

Issue (ref and heading):	Issue 002: Policy 1 Location Priorities - Settlement Hierarchy – Named Settlements	
Development plan reference:	Policy 1 Part A and Map 1 and supporting text pages 10 to 13	Reporter: [For DPEA Use Only]
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Seeking a change Dr Peter Symon (548525) Emac Planning LLP for A & J Stephen Ltd (846846) Emac Planning LLP for Linlathen Estates (Tayside) Ltd & James Keiller Estates Ltd (846825) Emac Planning LLP for Stewart Milne Homes North Scotland (347277) Malcolm Smith for Muir Homes Ltd (346675) Scott Hobbs Planning for Scottish Enterprise (909506) Springfield Properties (910130)</p>	<p>Supporting as written Colliers International for Scottish Enterprise (835481) David Wardrop for Strategic Land (Scotland) Ltd/Iain Bett, Esq (752940) Dundee Civic Trust (845127) Emac Planning LLP for Delson Contracts Ltd (846826) Emac Planning LLP for Scotia Homes Ltd (910294) Friends of the Earth Tayside (845935) NHS Tayside (908896) Savills for The Pilkington Trust & Stewart Milne Group (904840) Scottish Environment Protection Agency (835401) Scottish Water (762198) SEStran Regional Transport Partnership (908118) Tactran Regional Transport Partnership (441235)</p>	
Provision of the development plan to which the issue relates:		
Policy 1 Part A and Map 1 set out the settlement hierarchy. This identifies all principal settlements, where most new development is to be focussed. Principal settlements are where the majority of the people, jobs, services and facilities of the TAYplan area are concentrated. It also groups them in to 3 tiers. Each tier describes the broad role these settlements will play in accommodating future development.		
Planning Authority's summary of the representation(s):		
<p>Summary of Representations Seeking a change</p> <p><u>ADD A SETTLEMENT TO HIERARCHY</u></p> <p>Malcolm Smith for Muir Homes Ltd (346675) PLAN2015_454 proposes the addition of Auchtermuchty as a Tier 3 settlement. They consider that it is a similar size to Newburgh and that it is 'a gateway settlement' for A91 to M90 and also near Ladybank rail station. They consider that 'the current Plan, and therefore Local Development Plan as a result, frustrate necessary development in Auchtermuchty'. They also consider that the plan contains 'no justification for settlement tiering especially for tier 3'.</p> <p>Emac Planning LLP for A & J Stephen Ltd (846846) PLAN2015_546 and Emac Planning LLP for Stewart Milne Homes North Scotland (347277) PLAN2015_529 propose the addition of Burrelton as a Tier 2 settlement on the basis that it lies between 2 other principal settlements on the A94 corridor (Scone and Cupar Angus) and that it 'can assist in the early delivery of Cross Tay Link Road (CTLR)'.</p> <p>Emac Planning LLP for Stewart Milne Homes North Scotland (347277) PLAN2015_529 propose that Liff and Ballumbie should be identified as part of Dundee Core Area.</p>		

Emac Planning LLP for Linlathen Estates (Tayside) Ltd & James Keiller Estates Ltd (846825) PLAN2015_413 support the settlement hierarchy and settlements identified but propose the addition of Dundee Linlathen Strategic Development Area to the list of settlements named as part of the Dundee Core Area. They consider that this change would reflect the current inclusion of Dundee Western Gateway Strategic Development Area which is named in this way. The respondent considers that there is considerable potential for planned growth to the east of Dundee along the A92.

REMOVE A SETTLEMENT FROM THE HIERARCHY

Springfield Properties (910130) PLAN2015_339 supports the inclusion of Dundee Western Gateway within Tier 1 but proposes removal of Muirhead/Birkhill. This is because they suggest that Angus Council did not investigate this at Main Issues Report stage and is not promoting Muirhead/Birkhill as a growth centre. They suggest that if the Local Authority does not consider the area as suitable for development then the issue maybe its identification as a principal settlement in the first instance. They therefore consider it is not functioning as a tier 1 settlement and should be removed from the settlement hierarchy.

Dr Peter Symon (548525) PLAN2015_410 proposes the deletion of Balbeggie, Perth Airport, and all other settlements listed that are located 'within or just outwith the two Core Areas'. This is on the basis that these are 'not settlements', because the population of each falls below the number and density thresholds for classification as a "settlement" by National Records of Scotland (002/Extract/1). Therefore, the respondent suggests that any development in these locations would be sufficient to 'cross the threshold of settlement' and would, based on this view point, 'constitute the creation of a new settlement'. The respondent notes, however, that the glossary in Scottish Planning Policy (2014) (Doc84) does not include 'settlement'.

Dr Peter Symon (548525) PLAN2015_410 also suggests that 'inadequate transport infrastructure' in these locations means the resulting settlement pattern would be unsustainable and would lead to suburbanisation of the countryside and the greenbelt. The respondent also suggests that their proposed amendments would comply with Scottish Planning Policy (2014) (Doc84) objectives of sustainable development and avoidance of suburbanisation of the countryside. They also consider that it would avoid duplication with locations designated as Strategic Development Areas.

Emac Planning LLP for A & J Stephen Ltd (846846) PLAN2015_547 propose the deletion of Perth Airport from Tier 1 because they consider it is not a settlement and its identification as one within the Perth Core Area is 'an anomaly that conflicts with other locational priorities in the Perth Core Area and on the A94 corridor'.

AMEND MAP 1

Scott Hobbs Planning for Scottish Enterprise (909506) PLAN2015_348 propose the addition of an inset context map to Map 1 which shows TAYplan's position within Scotland so its location can be understood.

Summary of Supporting Representations

SUPPORT SPECIFIC SETTLEMENTS BEING IN THE HIERARCHY

Emac Planning LLP for Scotia Homes Ltd (910294) PLAN2015_479 supports Brechin as Tier 3 Settlement.

Emac Planning LLP for Scotia Homes Ltd (910294) PLAN2015_478 supports Forfar as Tier 2 Settlement.

Emac Planning LLP for Delson Contracts Ltd (846826) PLAN2015_513 supports Kirriemuir as Tier 3 Settlement.

Mr David Wardrop for Strategic Land (Scotland) Ltd/Iain Bett, Esq (752940) PLAN2015_451 support Dundee Core Area (including Muirhead/Birkhill) as a Tier 1 principal settlement. They consider that as a result TAYplan and Dundee Local Development Plan should support new villages at South Auchray.

Colliers International for Scottish Enterprise (835481) PLAN2015_368 support reference to Dundee Western Gateway as a principal settlement in Dundee Core Area. They consider that this area is capable of delivering well-designed, desirable places to live and work and they consider this to reflect TAYplan's aspirations and the six place shaping qualities of Scottish Planning Policy (2014) (Doc84).

Savills for The Pilkington Trust & Stewart Milne Group (904840) PLAN2015_254 supports the identification of Perth Core Area as a Tier 1 principal settlement and suggest that it has the existing and planned infrastructure to support new development and facilitate the growth of the economy. They particularly support development in the North West of Perth which they consider will 'enable Perth to grow in a sustainable manner through the concentration of facilities and services and through the enhancement of accessibility to Perth city centre'.

SUPPORT STRATEGY AND HIERARCHY

Friends of the Earth Tayside (845935) PLAN2015_416 supports the settlement hierarchy and sequential approach but recognises the need to 'appreciate the viability of smaller settlements'.

Emac Planning LLP for Delson Contracts Ltd (846826) PLAN2015_515 and **Emac Planning LLP for Scotia Homes Ltd (910294) PLAN2015_480** each support the continued approach of prioritising land release within principal settlements ahead of other locations as consistent with Scottish Planning Policy (2014) (Doc84).

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

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

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.

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'.

Dundee Civic Trust (845127) PLAN2015_279 supports Policy 1 on the basis that it represents the '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.

Modifications sought by those submitting representations:**ADD A SETTLEMENT TO HIERARCHY**

Malcolm Smith for Muir Homes Ltd (346675) PLAN2015_454 propose the addition of Auchtermuchty to as a Tier 3 settlement.

Emac Planning LLP for A & J Stephen Ltd (846846) PLAN2015_546 and **Emac Planning LLP for Stewart Milne Homes North Scotland (347277) PLAN2015_529** propose the addition of Burrelton as a Tier 2 Principal Settlement.

Emac Planning LLP for Stewart Milne Homes North Scotland (347277) PLAN2015_529 propose that Liff and Ballumbie should be part of Dundee Core Area.

Emac Planning LLP for Linlathen Estates (Tayside) Ltd & James Keiller Estates Ltd (846825) PLAN2015_413 propose the addition of Dundee Linlathen Strategic Development Area as part of the definition of Dundee Core Area in Policy 1 Part A

REMOVE A SETTLEMENT FROM THE HIERARCHY

Springfield Properties (910130) PLAN2015_339 propose the removal of Birkhill/Muirhead Tier 1 to either Tier 2 or Tier 3.

Dr Peter Symon (548525) PLAN2015_410 proposes the deletion from Tier 1 of Balbeggie, Perth Airport and all other settlements listed that are located 'within or just outwith the two Core Areas'

Emac Planning LLP for A & J Stephen Ltd (846846) PLAN2015_547 propose the deletion of Perth Airport from the list of principal settlements.

AMEND MAP 1

Scott Hobbs Planning for Scottish Enterprise (909506) PLAN2015_348 propose adding to Map 1 a context map of TAYplan within Scotland as an inset.

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

In 2009, when preparing the approved TAYplan (2012), the current and future roles anticipated for the principal settlements were considered. This included their roles in what were then the operational Structure Plans and also other factors such as population size and the significance of the settlements now and in the future. Other related factors were considered in the TAYplan Background Technical Paper (2010) pages 106-114 (Doc17). This accompanied the TAYplan Main Issues Report (2010) (Doc118).

TAYplan specifically sought views in the Main Issues Report (2010) Question 12 (pages 40 to 47) (Doc118) about whether respondents agreed with the identified principal settlements. The responses were considered in Topic Paper 6: Spatial Strategy (2011) (Doc122). At this stage little justification was provided by respondents to support their views that settlements should be added, removed or be in different tiers. TAYplan expressed its thinking on principal settlements in Topic Paper 6: Spatial Strategy (2011) pages 5 to 7 (Doc122). Although some representations were also received at proposed plan stage in 2011 these also lacked justification and TAYplan did not make any changes prior to submission. Scottish Ministers then approved the plan and also made no changes to the principal settlements defined in approved TAYplan (2012) Policy 1 (Doc16).

When the review of the approved TAYplan (2012) (Doc16) began it was determined that the current vision was appropriate (See Issue 001) and that no further changes would be necessary to the principal settlements approach or to those named principal

settlements. This was made clear in Main Issues Report (2014) pages 56 and 57 (Doc56). Policy 1A/Map 1 (Doc80) therefore represent a continuation of the approved TAYplan (2012) (Doc16).

Authority's Responses To Proposed Changes

ADD A SETTLEMENT TO HIERARCHY

Malcolm Smith for Muir Homes Ltd (346675) PLAN2015_454

It should be made clear that Proposed Plan (2015) Policy 1 (Doc80) does not prevent development from taking place in non-principal settlements such as Auchtermuchty. This is covered under Policy 1 Part C (Doc80).

The fact that other principal settlements may have a similar size of population does not provide sufficient justification for adding this as a principal settlement. As described above, population size is not the single determining factor for the inclusion of a settlement within the hierarchy.

TAYplan would also not expect to include significant justification for choices of principal settlements, or indeed other detailed technical matters, within the Plan itself. These considerations are explained in background papers as noted above in the context section. The respondent has provided no other justification for their proposed change.

Topic Paper 1 (2015) Vision and Outcomes (Doc103) shows where TAYplan concluded that the current vision remained relevant and appropriate. As a consequence TAYplan considered that with no change to the vision there was also no need to substantively amend the location priorities designed to deliver it. Therefore the Main Issues Report (2014) pages 56 and 57 (Doc56) consultation made clear that no substantive changes were proposed to the approved TAYplan (2012) Policy 1 Location Priorities (Doc16).

Emac Planning LLP for A & J Stephen Ltd (846846) PLAN2015_546 and Emac Planning LLP for Stewart Milne Homes North Scotland (347277) PLAN2015_529

TAYplan does not consider that Burrelton being located on an A-class road between two principal settlements to be appropriate justification for it to become a principal settlement. There are also already three existing principal settlements close by; Blairgowrie/Ratray, Coupar Angus and Alyth. Each is large and has a more substantial range of services and facilities. These therefore continue to be best placed to accommodate the majority of additional growth for this part of the TAYplan area. TAYplan is not persuaded that there is any evidence to suggest how Burrelton becoming a principal settlement would have any impact on the 'early delivery' of the Cross Tay Link Road.

Emac Planning LLP for Linlathen Estates (Tayside) Ltd & James Keiller Estates Ltd (846825) PLAN2015_413

Dundee Western Gateway is specifically mentioned in Policy 1 Part A (Doc80) to make clear that the new villages and Liff Hospital are part of the Dundee Core Area and to differentiate these from villages which are not part of the Core Area e.g. Liff. This was not felt necessary for Linlathen Strategic Development Area as it continues to be a Strategic Development Area identified in Policy 3 (Doc80) and there is no equivalent risk of confusion with neighbouring villages. TAYplan therefore does not consider that the current approach is either unclear or prejudicial to the Linlathen Strategic Development Area coming forward and therefore considers that no change is necessary.

**Emac Planning LLP for Stewart Milne Homes North Scotland (347277)
PLAN2015_529**

TAYplan does not consider that any justification has been provided for Liff and Ballumbie to be identified as part of Dundee Core Area. There are numerous villages and small settlements close to Dundee which are not part of the Core Area. If all of them were included the consequence would be a more dispersed pattern of development when the policy focus is on concentrating growth in Dundee and improving the quality of place. The policy is currently clear, if a settlement is named then it is within the Dundee Core Area, if it is not named then it is not.

REMOVE A SETTLEMENT FROM THE HIERARCHY

**Springfield Properties (910130) PLAN2015_339, Dr Peter Symon (548525)
PLAN2015_410 and Emac Planning LLP for A & J Stephen Ltd (846846)
PLAN2015_547**

The two core areas recognise that the settlements functioning as the cities include some localities that are not part of the contiguous urban area (e.g. Scone or Newport) and some which are not within the same council area (e.g. Invergowrie or Muirhead/Birkhill).

The identification of sites for different types of land use is a matter for the respective councils through their Local Development Plans. For clarity it is not the case that any and every part of the Core Area must automatically accommodate significant amounts of growth. Firstly this would be impractical since there must be sufficient, suitable space to accommodate the development and associated infrastructure from a physical point of view. Secondly, Strategic and Local Development Plans also protect sensitive areas for a limited range of land uses and also against risks such as flooding. These decisions also affect where development is best located. The Proposed Plan and respective Local Development Plans must be read together. The respondents have provided no compelling justification to substantiate their views and therefore TAYplan proposes no change.

Springfield Properties (910130) PLAN2015_339

Muirhead/Birkhill is part of functional urban area of Dundee. It would therefore seem odd to remove it. Although Angus Council has chosen not to accommodate growth there now, this does not mean it would not or could not in the future. Any Council may determine that it can best accommodate planned development in other principal settlements and still deliver the vision and outcomes of the Strategic Development Plan. There is also no obligation on councils to accommodate set levels of development in each principal settlement, this is what Local Development Plans are for and will vary dependent on local and strategic circumstances. The respondents have provided no compelling justification to substantiate their proposed changes and therefore TAYplan proposes no changes.

Dr Peter Symon (548525) PLAN2015_410

The National Records of Scotland definition of what constitutes a settlement for (002/Extract/1) statistical purposes is not the basis for choosing principal settlements or determining which form part of the Dundee and Perth Core Areas. There are numerous small settlements and hamlets that are not recorded in the National Records of Scotland mid-year population estimates for settlements and localities. Some examples of these in the TAYplan area include Monikie in Angus, Balmalino in Fife and, Rait in Perth & Kinross, but this does not mean they are not settlements, it just means that National Records of Scotland does not publish a mid-year population estimate for them.

It is also important to note that TAYplan's strategy is about focussing the majority of all new development in principal settlements and not just homes. Therefore TAYplan

is satisfied that the inclusion of Perth Airport does not present any issues.

TAYplan has used the term 'settlement' because it is scale-neutral. There was a need to avoid using the terms 'town' or 'cities' because both are often confused by historic status and local government administrative areas. Such an approach may also fail to recognise important non-residential locations.

TAYplan is satisfied that the plan clearly explains which settlements are included in Policy 1 Part A and Map 1 as principal settlements (and within Core Areas) and also describes that Local Development Plans will identify settlement boundaries. Therefore even if National Records of Scotland uses a specific definition for statistical purposes TAYplan has made openly clear how it defines principal settlements in Policy 1/Map 1 and pages 12 and 13 (Doc80). TAYplan does not consider there to be a need to change this and does not accept that it means some of the settlements identified are 'not settlements'. For the same reason TAYplan does not agree that this means that development in these locations constitutes 'new settlements'.

The respondent provides no evidence to justify how the resulting settlement pattern from the Core Areas in Policy 1 would be 'unsustainable' and would lead to 'suburbanisation of the countryside and the greenbelt'. The purpose of the settlement hierarchy is to avoid these outcomes. As described above the identification of land is a matter for the respective Local Development Plan and the Perth greenbelt will play an important role in influencing this for the Perth Core Area. In a separate response this respondent proposes the deletion of the Perth Green Belt in Schedule 4 Summary of Unresolved Issues for Issue 006 Policy 1D Green Belt. TAYplan considers this proposed removal of the green belt would result in a greater likelihood of suburbanising the countryside than focusing the majority of growth in the Perth Core Area.

TAYplan does not consider that there is any duplication between Policy 1 and locations designated as Strategic Development Areas (Policy 3). There is one reference to Dundee Western Gateway which was originally included in the approved TAYplan (2012) (Doc16) and continues (the reasons for this have already been stated above). TAYplan cannot identify any other instance where a specific Strategic Development Area is mentioned in Policy 1 or where there is any other reference on pages 10 to 13 (Doc80) that would constitute duplication rather than helpful context setting to link policies in a plan.

Emac Planning LLP for A & J Stephen Ltd (846846) PLAN2015_547

As noted above Policy 1 is not just about residential development and therefore it remains appropriate to retain Perth Airport in the Perth Core Area.

AMEND MAP 1

Scott Hobbs Planning for Scottish Enterprise (909506) PLAN2015_348

When preparing the Proposed Plan TAYplan considered whether to include inset context maps. However, there is already a large map showing the geographical location of TAYplan within Scotland on Proposed Plan (2015) page 2 (Doc80).

TAYplan is satisfied that the reader can gain a clear understanding of the context of TAYplan without the need for the inset maps proposed. Therefore TAYplan proposes no change.

Authority's Responses To Supporting Representations

SUPPORT SPECIFIC SETTLEMENTS BEING IN THE HIERARCHY

Emac Planning LLP for Scotia Homes Ltd (910294) PLAN2015_479, Emac Planning LLP for Delson Contracts Ltd (846826) PLAN2015_515, Emac Planning LLP for Scotia Homes Ltd (910294) PLAN2015_480, Emac Planning LLP for Scotia Homes Ltd (910294) PLAN2015_478, Emac Planning LLP for Delson Contracts Ltd (846826) PLAN2015_513, and, David Wardrop for Strategic Land (Scotland) Ltd/Iain Bett, Esq (752940) PLAN2015_451

TAYplan welcomes the support for the inclusion of these principal settlements and the continuation of the location priorities from the approved TAYplan (2012) (Doc16).

David Wardrop for Strategic Land (Scotland) Ltd/Iain Bett, Esq (752940) PLAN2015_451

Although the respondent supports the inclusion of Muirhead/Birkhill in Tier 1 they suggest that TAYplan and Dundee Local Development Plan should include land at South Auchry. This is a matter for the Dundee City Council but it should be made clear that the location priorities do not automatically mean that any development within a tier 1 settlement is appropriate. Policy 1 must be read in conjunction with the rest of the Proposed Plan and the respective Local Development Plan. This may mean that open countryside or other protected land as well as issues relating to access etc. are factors for consideration before any land is allocated. For clarity there are no Strategic Development Areas planned at South Auchry. TAYplan does not support any changes to accommodate this site. The growth of Dundee will be considered through the preparation of the third (next) Strategic Development Plan as noted in the Proposed Action Programme (2015) page 59 (Doc76).

SUPPORT STRATEGY AND HIERARCHY

Friends of the Earth Tayside (845935) PLAN2015_416

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

Colliers International for Scottish Enterprise (835481) PLAN2015_368, Dundee Civic Trust (845127) PLAN2015_279, Savills for The Pilkington Trust & Stewart Milne Group (904840) PLAN2015_254, 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 the support for the continuation of the approach set out in Policy 1 (Doc80) and agrees that this is consistent with Scottish Planning Policy (2014) (Doc84).

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.

CONCLUSION

Policy 1 is a continuation of the approach in the approved TAYplan (2012) Policy 1 (Doc16). No changes were proposed at Main Issues Report stage (2014) (Doc56) because this strategy is directly designed to deliver the vision, which itself is not proposed to change. It is also noted that Scottish Government has not raised any issues with this Policy and several Key Agencies have specifically supported the policy or have not sought changes to it.

TAYplan does not consider that any compelling justification has been made to add or remove any settlements from the hierarchy or to change the tiers of any settlement. TAYplan is also not persuaded that the proposed changes to Map 1 are necessary.

TAYplan considers that all of the issues raised do not warrant any change to the Proposed Strategic Development Plan (2015) (Doc80) 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, by supporting elements of other Proposed Plan (2015) (Doc80) policies or Scottish Planning Policy (2014) (Doc84). TAYplan therefore proposes to make no change to Policy 1 Part A, Map 1 and subsequent related supporting text.

Reporter's conclusions:

DPEA use only

Reporter's recommendations:

DPEA use only

Committee Version