

TAYSIDE AND CENTRAL SCOTLAND TRANSPORT PARTNERSHIP

19 MARCH 2019

DEVELOPMENT PLANNING CONSULTATIONS

REPORT BY STRATEGY OFFICER

This report asks the Partnership to approve the proposed representations to the Cairngorms National Park Local Development Plan 2020 Proposed Plan; approve the proposed representations to the Supplementary Guidance on Developer Contributions being consulted on by Stirling Council; endorse the proposed representations to the Supplementary Guidance on 'Air Quality and Planning', 'Placemaking' and 'Housing in the Countryside' being consulted on by Perth & Kinross Council; and note the officer comments provided to Dundee City Council and Stirling Council in relation to projects contained with the Tactran Delivery Plan.

1 RECOMMENDATIONS

1.1 That the Partnership:

- (i) notes the current status and next key stages of all seven Development Plans within the Tactran region, as outlined in Appendix A;
- (ii) approve the proposed representations to the Cairngorms National Park Local Development Plan 2020 Proposed Plan, as contained in Appendix B;
- (iii) approve the proposed representations to the Supplementary Guidance on Developer Contributions being consulted on by Stirling Council, as contained in Appendix C; and
- (iv) endorse the proposed representations to the Supplementary Guidance on 'Air Quality and Planning', 'Placemaking' and 'Housing in the Countryside' being consulted on by Perth & Kinross Council, as contained in Appendix D;
- (v) note the officer comments provided to Dundee City Council and Stirling Council in relation to projects contained with the Tactran Delivery Plan.

2 BACKGROUND

- 2.1 Cairngorms National Park Planning Authority issued their Local Development Plan Proposed Plan for consultation on 25 January 2019 requesting representations by 5 April 2019.
- 2.2 Perth and Kinross Council issued a number of draft [Supplementary Guidance documents for consultation](#) on 31 January 2019 requesting representations by 14 March 2019. The supplementary guidance being consulted on included that relating to 'Air Quality and Planning', 'Placemaking' and 'Housing in the Countryside'.

- 2.3 Stirling Council issued supplementary guidance on '[Developer Contributions](#)' on 7 February 2019, requesting representations by 10 May 2019.
- 2.4 A planning application submitted by Stirling Council for 'Construction of a new road, including a pedestrian and cycle route involving engineering and landscaping works at Viewforth', was open for comment between 22 January 2019 and 22 February 2019.
- 2.5 Dundee City Council issued consultation on '[Dundee Western Gateway - Draft Development Framework](#)' on 19 February 2019, with any comments sought by 2 April 2019.

3 DISCUSSION

Summary of All Local and Strategic Development Plans in Tactran region

- 3.1 The current status and the next key stages for each of the seven Development Plans within the Tactran region is summarised in Appendix A for members' awareness and information.

Cairngorms National Park Proposed Local Development Plan 2020

- 3.2 The Proposed Cairngorms National Park Local Development Plan 2020 is the National Park's settled view on the land use strategy, policy framework and proposals that should be contained in their Local Development Plan for the period 2020 to 2025. The Proposed Plan identifies sites for future development together with the scale of development on each site. It also specifies what developers are required to do when designing and delivering development and emphasises the need for good master planning of the strategic development sites.
- 3.3 Representations received by the National Park are used to help them decide on whether or not to make modifications to the plan prior to submission to Scottish Ministers.
- 3.4 Tactran officers have been involved throughout the development of the 2020 LDP with comments provided during the Main Issues Report stage (Report RTP/18/13 refers). Consequently Tactran welcomes and supports the general aims and content of the proposed plan and the majority of representations submitted are supportive, with only a limited number of issues where a change has been requested. Tactran also notes the publication of the supporting information alongside the proposed LDP.
- 3.5 The representations made in reference to the Proposed Plan are contained in Appendix B.

Stirling Council LDP Supplementary Guidance on 'Developer Contributions'

- 3.6 Stirling Council is undertaking a review of all its Supplementary Guidance documents following the adoption of its new Local Development Plan on October 2018. Supplementary Guidance documents support policies within the Local Development Plan by providing more detailed information.
- 3.7 On Thursday 7 February 2019, the Environment and Housing Committee approved draft supplementary guidance on Developer Contributions for public consultation.
- 3.8 Developer contributions are paid by developers in certain circumstances to mitigate the impact of their development and to help deliver affordable housing. The draft supplementary guidance sets out the circumstances in which financial or other contributions will be sought from new developments towards education; transport; affordable housing; waste management; open space; and health care facilities. It also proposes the level of contribution required.
- 3.9 In setting out this detail, the supplementary guidance seeks to provide developers with more certainty as to what level of contributions the Council will require as part of planning applications for new development.
- 3.10 Tactran's proposed response is included as Appendix C.

Perth and Kinross LDP Supplementary Guidance

- 3.11 Perth and Kinross Council have issued a number of draft Supplementary Guidance documents for consultation. These include:
- [Air Quality & Planning](#)
 - [Housing in the Countryside](#)
 - [Placemaking](#)
- 3.12 Supplementary Guidance expands upon existing policies and proposals and is used to support the content of the Local Development Plan. It is particularly important when extensive detail is required for a specific policy area or strategic development site.
- 3.13 As the deadline for submissions is 14 March 2019, officer responses have been submitted under the proviso that their endorsement will be sought from the Partnership meeting of 19 March 2019. The officer submission is included as Appendix D.

Construction of a new road including a pedestrian and cycle route involving engineering and landscaping works, Viewforth, Stirling

- 3.14 Stirling Council have submitted a planning application (19/00037/FUL) for the above proposal which is included in the RTS Delivery Plan, approved by the Partnership on 14 June 2016 (Report RTP/16/19 refers).

- 3.15 Accordingly an officer response was submitted during the consultation period stating:

“Tactran would like to express its support in principle for the above application. The proposal ‘Viewforth Link Road and public realm improvements to adjacent City Centre streets’ is contained within the Regional Transport Strategy (RTS) Delivery Plan (Project Ref:SC7.7) approved by the Tactran Partnership Board in June 2016 in recognition of its ability to support the RTS objectives.”

Dundee Western Gateway - Draft Development Framework

- 3.16 Further to a consultation workshop in August 2018, Dundee City Council has published a Draft Development Framework for the Dundee Western Gateway to help guide future development of the area.
- 3.17 The transport package associated with the Dundee Western Gateway is included in the RTS Delivery Plan, approved by the Partnership on 14 June 2016 (Report RTP/16/19 refers). Accordingly, it is proposed that an officer response be submitted which supports the Draft Framework.

4 CONSULTATIONS

- 4.1 This report has been prepared in consultation with the local authority officers.

5 RESOURCE IMPLICATIONS

- 5.1 There are no resource implications arising directly from this report.

6 EQUALITIES IMPLICATIONS

- 6.1 This report has been screened for any policy implications in respect of Equality Impact Assessment and no major issues have been identified.

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NOTE

The following background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (and not containing confidential or exempt information) were relied on to a material extent in preparing the above Report.

Dundee City Council: Dundee Western Gateway - Draft Development Framework

Report to Partnership RTP/16/19, Review of RTS Delivery Plan, 14 June 2016

Report to Partnership RTP/18/13, Development Planning Consultations, 27 March 2018

Proposed Cairngorms National Park Local Development Plan 2020

Perth & Kinross Draft Supplementary Guidance

Stirling Council Draft Developer Contributions Supplementary Guidance

Planning Application 19/00037/FUL: Construction of a new road including a pedestrian and cycle route involving engineering and landscaping works, Viewforth, Stirling

Status of Development Plans

Planning Authority	Plan Status	Next Key Stage
Angus Council	Local Development Plan 2016 – 2026 was adopted September 2016. Action Plan published December 2016	Main Issues Report for next LDP to be prepared Q2 2019.
Dundee City Council	Dundee Local Development Plan 2 (as modified) was adopted by Council on 15 February 2019	Ongoing monitoring via action programme. Supplementary Guidance awaiting Scottish Government approval before adoption.
Perth & Kinross Council	Consultation on Proposed Plan ended on 2/2/18. Plan submitted to DPEA for examination. Consultation on Supplementary Guidance from 31/1/19 – 14/3/19.	Council to consider view of DPEA/Ministers and plan will then be adopted by Council
Stirling Council	Modified plan approved by Council on 3/5/18.	
Loch Lomond and the Trossachs National Park Authority	Local Development Plan 2017-2021 adopted December 2016. Action Programme published March 2017. Supplementary & Planning Guidance documents being finalised and adopted.	Pre-Main Issues Report Engagement scheduled for late 2018/early 2019 through to Q3 2019. MIR to be published Q4 2019.
Cairngorms National Park Authority	Proposed Plan (LDP2) was published in January 2019.	Consultation on proposed plan from 25 January 2019 - 5 April 2019
TAYplan	Strategic Development Plan (2016-36) approved by Scottish Ministers October 2017. Approved Action Programme published Jan 18.	Ongoing monitoring. Action Programme to be updated annually.

Cairngorms National Park – Proposed Local Development Plan 2020-2025

Vision

Tactran supports the board principals outlined with the Vision section of the plan, in particular Tactran supports the statement that “*making sure new development is well connected to core paths and other off-road routes*” as this will encourage the uptake of active travel modes. It would perhaps be better if this section also confirmed that new developments will be accessible by public transport and where this is not possible other alternatives to private car use are included within any development proposal.

Spatial Strategy

Tactran agrees that the improvements to strategic transport infrastructure such as the A9 dualling and Highland Main Line upgrades will be a benefit to many of the communities with the CNP, however it is important to note that travel by private car should not be prioritised over other more sustainable transport modes. Tactran also supports the principal that development is focused on the main settlements as dispersed development in rural areas can be problematic from a transport perspective with access to essential services difficult to provide.

Policies

In general, Tactran are supportive of the policies in the proposed LDP. Within the [Tactran Monitoring report](#), the compatibility of the Regional Transport Strategy to all seven of the Development Plans within the region was summarised as part of Indicator I2. This has been updated in Table 1 below to reflect the policies contained within the proposed Cairngorms National Park LPD 2020-2025.

Table 1

Indicator I2 Compatibility of SDP, LDPs and National Park Plans with RTS objectives						
	Tactran RTS Objectives					
	1. Economy	2. Accessibility, Equity & Social Inclusion	3. Environment	4. Health & Wellbeing	5. Safety & Security	6. Integration
Cairngorms LDP (adopted 2015) link		P2 Supporting Economic Growth	P3 Sustainable Design			Spatial Strategy P2 Supporting Economic Growth
Proposed Cairngorms LDP 2020-2025 link	11 Developer Obligations	2 Supporting Economic Growth	3 Design & Placemaking			Spatial Strategy 2 Supporting Economic Growth

Policy 1: New housing development

Tactran is generally supportive of this policy as it prioritises housing using a tiered settlement approach to allow the right amount of growth, in the right place, while meeting the demands of communities. For housing in smaller rural settlements and within the countryside, it should be noted that access to services and sustainable transport should be considered as part of any development proposals and that

existing access and connectivity issues are not exacerbated with appropriate mitigation included as part of the development. This is also true for brownfield developments where there is potential for significant development and transport and access to services should be considered as part of the development management process.

Policy 2: Supporting economic growth

Tactran is supportive of the sequential and ‘town centre first’ approach taken to the locations of high footfall generating development as this will ensure that such developments are more accessible by sustainable modes. However, for developments in more rural locations the accessibility and sustainable transport requirements should be considered.

Policy 3: Design and Placemaking

Tactran supports the requirement for larger developments to be supported by a masterplan or development brief. However, this should also be supported by an appropriate Transport Assessment or Statement. This will ensure that a development considers access by all modes of transport and identifies ways to promote active and sustainable travel and reduce the reliance on private cars. Provision of infrastructure to support the uptake of ultra-low emission vehicles and enable shared mobility schemes such as car clubs, should also be provided within developments. Tactran also supports the general principals of design and placemaking that are outlined in this policy as they accord with the Scottish Governments Designing Streets policy document.

Policy 4: Natural heritage

No comments

Policy 5: Landscape

No comments

Policy 6: The siting and design of digital communications equipment

No comments

Policy 7: Renewable energy

No comments

Policy 8: Open space, sport and recreation

Tactran supports this policy in relation to maintaining and maximising opportunities for developments to link to existing active travel networks. Using active travel networks for utility journeys as well as recreational use should be supported.

Policy 9: Cultural heritage

No comments

Policy 10: Resources

No comments

Policy 11: Developer obligations

Tactran supports the principle of developer contributions being used to improve off site transport provision and infrastructure, including active travel.

It is noted that Supplementary Guidance will be produced providing more detail on the implementation of this policy and Tactran would welcome an opportunity to be consulted on that as it is developed.

Settlements

Tactran previously provided comments during the Main Issues Report stage on some of the settlements that are within the Tactran region which have largely been reflected in the Proposed LDP. However, Tactran would wish provide the following additional comments on the proposed plan's settlement objectives.

Blair Atholl

Tactran welcomes the support for improving active travel both within the settlement and for active travel to provide viable links to surrounding settlements. This will enable improvements to the active travel network brought about by the A9 dualling project to be maximised for the settlement. Similarly, Tactran welcomes the objective of supporting inward investment opportunities that can take advantage of the connectivity improvements that will result from both the A9 dualling project and upgrades to the Highland Main Line (including timetabling and journey time improvements).

Calvine

Tactran welcomes the support for improving active travel both within the settlement and for active travel to provide viable links to surrounding settlements. This will enable improvements to the active travel network brought about by the A9 dualling project to be maximised for the settlement. However, potential changes to vehicular access to Calvine resulting from the A9 dualling project should also be reflected.

Bruar & Pitagowan

Tactran welcomes the support for improving active travel both within the settlement and for active travel to provide viable links to surrounding settlements. This will enable improvements to the active travel network brought about by the A9 dualling project to be maximised for the settlement. However, taking advantage of the improvement in accessibility resulting from the A9 dualling project, including the potential grade separated junction at Bruar, should be reflected in the settlement objectives.

Killiecrankie

Tactran welcomes the support for improving active travel both within the settlement and for active travel to provide viable links to surrounding settlements. This will enable improvements to the active Travel network brought about by the A9 dualling project to be maximised for the settlement.

Glenshee

Tactran supports the objectives that look to enhance the visitor experience and facilitate appropriate economic growth. However, it would be worth noting that the potential impacts of additional visitors and vehicular traffic on infrastructure will require to be appropriately managed.

Proposed Response to Stirling Council's consultation on 'Developer Contributions' Supplementary Guidance

Your comments on the Supplementary Guidance:

Please specify which page or paragraph your comments relate to:

The process developed by Stirling Council for seeking developer contributions to enable mitigation of the direct and cumulative impacts of the travel demands generated by new development is supported. Tactran's comments primarily relate to extending the proposed scope of the contributions process:

3.3 "improvements to Pirnhall will not require funding from developments across city"

Given that a reasonable proportion of the growth in traffic at M9 Junction 9 Pirnhall (which any improvements at Pirnhall should take into account) will be from development around Stirling City, it may be useful to extend the developer contributions process so that contributions are sought from development around the City. Hence improvements to infrastructure in and around Pirnhall is funded by:

- major developments adjacent to Pirnhall and
- development from around the City

P18: 3.9 "Note:...Only sectors C1-C9 contain transportation projects as identified in the City Area Transport Plan...."

It is noted that the City Area Transport Plan (CATP) does include projects within C11(South Stirling), C14(Falin), C15(Cowie) and C16(Plean). So, is it the intention that developer contributions would not be collected to bring forward CATP projects to mitigate against the impact development may have in these areas? For example:

- CATP Projects in C11 include:
 - Improvements along A872, Glasgow Road
 - South Stirling park and ride site identified in LDP/LTS/RTS
- CATP projects in C14/C15/C16 include:
 - active travel links between Plean/Cowie/ Fallin and the City
 - safer routes to school and other local facilities in Plean/Cowie/ Fallin

It is suggested that these examples in the CATP do contribute to managing the travel demand of development both in their sectors and/or across the city, and the Council may wish to consider whether these sectors do not accumulate a contributions pot. The consequence of the proposed process is that Cowie/Fallin/Plean will be required to contribute to improvements in C1-C9, but not benefit from the ability to build a contributions pot for improvements within their localities. NB it is noted that no contributions will effectively be sought for mitigation measures in Cambusbarron.

p19 Table 2 'Trip Rates for Sectors'

To help understand the amended contributions process (especially in relation to the current process), it would be useful to clarify whether new development is:

- Are being asked to contribute to the total cost of the City Area Transport Plan measures identified (recognising that the CATP measures are only required as a consequence of the proposed development) OR
- Are being asked to contribute to a % of the total costs of the City Area Transport Plan measures identified, with other funding sources expected also to meet some of the cost.

Table 2 identifies trip rates for different sectors and major schemes. It is suggested:

- consideration be given to including Pirnhall improvements within this table (see comments relating to para 3.3 above). Furthermore, recognising the impacts of both development around the City AND those adjacent to Pirnhall (e.g. South Stirling Gateway and Durieshill) on A91 and A872 (e.g. between Greencornhills and Pirnhall on the A91; and FES roundabout and Pirnhall on the A872) then it is suggested that improvements to these roads also be included within this 'Pirnhall' package. i.e. the improvements to infrastructure in and around Pirnhall is funded by:
 - major developments adjacent to Pirnhall and
 - development from around the City
- The contributions for Kildean-Cornton Road Link and Cornton Road to Airthrey Road link stand out compared to the other contribution rates. This may be presentational if the total contributions sought from a development under the amended guidance do not differ greatly from the level of contributions sought under the current guidance. However:
 - Is the funding for these projects intended to be met entirely by the developer contributions process?
 - The benefit of Kildean-Cornton Road Link and Cornton Road to Airthrey Road Link would be felt across the entire City (due to the scale of displacement). Indeed this is a principle that may apply to A91 project as well.
 - Developments that are close to Kildean-Cornton Road Link and Cornton Road to Airthrey Road Link may be asked to pay significantly more than other developments around the City (and hence stifle development in these areas)

So, there may be an argument that the cost of all major projects should apply to (most) development in the City even if that development doesn't generate trips that will use that specific infrastructure.

p20 para 3.10-3.11 Development in an area Served by Demand Responsive Transport

A key issue transport issue raised by development in more remote areas is for the ability of everyone, including those without access to a car to access these developments (even in our rural areas this can be as high as e.g. 19.4% in Buchlyvie). Seeking developer contributions to those solutions which enable equality of access in our rural areas is supported. It is suggested that those solutions may be broader than just Demand Responsive Transport. Accordingly the Council may want to consider expanding the scope of this section to enable other access solutions to be funded if they are more applicable to local circumstances/opportunities than DRT.

What changes should be made to the Supplementary Guidance?

p16 Introductory text: paras 3.1-3.5

To help understand the amended contributions process (especially in relation to the current process), it would be useful to clarify whether new development is:

- Are being asked to contribute to the total cost of the City Area Transport Plan measures identified (recognising that the CATP measures are only required as a consequence of the proposed development) OR
- Are being asked to contribute to a % of the total costs of the City Area Transport Plan measures identified, with other funding sources expected also to meet some of the cost.

While it is assumed that the intention is to review the City Area Transport Plan in line with the Local Development Plan, the guidance should note that:

- other statutory processes may identify and seek to bring forward infrastructure projects to enable and mitigate the travel demands generated by new development in Stirling and hence
- the CATP contributions may be reviewed if such projects are deemed necessary to enable and mitigate the travel demands generated by new development in Stirling

p16 3.3 “improvements to Pirnhall will not require funding from developments across city”

It may be useful to consider applying the developer contributions process to help cover the any required improvements at M9Junction9 Pirnhall.

p18: 3.9 “Note:....Only sectors C1-C9 contain transportation projects as identified in the City Area Transport Plan....”

It is suggested that the process enables developer contributions to be collected for areas beyond sectors C1-C9, including C11(South Stirling), C14(Falin), C15(Cowie) and C16(Plean).

p19 Table 2 ‘Trip Rates for Sectors’

It is suggested that:

- If the rates being applied to Kildean-Cornton Road Link and Cornton Road to Airthrey Road Link do not result in a significantly higher rate of contributions than previously, then this is clarified AND/OR
- The Council considers spreading the cost of the major projects across all beneficiaries, not just those that directly use that particular infrastructure

P20 para 3.10-3.11 Development in an area Served by Demand Responsive Transport

It is suggested that those solutions for which contributions may be used be broadened beyond Demand Responsive Transport.

P 39 Appendix 2: “would it be helpful to use an example of the type, size and location of development that would generate that trip rate and hence contribution”

Perth & Kinross Council – Draft Supplementary Guidance

Air Quality & Planning

The draft Air Quality & Planning Supplementary Guidance provides detailed information on how air quality will be considered as part of the development management process. It also includes detailed technical guidance on conducting Air Quality Impact Assessments.

Tactran's comments are limited to the main section of the Guidance and we have no comments to make on the more technical aspects of AQIA implementation.

Tactran supports the general policies proposed to manage air quality in Perth and Kinross and notes that many of the key issues relate to transport and in particular vehicular traffic. Measures to reduce vehicular traffic align with Tactran's objectives as well as policies that promote the uptake of ultra-low emission vehicles. However, more information should be provided on the national and regional context of sustainable and active travel including Perth & Kinross Council's Active Travel Strategy which all support a mode shift from car use to sustainable travel which will have a direct impact on air quality across Perth & Kinross.

Section 4.3: Section 75 Planning Obligations

This should reflect the Council's developer contributions policy which will assist in delivering all phases of Perth's Transport Future which by reducing City Centre traffic within Perth will have a positive impact on air quality.

Best Practice Design Principles [Box 5]

Detailed information is reproduced from EPS Guidance that has specific site requirements in terms of EV charging infrastructure along with travel planning guidance. However, it is stated that this "May not always be applicable for Perth & Kinross Council" and it would be useful if it was clarified which elements would apply and in what circumstances.

Draft Placemaking Guide

Tactran supports the general principles of placemaking as outlined in the draft guidance however we would wish to make the following comments regarding specific sections of the draft document.

Draft Site Appraisal (page 5)

While access and multi modal transport are noted for consideration, this section should reflect that larger sites will require a Transport Appraisal or Statement to be produced that will also cover these subjects.

Accessibility and Permeability (page 35-38)

Transport Assessment: This section doesn't adequately explain the Transport Assessment process and should reflect other guidance issued. It should also reflect Designing Streets policy. In the context of placemaking, it may be useful to include this as part of a Quality Audit type process.

Streets: The section on street design should better reflect the Designing Streets policy document while taking cognisance of the current debate around the appropriate use of shared space designs.

Cycle Routes and Cycle Friendly Infrastructure: This should reflect national guidance and best practice as published by Sustrans and Cycling Scotland. The Council's Active Travel Strategy should also be referenced.

Housing in the Countryside

Tactran supports the general principles outlined in this draft Statutory Guidance. For housing in smaller rural settlements and within the countryside, it should be noted that access to services and sustainable transport should be considered as part of any development proposals and that existing access and connectivity issues are not exacerbated with appropriate mitigation included as part of the development.

This is also true for brownfield developments where there is potential for significant development and transport and access to services should be considered as part of the development management process.