

Appendix 8 – Development plan policies

TAYplan Strategic Development Plan

Policy 1: Principal Settlement Hierarchy

A. Principal Settlement Hierarchy

Strategies, plans, programmes and development proposals shall focus the majority of development in the region's principal settlements as shown on Map 1 (opposite):

Tier 1 principal settlements which have the potential to accommodate the majority of the region's additional development over the plan period and make a major contribution to the region's economy;

- Within Dundee Core Area in the principal settlements of Dundee City; including Dundee Western Gateway, and Invergowrie, Monifieth, Tayport/Newport/Wormit, Birkhill/Muirhead; and,
- Within Perth Core Area in the principal settlements of Perth City, Scone, Almondbank, Bridge of Earn, Oudenarde, Methven, Stanley, Luncarty, Balbeggie, Perth Airport.

Tier 2 principal settlements which have the potential to make a major contribution to the regional economy but will accommodate a smaller share of the additional development; and,

Tier 3 principal settlements which have the potential to play an important but more modest role in the regional economy and will accommodate a small share of the additional development.

B. Sequential Approach

Strategies, plans and programmes shall prioritise land release for all principal settlements using the sequential approach in this Policy; shall prioritise within each category, as appropriate, the reuse of previously developed land and buildings (particularly listed buildings); and shall ensure that such land is effective or expected to become effective in the plan period, and that a range of sites is made available, as follows:

1. Land within principal settlements; then,
2. Land on the edge of principal settlements; then,
3. 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, and where it is consistent with Part A of this policy and with Policy 2, the expansion of other settlements should be considered.

C. Outside of Principal Settlements

Local Development Plans may also provide for some development in settlements that are not defined as principal settlements (Policy 1A). This is provided that it can be accommodated and supported by the settlement, and in the countryside; that the development genuinely contributes to the outcomes of this Plan; and, it meets specific local needs or does not undermine regeneration of the cities or respective settlement.

Proposals for development in the countryside should be assessed against the need to avoid suburbanisation of the countryside and unsustainable patterns of travel and development.

D. Green belts

Local Development Plans shall continue the implementation of green belt boundaries at both St Andrews and Perth to preserve their settings, views and special character including their historic cores; protect and provide access to open space; assist in safeguarding the countryside from encroachment; to manage long term planned growth including

infrastructure on Map 10 and Strategic Development Areas in Policy 3; and define the types and scales of development that are appropriate within the green belt based on Scottish Planning Policy.

Policy 2: Shaping better quality places

To deliver better quality development and places which respond to climate change, Local Development Plans, design frameworks masterplans/briefs and development proposals should be:

A. Place-led to deliver distinctive places by ensuring that the arrangement, layout, design, density and mix of development are shaped through incorporating and enhancing natural and historic assets*, natural processes, the multiple roles of infrastructure and networks, and local design context.

B. Active and healthy by design by ensuring that:

- i. the principles of lifetime communities (p. 17) are designed-in;
- ii. new development is integrated with existing community infrastructure and provides new community infrastructure/facilities where appropriate;
- iii. collaborative working with other delivery bodies concentrates and co-locates new buildings, facilities and infrastructure; and,
- iv. transport and land use are integrated to:
 - a. reduce the need to travel and improve accessibility by foot, cycle and public transport and related facilities;
 - b. make the best use of existing infrastructure to achieve an active travel environment combining different land uses with green space; and,
 - c. support land use and transport integration by transport assessments/ appraisals and travel plans where appropriate, including necessary on and off-site infrastructure.

C. Resilient and future-ready by ensuring that adaptability and resilience to a changing climate are built into the natural and built environments through:

- i. a presumption against development in areas vulnerable to coastal erosion, flood risk and rising sea levels;
- ii. assessing the probability of risk from all sources of flooding;
- iii. the implementation of mitigation and management measures, where appropriate, to reduce flood risk; such as those envisaged by Scottish Planning Policy, Flood Risk Management Strategies and Local Flood Risk Management Plans when published;
- iv. managing and enhancing the water systems within a development site to reduce surface water runoff including through use of sustainable drainage systems and storage;
- v. protecting and utilising the natural water and carbon storage capacity of soils, such as peat lands, and woodland/other vegetation;
- vi. Identifying, retaining and enhancing existing green networks and providing additional networks of green infrastructure (including planting in advance of development), whilst making the best use of their multiple roles; and,
- vii. design-in and utilise natural and manmade ventilation and shading, green spaces/networks, and green roofs and walls.

D. Efficient resource consumption by ensuring that:

- i. waste management solutions are incorporated into development;
- ii. high resource efficiency is incorporated within development through:
 - a. the orientation and design of buildings and the choice of materials to support passive standards; and,
 - b. the use of or designing in the capability for low/zero carbon heat and power generating technologies and storage to reduce carbon emissions and energy consumption; and,
 - c. the connection to heat networks or designing-in of heat network capability.

**Natural and historic assets: Landscapes, habitats, wildlife sites and corridors, vegetation, biodiversity, green spaces, geological features, water courses and ancient monuments, archaeological sites and landscape, historic battlefields, historic buildings, townscapes,*

parks, gardens and other designed landscapes, and other features (this includes but is not restricted to designated buildings or areas).

Policy 3: A First Choice for Investment

Local Development Plans should:

- A.** identify and safeguard at least 5 years supply of employment land* to support the growth of the economy and a diverse range of industrial requirements;
- B.** identify and safeguard sites/locations for distribution and warehousing or industries with significant cargo movements adjacent/close to rail-heads and ports where appropriate;
- C.** further assist in growing the year-round economy including the role of the tourism and sporting and recreational sectors;
- D.** continue to support the development of the Strategic Development Areas set out in Map 3;
- E.** include (or cover in Supplementary Planning Guidance) Design Frameworks for all Strategic Development Areas where unless completed or not required. These should reflect the overall policy requirements of this Plan and from which master plans will be developed, reflecting in particular the 6 qualities of successful places advocated by Scottish Planning Policy.

Footnotes

**Land for employment includes Classes 4 (business), 5 (General Industrial) and 6 (storage and distribution) from the Use Classes (Scotland) Order (1997). The location of some of these is considered as part of the town centres first approach in Policy 5.*

Policy 5: Town Centres First

To protect and enhance the vitality, viability and vibrancy of city/town centres:

A. strategies, plans, programmes and development proposals should focus land uses that generate significant footfall in city/town centres defined in the network of centres (below) ahead of other locations (including retail, commercial leisure, offices, community and cultural facilities, civic activity and, where appropriate public buildings such as libraries, education and health care facilities). Other land uses including residential, hospitality and catering, events and markets should be encouraged in town centres.

B. Local Development Plans should:

- i.** identify specific boundaries, where appropriate, for each city/town centre, local centre and commercial centre in the network (below); including those subsequently identified in Local Development Plans;
- ii.** specify the appropriate functions that can take place at individual commercial centres; and,
- iii.** identify any other town centres and commercial centres, as appropriate; this will be particularly likely in larger, multi-centre settlements such as Dundee, Perth and Arbroath.

C. Local Development Plans and planning decisions should recognise that hospitality, catering and leisure facilities play a prominent role in supporting the visitor function of settlements and in the daytime and evening economy of all centres. They should also support improvements to town centres that enable events, festivals or markets to take place and which improve the general maintenance, character and wellbeing of the centre.

D. planning decisions for land uses that generate significant footfall should be based on the sequential priority (below – taken from Scottish Planning Policy) and other local considerations as appropriate.

Sequential Priority	Network of Centres	Functions of centres
1. These town, city and local centres should be the first location of choice for land uses that generate significant footfall; then; 2. on their edges then;	- Regional Centre: Dundee City Centre - Sub-regional Centre: Perth City Centre - Larger Town Centres: Arbroath, Cupar, Forfar, Montrose and St Andrews - Smaller Town Centres: Aberfeldy, Alyth, Anstruther, Auchterarder, Blairgowrie, Brechin, Carnoustie, Coupar Angus, Crieff, Kirriemuir, Kinross, Monifieth, Newburgh and Pitlochry - Other town centres identified in Local Development Plans (including the 5 district centres as defined in the Dundee Local Development Plan) - Local centres or hubs identified in Local Development Plans	Retail (convenience, comparison and bulky goods), Commercial Leisure, Offices, Civic and community activity, Visitor uses (overnight and day trips), Hospitality and Catering, and Residential.
3. in commercial centres for uses defined in Local Development Plan then; 4. at appropriate out of centre locations with good foot, cycle and passenger transport links	- Commercial Centres: Gallagher Retail Park, Dundee Kingsway East, Dundee Kingsway West, Dundee St Catherine's Retail Park, Perth - Other commercial centres identified in Local Development Plans	Retail (bulky goods and convenience) and Commercial Leisure.

Angus Local Development Plan

Policy DS1: Development Boundaries and Priorities

All proposals will be expected to support delivery of the Development Strategy.

The focus of development will be sites allocated or otherwise identified for development within the Angus Local Development Plan, which will be safeguarded for the use(s) set out. Proposals for alternative uses will only be acceptable if they do not undermine the provision of a range of sites to meet the development needs of the plan area.

Proposals on sites not allocated or otherwise identified for development, but within development boundaries will be supported where they are of an appropriate scale and nature and are in accordance with relevant policies of the ALDP.

Proposals for sites outwith but contiguous* with a development boundary will only be acceptable where it is in the public interest and social, economic, environmental or operational considerations confirm there is a need for the proposed development that cannot be met within a development boundary.

Outwith development boundaries proposals will be supported where they are of a scale and nature appropriate to their location and where they are in accordance with relevant policies of the ALDP.

In all locations, proposals that re-use or make better use of vacant, derelict or under-used brownfield land or buildings will be supported where they are in accordance with relevant policies of the ALDP.

Development of greenfield sites (with the exception of sites allocated, identified or considered appropriate for development by policies in the ALDP) will only be supported where there are no suitable and available brownfield sites capable of accommodating the proposed development.

Development proposals should not result in adverse impacts, either alone or in combination with other proposals or projects, on the integrity of any European designated site, in accordance with Policy PV4 Sites Designated for Natural Heritage and Biodiversity Value.

*Sharing an edge or boundary, neighbouring or adjacent

Policy DS2: Accessible Development

Development proposals will require to demonstrate, according to scale, type and location, that they:

- are or can be made accessible to existing or proposed public transport networks;
- make provision for suitably located public transport infrastructure such as bus stops, shelters, lay-bys, turning areas which minimise walking distances;
- allow easy access for people with restricted mobility;

- provide and/or enhance safe and pleasant paths for walking and cycling which are suitable for use by all, and link existing and proposed path networks; and
- are located where there is adequate local road network capacity or where capacity can be made available.

Where proposals involve significant travel generation by road, rail, bus, foot and/or cycle, Angus Council will require:

- the submission of a Travel Plan and/or a Transport Assessment.
- appropriate planning obligations in line with Policy DS5 Developer Contributions.

Policy DS3: Design Quality and Placemaking

Development proposals should deliver a high design standard and draw upon those aspects of landscape or townscape that contribute positively to the character and sense of place of the area in which they are to be located. Development proposals should create buildings and places which are:

- **Distinct in Character and Identity:** Where development fits with the character and pattern of development in the surrounding area, provides a coherent structure of streets, spaces and buildings and retains and sensitively integrates important townscape and landscape features.
- **Safe and Pleasant:** Where all buildings, public spaces and routes are designed to be accessible, safe and attractive, where public and private spaces are clearly defined and appropriate new areas of landscaping and open space are incorporated and linked to existing green space wherever possible.
- **Well Connected:** Where development connects pedestrians, cyclists and vehicles with the surrounding area and public transport, the access and parking requirements of the Roads Authority are met and the principles set out in 'Designing Streets' are addressed.
- **Adaptable:** Where development is designed to support a mix of compatible uses and accommodate changing needs.
- **Resource Efficient:** Where development makes good use of existing resources and is sited and designed to minimise environmental impacts and maximise the use of local climate and landform.

Supplementary guidance will set out the principles expected in all development, more detailed guidance on the design aspects of different proposals and how to achieve the qualities set out above. Further details on the type of developments requiring a design statement and the issues that should be addressed will also be set out in supplementary guidance.

Policy DS4: Amenity

All proposed development must have full regard to opportunities for maintaining and improving environmental quality. Development will not be permitted where there is an unacceptable adverse impact on the surrounding area or the environment or amenity of existing or future occupiers of adjoining or nearby properties.

Angus Council will consider the impacts of development on:

- Air quality;
- Noise and vibration levels and times when such disturbances are likely to occur;
- Levels of light pollution;
- Levels of odours, fumes and dust;
- Suitable provision for refuse collection / storage and recycling;

- The effect and timing of traffic movement to, from and within the site, car parking and impacts on highway safety; and
- Residential amenity in relation to overlooking and loss of privacy, outlook, sunlight, daylight and overshadowing.

Angus Council may support development which is considered to have an impact on such considerations, if the use of conditions or planning obligations will ensure that appropriate mitigation and / or compensatory measures are secured.

Applicants may be required to submit detailed assessments in relation to any of the above criteria to the Council for consideration.

Where a site is known or suspected to be contaminated, applicants will be required to undertake investigation and, where appropriate, remediation measures relevant to the current or proposed use to prevent unacceptable risks to human health.

Policy TC14: Employment Allocations and Existing Employment Areas

Within employment land allocations and existing employment areas, planning permission will be granted for Class 4 (Business), Class 5 (General Industry) and Class 6 (Storage and Distribution) uses. In these locations, other uses may be supported if it is demonstrated that:

1. The proposal is complementary or ancillary to an existing or proposed employment use; or
2. The loss of the site would not undermine the provision of employment land in Angus, or land which may be important to retain due to its individual characteristics, regardless of the amount of employment land available; and
3. The proposal would not undermine the operation of existing or proposed employment uses on the whole allocation or existing employment area; and
4. There is no unacceptable impact on the built and natural environment, surrounding amenity, access and infrastructure; and
5. If relevant, the proposal is in accordance with Policy TC19 Retail and Town Centre Uses.

To meet the requirements of points 1, 2 and 3, evidence shall be submitted with the planning application to identify the length of time the site has been marketed for employment use; the forms of marketing undertaken; the inter-relationship of the site with adjacent employment land, and with strategic and local transportation infrastructure; and potential impacts of the future use and occupation of adjacent employment land.

Policy TC17: Network of Centres

Angus Council will seek to protect and enhance the scale and function of the centres as set out in Table 2 below.

A town centre first policy is applied to uses including retail, commercial leisure, offices, community and cultural facilities that attract significant numbers of people. Support will be given to development proposals in town centres which are in keeping with the townscape and pattern of development and which conform with the character, scale and function of the town centres.

All development proposals within a Commercial Centre will have to satisfy criteria within Policy TC19 Retail and Town Centre Uses.

Policy TC19: Retail and Town Centre Uses

Proposals for retail and other town centre uses* over 1000 m² gross floorspace (including extensions) on the edge of or outside of defined town centres (including in out of town locations) will be required to submit relevant assessments (including retail/town centre impact and transport assessments) and demonstrate that the proposal:

- has followed a sequential approach to site selection, giving priority to sites within the defined town centre before edge of centre, commercial centre or out of centre sites which are, or can be made accessible;
- does not individually or cumulatively undermine the vibrancy, vitality and viability of any of the town centres identified in Table 2 in Angus;
- tackles deficiencies in existing provision, in qualitative or quantitative terms; and
- is compatible with surrounding land uses and there is no unacceptable impact on the built and natural environment, surrounding amenity, access and infrastructure.

Proposals for retail and other town centre uses⁸ under 1000 m² gross floorspace (including extensions) on the edge of or outside of defined town centres may be required to submit relevant assessments (including retail / town centre impact, transport and sequential assessments) where it is considered that the proposal may have a significant impact on the vibrancy, vitality and viability of any of the town centres in Angus.

**Town centre uses include commercial leisure, offices, community and cultural facilities.*

Policy PV1: Green Networks and Green Infrastructure

Angus Council will seek to protect, enhance and extend the wildlife, recreational, amenity, landscape, access and flood management value of the Green Network. Development proposals that are likely to erode or have a damaging effect on the connectivity and functionality of the Green Network will not be permitted unless appropriate mitigation or replacement can be secured. In some cases a developer contribution towards enhancement of the wider Green Network may be appropriate.

Green infrastructure (including open space) will require to be provided as part of new development. Proposals should identify the location and nature of the green network in the area and seek to enhance linkages wherever possible.

The location and function of green networks in Angus will be mapped in a Planning Advice Note.

Policy PV3: Access and Informal Recreation

New development should not compromise the integrity or amenity of existing recreational access opportunities including access rights, core paths and rights of way. Existing access routes should be retained, and where this is not possible alternative provision should be made.

New development should incorporate provision for public access including, where possible, links to green space, path networks, green networks and the wider countryside.

Where adequate provision cannot be made on site, and where the development results in a loss of existing access opportunities or an increased need for recreational access, a financial contribution may be sought for alternative provision.

Policy PV5: Protected Species

Angus Council will work with partner agencies and developers to protect and enhance all wildlife including its habitats, important roost or nesting places. Development proposals which are likely to affect protected species will be assessed to ensure compatibility with the appropriate regulatory regime.

European Protected Species

Development proposals that would, either individually or cumulatively, be likely to have an unacceptable adverse impact on European protected species as defined by Annex 1V of the Habitats Directive (Directive 92/24/EEC) will only be permitted where it can be demonstrated to the satisfaction of Angus Council as planning authority that:

- there is no satisfactory alternative; and
- there are imperative reasons of overriding public health and/or safety, nature, social or economic interest and beneficial consequences for the environment, and
- the development would not be detrimental to the maintenance of the population of a European protected species at a favourable conservation status in its natural range

Other Protected Species

Development proposals that would be likely to have an unacceptable adverse effect on protected species unless justified in accordance with relevant species legislation (Wildlife and Countryside Act 1981 and the Protection of Badgers Act 1992) subject to any consequent amendment or replacement.

Further information on protected sites and species and their influence on proposed development will be set out in a Planning Advice Note.

Policy PV7: Woodland, Trees and Hedges

Ancient semi-natural woodland is an irreplaceable resource and should be protected from removal and potential adverse impacts of development. The council will identify and seek to enhance woodlands of high nature conservation value. Individual trees, especially veteran trees or small groups of trees which contribute to landscape and townscape settings may be protected through the application of Tree Preservation Orders (TPO).

Woodland, trees and hedges that contribute to the nature conservation, heritage, amenity, townscape or landscape value of Angus will be protected and enhanced. Development and planting proposals should:

- protect and retain woodland, trees and hedges to avoid fragmentation of existing provision;
- be considered within the context of the Angus Woodland and Forestry Framework where woodland planting and management is planned;
- ensure new planting enhances biodiversity and landscape value through integration with and contribution to improving connectivity with existing and proposed green infrastructure and use appropriate species;
- ensure new woodland is established in advance of major developments;
- undertake a Tree Survey where appropriate; and
- identify and agree appropriate mitigation, implementation of an approved woodland management plan and re-instatement or alternative planting.

Angus Council will follow the Scottish Government Control of Woodland Removal Policy when considering proposals for the felling of woodland.

Policy PV12: Managing Flood Risk

To reduce potential risk from flooding there will be a general presumption against built development proposals:

- on the functional floodplain;
- which involve land raising resulting in the loss of the functional flood plain; or
- which would materially increase the probability of flooding to existing or planned development.

Development in areas known or suspected to be at the upper end of low to medium risk or of medium to high flood risk (as defined in Scottish Planning Policy (2014), see Table 4) may be required to undertake a flood risk assessment. This should demonstrate:

- that flood risk can be adequately managed both within and outwith the site;
- that a freeboard allowance of at least 500-600mm in all circumstances can be provided;

- access and egress to the site can be provided that is free of flood risk; and
- where appropriate that water-resistant materials and construction will be utilised.

Where appropriate development proposals will be:

- assessed within the context of the Shoreline Management Plan, Strategic Flood Risk Assessments and Flood Management Plans; and
- considered within the context of SEPA flood maps to assess and mitigate surface water flood potential.

Built development should avoid areas of ground instability (landslip) coastal erosion and storm surges. In areas prone to landslip a geomorphological assessment may be requested in support of a planning application to assess degree of risk and any remediation measures if required to make the site suitable for use.

Policy PV15: Drainage Infrastructure

Development proposals within Development Boundaries will be required to connect to the public sewer where available.

Where there is limited capacity at the treatment works Scottish Water will provide additional wastewater capacity to accommodate development if the Developer can meet the 5 Criteria*. Scottish Water will instigate a growth project upon receipt of the 5 Criteria and will work with the developer, SEPA and Angus Council to identify solutions for the development to proceed.

Outwith areas served by public sewers or where there is no viable connection for economic or technical reasons private provision of waste water treatment must meet the requirements of SEPA and/or The Building Standards (Scotland) Regulations. A private drainage system will only be considered as a means towards achieving connection to the public sewer system, and when it forms part of a specific development proposal which meets the necessary criteria to trigger a Scottish Water growth project.

All new development (except single dwelling and developments that discharge directly to coastal waters) will be required to provide Sustainable Drainage Systems (SUDs) to accommodate surface water drainage and long term maintenance must be agreed with the local authority. SUDs schemes can contribute to local green networks, biodiversity and provision of amenity open space and should form an integral part of the design process.

Drainage Impact Assessment (DIA) will be required for new development where appropriate to identify potential network issues and minimise any reduction in existing levels of service.

Policy PV18: Waste Management in New Development

Proposals for new retail, residential, commercial, business and industrial development should seek to minimise the production of demolition and construction waste and incorporate recycled waste into the development.

Where appropriate, Angus Council will require the submission of a Site Waste Management Plan to demonstrate how the generation of waste will be minimised during the construction and operational phases of the development.

Development proposals that are likely to generate waste when operational will be expected to include appropriate facilities for the segregation, storage and collection of waste. This will include provision for the separate collection and storage of recyclates within the curtilage of individual houses.