

<b>Issue (ref and heading):</b>	Issue 004: Location Priorities - Policy 1 Part B Sequential Approach	
<b>Development plan reference:</b>	Policy 1 Part B, Map 1 and supporting text pages 10 and 13	<b>Reporter:</b> [For DPEA Use Only]
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<b>Seeking a change</b> Bryan Wallace for National Grid/Scotia Gas Network (763366) Emac Planning LLP for A&J Stephen Ltd & Avant Homes (910368) Emac Planning LLP for Landvest PCC Ltd (910292) Emac Planning LLP for Linlathen Estates (Tayside) Ltd & James Keiller Estates Ltd (846825) Emac Planning LLP for Stewart Milne Homes North Scotland (347277) Gladman Developments Ltd (846254) Homes For Scotland (785148) Ryden for Barratt North Scotland (910146)		Ryden for Bon Accord Land Ltd/Stewart Milne Homes (843701) Scottish Property Federation (444087) Springfield Properties (910130)  <b>Support as written</b> Dundee Civic Trust (845127) Friends of the Earth Tayside (845935) NHS Tayside (908896) Scottish Environment Protection Agency (835401) Scottish Water (762198) SEStran Regional Transport Partnership (908118) Tactran Regional Transport Partnership (441235)
<b>Provision of the development plan to which the issue relates:</b>		
Policy 1 Part B is the sequential approach which prioritises new development on land within principal settlements (brownfield or greenfield) ahead of land elsewhere. This works in conjunction with Policy 1A which defines the principal settlements and Policy 1C which describes the circumstances in which development may take place in locations that are not principal settlements.		
<b>Planning Authority's summary of the representation(s):</b>		
There is a significant overlap between some of the comments made here relating to Policy 1 Part B and those made by these and other respondents to Policy 4 in the Schedule 4 Summary of Unresolved Issues for 018 covering Policy 4 Homes Part B and Part F.		
<b>Summary of Representations Seeking a change</b> <b><u>CONSIDER TOO MUCH EMPHASIS ON BROWNFIELD LAND</u></b> <b>Emac Planning LLP for A&amp;J Stephen Ltd &amp; Avant Homes (910368) PLAN2015_550, Emac Planning LLP for Landvest PCC Ltd (910292) PLAN2015_400, Emac Planning LLP for Linlathen Estates (Tayside) Ltd &amp; James Keiller Estates Ltd (846825) PLAN2015_414, Emac Planning LLP for Stewart Milne Homes North Scotland (347277) PLAN2015_530 and Homes For Scotland (785148) PLAN2015_237</b> each consider that the current sequential approach inhibits development because it places 'too much' emphasis on brownfield land that is considered to have little or no likelihood of being developed.		
<b>Scottish Property Federation (444087) PLAN2015_510</b> is concerned that too much emphasis is placed brownfield sites 'before any other development can take place'. They suggest that not all proposals are suitable for a brownfield location and that many existing brownfield sites are either constrained, or unviable for development. This, they suggest, does not provide a 'range of effective sites' and 'constrains' the supply of housing and employment land.		
<b>Springfield Properties (910130) PLAN2015_340</b> supports the sequential approach but considers the emphasis on 'brownfield primacy' may undermine the deliverability of a range and choice of housing. They suggest TAYplan should highlight the need to		

balance the 'planning benefits of delivering brownfield land' with the need to ensure the overall strategy is 'viable' and 'can deliver appropriate development at the right time, in the right places'.

**Ryden for Bon Accord Land Ltd/Stewart Milne Homes (843701) PLAN2015\_309** and **Ryden for Barratt North Scotland (910146) PLAN2015\_386** consider that too much emphasis is placed on developing land within principal settlements, especially brownfield land, in preference to elsewhere. They suggest that although this may be preferable to promote sustainable development, the development of greenfield sites on the edge of settlements can be as sustainable, if not, more sustainable than brownfield sites. This is suggested to be because these are located close to existing infrastructure and services, ensuring they are accessible without a car as well as more easily incorporating sustainable building practices. They consider that reliance on brownfield sites can hinder the delivery of an adequate supply of housing land and that this can be overcome with a range of sites, including greenfield land on the edge of settlements. They consider that such locations should therefore be given greater emphasis in the Strategic Development Plan.

#### **BROWNFIELD LAND IN DUNDEE**

**Homes For Scotland (785148) PLAN2015\_237, Emac Planning LLP for Stewart Milne Homes North Scotland (347277) PLAN2015\_530, Emac Planning LLP for A&J Stephen Ltd & Avant Homes (910368) PLAN2015\_550, Emac Planning LLP for Linlathen Estates (Tayside) Ltd & James Keiller Estates Ltd (846825) PLAN2015\_414 and Emac Planning LLP for Landvest PCC Ltd (910292) PLAN2015\_400** each consider that there is currently 'too heavy' reliance on brownfield land in Dundee City and that authorities in general should rebalance their profile of greenfield vs brownfield land, especially for what they describe as 'longstanding brownfield sites'.

**Emac Planning LLP for Stewart Milne Homes North Scotland (347277) PLAN2015\_530, Emac Planning LLP for Linlathen Estates (Tayside) Ltd & James Keiller Estates Ltd (846825) PLAN2015\_414 and Emac Planning LLP for Landvest PCC Ltd (910292) PLAN2015\_400** consider that there is an 'overwhelming need for greenfield development' in Dundee Core Area and that 'currently no market choice exists there'.

#### **PACE OF DEVELOPMENT FOR BROWNFIELD SITES**

**Emac Planning LLP for Linlathen Estates (Tayside) Ltd & James Keiller Estates Ltd (846825) PLAN2015\_414** propose that the Plan should recognise that brownfield sites in stronger market areas will come forward ahead of other sites in weaker areas and that 'greenfield land will need to be allocated to satisfy Scottish Planning Policy requirements' (Doc84).

**Homes For Scotland (785148) PLAN2015\_237** consider that in the short to medium term, some local authorities will 'need to accept that more greenfield land will need to be identified, and that brownfield sites in stronger market areas will have significantly more chance of being delivered than those in weaker market areas and regeneration areas'.

#### **IMPACT ON BROWNFIELD PROPOSALS IN THE COUNTRYSIDE**

**Emac Planning LLP for Landvest PCC Ltd (910292) PLAN2015\_400** consider that the sequential approach 'prejudices' the redevelopment of brownfield sites with listed buildings in the countryside and reference Crail Airfield as an example. The respondent is promoting Crail Airfield as a location for new development.

## **PROPOSED MARKET DRIVEN SOLUTION**

**Gladman Developments Ltd (846254) PLAN2015\_372** proposes changes on the basis that in order to maintain a 5 year supply of effective housing land at all times, the location and supply of housing land must be 'market driven; building houses in locations where people want to live'. They suggest Local Authorities should work in partnership with developers to ensure a continuing supply of effective land and that brownfield land should only be prioritised for housing development where it can be demonstrated that there are no significant constraints that would prevent the site from being delivered in the short term or that would make the development unviable.

## **PROPOSE MERGING POINTS 1 AND 2 OF THE SEQUENTIAL APPROACH**

**Ryden for Bon Accord Land Ltd/Stewart Milne Homes (843701) PLAN2015\_309, Ryden for Barratt North Scotland (910146) PLAN2015\_386, Emac Planning LLP for Stewart Milne Homes North Scotland (347277) PLAN2015\_530, Emac Planning LLP for Linlathen Estates (Tayside) Ltd & James Keiller Estates Ltd (846825) PLAN2015\_414 and Emac Planning LLP for Landvest PCC Ltd (910292) PLAN2015\_400** each propose amendments so that part 1 (land within principal settlements) and part 2 (land on the edge of principal settlements) are merged or become joint equal.

**Ryden for Bon Accord Land Ltd/Stewart Milne Homes (843701) PLAN2015\_309 and Ryden for Barratt North Scotland (910146) PLAN2015\_386** seek the merger of Policy 1B (Doc80) parts 1 & 2 and addition of a point C to remove what they term 'long standing undeveloped brownfield sites' from Local Development Plans and replace them with greenfield sites so that an effective supply of housing land is maintained.

**Ryden for Bon Accord Land Ltd/Stewart Milne Homes (843701) PLAN2015\_309** considers that reliance on brownfield land can hinder the delivery of an adequate supply of land. They cite the Angus Housing Land Audit (2014) (Doc9) house building rates for the North Angus Housing Market Area (which includes the principal settlements of Brechin and Montrose). They suggest that since 2009 build rates in North Angus have not exceeded 58 homes per year. They also suggest that future programming never exceeds 59 homes per year and that this is less than the requirements identified in the Proposed Plan (2015) Policy 4 (Doc80).

They consider this to be the result of too much brownfield land. They suggest that 'of the 15 effective sites in North Angus, 9 of these are constrained'. They suggest that this is 'in addition to 9 more sites identified under the constrained supply' in the audit.

They consider that 'too much reliance is being placed on existing, long standing brownfield sites within settlement boundaries'. They suggest that greenfield sites on the edge of settlements can be sustainable by being located close of existing infrastructure and services, ensuring they are accessible without a car. They consider that such locations should be given 'greater emphasis in the Strategic Development Plan' and should not be 'overlooked' as they make an 'appropriate contribution' to the housing land supply on a range of sites.

**Emac Planning LLP for Stewart Milne Homes North Scotland (347277) PLAN2015\_530** propose that greenfield sites on the edge of Dundee and sites within Dundee Core Area should be considered as first equal.

**Emac Planning LLP for Linlathen Estates (Tayside) Ltd & James Keiller Estates Ltd (846825) PLAN2015\_414 and Emac Planning LLP for Landvest PCC Ltd (910292) PLAN2015\_400** propose changes that ensure the sequential approach is applied 'flexibly in Dundee City' so that brownfield and edge of settlement greenfield sites are 'equal first choice'.

## **PROPOSE DE-ALLOCATION OR REMOVAL OF SITES FROM PLANS**

**Homes For Scotland (785148) PLAN2015\_237, Emac Planning LLP for Stewart Milne Homes North Scotland (347277) PLAN2015\_530 and Emac Planning LLP for A&J Stephen Ltd & Avant Homes (910368) PLAN2015\_550** would like changes to ensure that Local Authorities are not 'too dogged' in following the sequential approach. In particular they focus on changes to gain a 'better balance' between the 'planning benefits of brownfield land' and the 'viability' of delivering sufficient homes to meet requirements.

**Emac Planning LLP for Linlathen Estates (Tayside) Ltd & James Keiller Estates Ltd (846825) PLAN2015\_414 and Emac Planning LLP for Landvest PCC Ltd (910292) PLAN2015\_400** call for the deallocation of brownfield land to allow what they describe as 'viable greenfield land' to come forward.

**Homes For Scotland (785148) PLAN2015\_237** consider it important that the Strategic Development Plan is not worded in a way which may 'discourage local authorities from rebalancing their profile of brownfield and greenfield sites' in favour of a 'more realistic and deliverable short to medium term strategy'. They therefore suggest it would be helpful if the Strategic Development Plan would 'support local authorities in de-allocating undeliverable brownfield sites' where this would 'better support' the delivery of TAYplan.

**Scottish Property Federation (444087) PLAN2015\_510** suggest that 'long standing brownfield allocations should be removed from the Plan and alternative sites allocated in their place'. They seek changes that result in brownfield sites and development of 'sustainable greenfield sites adjacent to settlement boundaries' having equal priority. They consider that this would 'ensure the land supply requirements are met, as well as providing a range of sites in line with the Scottish Planning Policy (2014)' (Doc84).

## **PROPOSED ENHANCEMENT OF BROWNFIELD REMEDIATION**

**Bryan Wallace for National Grid/Scotia Gas Network (763366) PLAN2015\_257** proposes the addition of text to particularly focus on brownfield sites in need of remediation and regeneration. The respondent promotes the Gas Holder Site on East Dock Street in Dundee (004/Extract/1) for a range of land uses; pointing out a series of cost related factors that are suggested to have affected the site's redevelopment.

## **Summary of Supporting Representations**

**Dundee Civic Trust (845127) PLAN2015\_279** supports Policy 1 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.

**Friends of the Earth Tayside (845935) PLAN2015\_416** support the order of land release set out in the sequential approach.

**NHS Tayside (908896) PLAN2015\_322** support 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).

**Modifications sought by those submitting representations:**

[Note to Reporter - Some respondents have sought modifications categorised under headings (below) which they consider to be the solution to the issues they have raised under alternative headings (above). For example some of those who consider there to be too much emphasis on brownfield land seek solutions that are about the deallocation of land.]

**CONSIDER TOO MUCH EMPHASIS ON BROWNFIELD LAND**

**Springfield Properties (910130) PLAN2015\_340** propose changes highlighting the need to: 'balance the planning benefits of delivering brownfield land with the need to ensure overall strategy is viable and can deliver appropriate development at the right time, in the right places'.

**Homes For Scotland (785148) PLAN2015\_237** and **Emac Planning LLP for A&J Stephen Ltd & Avant Homes (910368) PLAN2015\_550** propose that TAYplan should deter local authorities from being 'too dogged' in following the brownfield-first approach.

**Homes For Scotland (785148) PLAN2015\_237, Emac Planning LLP for Stewart Milne Homes North Scotland (347277) PLAN2015\_530, Emac Planning LLP for A&J Stephen Ltd & Avant Homes (910368) PLAN2015\_550, Emac Planning LLP for Landvest PCC Ltd (910292) PLAN2015\_400** and **Emac Planning LLP for Linlathen Estates (Tayside) Ltd & James Keiller Estates Ltd (846825) PLAN2015\_414** propose that in the 'how this policy works' text reference could be made to 'local authorities working positively and pro-actively with the house-building industry, Scottish Government and others to overcome obstacles to the delivery of new homes on brownfield sites'.

**Ryden for Bon Accord Land Ltd/Stewart Milne Homes (843701) PLAN2015\_309** and **Ryden for Barratt North Scotland (910146) PLAN2015\_386** propose the merger of points 1 and 2 of the sequential approach (see below).

**Scottish Property Federation (444087) PLAN2015\_510** proposes that 'long standing brownfield allocations should be removed from the Plan and alternative sites allocated in their place'.

**BROWNFIELD LAND IN DUNDEE**

**Homes For Scotland (785148) PLAN2015\_237, Emac Planning LLP for Stewart Milne Homes North Scotland (347277) PLAN2015\_530, Emac Planning LLP for A&J Stephen Ltd & Avant Homes (910368) PLAN2015\_550, Emac Planning LLP for Linlathen Estates (Tayside) Ltd & James Keiller Estates Ltd (846825) PLAN2015\_414** and **Emac Planning LLP for Landvest PCC Ltd (910292) PLAN2015\_400** each propose that authorities should rebalance their profile of greenfield vs brownfield land in Dundee City, especially for what they describe as 'longstanding brownfield sites'.

**Emac Planning LLP for Stewart Milne Homes North Scotland (347277) PLAN2015\_530, Emac Planning LLP for Linlathen Estates (Tayside) Ltd & James Keiller Estates Ltd (846825) PLAN2015\_414 and Emac Planning LLP for Landvest PCC Ltd (910292) PLAN2015\_400** imply that there is a need for more or alternative sites to be identified in Dundee City.

**Emac Planning LLP for Landvest PCC Ltd (910292) PLAN2015\_400** propose that TAYplan should positively encourage and facilitated greenfield allocations in appropriate locations within the Dundee Core Area.

#### **PACE OF DEVELOPMENT FOR BROWNFIELD SITES**

**Emac Planning LLP for Linlathen Estates (Tayside) Ltd & James Keiller Estates Ltd (846825) PLAN2015\_414 and Homes For Scotland (785148) PLAN2015\_237** both propose changes that are described below regarding the re-allocation/de-allocation of sites.

#### **IMPACT ON BROWNFIELD PROPOSALS IN THE COUNTRYSIDE**

**Emac Planning LLP for Landvest PCC Ltd (910292) PLAN2015\_400** propose that TAYplan should provide an exceptions policy identifying that the regeneration of Crail Airfield, as a rural brownfield site, will be prioritised for redevelopment.

#### **PROPOSED MARKET DRIVEN SOLUTION**

**Gladman Developments Ltd (846254) PLAN2015\_372** propose:

- changing the opening sentence of Policy 1B to say "Strategies, plans and programmes shall prioritise land release for all principal settlements using the sequential approach in this Policy; and prioritise within each category, as appropriate and where viable, the reuse of previously developed land and buildings (particularly listed buildings) as follows:"
- In the 'how this policy works' section of Policy 1, reference should be made to 'the need for local authorities to ensure they have a realistic mix of brownfield and greenfield sites allocated for housing which are effective and can be delivered in the short to medium term'.

#### **PROPOSE MERGING POINTS 1 AND 2 OF THE SEQUENTIAL APPROACH**

**Ryden for Bon Accord Land Ltd/Stewart Milne Homes (843701) PLAN2015\_309 and Ryden for Barratt North Scotland (910146) PLAN2015\_386** propose amendment of the sequential approach in Policy 1 Part B to read as follows:

'1. Land within Principal Settlements; and, land on the edge of Principal Settlements; then

2. Where there is insufficient land or where the nature/scale of land use required to deliver the Plan cannot be accommodated within or on the edge of principal settlements, the expansion of other settlements should be considered. An additional requirement should be added as follows:

3. Where a long standing brownfield site has failed to be developed, they should be removed from Local Development Plans and appropriate greenfield sites should be identified for development to ensure an adequate supply of housing land is maintained.'

**Emac Planning LLP for Stewart Milne Homes North Scotland (347277) PLAN2015\_530, Emac Planning LLP for Linlathen Estates (Tayside) Ltd & James Keiller Estates Ltd (846825) PLAN2015\_414** propose that in the 'how this policy works' text, TAYplan should 'better balance the planning benefits of developing brownfield land with the need to ensure the overall strategy of each Local Development Plan is viable and will deliver the housing and other development needs of the area in the volumes and timescales required and make greenfield edge

of settlement locations within the Dundee Core Area, equal first locations for development'.

**Emac Planning LLP for Landvest PCC Ltd (910292) PLAN2015\_400** propose that TAYplan should identify that greenfield edge of settlement locations within the Dundee Core Area should be considered on an equal basis as brownfield land.

#### **PROPOSE DE-ALLOCATION OR REMOVAL OF SITES FROM PLANS**

**Homes For Scotland (785148) PLAN2015\_237** proposes that the 'how this policy works' text should point out the need to 'balance the planning benefits of developing brownfield land with the need to ensure the overall strategy of each Local Development Plan is viable and will deliver the housing and other development needs of the area in the volumes required, at the right time'.

**Homes For Scotland (785148) PLAN2015\_237, Emac Planning LLP for Stewart Milne Homes North Scotland (347277) PLAN2015\_530, Emac Planning LLP for A&J Stephen Ltd & Avant Homes (910368) PLAN2015\_550, Emac Planning LLP for Linlathen Estates (Tayside) Ltd & James Keiller Estates Ltd (846825) PLAN2015\_414 and Emac Planning LLP for Landvest PCC Ltd (910292) PLAN2015\_400** propose that the Strategic Development Plan could point out that achieving a developable strategy may require the de-allocation of 'long-standing brownfield sites that are not likely to be implemented in the plan period'.

**Scottish Property Federation (444087) PLAN2015\_510** proposes that 'long standing brownfield allocations should be removed from the Plan and alternative sites allocated in their place'.

#### **PROPOSED ENHANCEMENT OF BROWNFIELD REMEDIATION**

**Bryan Wallace for National Grid/Scotia Gas Network (763366) PLAN2015\_257** Proposes that where it says: "...and prioritise within each category as appropriate, the reuse of previously developed land and buildings (particularly listed buildings)' the following text should be added: "paying particularly favourable attention to land and buildings in need of remediation and redevelopment."

#### **Summary of responses (including reasons) by Planning Authority:**

##### **Context**

Proposed Plan (2015) Policy 1 (Doc80) is a continuation of Approved TAYplan (2012) Policy 1 (Doc16) and the emphasis and intent has not changed. It continues to define principal settlements (Policy 1 Part A and Map 1) as the locations where most new development will take place. There are no new principal settlements and none have been removed.

The original basis for this was that principal settlements are where most of the existing people, jobs, services, infrastructure and facilities are already concentrated. Focusing the majority of new development in these locations brings people closer to jobs and services. It also brings businesses closer together. This optimises the opportunities for use of active and passenger transport and promotes access. It reduces the need to travel which has an impact on health and carbon emissions. It also contributes to reducing pressure on the countryside. It also builds in the ability to maximise the use of existing infrastructure capacity. These factors have not changed and continue to sit well with the vision and outcomes (See Topic Paper 1: Vision and Outcomes 2015 (Doc103)).

The sequential approach (Policy 1B) is the part of the Policy designed to ensure that development is focused within the defined principal settlements ahead of other locations.

Following the pre-Main Issues Report consultation (2013) and the vision and outcomes work (Topic Paper 1: Vision and Outcomes 2015 (Doc103)) it was clear that the existing vision remained relevant and appropriate. Therefore there was no need to change the vision and also there was not considered to be any reason to fundamentally change the location priorities set out in approved TAYplan (2012) Policy 1 (Doc16).

The Main Issues Report (2014) page 7 and page 56 (Doc56) both explained that no changes were proposed to the vision or the operation of Policy 1: Location Priorities. However, Page 56 (Doc56) notes that some clarity would be provided to explain that it will be for Local Development Plans to define the specific boundaries of principal settlements.

Although Scottish Planning Policy (2014) (Doc84) was published in the closing week of the Main Issues Report (2014) (Doc56) consultation it was clear that the Policy 1 Location Priorities continued to reflect the priorities set out in Scottish Planning Policy (2014) paragraphs 9 to 22, 28 to 30, 40, 45 to 46, 48 and 76 to 83 (Doc84).

Therefore Proposed Plan (2015) Policy 1B (Doc80) is identical to approved TAYplan (2012) Policy 1B (Doc16). It continues to prioritise all land within principal settlements (brownfield or greenfield) ahead of other locations (greenfield or brownfield). This continues to mean that an unprotected greenfield site within a principal settlement may be preferable to a brownfield site outwith a principal settlement. It also continues to mean that a brownfield site within a principal settlement may be preferable to a greenfield site that is also in a principal settlement. This has not changed.

## **Authority's Response to Proposed Changes**

### **CONSIDER TOO MUCH EMPHASIS ON BROWNFIELD LAND**

**Emac Planning LLP for A&J Stephen Ltd & Avant Homes (910368) PLAN2015\_550, Emac Planning LLP for Landvest PCC Ltd (910292) PLAN2015\_400, Emac Planning LLP for Linlathen Estates (Tayside) Ltd & James Keiller Estates Ltd (846825) PLAN2015\_414, Emac Planning LLP for Stewart Milne Homes North Scotland (347277) PLAN2015\_530, Homes For Scotland (785148) PLAN2015\_237, Scottish Property Federation (444087) PLAN2015\_510 and Springfield Properties (910130) PLAN2015\_340**

Prioritising the re-use of previously developed land and buildings is a legitimate, logical and long-recognised principle of land use planning that is outlined in Scottish Planning Policy (2014) Paragraph 40 bullet point 3 (Doc84). The regeneration and continued use of previously developed land and buildings within settlements also makes a direct contribution to the Plan's vision to create better quality places.

However, Policy 1 does recognise that there is an uneven distribution of brownfield land throughout the TAYplan area and that greenfield land within principal settlements can contribute to the delivery of the vision better than some brownfield land outwith them.

Therefore TAYplan does not agree with the assertion that the sequential approach (Policy 1B) is a 'brownfield first strategy' and that no greenfield land is allowed to be developed until all brownfield land has been exhausted. This interpretation does not reflect the sequential approach in Policy 1B, as described in the context section above. Policy 1B does two things:

- First; the sequential approach prioritises land within principal settlements ahead of land elsewhere. It prioritises both greenfield and brownfield land within principal settlements ahead of both greenfield and brownfield land in other locations (as described in the context section above). This is clear from the policy itself and also from the 'how this policy works' section of the Proposed Plan



paragraph 3 on page 13.

- Second; Policy 1B sets out the framework for greenfield or brownfield land on the edge of principal settlements and in other places. Policy 1C considers land in settlements that are not principal settlements. Again this is clear from Policy 1 and from page 13 'how this policy works' (Doc80).

For clarity therefore Policy 1 does not take the view that greenfield is bad and brownfield is good. It takes the view that land within principal settlements is the first priority and that brownfield land within principal settlements forms an important priority to support renewal and regeneration.

The proposed changes are misrepresentative of how the policy is written and how it operates. The changes sought, in TAYplan's view, can already be achieved by Policy 1B (Doc80) as currently written.

The TAYplan Main Issues Report (2014) page 56 (Doc56) makes clear that there was no intention to amend the approved TAYplan (2012) vision or Policy 1 location priorities (Doc16). The sequential approach in particular is strongly aligned with the vision and the outcomes which underpin it. To make changes to this would have a fundamental impact on the plan and delivery of its vision. This is because Policy 1 sets out the location priorities for every land use except for those covered by Policy 7: Energy, Waste and Resource Management Infrastructure (Doc80).

The respondents have not addressed the issue of delivering the vision and its connection to the sequential approach; nor have they provided any indication of how their proposed changes would be better placed to support its delivery.

TAYplan remains satisfied that the sequential approach, as written, provides a clear framework for Local Development Plans and for planning proposals. It provides a logical and well recognised framework given the vision and the intentions of Scottish Planning Policy (2014) paragraph 40 and 76 to 83 (Doc84).

TAYplan considers that Policy 1 (Doc80) already includes appropriate consideration of the 'planning benefits of delivering brownfield land' with the need to ensure overall strategy is 'viable' and 'can deliver appropriate development at the right time, in the right places'. The mechanisms are explained above. There is already guidance for planning authorities in determining the effectiveness of sites and Councils use their annual housing land audits to monitor this. Policy 1A makes clear that 'the right places' are the principal settlements and defines these. It sets out the circumstances to prioritise land release (Policy 1B and 1C). The focus is on prioritising both brownfield and greenfield land release within principal settlements ahead of land elsewhere. TAYplan is satisfied that this provides the appropriate balance within the context of delivering the vision and the outcomes which underpin it.

TAYplan is therefore not persuaded that removing this will better contribute to the vision of the Plan or the outcomes which underpin it and proposes no change.

#### **BROWNFIELD LAND IN DUNDEE**

**Homes For Scotland (785148) PLAN2015\_237, Emac Planning LLP for Stewart Milne Homes North Scotland (347277) PLAN2015\_530, Emac Planning LLP for A&J Stephen Ltd & Avant Homes (910368) PLAN2015\_550, Emac Planning LLP for Linlathen Estates (Tayside) Ltd & James Keiller Estates Ltd (846825) PLAN2015\_414 and Emac Planning LLP for Landvest PCC Ltd (910292) PLAN2015\_400**

TAYplan does not agree with the view that brownfield sites (particularly in Dundee) are not effective or are not being developed but that greenfield land will be.

For clarity the role of identifying sites in Local Development Plans for all land uses (including housing) is a matter for the respective Local Development Planning authority – in this case Dundee City Council. Proposed Plan (2015) Policy 1 and 1B in particular, sets out a clear framework for councils to follow when considering which sites to allocate.

The respondents appear to seek changes that would result in more greenfield land being identified on the edge of Dundee. They also appear to consider that there is 'too much' land that is currently identified on brownfield sites and imply that this is a barrier to delivery.

None of the respondents have provided any evidence to substantiate their views that 'too much' brownfield land is allocated in Dundee City. Nowhere have they defined what, in their view, constitutes 'too much' brownfield land and nor have they shown what share, if any, presents what they consider to be a constraint and whether this is the same or different to the amount of brownfield land that is identified in the respective plan or housing land audit.

There is some recognition that Dundee City, as a former industrial centre and the largest settlement in the region, is home to numerous brownfield sites whose reuse is, in principle, acceptable in planning terms. It is also entirely logical and appropriate that Dundee City Council should consider such sites on the merit of their locational and regeneration advantages and doing so is consistent with Policy 1.

The Dundee Housing Land Audit (2014) (Doc32) summary table on page 7 shows that the 5 year effective land supply was 3,221 homes of which 2,818 were brownfield and 403 were greenfield. This demonstrates that there is a mix of greenfield and brownfield sites. The majority of the greenfield sites relate to Dundee Western Gateway Strategic Development Area and these sites are currently allocated in the Dundee Local Development Plan (2013) (Doc4). There are a larger number of brownfield sites of varying sizes. Some are former school sites owned by Dundee City Council and others are privately owned including some by developers or where a developer is named.

The Dundee Housing Land Audit (2014) page 12 (Doc32) shows constrained sites. One is a brownfield site for 46 homes and two others are greenfield sites for a combined total of 285 homes.

It should be noted that the Dundee Local Development Plan (2013) proposals map (Doc4) shows greenfield land which is beyond the urban area but still within the council's administrative area. Some of this land is protected as open countryside. This is a legitimate and appropriate approach. Although Dundee City is a tier 1 settlement this does not mean that every piece of land will be appropriate for development, there is still countryside, parks, allotments and open space as well as areas of steep topography and flood risk. There are also areas specifically allocated for business and other non-residential land uses.

From a contextual point of view it should be made clear that the Dundee Local Development Plan (2013) (Doc4) is delivering the approved TAYplan (2012). Approved TAYplan (2012) Policy 5 (Doc16) directs Dundee City Council to plan for 610 homes per year. This is considerably more than the housing land requirement of 528 set out in Proposed Plan (2015) Policy 4/Map 4 (Doc80). The Dundee City Council Housing Land Audit (2014) (Doc32) suggests that there is currently sufficient land to meet and exceed the 610 homes per year sought from the approved TAYplan (2012) Policy 5 (Doc80). It should be noted that some of this covers the period of lower completions in previous years shown on page 14 (Doc32) of the audit. However, the key point is that the audit shows there to be sufficient effective land to meet the requirements of the Proposed Plan (2015) Policy 4/Map 4 (Doc80) – albeit

that this only covers some of the plan period.

It is not evident that there is an issue with the delivery of brownfield land in Dundee City. On a very basic level more of the constrained land supply appears to be greenfield than brownfield. It is clear that there are more brownfield sites and more homes can be accommodated on brownfield sites than greenfield. This is not illogical and is consistent with a strategy which asks planning authorities to consider such matters. The majority of sites are within Dundee City or part of Strategic Development Areas which have a housing component.

Even with this very high level analysis it is difficult to conclude that there is a problem with the brownfield land supply that requires the solution sought by the respondents. It is also not clear that the solution sought by the respondents would even bring about the circumstances they appear to seek. TAYplan is persuaded that Dundee City Council is best placed to determine which sites to allocate and that Policy 1 forms an appropriate basis upon which to continue this.

TAYplan is therefore not persuaded that there is any evidence which supports the proposed changes sought by the respondents and is satisfied that the current situation logically reflects the framework set out in Policy 1. The proposed changes would lead to a situation where more land that is currently countryside would be identified for development and, presumably, this would replace much of the brownfield land that is identified in the Dundee Housing Land Audit (2014) (Doc32). Again TAYplan is not convinced that this is necessary or that it would result in a position which is better placed to deliver the vision and outcomes which underpin it.

TAYplan is satisfied that Policy 1B remains and appropriate mechanism to deliver the vision and that the situation described by the respondents does not exist. TAYplan therefore proposes to make no changes to Policy 1B.

**Emac Planning LLP for Stewart Milne Homes North Scotland (347277) PLAN2015\_530, Emac Planning LLP for Linlathen Estates (Tayside) Ltd & James Keiller Estates Ltd (846825) PLAN2015\_414 and Emac Planning LLP for Landvest PCC Ltd (910292) PLAN2015\_400**

TAYplan does not agree with the assertion that there is 'no market choice' in Dundee or the Dundee Core Area. No evidence has been presented by the respondents to explain what constitutes a 'lack of market choice' nor has any criteria been set to determine how this would be judged. The high level analysis above shows there are numerous greenfield and brownfield sites in different parts of Dundee City.

Examination of the equivalent information in annual Housing Land Audits for Angus (Doc10), Fife (Doc41) and Perth & Kinross (Doc68) shows that there is a mix of greenfield and brownfield sites to support the delivery of housing land requirements set out in Map 4 for each respective area. Where a Local Development Plan needs to identify additional new sites or replace existing ones Policy 1 sets out an appropriate and clear framework which is strongly aligned with the vision.

TAYplan does not accept that the brownfield or greenfield characteristic of a site automatically pre-determines either its effectiveness or its marketability. Again the respondents provide no evidence to substantiate this claim. TAYplan is therefore not persuaded that there is a lack of market choice in Dundee Core Area.

It is for each Council to determine which sites to identify in its Local Development Plan based on Policy 1. TAYplan is not persuaded that the assertions by the respondents are well evidenced and therefore is not persuaded that these justify a change to Policy 1B.

## **PACE OF DEVELOPMENT FOR BROWNFIELD SITES**

### **Homes For Scotland (785148) PLAN2015\_237 and Emac Planning LLP for Linlathen Estates (Tayside) Ltd & James Keiller Estates Ltd (846825) PLAN2015\_414**

TAYplan agrees that sites located in areas that already have a strong and proven market will be the ones that are most attractive to developers. However, the Strategic Development Plan is trying to deliver more fundamental change to transform place quality and quality of life. Although this will be an outcome of development it will also be a driver of it. TAYplan considers that more places should be places where people want to live. In particular this means making the principal settlements the focus for all types of development, rather than their surroundings.

TAYplan also agrees that some greenfield land will need to be identified by Local Development Plans. This was recognised when preparing the approved TAYplan (2012) Policy 1 (Doc16). In Topic Paper 6: Spatial Strategy (2011) pages 7 to 11 (Doc122) it was decided to give greenfield and brownfield land within principal settlements the same priority. There is a disproportionate distribution of brownfield land across the region and not all principal settlements have sufficient brownfield land to meet all of the housing land requirements. Policy 1 has been written specifically with this in mind. This is why the sequential approach is not a brownfield first strategy and instead is about land within principal settlements (greenfield or brownfield) as opposed to land elsewhere. However, this does not necessarily mean that the land being promoted by these and other respondents will automatically be allocated in Local Development Plans.

## **IMPACT ON BROWNFIELD PROPOSALS IN THE COUNTRYSIDE**

### **Emac Planning LLP for Landvest PCC Ltd (910292) PLAN2015\_400**

Exceptions policies are usually designed to facilitate affordable housing or to enable the needs of particular groups, such as agricultural workers, to be met by allowing housebuilding to take place in locations which ordinarily would not be considered for this. TAYplan is not persuaded that an exceptions policy is necessary bring about 'the regeneration of Crail Airfield'. TAYplan is also not persuaded that bringing about 'the regeneration of Crail Airfield' provides adequate justification for the establishment of an exceptions policy. No evidence has been provided to consider the risk that equivalent proposals in other places may use such an exceptions policy as a precedent to bypass the sequential approach. This has the potential to undermine the vision and outcomes of the Plan.

Policy 1 focuses the majority of new development in principal settlements ahead of elsewhere. Policy 1B and 1C also sets out the circumstances in which development could take place in non-principal settlements and in these circumstances promotes reuse of previously developed land and buildings ahead of greenfield development. In implementing such an approach any Council would need to be satisfied that it had exhausted all other possibilities.

Policy 1 is to ensure that homes, jobs, services and facilities are located in close proximity to promote access, active and healthy lifestyles and to reduce the need to travel, reduce carbon emission and improve air quality. This supports the vision and the outcomes which underpin it. It should be a logical consequence that greenfield or brownfield land which is not within or on the edge of a principal settlement and is not a Strategic Development Area would not be the first priority for development.

The submission Proposed FIFEplan (2015) (Doc79) has identified and made assumptions for enough housing land to support the delivery of 210 homes per year for the St Andrews and East Fife Housing Market Area based on the Approved TAYplan (2012) Policy 5 (Doc16). Proposed TAYplan (2015) Policy 4 (Doc80) sets

out a lower housing land requirement for this housing market area. Therefore there is a strong likelihood that Fife Council will already have identified sufficient land to deliver the homes in Proposed TAYplan (2015) Policy 4 (Doc80). Fife Council would need to decide whether there were justifiable reasons why Crail Airfield, or indeed any other location(s), offers better opportunities to deliver the vision and outcomes than other currently or newly identified sites.

### **PROPOSED MARKET DRIVEN SOLUTION**

#### **Gladman Developments Ltd (846254) PLAN2015\_372**

TAYplan agrees that Local Authorities should work with house builders etc. as a matter of course and is aware that this is happening. TAYplan has met with Homes for Scotland officers and members at various points during the preparation of the Proposed Plan (2015) as well as in the preparation of material such as the TAYplan-wide Joint Housing Need and Demand Assessment (2013) (Doc97). Scottish Government is also presently leading work on housing. However, the provision to do this is already clear from Scottish Planning Policy (2014) paragraph 112 (Doc84) and TAYplan does not consider there to be additional value in repeating this.

The market is an important part of housing but the driver for the plan is the delivery of the vision. The housing market is one amongst a range of many factors that will play a role in achieving the vision. TAYplan wants to see the region transform so that many more parts of the region are places where people want to live. However, the implication of the respondent is that homes should be built where there is presently a consumer demand. Sometimes this will fulfil the strategy and achieve the vision and outcomes, but other times it will not. Also the strategy is attempting to transform the region, including places which may not always have been amongst the top choices of consumers. This aims for a more equitable and holistic approach. TAYplan supports the essence of what is being suggested but the vision has primacy as this is the basis for the Strategic Development Plan and also the Single Outcome Agreements and Community Plans it is helping to deliver (and which drive its vision) – see Topic Paper 1: Vision and Outcomes (2015) (Doc103).

TAYplan is therefore satisfied that Policy 1 is appropriate and fit for purpose in delivering the vision and will support development where it also delivers the vision.

### **PROPOSE MERGING POINTS 1 AND 2 OF THE SEQUENTIAL APPROACH**

**Ryden for Bon Accord Land Ltd/Stewart Milne Homes (843701) PLAN2015\_309  
Ryden for Barratt North Scotland (910146) PLAN2015\_386 Emac Planning LLP  
for Stewart Milne Homes North Scotland (347277) PLAN2015\_530, Emac  
Planning LLP for A&J Stephen Ltd & Avant Homes (910368) PLAN2015\_550,  
Emac Planning LLP for Linlathen Estates (Tayside) Ltd & James Keiller Estates  
Ltd (846825) PLAN2015\_414 and Emac Planning LLP for Landvest PCC Ltd  
(910292) PLAN2015\_400**

The proposed changes are slightly different but each has the same outcome which is to give equal priority to locations within principal settlements and locations on their edges. This is effectively a merger of the first two elements of Policy 1B (Doc80).

Doing this would mean that any site which is on the edge of a principal settlement would have the same priority as any site within it. The respondents appear to seek this change to release what they describe as 'greenfield sites on the edge of principal settlements, particularly Dundee'.

The respondents have not provided any detailed evidence to explain why giving Policy 1B parts 1 and 2 equal priority would be beneficial for delivering the vision or would automatically lead to delivery of the outcome they seek.

TAYplan has considered the Dundee Housing Land Audit (2014) (Doc32), described above, and cannot find any evidence that there is an issue with the delivery of brownfield land in Dundee that requires a change to Policy 1B. TAYplan is therefore not persuaded that changes are needed to Policy 1B to remedy this situation because TAYplan is not convinced that the situation exists.

On a point of principle merging Policy 1B parts 1 and 2, as proposed by the respondents, would result in locations on the edge of principal settlements being as preferable as locations within them. TAYplan considers this to be ill-thought out. Such an approach fundamentally conflicts with Policy 1C (Doc80), poses risks to Policy 1D (Doc80) for St Andrews and Perth (here it may well be inoperable due to the greenbelt) and also Policy 4F (Doc80) which is designed to ensure that development in areas surrounding Dundee and Perth do not conflict with the delivery of Strategic Development Areas and regeneration. These policies would either limit the intention of the proposed changes or would also need to be removed to allow the proposed changes to operate as the respondents appear to wish. Were this to happen then the ability to deliver the Plan's vision and the outcomes which underpin it would be fundamentally compromised because the removal of these other elements would remove policies which limit the suburbanisation of the countryside and unsustainable travel patterns.

The purpose of the location priorities at present are to make sure that most new development is within principal settlements as these are where most people, jobs, services and facilities already exist and for the reasons described in the context section above. In a number of cases Strategic Development Areas have been proposed to ensure that there is a co-ordination between the delivery of development and infrastructure to create good quality places. These efforts would be fundamentally compromised as a consequence of the proposed changes.

The respondents do not appear to have thought through the operational consequences upon delivering the vision of the changes they have sought. Their changes will result in a different vision being delivered. This would fundamentally change the basis of the plan and move it out of alignment with national outcomes and also the visions of the Single Outcome Agreements and Community Plans for the four Councils. The current vision is strongly aligned to these and is borne from them.

The existing framework in Policy 1B appropriately considers edge of settlement locations. TAYplan is therefore not persuaded that these changes should be made and that they would result in fundamental risks to the delivery of the Plan which compromises the vision.

**Ryden for Bon Accord Land Ltd/Stewart Milne Homes (843701) PLAN2015\_309  
Ryden for Barratt North Scotland (910146) PLAN2015\_386**

TAYplan does not agree that Scottish Planning Policies (2014) 110 and 119 (Doc84) support the case for the proposed changes. Paragraph 110 (Doc84) explains that a series of factors can contribute to successful and sustainable places. Paragraph 119 (Doc84) explains the need to identify land which is effective or expected of becoming effective in the plan period. Neither paragraph says or hints at anything that could logically be interpreted to mean that the respondents' proposed changes will be achieved by merging the first two sequential priorities in the Proposed TAYplan (2015) Policy 1B (Doc80).

The proposed new third bullet point for Policy 1B is not considered to be a point that is relevant to the sequential approach but is instead a separate point. Nevertheless, TAYplan is satisfied that Scottish Planning Policy (2014) paragraph 117 (Doc84) already provides sufficient clarity on the range of sources of housing land supply and this is also described on Proposed Plan (2015) page 27 diagram and page 28

paragraph 2 (Doc80).

Councils already have the ability to de-allocate or remove sites and replace them with alternatives or a mixture of these. TAYplan does not consider there to be any additional value in pointing this out in the plan. The operational framework within which the proposed text would operate is also not clear, is not explained by the respondents and appears to require a strong degree of subjective judgement. This may actually lead to more ambiguity, confusion and delay than it resolves. For example, there are no proposed criteria to describe the circumstances in which this would apply leaving it open to each Local Development Plan. This could promote inconsistency and also result in considerable time at four different examinations where debates are held on what criteria have been used and why. Therefore TAYplan is not persuaded that the proposed changes offer any better solution to the issues perceived by the respondents.

The respondents have provided no compelling evidence to demonstrate, or indeed guarantee, that their proposed amendments would better deliver the vision and outcomes of this plan. Given the uncertainties and subjective nature of the proposed new third bullet point, and also the issues raised above regarding merger of Policy 1B parts 1 and 2, the proposed changes collectively appear to present fundamental risks to delivery of the vision and the operation of the plan. This in turn will adversely affect wider objectives including those sought by the Single Outcome Agreements and Community Plans (See Topic Paper 1: Vision and Outcomes 2015 Doc103).

TAYplan is not persuaded that the proposed changes bring about a better or more workable way of delivering the vision. TAYplan is satisfied that as currently written Policy 1 offers the best, most logical and most easily understood way to achieve the vision. Therefore no changes are proposed.

**Ryden for Bon Accord Land Ltd/Stewart Milne Homes (843701) PLAN2015\_309**

TAYplan does not agree that the example of North Angus Housing Market Area described by the respondent provides any evidence to support their proposed changes to Policy 1B.

The Angus Housing Land Audit (2014) (Doc9) identifies the effective and constrained land supply, including future anticipated build rates 2014/15 to 2020/21 for North Angus on pages 10 to 12 (Doc9). It shows recent completion rates on pages 22 (Doc9).

The respondent is correct that anticipated build rates for North Angus Housing Market Area do not exceed 59 homes per year for the 2014/15 to 2020/21. The respondent is also correct that since 2009 build rates have not exceeded 58 homes per year (Doc9).

There has been a fall in the build rates for all council areas and housing market areas covered by TAYplan since 2009. This coincides with the economic downturn when UK housebuilding rates fell. This was driven by a mixture of more stringent lending criteria for developers and consumers, reduced job security, contraction of supply chain output and capacity, as well as that of developers. There were also drops in land prices which resulted in some land owners declining to sell and some institutional investors taking fewer risks in the property market. Although TAYplan agrees that build rates fell during this period the respondent does not appear to have considered these factors as plausible explanations for this. Instead they have concluded that build rates falling must be symptomatic of too much reliance on brownfield land. They have presented no evidence to demonstrate that this is the case.

TAYplan disagrees with the assertion that 9 of the 15 listed sites in the effective land supply for North Angus are constrained. The constrained land supply is listed separately in the same section, although it also happens to contain 9 sites. The respondent appears to have translated the term 'Cons' in the status column for 9 of the effective sites to mean that the site is constrained. However, the key at the foot of each page explains that 'Cons' = 'under construction'. This clearly has a very different meaning to the one inferred by the respondent.

For clarity of the 15 sites identified as effective 9 are under construction (including the large greenfield site at Brechin Road in Montrose), 4 have a detailed planning consent, 1 has outline planning consent and 1 is allocated in the Angus Local Plan Review (2009) (Doc12). None of the sites are likely to be deleted. The sites which are constrained are listed in the audit and the reasons for constraint are set out e.g. marketability or ownership etc. None of these reasons appears to be that the site is on brownfield land.

TAYplan agrees that the anticipated build rates for the period 2014/15 to 2020/21 fall below the rates set out in Proposed Plan (2015) Policy 4/Map 4 (Doc80). However, there are two important factors which the respondent does not appear to reference. Firstly, the role of small sites – according to the Angus Housing Land Audit (2014) pages 10 to 12 (Doc9) small sites are expected to contribute a further 92 homes. These are not included in the site programming figures and therefore do not appear to have been referenced by the respondent. Secondly, this housing land audit does not include any of the new sites proposed for allocation in the Proposed Angus Local Development Plan (2015) (Doc77). This suggests that the figures quoted by the respondent reflect only a partial picture.

For clarity the role of the Proposed Angus Local Development Plan (2015) (Doc77) is to delivery approved TAYplan (2012) Policies 1 and 5 (Doc16). This includes higher housing figures than those in the Proposed Plan (2015) Policy 4/Map 4 (Doc80). Scottish Planning Policy (2014) Paragraph 117 (Doc84) makes clear the variety of sources of land and the assumptions that planning authorities can make for this.

Angus Council has now published its Angus Housing Land Audit (2015) (Doc10) which now includes all of the sites proposed for allocation in the Proposed Angus Local Development Plan (2015) (Doc77). Based on the table in Section 4, Page 6 of the Angus Housing Land Audit (2015) (Doc10) the anticipated build rate for the 7 years 2015/16 to 2021/22 averages 92 homes per year (excluding the contribution of small sites). Pages 7 to 9 (Doc10) show the effective sites, of which there are now 20, with a mix of greenfield and brownfield sites.

Although the respondent has made a series of accurate points they have also made some that have been shown to be inaccurate or incomplete. The issues relating to future build rates are now superseded by the sites in the Proposed Angus Local Development Plan (2015) (Doc77) and the Angus Housing Land Audit (2015) (Doc10). There are also numerous plausible and rational explanations for recent build rates and sites coming forward more slowly than before. It is therefore difficult to conclude that the issues raised are the consequence of 'too much reliance on brownfield land' any more than the multitude of other related factors, particularly those that are consequent of the economic downturn. TAYplan is therefore not persuaded that this evidence supports the view of the respondent or that it provides any robust or compelling justification for their proposed changes. Therefore TAYplan remains satisfied that Proposed Plan Policy 1 is appropriate and proposes to make no changes.



## **PROPOSE DE-ALLOCATION OR REMOVAL OF SITES FROM PLANS**

**Homes For Scotland (785148) PLAN2015\_237, Emac Planning LLP for Stewart Milne Homes North Scotland (347277) PLAN2015\_530, Emac Planning LLP for A&J Stephen Ltd & Avant Homes (910368) PLAN2015\_550 and Scottish Property Federation (444087) PLAN2015\_510**

The respondents make the implicit assumption that brownfield sites are automatically constrained and that greenfield sites are automatically not constrained. TAYplan is not persuaded that this interpretation is accurate. The respondents have provided no evidence to substantiate this.

The housing land audits for Angus (Doc10), Dundee City (Doc32), Fife (Doc41) and Perth & Kinross (Doc68) all set out a variety of greenfield and brownfield sites which are effective and their anticipated build rates. They also include constrained sites which are also a mixture of greenfield and brownfield sites.

On the surface this would appear to suggest that effectiveness or otherwise is not automatically dictated by the brownfield or greenfield status of a site.

TAYplan agrees that some sites will take longer to come forward than others. This can often be related to complexities of site ownership, infrastructure or access provision, the wider economic situation including lending climate, or other factors. None of these is an automatic consequence of whether the site is greenfield or brownfield.

Although housing land will be one of the major land uses for which the sequential approach is used it will not be the only one. When considering which sites to identify for homes in their Local Development Plans Councils know:

- the scale of housing land requirement from Policy 4/Map 4 (Doc80),
- the different sources of land to contribute to this from Scottish Planning Policy (2014) paragraph 117 (Doc84) and Proposed Plan (2015) page 27 diagram and page 28 paragraph 3 (Doc80); and,
- the priority for identifying sites in principal settlements using the sequential approach as set out in Policy 1B (Doc80).

TAYplan agrees that in identifying land for homes and other land uses Councils may need to choose to de-allocate some long-standing sites whose future delivery is unlikely. However, this does not automatically mean that the locations promoted by these respondents, or others, will consequently be allocated instead.

It does mean that this is a decision to be taken by Councils and that they are still best placed to make that decision within the operational framework that is set out in Policy 1. The respondents have provided no compelling evidence to explain how Policy 1 should change to bring about the circumstances they wish to see. TAYplan is satisfied that this can already be achieved without a change to the plan and without the need to develop a set of complex and potentially unworkable criteria. Proposed sites are a matter to be dealt with when each Local Development Plan is examined and will inevitably be examined as part of any consideration of different sites and their rationale.

TAYplan is satisfied that Policy 1, in its entirety, provides appropriate clarity and direction to planning authorities, developers and other organisations about the priorities for land release. TAYplan is also satisfied that Policy 1 is well placed to deliver the vision and the outcomes which underpin it. The identification and allocation of sites is a matter for Local Development Plans. They are best placed to judge the conclusions of their Main Issues Reports and the various assessments and land audits which support the preparation and ongoing monitoring of Local Development Plans. Therefore TAYplan is not persuaded that there is any additional

value in pointing out that Councils can remove/replace previously allocated sites in their subsequent Local Development Plans.

**Scottish Property Federation (444087) PLAN2015\_510**

TAYplan does not agree with the view that the prioritisation set out in Policy 1 fails to provide a 'range of effective sites' and 'constrains' the supply of housing and employment land. The respondent has provided no evidence to suggest any clear link between the effectiveness of employment and housing land within principal settlements and sites outside of them. Nor have they provided any clear evidence to link such a situation to the framework set out in Policy 1. The analysis of housing land audits (above) demonstrates that this is not the case.

Consideration of the four employment land audits Angus (Doc11), Dundee City (Doc31), Fife (Doc39) and Perth & Kinross (Doc67) shows a variety of sites that are 'marketable' (immediately available or with minor constraints). Proposed Plan (2015) Policy 3 (Doc80) and approved TAYplan (2012) Policy 4 (Doc16) both work on the basis of providing a supply of employment land to support the varying needs of different businesses but do not specify any particular scale. The four employment land audits do not raise any issues that could not be overcome by the operation of the framework in Policy 1.

Therefore TAYplan is not persuaded that there is any evidence to reinforce the claims made by the respondent or to justify their proposed changes as the optimum solution to this. Therefore TAYplan remains satisfied that Policy 1 as a whole, and Policy 1B in particular, remain appropriate and does not propose to make any changes.

**Homes For Scotland (785148) PLAN2015\_237, Emac Planning LLP for Stewart Milne Homes North Scotland (347277) PLAN2015\_530 and Emac Planning LLP for A&J Stephen Ltd & Avant Homes (910368) PLAN2015\_550**

TAYplan is not aware that any authority is 'too dogged' in following the sequential approach; albeit that Policy 1 is there to be followed so that the location priorities and vision are delivered. The respondents have not defined what they consider would constitute being 'too dogged' and nor have they cited any evidence to substantiate this claim.

The high level analysis of employment and housing land audits in particular (above) finds no evidence to suggest that the circumstances described exist or that Policy 1B, as currently written, is the driving factor for this. The identification of specific sites is a Local Development Plan matter. This may not always result in the allocation of sites being promoted by respondents but such an outcome does not mean that the approach is wrong or that the authorities who implement it are being 'too dogged'. Rather that they are operating a clear and logical policy framework designed to support the delivery of the vision.

**PROPOSED ENHANCEMENT OF BROWNFIELD REMEDIATION**

**Bryan Wallace for National Grid/Scotia Gas Network (763366) PLAN2015\_257**

TAYplan considers that introducing the proposed changes would add confusion because the essence of the changes is implicit in the existing text. For instance it is difficult to think of examples of previously developed land and buildings where remediation and regeneration would not be either the outcome or the process by which they were brought back into use. The current text promotes this outcome and is reinforced elsewhere, for example by Policies 1C and 4F (Doc80).

TAYplan is not persuaded that the proposed changes would improve the policy or result in any additional value that is not already apparent from the text as written.

TAYplan is also not persuaded that the proposed changes would bring about the

result sought by the respondent. TAYplan is convinced they would lead to confusion. TAYplan is therefore satisfied that the text should remain as written and proposes no change.

## **Authority's Response 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 or remit for TAYplan to comment upon 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 Boundary Commission.

### **Friends of the Earth Tayside (845935) PLAN2015\_416**

TAYplan welcomes the recognition of these different matters in setting out the location priorities.

## **CONCLUSION**

Policy 1B remains identical to the same Policy in the approved TAYplan (2012) and it was made clear that no changes were proposed to this at Main Issues Report stage in 2014.

The respondents have provided no compelling or robust evidence and, in some cases none at all, to substantiate or justify the changes they seek. TAYplan's high level analysis (presented above) makes clear that there is no evidence to reinforce the claims made by the respondents. The points raised by the respondents are poorly evidenced and unproven.

TAYplan remains satisfied that Policy 1 as a whole, and particularly Policy 1B (the sequential approach), are clearly written and that councils are more than capable of implementing this through their Local Development Plans.

The location, design and layout of development are central to the Proposed Plan vision. To change Policy 1 (Doc80) in the ways proposed could have fundamental implications for delivering the Proposed Plan's vision and the outcomes which underpin it; and, ultimately delivering the four Single Outcome Agreements and Community Plan's covering the TAYplan area, from whose visions this Proposed Plan originates.

It is also noted that Scottish Government (910172) have not sought changes to Policy 1B and that several Key Agencies have specifically supported the policy.

TAYplan considers that all of the issues raised do not warrant any change to the Proposed Strategic Development Plan (May 2015) and propose that the elements dealt with in this Schedule 4 Summary of Unresolved Issues remain as written and unchanged. TAYplan is satisfied that many of these issues are dealt with appropriately by the Policy as currently written or by supporting elements of other Policies in the Proposed Plan (2015) (Doc80).

<b>Reporter's conclusions:</b>
DPEA use only
<b>Reporter's recommendations:</b>
DPEA use only

Committee Version