3.1 A summary of the main points of the TAYplan Proposed Plan (and associated documents) as they relate to Angus was set out in Report 276/11 to the Infrastructure Services Committee at their meeting of 19 April 2011; the extract summary is made available as Appendix 1 to this report.

3.2 The Proposed Plan sets out the strategic planning framework to plan for the economic recovery and to shape a better TAYplan area for the future. The Plan takes account of a wide range of other plans and programmes including Scottish Government planning policy and existing structure and local plan proposals and commitments. The Plan seeks to position the TAYplan area to take maximum advantage from the qualities and strengths of the area, to enable and encourage sustainable economic development, good quality places and effective resource management.

3.3 The proposed Plan contains eight key policies covering the following topics:

- Policy 1: Location Priorities – sets out the spatial strategy of where development should and should not go.
- Policy 2: Shaping Better Quality Places – requires new development to be fit for place, supporting more sustainable ways of life for people and businesses.
- Policy 3: Managing TAYplan’s Assets – safeguarding resources and land with potential to support sustainable economic growth.
- Policy 4 Strategic Development Areas – identifies strategic development areas that will contribute to the regions economic success.
- Policy 5: Housing (including proposal 2) – identifies housing provision at housing market area level to focus most new housing in principal settlements.
- Policy 6: Energy and Waste/Resource Management Infrastructure – ensures that energy and waste resource management infrastructure are in the most appropriate locations.
- Policy 7: Town Centres – sets out a town centre hierarchy to protect and enhance their vitality and viability.
- Policy 8: Delivering the Strategic Development Plan – sets out requirements for developer contributions.

3.4 In many ways the thrust of the strategy and policies is compatible with the broad direction set out in successive development plans (structure and local plans) but this has been updated to reflect the current issues and future needs. It focuses the majority of the region’s new development within its principal settlements. These are where most of the region’s people, jobs, services and facilities are already located. The principal settlements also have significant land capacity to accommodate future development and provide opportunities for reducing carbon emissions by increasing the use of public transport and minimising the need for new infrastructure. The Plan also recognises the importance of the environmental qualities of the area and seeks to balance economic and environmental needs in place making.
3.5 The strategy and policy content of Proposed TAYplan will provide the strategic land use planning basis to take forward and develop the new Angus Local Development Plan. The Head of Planning & Transport considers that there is sufficient guidance and scope from the Proposed TAYplan to enable Angus Council to establish the detailed land allocations and land use planning policies that will guide sustainable development in Angus. On this basis TAYplan provides a positive basis for the future and the strategy, policies and Action Plan should be supported and no modifications sought to the published documents.

4 FINANCIAL IMPLICATIONS
4.1 There are no financial implications arising directly from the recommendations contained in this report.

5 HUMAN RIGHTS IMPLICATIONS
5.1 There are no human rights implications arising directly from this report.
5.2 It should be noted that the SDP Authority have undertaken a separate HRA report in connection with Proposed TAYplan.

6 EQUALITIES IMPLICATIONS
6.1 The issues contained in this report fall within an approved category that has been confirmed as exempt from an equalities perspective.
6.2 It should be noted that the SDP Authority have undertaken a separate Equalities and Human Rights Impact Assessment report in connection with Proposed Plan.

7 SINGLE OUTCOME AGREEMENT
7.1 The Strategic Development Plan (SDP) for the Dundee, Perth, Angus and North Fife (known as TAYplan) will, when approved by Scottish Ministers, set out a long term (20 years or more) development strategy for the area, considering its scale and broadly where it should be located.
7.2 This report does not directly contribute to the local outcome(s) contained within the Single Outcome Agreement for Angus.

8 CONSULTATION
8.1 The Chief Executive, Director of Corporate Services, Head of Law & Administration, Head of Finance, and Director of Neighbourhood Services have been consulted in the preparation of this report.

9 CONCLUSION
9.1 TAYplan Proposed Strategic Development Plan will provide the strategic land use planning guidance for the Dundee, Perth, Angus and North Fife areas. The guidance set out in that document is broadly compatible with the vision and objectives of Angus Council and will provide a positive framework from which the Council can develop the Angus Local Development Plan.
NOTE: The following background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973, (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.

- Report 276/11 to Infrastructure Services Committee 19 April 2011
- SDPA 01-2011 Proposed Strategic Development Plan 2012 – 2032; to the Strategic Development Plan Joint Committee Meeting, 16 February 2011
- Proposed Plan Action programme February 2011; (version for ratification by the four constituent Councils, 17 February 2011)
- Equalities and Human Rights Impact Assessment; (version for ratification by the four constituent Councils, 17 February 2011)
- TAYplan Proposed Strategic Development Plan Record of Habitats Regulations Appraisal (including Appropriate Assessment); (version for ratification by the four constituent Councils, 17 February 2011)
- Schedule of TAYplan’s responses to representations received in the Main Issues Report, Environmental Report; and Draft Equalities and Human Rights Impact Assessment April – July 2010; (version for ratification by the four constituent Councils, 17 February 2011)
Appendix 1: Summary of the Proposed TAYplan as it relates to Angus
(Originally included as paras 3.2 – 3.12 in Report 276/11 to Infrastructure Services Committee 19 April 2011)

Proposed Plan
The key proposals and policies for the TAYplan area within the Proposed Plan are as follows:

- to grow TAYplan’s economy and facilitate investment;
- locating the majority of new development in TAYplan’s principal settlements.

In Angus, Arbroath, Forfar and Montrose are classified as Tier 2 settlements which have the potential to make a major contribution to the regional economy but will accommodate a smaller share of the region’s additional development. Brechin, Carnoustie and Kirriemuir are classified as Tier 3 settlements which have the potential to play a more modest role in the regional economy and will accommodate a small share of the region’s additional development which is more about sustaining them. Monifieth is included within the Dundee Core Area which along with the Perth Core Area is classified as Tier 1 settlements. These Core Areas have the potential to accommodate the majority of the region’s additional development over the plan period and make a major contribution to the region’s economy. It will be for Local Development Plans to identify the location of new development.

- the main areas of growth are in the Dundee and Perth core areas, with a presumption against housing land releases in the surrounding areas (not already in structure/local plans or with planning permission) unless it would not prejudice the delivery of the plan;
- a range of strategic development areas are identified, the majority of which are already in structure/local plans or with planning permission and are effective.

For Angus there is specific reference to strategic development areas identified at Orchardbank Business Park, Forfar (already in existence); Montrose Port (for port related land uses); and a requirement to investigate the feasibility of establishing a regional agricultural centre at Forfar, to serve the agricultural sector in Angus and beyond.

- to shape better quality places and respond to climate change;
- to continue to designate greenbelt boundaries at Perth and St. Andrews, with no further additional strategic development at St. Andrews beyond the proposed strategic development area;
- to assist in meeting the housing need and demand identified through providing an effective supply of land to facilitate a target of approximately 26,000 units (2,170 annual average) being built within the first 12 years of the plan.

In relation to the four Angus housing market areas (HMA’s) the average annual build rate is given as 330 units, which would result in 3960 houses over the twelve year period. The Angus target is split within the four HMA’s as follows: West Angus (Forfar, Kirriemuir & the Glens) – 90 per year; North Angus (Brechin, Montrose) – 80 per year; East Angus (Arbroath) – 80 per year; and South Angus – 80 per year. It should be
noted these figures are only averages and do not constitute limits to development.

- to integrate new transport proposals with land use planning, complementing the regional transport strategies;
- to identify suitable locations for the provision of energy and waste/resource management infrastructure;
- set out a hierarchy of comparison retail centres, with Dundee city centre as the regional centre, Perth city centre as the sub-regional centre, and other larger and smaller town centres identified; and,
- the requirement for developer contributions.

Proposed Action Programme
The Proposed Action Programme is a new legal requirement and requires to be submitted alongside the Proposed Plan. The action programme has been prepared in parallel with the Proposed Plan and sets out the aspirations behind the Plan and the actions required to deliver the spatial strategy. The majority of actions relate to new infrastructure provision which is required to deliver the spatial strategy.

TAYplan is required to consult and consider the views of the Key Stakeholders/Agencies, The Scottish Ministers, and anyone specified in person in the programme. Comments will be sought on the Proposed Action Programme during the period of representations on the Proposed Plan (6th June - 1st August 2011). The Scottish Government, Key Stakeholders/Agencies and those named persons views have been sought and regard has been had to these in preparing this programme.

Habitats Regulations Appraisal (HRA)
A Habitat Regulations Appraisal is mandatory under the Habitats Directive which, in Scotland, is governed by The Conservation (Natural Habitats, & c.) Regulations 1994. The purpose of the HRA is to screen what policies or proposals may have an impact, and for those screened in, undertake an Appropriate Assessment. This assesses the impacts of the Plan against the conservation objectives and qualifying features of the relevant wildlife sites with European protection. The Assessment identifies mitigation, and this has been incorporated into the Proposed Plan. This work has been undertaken in close consultation with Scottish Natural Heritage whom will receive the HRA for formal comments during the period for representations on the Proposed Plan. No additional consultation is required. The HRA is submitted to Ministers alongside the Proposed Plan. The TAYplan Joint Committee do not have delegated authority to approve the HRA and as such approval is sought through this report.

Equalities and Human Rights Impact Assessment
The purpose of an Equalities and Human Rights Impact Assessment is to help ensure that we do not discriminate and that, where possible, we utilise opportunities to promote equality, as well as all other human rights and good relations between groups.

A draft impact assessment was undertaken alongside the Main Issues Report. This has been updated taking account of comments received as required by a number of Acts. These comments have helped inform the Proposed Plan content. Comments will be sought on this assessment during the period for representations on the Proposed Plan.
Schedule of TAYplan’s responses to representations received at the Main Issues Report stage

Over 170 responses were received to the Main Issues Report last year, in addition to comments on the Strategic Environmental Assessment and the Equalities and Human Rights Impact Assessment. The responses received were all published last year.

Regard has been had to all the representations which were received to the Main Issues Report in preparing the Proposed Strategic Development Plan. TAYplan’s response to these comments is set out within the schedule, published alongside this Report. Whilst providing a response is not a legal requirement, a short response is provided to assist those individuals, organisations/groups etc. in considering the Proposed Plan and whether they wish to make a representation to support or object to any part of the Proposed Plan. This has resulted in a considerable amount of work; nevertheless it will be helpful to interested parties particularly for the first Strategic Development Plan through this transitional stage in development planning.

Background Topic Papers

A series of background Topic Papers have been prepared to assist interested parties in understanding the justification for the policies and proposals set out in the Proposed Plan, as well as the comments received during the Main Issues Report stage and how these have been taken into account in the Proposed Plan. The Topic Papers were prepared following the Main Issues Report consultation to help inform and shape the Proposed Plan content at the early stage of its preparation. The production of such papers is not a legal requirement and has been published to provide the background information to the Plan and how the content of the Proposed Plan has been arrived at.

Period for Representations

An 8 week period for representations will run from 6th June until 1st August 2011. This is the stage where people/organisations have the opportunity to support or object to any aspects of the Plan. Representations should be concise and fully explain the issues that person/organisation wishes to be considered at the examination (Circular 1/2009: ‘Development Planning’). There is no automatic opportunity for parties to expand their representations later in the process. A questionnaire will be used for representations to be made, and as with the Main issues Report stage TAYplan will encourage the use of online submissions.

The period for representations will close on Monday 1st August 2011. Thereafter, it is anticipated that all representations will be grouped into issues around the policies and proposals of the Proposed Plan. The TAYplan Project Plan does not account for modifications being made and consultation thereof. However, the decision on whether to modify the Proposed Plan will be for the 4 Constituent Councils to ratify following the Joint Committee consideration in late October 2011 when considering TAYplan’s response to the issues raised through the representations received to the Proposed Plan. It is open to the four Constituent Councils to make a representation to the Proposed Plan on any particular aspect.