

ITEM No ...6.....

REPORT TO: CITY DEVELOPMENT COMMITTEE – 10 DECEMBER 2018

REPORT ON: DUNDEE LOCAL DEVELOPMENT PLAN 2 – SUPPLEMENTARY GUIDANCE

REPORT BY: EXECUTIVE DIRECTOR OF CITY DEVELOPMENT

REPORT NO: 370-2018

1 PURPOSE OF REPORT

- 1.1 This report summarises the representations received to the three proposed items of supplementary guidance on air quality; developer contributions; and householder development from the period of public consultation and seeks approval of the proposed modifications to the wording of the guidance in response to the representations.
- 1.2 The summary of the issues raised and proposed modifications are listed in Appendix 1. Copies of the 3 items of supplementary guidance, as modified for adoption, have been circulated to the Lord Provost and all group Leaders. All documents can be accessed via www.dundee.gov.uk/localdevplan2.

2 RECOMMENDATION

- 2.1 It is recommended that the Committee:
- a notes the summary of the issues raised in the representations received to the proposed supplementary guidance on air quality; developer contributions; and householder development; the response to these by the Council; those modifications required by the Reporters in the Examination Report on the Proposed Dundee Local Development Plan 2, and approves the proposed modifications as set out in Appendix 1;
 - b agrees to the adoption of the supplementary guidance as modified following completion of the required pre-adoption procedures; and
 - c remits the Executive Director of City Development to submit a copy of the supplementary guidance to Scottish Ministers together with the relevant statements as required by the Town and Country (Development Planning) (Scotland) Regulations 2008 and to complete the required pre-adoption procedures.

3 FINANCIAL IMPLICATIONS

- 3.1 There are no financial implications arising from this report.

4 BACKGROUND

- 4.1 Items of supplementary guidance are planning policy documents that provide further information or detail in respect of policies or proposals set out in the Local Development Plan. The Dundee Local Development Plan 2014 was supported by 3 items of supplementary guidance covering Air Quality; Developer Contributions; and Householder Development. Their status falls on adoption of the new Plan and it is therefore necessary to consult on and readopt each item in the context of the new Plan. All the supplementary guidance has been reviewed and updated where necessary. It is intended that these items are carried forward to support the Dundee Local Development Plan 2.

4.2 Consultation

- a The City Development Committee approved the three items of draft supplementary guidance at its meeting on 21 August 2017 (Report 215-2017 refers) and agreed to a 6 week period for representations. Following on from this the representations received were collated and officers have prepared the council's proposed response to the representations. The comments received and the council's proposed response to those comments are set out in Appendix 1.
- b Responses were received from 5 respondents. These comments were generally supportive of the supplementary guidance although some respondents suggested modifications to the text. As detailed in Appendix 1 some of these modifications were supported and the supplementary guidance has been updated accordingly.
- c The consultation took place in August and September 2017. Officers have waited until the publication of the Examination Report on the Proposed Dundee Local Development Plan 2 before reporting the outcome of the consultation to Committee. This was to allow any changes required by the Reporters to be made before finalising the documents. As detailed in Appendix 1, the Examination Report did require some changes to the supplementary guidance and the guidance has been updated accordingly.

4.3 Strategic Environmental Assessment

- a In parallel to the preparation of the supplementary guidance the council is required to comply with the requirements and procedures of the Environmental Assessment (Scotland) Act 2005. The preliminary stage requires the council as the responsible authority to prepare a summary of its views as to whether or not the items of supplementary guidance are likely to have significant environmental effects.
- b At its meeting on 25 June 2018 the City Development Committee approved the screening summary reports and the procedures necessary to comply with the requirements of the Environmental Assessment (Scotland) Act 2005. Those procedures have now been undertaken and the strategic environmental assessment process is complete.

4.4 Habitats Regulations Assessment

- a A Habitats Regulations Assessment in accordance with the Conservation (Natural Habitats) Regulations 1994, as amended requires that an Appropriate Assessment be undertaken where a land use plan is likely to have significant effects on a European Site (either alone or in combination with other plans or projects). All of the items of supplementary guidance have been screened for the likelihood that they have a significant effect on a European site. The screening process concluded that none of the guidance will have a likely significant effect on any European Site. Accordingly, appropriate assessment has not been undertaken. The screening process is recorded within the Finalised Habitats Regulations Assessment for the Proposed Dundee Local Development Plan 2.

5 POLICY IMPLICATIONS

- 5.1 This Report has been screened for any policy implications in respect of Sustainability, Strategic Environmental Assessment, Anti-Poverty, Equality Impact Assessment and Risk Management. There are no major issues.

6 CONSULTATIONS

- 6.1 All members of the Council Management Team have been consulted and are in agreement with the contents of this report.

7 BACKGROUND PAPERS

- 7.1 Finalised Habitats Regulations Assessment for the Proposed Dundee Local Development Plan 2.
- 7.2 Examination Report on the Proposed Dundee Local Development Plan 2

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28 November 2018

Dundee City Council
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APPENDIX 1

DUNDEE LOCAL DEVELOPMENT PLAN 2 – SUPPLEMENTARY GUIDANCE – CONSULTATION SUMMARY

Supplementary Guidance Air Quality and Land Use Planning
Body or person(s) submitting a representation raising the issue (including reference number):
<p>Scottish Environmental Protection Agency (SEPA) (01) Scottish Natural Heritage (SNH) (02) Historic Environment Scotland (HES) (03) Tayside and Central Scotland Transport Partnership: Tactran (7)</p>
Planning Authority's Summary of the Representation(s)
<p><u>Scottish Environmental Protection Agency (SEPA) (01)</u></p> <p>The Council's document, Air Quality and Land Use Planning Supplementary Guidance, links well with the Dundee LDP Air Quality Policy by outlining the main air quality issues facing Dundee and offering guidance to developers and applicants.</p> <p><u>Scottish Natural Heritage (02)</u></p> <p>Supplementary Guidance should promote the value of green spaces and appropriate planting in mitigating poor air quality.</p> <p><u>Historic Environment Scotland (03)</u></p> <p>Welcome the preparation of this Guidance but have no detailed comments to offer.</p> <p><u>Tayside and Central Scotland Transport Partnership: Tactran (7)</u></p> <p>Chapter 10: Appendix Proforma (Form 1) - transport appraisal considers all modes of transport rather than traffic impact assessment.</p> <p>Chapter 10: Appendix Proforma (Form 1): active travel and public transport modes are afforded priority within LDP policies promoting sustainable access and development and could also be used in mitigation.</p> <p>Chapter 11: Additional Information - reason is Tactran RTS Refresh contains policies and proposals aimed at helping to meet or better all statutory air quality requirements in the Tactran region.</p>
Modifications Sought By Those Submitting Representations
<p><u>Scottish Environmental Protection Agency (SEPA) (01)</u></p> <p>None.</p> <p><u>Scottish Natural Heritage (02)</u></p> <p>Paragraph 9.2: Add "the use of greenspace and landscaping is encouraged as they can contribute to improvement of air quality" to the final sentence.</p>

Historic Environment Scotland (03)

None.

Tayside and Central Scotland Transport Partnership: Tactran (7)

Chapter 10: Appendix – Proforma (Form 1) (page 12): Roads and Traffic Section - reference should be to a transport appraisal rather than traffic impact assessment.

Chapter 10: Appendix – Proforma (Form 1) (page 12): Roads and Traffic Section - another criterion should be added “What active travel and public transport proposals are proposed”.

Chapter 11: Additional Information (page 13): add in reference to Tactran Regional Transport Strategy 2015-2036 Refresh.

Summary of Responses (Including Reasons) By Planning AuthorityScottish Environmental Protection Agency (SEPA) (01)

Comment noted with thanks.

Scottish Natural Heritage (02)

The comments are welcomed and the supplementary guidance has been altered accordingly.

Historic Environment Scotland (03)

Comment noted with thanks.

Tayside and Central Scotland Transport Partnership: Tactran (7)

The comments are welcomed and the supplementary guidance has been altered accordingly.

Modifications

Paragraph 9.2: Add “the use of greenspace and landscaping is encouraged as they can contribute to improvement of air quality” to the final sentence.

Chapter 10: Appendix – Proforma (Form 1) (page 12) - Roads and Traffic Section. Reference should be to a transport appraisal rather than traffic impact assessment.

Chapter 10: Appendix – Proforma (Form 1) (page 12) - Roads and Traffic Section. Another criterion should be added “What active travel and public transport proposals are proposed”.

Chapter 11: Additional Information (page 13) - add in reference to Tactran Regional Transport Strategy 2015-2036 Refresh.

Supplementary Guidance Developer Contributions

Body Or Person(S) Submitting A Representation Raising The Issue (Including Reference Number)

Scottish Natural Heritage (02)
 Tayside and Central Scotland Transport Partnership: Tactran (7)
 Homes for Scotland (08)
 Stewart Milne (39)

Planning Authority's Summary of The Representation(S)

Scottish Natural Heritage (02)

Guidance is welcome however it should provide more specific information and locations of where green infrastructure contributions are required.

Tayside and Central Scotland Transport Partnership: Tactran (7)

To make the supplementary guidance consistent with Policy 57 of Proposed Dundee Local Development Plan 2 suggest that "Transportation Interchanges" is added to the list of items for which the Council may seek developer contributions.

Homes for Scotland (08)

Seeks Supplementary Guidance to reflect issues raised in relation to Policy 2 and Policy 20 of Local Development Plan.

Policy 2 - Considers Policy 2 to be disproportionate in terms of its value to the city and create unnecessary hurdles to the delivery of brownfield projects.

Indicates that developers continue to face funding pressures that severely restrict their ability to deliver all the potential housing sites across the city without a flexible and pragmatic application of policies 2 and 20.

Policy 20 should be refined to give further emphasis for the need to seek developer contributions only in circumstances where this will not undermine the viability of the housing proposal.

Stewart Milne (39)

Indicates that there needs to be a clearer understanding of development costs at start of project in order to secure appropriate funding with a suggestion to ensure viability of the project through phased contributions.

Page 6: monitoring developer contributions – it is considered essential that clear parameters are set for the holding and spending of contributions through the Supplementary Guidance to ensure transparency. A timescale should be set to spend funds after which time it should be returned to the developer which has been tried and tested elsewhere and is considered good practice.

Chapter 3: Qualifying developments – Supports Dundee City Council approach to not require a contribution from developers towards affordable housing.

Indicates that any policy relating to developer obligations should meet the guidance of Circular 3/12 Developer Obligations and Good Neighbour Agreements and considered the need for to be a caveat alongside Table 7 to demonstrate in each case why the contribution is being sought.

Appendices: Education – it is considered that the onus is on the planning authority to demonstrate that it is necessary and for the authority to demonstrate that there is no capacity within the facility/infrastructure and that the development will have an adverse impact on the said infrastructure/facility. Thus the wording within this paragraph should be changed from “recognised” to “demonstrated” or “justified” in order to make this clear.

Welcome the alignment of the education programme with the Local Development Plan and thus development should not be delayed due to school education capacity and this should be made explicit in the proposed Supplementary Guidance.

One bedroom properties should be exempt from education contributions as by their nature are considered do not generate pupil product.

Appendices: Transportation – it is considered that any need for contributions to the transport network need to be clearly demonstrated through evidence of “net detriment” through an agreed Transport Assessment.

Raise issues with regards to expectations that a housebuilder should financially support a bus service which is run by a private company and is not considered to meet the reasonableness test of Circular 3/2012.

Appendices: Green Network – it is considered that the onus is on the planning authority to demonstrate that it is necessary and that a need has been created as a direct result of the development proposed.

Appendices: Public Art – considered to be some benefit in providing Public Art however a prescriptive policy is not relevant or appropriate. It is considered that any requirement for public art must be agreed through the design process to ensure it is relevant and has a proper planning purpose. It was considered that the more expensive the artwork the greater the insurance and maintenance costs which will be passed to the residents through their factoring bills and will impact on the affordability of homes.

Modifications Sought By Those Submitting Representations

Scottish Natural Heritage (02)

Appendices:

Rename ‘Roads and transportation’ as ‘Roads, transport and active travel routes’

Green network (page 14): Insert link to Green Network guidance after the final sentence.

Final bullet: Add “Ecological solutions to SUDS will be required as green infrastructure contributions.”

Add bullet: “allotments, recreational spaces.”

Add bullet: “Green corridors such as new hedgerows and tree lines to connect green networks.”

Add bullet: “Enhancement of existing habitats e.g. woodland requiring management to improve their ecological value.”

Tayside and Central Scotland Transport Partnership: Tactran (7)

Roads and Transportation Section (page 13): Add in “Transportation Interchanges” to bullet point list of items for which the Council may seek developer contributions.

Homes for Scotland (08)

Developer contributions amended to reflected proposed amendments to Policy 2 in terms of proposed exemption for brownfield housing developments for public contributions and proposed revision of Policy 20 to include text:

The seeking of any developer contributions (including those required under Policy 2) will only be progressed where the viability of the development proposed is not compromised. Any developer contributions that are deemed necessary will require to be fully justified in relation to the development proposed.

Stewart Milne (39)

With reference to Page 4, 2nd paragraph from bottom and last paragraph – Remove: “where development is delayed or where phased payments are involved, financial values may be revised to take account of inflation”.

Clarity is required in the last paragraph that payments will be taken either quarterly or 6 monthly in arrears based on the occupations of homes in the proceeding period.

Add: “At all times, contributions being sought should not undermine the viability of a development”.
Page 6: Monitoring developer contributions – More detail is required on how contributions will be monitored.

Chapter 3: Qualifying developments - Amend the policy to be more flexible and remove the requirement for 1% of construction costs to be spent on art projects for all developments.

The table on Page 7 should clearly explain that contributions will only be sought where it can be clearly demonstrated there is a need for additional infrastructure as a result of the proposed development.

Appendices: Education - Page 10, paragraph 1, first sentence - Reconsider negative terminology “additional burden”.

Add at the end of paragraph 1 “where it is demonstrated that a school is put over capacity for a sustained period as a direct result of development” or similar.

Add an additional bullet point at the end of paragraph 3: “New development will not be delayed due to education capacity issues.”

Include 1 bedroomed properties in the list of exceptions from education contributions.

Appendices: Transportation - in paragraph 2 (Page 13) add a caveat that contributions will only be sought where a clear net detriment is demonstrated through an agreed Transport Assessment.

Paragraph 3 – remove reference to financially supporting bus services.

Appendices: Green Network - In paragraph 3 (Page 14) add: “where a demonstrable need is created as a result of the proposed development”

Appendices: Public Art – amend in line with line with changes proposed to Policy 2. Amend the policy to be more flexible and remove the requirement for 1% of construction costs to be spent on art projects for all developments.

Modifications Required by Examination Report

Revising paragraph two of the Roads and Transportation chapter of the draft supplementary guidance on developer contributions by adding a sixth bullet point to read: “park and choose sites”.

Summary of Responses (Including Reasons) By Planning Authority

Scottish Natural Heritage (02)

Whilst being more specific would be helpful, the supplementary guidance also has to accommodate situations where all impacts and requirements are not known until the detail of a development is proposed. Details of known impacts and requirements are shown in the development site assessment document and the Dundee Green Network non-statutory planning guidance.

Roads and Transportation

The proposal to change the title of the Roads and Transportation section to 'Roads, transport and active travel routes is not supported. This suggests that active travel would not also be part of Green Networks. Active Travel is a method of transportation that uses the road and footpath network.

Green Network

The proposed addition of a link to the Green Network guidance is supported and the final sentence will be amended to acknowledge that the guidance has now been adopted. The final sentence will now read:

"The Dundee Green Network Non-statutory Planning Guidance can be accessed via the council website <http://www.dundee.gov.uk/citydevelopment/planningdivision/>".

The proposed addition of a final bullet point relating to ecological solutions to SUDS is partially supported. Contributions are not normally taken for infrastructure provision within a development site, but rather dealt with by way of a condition applied to a planning consent. It is proposed to alter the existing final bullet point to read:

"Off-site sustainable urban drainage schemes and associated ecological solutions (all Greenfield sites are expected to include sufficient sustainable drainage facilities within the site, however it is acknowledged that this may not be practical on all brownfield sites)".

The proposed addition of a bullet point relating to allotments and recreational spaces is not supported. The supplementary guidance already highlights the Provision of Open Space (bullet point 4). It is unclear as to how the impacts of a development could result in the requirement for the provision of allotments and as such it would not be permissible to ask for contributions under the terms of the Planning etc. (Scotland) Act 2006 and its supporting Planning Circular 3/2012 (Planning Obligations and Good Neighbour Agreements).

The proposed addition of a bullet point relating to green corridors is supported and a new bullet will be added to read:

"Green corridors such as new hedgerows and tree lines to connect green networks."

The proposed addition of a bullet point relating to the enhancement of existing habitats is partially supported. It is to be noted that the role of developer contributions to mitigate existing deficiencies can only be applied as a consequence of the direct impacts of a development. Instead of a new bullet point this will be added to existing bullet 4 to read:

"Provision of open space or equivalent contributions to upgrading existing open space such as nearby community woodlands that serve the development area and enhancement of existing habitats to improve their ecological value."

Tayside and Central Scotland Transport Partnership: Tactran (7)

Policy 57 does not require developer contributions to be applied to transport interchanges. Policy 20 refers to new or improved services, facilities or infrastructure and does not restrict this by location or type. The only restriction is that such requirements must be related directly to the requirements or impacts of a proposed development. Therefore a development could be required to contribute towards transport interchanges. There is no need to identify transport interchanges as a specific piece of infrastructure within the guidance.

No modification is proposed to the supplementary guidance.

Homes For Scotland (08)

The points raised by Homes for Scotland largely relate to Policy 20 itself rather than the supporting guidance. Policy 20 clearly states in point 3 that flexibility in approach can be adopted in varied economic circumstances. The imposition of a developer contribution is only sought where there is an impact as a consequence of development and it cannot be assumed that an exemption could always be justified. The policy therefore promotes a flexibility that permits Dundee City Council to consider alternative development delivery methods should issues arise in the development of land.

It is considered that the flexibility included within the policy offers an appropriate approach to consider developments on a case by case basis whilst offering the level of certainty expected of a local Development Plan. Dundee City Council has previously demonstrated its willingness to intervene on infrastructure matters where access to funding was a concern. The delivery of the Dykes Of Gray Road upgrade in advance of construction at the Western Gateway was funded by the Council with costs recovered from the developments on a phased pay back.

Whilst viability is an important consideration, Scottish Planning Policy (para. 28) does expect the planning system to balance the “costs and benefits of a proposal” and “not to allow development at any cost”. Therefore to offer a blanket priority to viability and developer profits over other considerations would not therefore be appropriate, instead Policy 20, part 3 has sought to achieve a reasonable balance whereby a developer can rightfully raise concerns and expect a flexible approach to be taken to enable development, whilst affording the impacts of the development the full consideration it deserves.

No modification is proposed to the supplementary guidance.

Stewart Milne (39)

The purpose of the supplementary guidance is to give more certainty to developers at the start of the development process. Whilst being more specific would be helpful, the supplementary guidance also has to accommodate situations where all impacts and requirements are not known until the detail of a development is proposed. Details of known impacts and requirements are shown in the development site assessment document and the Dundee Green Network non-statutory planning guidance.

No modification is proposed to the supplementary guidance.

Viability

Scottish Government Circular 3/2012 states in paragraph 2 “that consideration should be given to the economic viability of proposals and alternative solutions should be considered alongside options of phasing or staging payments.” This is reflected in part 3 of Policy 20 and on page 4 of the guidance to allow for a flexible approach to be taken whilst still ensuring the development does not have detrimental effects.

No modification is proposed to the supplementary guidance.

Monitoring

The statement on page 5 is considered to provide sufficient detail as to the monitoring of developer contributions. The timescales for expenditure and monitoring of legal agreements are usually set within the legal agreement and are agreed on a case by case basis.

No modification is proposed to the supplementary guidance.

Qualifying Developments

The comments made regarding qualifying developments and the deletion of the public art developer contribution relate to Policy 2 rather than the supplementary guidance.

No modification is proposed to the supplementary guidance.

Contributions Required

The preamble to Policy 20 and bullet point 2 of Policy 20 confirm that developer contributions will only be sought where there is a need for new or improved services, facilities or infrastructure that relates directly to the requirement or impacts of a proposed development. This is again explained on page 2 of the supplementary guidance.

No modification is proposed to the supplementary guidance.

Appendix – Education Provision

The term “burden” is considered appropriate to describe the increased load on the education service. It is not considered necessary to add any further text to refer to the longevity of school being at over capacity. Paragraph 1 already notes that the request for contributions is based on an assessment of the capacity of existing local education provision to accommodate this growth. Furthermore the second bullet point on page 10 notes that the investment in education capacity is undertaken at an appropriate pace by using forecasts of demand from future development. These forecasts would consider the longevity of a school being at over capacity, and as indicated in paragraph 2 the Council may over time choose to review school catchments to rebalance demand and availability of school places.

The comment relating to not delaying development due to education capacity issues is noted. It is not considered necessary to add this to the guidance.

The comment suggesting that one-bedroomed properties are added to the list of exceptions is noted. The final paragraph on page 12 acknowledges that some housing developments are unlikely to create an additional demand for education, and then briefly notes some types of accommodation that will be exempt. It is likely that one bedroomed properties and several other property types will also be exempt as they would not meet the requirements of Policy 20. Creating an exhaustive list of exemptions is not considered necessary as Policy 20 is clear that requests must be fair and proportionate in any case. This test is also repeated at the start of the supplementary guidance. No modification is proposed to the supplementary guidance.

Appendix – Roads and Transportation

As a transport assessment is not the only way of assessing the need for new or improved infrastructure it is not necessary to include a specific requirement within the guidance. Transport assessments are only generally carried out for larger scale developments. The effect of linking the assessment of need solely to the output of a transport assessment could be to inadvertently exclude smaller scale developments that do create additional need from making a contribution. Policy 20 is clear that requests must be fair and proportionate and related to a development in any case. This test is also repeated at the start of the supplementary guidance.

No modification is proposed to the supplementary guidance.

Appendix – Bus Services

The proposed deletion of the reference to provision of bus services is not supported. The guidance clearly explains when the provision of a bus service may be required, and such a request would only be made where it was fair and proportionate and related to a development as set out in Policy 20. This test is also repeated at the start of the supplementary guidance.

No modification is proposed to the supplementary guidance.

Appendix – Green Network

The proposed addition of a reference to need is not supported. Policy 20 clearly explains that requests are only made for fair and proportionate development contributions, and where a need relates directly to the requirements or impacts of a proposed development.

No modification is proposed to the supplementary guidance.

Appendix – Public Art

The comments made regarding the amendment or deletion of the public art developer contribution relate to Policy 2 rather than the supplementary guidance.

No modification is proposed to the supplementary guidance.

Modifications

Appendix – Roads and Transportation

Revising paragraph two by adding a sixth bullet point to read: “park and choose sites”.

Appendix – Green Network

Reword fourth bullet point to read: Provision of open space or equivalent contributions to upgrading existing open space such as nearby community woodlands that serve the development area and enhancement of existing habitats to improve their ecological value.

Reword sixth bullet point to read: Off-site sustainable urban drainage schemes and associated ecological solutions (all Greenfield sites are expected to include sufficient sustainable drainage facilities within the site, however it is acknowledged that this may not be practical on all brownfield sites).

And add a further bullet point to read: Green corridors such as new hedgerows and tree lines to connect green networks.

Reword final sentence and insert link to Green Network guidance to read: The Dundee Green Network Non-statutory Planning Guidance can be accessed via the council website + weblink.

Supplementary Guidance Householder Development

Body or Person(s) Submitting A Representation Raising The Issue (Including Reference Number)

Scottish Natural Heritage (SNH) (02)
 Historic Environment Scotland (HES) (03)
 Tayside and Central Scotland Transport Partnership: Tactran (7)

Planning Authority's Summary of The Representation(s):

Scottish Natural Heritage (02)

A and C - the addition of advice on natural heritage considerations to householders in this one document will enable them to have all the necessary information in one place, and help protect and enhance biodiversity and green infrastructure.

B - (page 6 Boundary Treatments Box). Provide more focussed boundary treatments and trees.

Historic Environment Scotland (03)

Welcome the preparation of this Guidance but have no detailed comments to offer.

Tayside and Central Scotland Transport Partnership: Tactran (7)

Step 2: Understanding your House and the Surrounding Area (page 6): the diagram includes only parking and road safety. All modes of transport, particularly sustainable forms should be considered in all residential development.

Modifications Sought By Those Submitting Representations

Scottish Natural Heritage (02)

A - suggest adding a specific section on natural heritage considerations e.g. existing trees, habitats and species. This should include required measures such as surveys for protected species which can influence how or when development takes place. Opportunities for enhancing biodiversity through new householder development should also be identified.

B - replace "*Think about boundary treatments...garden*" with "*Consider what boundary treatments would enhance your neighbourhood, for example appropriate use of hedges and stone walls. Continuing these will help to provide attractive and coherent streets.*"

Trees box: add "*Check if the trees are protected (eg TPOs/Conservation Area). Surveys may be needed for protected species such as bats if trees are to be cut back or removed.*"

Historic Environment Scotland (03)

None.

Tayside and Central Scotland Transport Partnership: Tactran (07)

(Step 2: Understanding your house and the surrounding area): the householder should be asked to consider active travel (walking and cycling) and public transport infrastructure, access and safety.

Summary of Responses (Including Reasons) By Planning Authority

Scottish Natural Heritage (02)

A - the "Other Consents and Things to Check" section of the supplementary guidance contains a section on "Biodiversity". This section highlights to the householder that certain animals and plants are protected by law and a relevant link to the SNH website is provided where further detailed information on avoiding any impact on protected species can be found. In addition, at this section a link is provided to the Tayside Biodiversity's website where further information on how biodiversity measures can be incorporated into householder development proposals. It is considered that the supplementary guidance as written encourages the enhancement of biodiversity the consideration of trees and protected species and advises where specific information can be found on those matters.

B - the Boundary Treatments text box in Step 2 is a brief introduction that introduces householders to consider the boundary treatments that surround their property and those in the surrounding area. Section 3.7 of the supplementary guidance "Boundary Treatments: Walls, Railings, Fences, Hedges and Gates" provides more detailed advice on boundary treatments and how they define the character and appearance of an area. The suggested replacement wording to Step 2 is therefore not considered necessary as this is sufficiently covered at Section 3.7.

No modification is proposed to the supplementary guidance

Historic Environment Scotland (03)

Comments welcoming the preparation of the supplementary guidance is noted.

No modification is proposed to the supplementary guidance.

Tayside and Central Scotland Transport Partnership: Tactran (07)

"Parking and Road Safety" text box in Step 2 to be retitled to "Accessibility".

Text to be amended so access and safety of active travel and public transport infrastructure also considered.

The supplementary guidance will be modified accordingly.

Modifications

"Parking and Road Safety" text box in Step 2 to be retitled to "Accessibility".

The text in the box is to be modified to read: think about how your householder development will impact on the existing level of parking provision and access to public transport infrastructure. The safety of pedestrians, cyclists and road users must be considered in the design of your development.

