

**REPORT TO: PLANNING AND TRANSPORTATION COMMITTEE
17 DECEMBER 2001**

**REPORT ON: SCOTTISH EXECUTIVE CONSULTATION DOCUMENT –
REMOVING THE SPECIAL PROTECTION OF PRIME
AGRICULTURAL LAND FROM DEVELOPMENT**

REPORT BY: DIRECTOR OF PLANNING AND TRANSPORTATION

REPORT NO: 777-2001

1 PURPOSE OF REPORT

- 1.1 To review the Consultation Document 'Removing the Special Protection of Prime Agricultural Land from Development' and confirm this Council's response to the Scottish Executive.

2 RECOMMENDATIONS

- 2.1 It is recommended that the Committee:
- Agrees that the comments contained in Appendix 1 of this Report be forwarded to the Scottish Executive in response to its Consultation document.

3 FINANCIAL IMPLICATIONS

- 3.1 There are no financial implications from this Report.

4 LOCAL AGENDA 21 IMPLICATIONS

- 4.1 The Local Agenda 21 implications of this Report cover a very wide range of key themes. In particular, local needs are met locally, the diversity of nature is valued and protected, issues of sustainable development and the efficient use of resources.

5 EQUAL OPPORTUNITIES IMPLICATIONS

- 5.1 No equal opportunity implications are associated with this Report.

6 BACKGROUND

- 6.1 Prime quality agricultural land (*1) has been regarded by successive governments as a limited resource of national importance. As a result, for many years the planning system has protected it from irreversible development. The current Scottish Executive policy states that the best and most versatile land should not be built on unless there is no other suitable site for the purpose (Circulars 18/1987 and 25/1994 refer). This is reflected in both the current Tayside Structure Plan 1993 and the emerging joint Dundee and Angus Structure Plan.

(*1) Prime Quality Agricultural Land – Agricultural land identified as being of class 1, 2 or 3.1 in the land capability classification for agriculture as developed by the Macaulay Land Use Research Institute, Aberdeen.

- 6.2 The result of this is that the Scottish Executive scrutinises structure plans, local plans and individual proposals to develop larger areas of prime agricultural land not identified for development in such plans. Local authorities are required to consult the Executive when preparing structure and local plan policies for locally important agricultural issues and, in certain circumstances, there is a requirement to notify Scottish Ministers (see Appendix II). While no such cases have been notified in the last five years, a number have been resolved at local level.
- 6.3 Over the years, there have been a number of Government reviews of the need to retain as much of the best quality agricultural land as we do. These have been undertaken in recognition of the fact that many agricultural products are currently now in surplus and the resulting need to encourage the diversification of the rural economy. There has, as a result, been a trend towards the relaxation of this policy and the Executive now believes that the retention of blanket planning protection for such agricultural land can no longer be justified on agricultural grounds alone.

Proposal

- 6.4 The Scottish Executive therefore proposes to remove national protection for prime quality agricultural land. Local authorities would therefore be given flexibility to determine for themselves whether such land should be used for new development. The requirement to consult on planning applications and refer certain relevant applications for Scottish Ministers' consideration would be removed.
- 6.5 One of the Executive's main objectives is sustainable development and the planning system will continue to play a major role in achieving this. Relevant planning policies and wider Executive objectives would still have to be taken into account when the development of prime quality agricultural land is being considered. These would include environmental and landscape issues including important policies on Green Belts, housing in the countryside and settlement and transport policies.

Dundee City Council Position

- 6.6 While there may presently be some surplus in certain areas of agricultural production, it could be short sighted to conclude that it is justifiable to downgrade the status of an irreplaceable national asset which constitutes only 5.8% of the land area of Scotland. It is accepted however, that there will be instances where other considerations at a local level may dictate this necessity.
- 6.7 While Dundee City Council remains committed to the principles of sustainability, it also supports the principle that decisions on development should be made locally without the requirement for reference to the Scottish Executive unless there are broader strategic issues involved. The Council will, nevertheless, continue to give the most serious consideration to all proposals affecting substantial area of prime agricultural land, before agreeing to its irreversible development.
- 6.8 In the circumstances, the Council should therefore support the proposed change of position outlined by the Scottish Executive. While concurring that prime quality agricultural land is an important national resource, it is only one of a number of factors that require to be considered in the pursuit of a sustainable development strategy. This is particularly true in the Dundee area where much of the City is surrounded by land that generally falls into this category.

6.9

7 CONSULTATIONS

7.1 The Chief Executive, Director of Finance, Director of Support Services, Director of Corporate Planning and Director of Leisure and Parks, have been consulted and are in agreement with the contents of this report.

8 BACKGROUND PAPERS

8.1 'Removing the Special Protection of Prime Agricultural Land from Development' Scottish Executive, 2001.

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7 December 2001

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APPENDIX 1

It is proposed that the following answers be provided to the Scottish Executive in response to the questions included in their consultation document.

QUESTIONS ON WHICH COMMENTS ARE REQUESTED

Q1 Should the Executive remove the national protection it gives under the planning system to prime agricultural land?

Yes. In the circumstances, where there are surpluses in many agricultural products and diversification of the rural economy is being encouraged, it may no longer be necessary to retain blanket protection for prime quality agricultural land. This is particularly relevant in areas like Dundee where the predominant amount of surrounding Greenfield land falls into this category and additional factors require to be taken into account in considering development options.

Q2 Would the removal of the national protection for prime quality agricultural land seriously affect the Executive's objective of sustainable development? If so, how?

No. While concurring that prime quality agricultural land is an important resource, it is only one of a number of factors that require to be considered in the pursuit of a sustainable development strategy. Dundee City Council remains committed to the principles of sustainability. However, it supports the principle that decisions on development should be made locally without the requirement for reference to the Scottish Executive unless there are broader strategic issues involved.

APPENDIX II**EXTRACT FROM CIRCULAR 4/1997****DESCRIPTION OF DEVELOPMENT FOR WHICH APPLICATION MUST BE NOTIFIED TO THE SECRETARY OF STATE****Agricultural Land**

Development which would involve a change of use of 10 hectares or more of agricultural land identified as being of class 1, 2 or 3.1 in the land capability classification for agricultural, as developed by the Macaulay Land Use Research Institute, Aberdeen where

- a either the development would be contrary to a local plan which has been adopted or approved, or no local plan has been adopted or approved, and
- b either an officer of The Scottish Agriculture, Environment and Fisheries Department, on being consulted by the planning authority, has advised against granting permission, or no such officer has been consulted.