

SESPAN REPRESENTATIONS SUMMARY

No. 1 Plan Section: 2. The Vision – City Region Deal, Para 2.3/4

Change

Replace “This is a deal between the Scottish Government, UK Government and SESplan member authorities that allows greater fiscal autonomy on the basis of an investment programme that demonstrates additional economic growth.” with “SESplan member authorities are working with the Scottish Government and UK Government to develop proposals which will unlock investment and secure and grow the regional economy.”

Reason

We are pleased to see the city deal reflected in the SDP and wish to emphasise the importance of consistency between the development plan and city deal, particularly for the strategic priorities and their delivery. The change is suggested to more accurately reflect the purpose of city deal.

No. 2 Plan Section 3: The Spatial Strategy – Placemaking in the City Region, para 3.6

Change

The following sentence should be added to the end of paragraph 3.6 = “Natural and historic assets contribute significantly to the quality of the environment for the plan area and it is important this heritage is protected and promoted across SESPlan.”

Reason

Whilst it is appropriate for LDPs to provide the detailed policy for protecting and promoting the natural and historic environment, it would also be relevant to strengthen the references to the significance of these policy issues for the whole SESPlan area.

No. 3 Plan Section: 3. The Spatial Strategy - Key Areas of Change Fife, para 3.27

Change

Within paragraph 3.27 include the following as the second sentence “There is also a need to support economic growth and employment creation, with particular focus on delivery of an agreed economic recovery plan for the Glenrothes and Central Fife sub-region. This is being taken forward by the Fife Economy Partnership.”

Reason

We note that the plan references the work of the Longanet task force and consider that there should be consistency in reference within the plan to the work of Scottish Government supported task forces. SESplan should therefore recognise the work carried out by the Fife (Tullis Russell) Task Force, which is now being taken forward by Fife Economy Partnership, and identify the need for further investment to support the economy in this area.

The Scottish Government has played a key role in supporting this Task Force and has committed initial funding of £6m to the agreed economic recovery plan for the area. The

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Task Force brought together key partners to co-ordinate the delivery of the agreed multi-agency plan mitigating the economic impact of company closures by supporting economic growth and employment creation, with particular focus on Glenrothes and Central Fife.

No. 4 Plan Section 4: A Place to do Business - Locations for Investment - Significant Business Clusters, Paras 4.5-7 & 4.15
(to note i) to iii) have been submitted as 1 rep online & iv) as a 2nd rep online)

Change

i) Paragraph 4.5 should also include reference to the “strategic centres” as well as the locations identified in Table 4.1.

ii) Paragraph 4.6 should state that LDPs should support opportunities for home working, live work units, micro businesses and community hubs as well as integrating efficient energy and waste innovations within business environments.

iii) Paragraph 4.7 should be relocated within the section to follow immediately on from paragraph 4.1 of the plan. An addition to the current text in the paragraph should also recognise Edinburgh as one of Europe’s most important centres for financial services and tourism.

iv) Paragraph 4.15 of the plan should be supplemented by additional text to state “where existing business sites are underused reallocation to enable a wider range of viable business or alternative uses should be considered, carefully accounting for any potential impacts on existing business uses.”

Reason

i) The proposed change noted below allows the plan to better address the requirements of paragraph 98 in SPP by reflecting the respective roles of the strategic centres (Glenrothes, Kirkcaldy, Dunfermline and Livingston) as important hubs for employment and services in the regional economy, which is recognised on pages 12 and 14 of NPF3. These locations for investment complement those identified in Table 4.1 and enable a connection with the ‘Key Areas of Change’ section of the SDP.

ii) The proposed change would help to address requirements identified in paragraphs 95 and 96 of SPP.

iii) Given the national recognition of the plan’s Strategic Centres (Glenrothes, Kirkcaldy, Dunfermline and Livingston) within NPF3 as important hubs for employment and services we would expect these to be given appropriate prominence within this section of the plan. The proposed change allows the plan to better reflect the respective roles of Edinburgh and the strategic centres (Glenrothes, Kirkcaldy, Dunfermline and Livingston) as recognised on pages 12 and 14 of NPF3. It will also enable a connection with the ‘Key Areas of Change’ section of the SDP.

iv) The SDP has an important role in addressing paragraph 103 of SPP in addressing issues around take up of employment sites and the need to consider a wider range of uses or alternatives on sites that no longer meet current needs and market expectations.

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No. 5 Plan Section 4: A Place to do Business – Zero Waste, Paras 4.22 & 4.33

Change

n/a

Reason

Paragraph 185 of the SPP states that strategic development plans should set out spatial strategies which make provision for new waste infrastructure, indicating clearly that it can generally be accommodated on land designated for employment, industrial or storage and distribution uses. Whilst paragraph 4.23 of SESplan sets out waste infrastructure can be supported subject to various criteria, it is not clear what needs are in the area and how they would be accommodated.

No. 6 Plan Section 6 A Better Connected Place - Transport Appraisal

Change

n/a

Reason

SPP sets out the national planning policies which reflect the Scottish Ministers' priorities for the development and use of land. It directly relates to development plans. SPP details on page 10, paragraph 30 that: "*Development Plans should:*

- Be consistent with the policies set out in this SPP*
- Set out a spatial strategy which is both sustainable and deliverable"*

SPP details on page 62, paragraph 274 that:

"In preparing development plans, planning authorities are expected to appraise the impact of the spatial strategy and its reasonable alternatives on the transport network, in line with Transport Scotland's DPMTAG guidance.... Appraisals should be carried out in time to inform the spatial strategy and the strategic environmental assessment. Where there are potential issues for the strategic transport network, the appraisal should be discussed with Transport Scotland at the earliest opportunity."

Furthermore, paragraph 275 details that:

"Development plans should identify any required new transport infrastructure or public transport services, including cycle and pedestrian routes, trunk road and rail infrastructure. The deliverability of this infrastructure, and by whom it will be delivered, should be key considerations in identifying the preferred and alternative land use strategies. Plans and associated documents such as Supplementary Guidance and the action programme, should indicate how new infrastructure or services are to be delivered and phased, and how and by whom any developer contributions will be made."

The Transport Appraisal undertaken for the SDP fails to recognise, or identify transport interventions required to support delivery of the impact of the spatial strategy given the longstanding issues with SDP1, and does not identify specific infrastructure measures to mitigate the SDP2 allocations. Previous strategic development plans have not adequately dealt with potential impacts and interventions required to support their delivery. Given the lack of proper appraisal of SDP1, the appraisal should determine the issues arising from the full Plan allocations not merely the additional allocations moving from SDP1 to SDP2. The

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TA effectively defers to the SDP1 focussed Cumulative Cross Boundary Study (CBS) to provide such details and information and fails to clearly identify the mitigation measures required on the trunk road network to support delivery of the SDP allocations, and how they will be funded and delivered. The CBS will not provide details on either the funding or delivery mechanisms with regard to potential transport interventions and these matters should therefore be stated clearly within the SDP. The funding and delivery mechanism to support the CBS are being developed by the SDP team and there should be reference within the plan to the need for this to be completed.

The SDP2 TA report fails to identify the infrastructure required to deliver the SDP strategy, which, given the lack of information on this within SDP1, is a significant issue. Overall the Appraisal states “*the strategic impacts are widely distributed and relatively minor*”, yet the evidence presented suggested there are several junctions along the A720 trunk road which are forecast to exceed capacity with no mitigation measures identified. In particular Hermiston Gait appears to exceed capacity in the SDP2 scenario however no mitigation measures have been identified or tested.

The TA work undertaken for SDP2 requires to provide a greater level of detail and it is not appropriate to infer that the majority of solutions are likely to emerge from the CBS work, or that subsequent LDPs should be left to identify mitigation measures, as currently included on page 33. SPP expects that planning authorities appraise the impact of the spatial strategy on the transport network in line with DPMTAG. Furthermore, development plans should identify any required new transport infrastructure. It is therefore not compliant or practical to delay the requirement for identifying SDP2's potential impact and any necessary mitigation measures to a later date and to state this will be brought forward through LDPs.

Transport Scotland has previously raised concerns about the approach taken to the Transport Appraisal for SDP2 and that it would be difficult to support the Plan based on the evidence produced. The Transport Appraisal produced for SDP2 contains little information on which to base investment and infrastructure delivery decisions and in its current form fails to comply with the SPP.

No. 7 Plan Section 6: A Better Connected Place – Supporting Non-Car Travel & Walking and Cycling, Paras 6.1/2 & 6.5-8

Change

- i) Text should be included at paragraph 6.1 or 6.2 stating “Significant travel-generating uses should also be sited at locations which are well-served by public transport and be subject to parking restraint.”
- ii) Text should be included within the Walking and Cycling section to state “Local authorities are encouraged to develop at least one exemplar walking and cycle friendly settlement to demonstrate how active travel routes could be improved significantly.”

Reason

- ii) The proposed change would help to address the requirements identified in paragraph 278 of SPP.
- ii) The proposed change would help to address the requirement of NPF3 paragraph 5.14

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No. 8 Plan Section 6: A Better Connected Place – Table 6.1 Strategic Transport Improvements, Page 60

Change

Transport Scotland recommend that the Halbeath rail halt and Levenmouth rail link are moved from Section A of Table 6.1 to Section C. Section C is detailed as setting out “*strategic longer term projects that may not be delivered in this plan period but are supported by SEStran and SESplan member boards.....(and) will require further appraisal.*”

Transport Scotland also recommend removing reference to any Edinburgh cross-rail project within Section B as this is not an option being tested within the cumulative cross boundary appraisal. Transport Scotland is not aware of any form of appraisal currently being undertaken in this regard.

Reason

SPP sets out the national planning policies which reflect the Scottish Ministers’ priorities for the development and use of land. It directly relates to development plans. SPP details on page 10, paragraph 30 that: “*Development Plans should:*

- Be consistent with the policies set out in this SPP*
- Set out a spatial strategy which is both sustainable and deliverable”*

SPP details on page 62, paragraph 274 that:

“In preparing development plans, planning authorities are expected to appraise the impact of the spatial strategy and its reasonable alternatives on the transport network, in line with Transport Scotland’s DPMTAG guidance.... Appraisals should be carried out in time to inform the spatial strategy and the strategic environmental assessment. Where there are potential issues for the strategic transport network, the appraisal should be discussed with Transport Scotland at the earliest opportunity.”

Furthermore, paragraph 275 details that:

“Development plans should identify any required new transport infrastructure or public transport services, including cycle and pedestrian routes, trunk road and rail infrastructure. The deliverability of this infrastructure, and by whom it will be delivered, should be key considerations in identifying the preferred and alternative land use strategies. Plans and associated documents such as Supplementary Guidance and the action programme, should indicate how new infrastructure or services are to be delivered and phased, and how and by whom any developer contributions will be made.”

Specifically in relation to rail stations, SPP states in paragraph 277; “*The strategic case for a new station should emerge from a complete and robust multimodal transport appraisal in line with Scottish Transport Appraisal Guidance. Any appraisal should include consideration of making best use of current rail services; and should demonstrate that the needs of local communities, workers or visitors are sufficient to generate a high level of demand, and that there would be no adverse impact on the operation of the rail service franchise. Funding partners must be identified.*”

The Network Rail ‘Investment in Stations’ Guidance (2011) states STAG “*is an evidence-based and objective-led multi-modal framework approach, to be used to identify appropriate transport options to address transport problems.*” The Guidance highlights the need to provide a positive business case, engineering and operational feasibility, on-going subsidy implications, and initial capital costs. This should include a capacity utilisation statement; a

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clear rationale on why a station is being promoted in preference to the alternatives available (which should be identified previously using the approach set out in STAG); a basic station design, including identifying a station owner with responsibility for future maintenance and a site suitability statement, including reference to the suitability of the proposed station site in terms of track gradient, curvature and other issues such as signalling.

SPP unequivocally states *“Agreement should be reached with Transport Scotland and Network Rail before rail proposals are included in a development plan or planning application and it should be noted that further technical assessment and design work will be required before any proposed new station can be confirmed as viable.”*

SESplan within Table 6.1 sets out 3 different lists of transportation projects with Section A detailing ‘Strategic Projects 2018 – 2030’. The text within paragraph 6.9 describes Section A as setting out *“strategic improvements that affect more than one SESplan authority or are likely to have region wide benefits.....Some of the projects.... require further appraisal work before a commitment can be made to their delivery, but provided the need is supported by this further work, these projects are expected to come forward within the plan period.”*

Table 6.1 ‘Strategic Transport Improvements’ Section A includes the Levenmouth rail link and Halbeath rail halt. Transport Scotland is unaware of any appraisal work being initiated or undertaken in accordance with STAG or Network Rail guidance to investigate the possibility of a new rail halt at Halbeath. Furthermore, a potential rail halt at Halbeath is not included within the Action Programme, thus providing no information regarding the progress or delivery of the scheme. In relation to the Levenmouth rail link, discussions are on-going with Fife Council regarding the preparation of a transport appraisal to determine the optimum transport solution for the area however the appraisal is not yet complete and requires further work.

It is concluded that neither of these projects are at a stage where the relevant appraisals required to support their inclusion within the plan nor is it certain that they will be concluded in time for the projects to come forward within the plan period as set out in paragraph 6.9. Their inclusion in Table 6.1 Section A is therefore considered contrary to SPP.

Table 6.1 Section B includes ‘Edinburgh cross-rail services’ with the text in paragraph 6.10 stating *“Section B of Table 6.1 sets out a potential list of projects that are currently being appraised.”* Transport Scotland is leading on the cross boundary cumulative transport appraisal study which is referred to here and confirm that the study has not appraised cross rail services in Edinburgh. Transport Scotland has not been consulted on and is not aware of any additional appraisal of the ‘Edinburgh cross rail services’.

No. 9 Plan Section 6: A Better Connected Place – Figure 6.2 Strategic Transport Improvements, Page 59

Change

Transport Scotland recommends that Figure 6.2 is referenced within the main body of the text under the heading ‘Strategic Transport Improvements’ on page 58. The Figure would benefit from geographical annotation and a clear key distinguishing separate schemes and which Section of Table 6.2 they are included within. The schemes included within Table 6.2 have differing levels of commitment, delivery and funding and this requires to be translated into the Figure.

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The inclusion of these recommended changes will provide the reader with clear and concise information relating to the potential transport improvements within Table 6.2.

Reason

Transport Scotland has engaged with SESplan throughout the preparation of the SDP and has provided comments in both formal and informal consultation exercises in relation to the maps. Transport Scotland has endeavoured to ensure the maps provide clear and accurate information relating to the current status and deliverability of transport proposals. It is considered that Figure 6.2 'Strategic Transport Improvements' does not provide clear information to the reader based on several observations.

The map does not include any annotation and the key includes different proposals using the same symbol which causes confusion. For example there is no distinction between a new or improved rail station which are separate proposals with different appraisal, funding and delivery mechanisms. The map is also not referenced within the main text of the Plan, therefore it does not have any accompanying text outlining the context of the map or details of the schemes included. It is not clear that Figure 6.2 relates to Table 6.2 with the only reference to the map included at the bottom of the Table with a symbol for 'not mapped'. Notwithstanding that the map is intended to relate to Table 6.2, the Figure itself lacks critical information and a suitable key.

Transport Scotland has submitted a representation on Table 6.2 surrounding the appropriate inclusion of specific schemes in the different Sections. Consequently, if Table 6.2 does not contain accurate and clear information then this will translate into Figure 6.2.

No. 10 Plan Section 6: A Better Connected Place – Strategic Longer Term Projects, paras 6.11 – 6.13

Change

Transport Scotland recommend the wording of paragraph 6.11 is reworded to read:

*“Section C of Table 6.1 sets out **aspirational** strategic longer term projects that may not be delivered in this plan period but are supported by SEStran and SESplan member authorities. They have the potential to improve journey times, reduce congestion, support economic growth and increase the accessibility of towns. However, those marked § will require further appraisal work to determine **their rationale, viability and deliverability**.”*

This wording more accurately reflects the status of the schemes and clearly sets out to the reader that further work is required on the deliverability of the schemes which is in accordance with SPP.

Reason

Paragraph 6.11 Strategic Longer Term Projects details *“Section C of Table 6.1 sets out strategic longer term projects that may not be delivered in this plan period but are supported by SEStran and SESplan member authorities. They will improve journey times, reduce congestion, support economic growth and increase the accessibility of towns. Those marked § will require further appraisal work before a commitment can be made to their delivery.”*

Transport Scotland has engaged with SESplan throughout the preparation of the SDP and has provided comments in both formal and informal consultation exercises on the wording of the text accompanying Table 6.1. Transport Scotland has endeavoured to simplify the text and ensure the text and accompanying Tables provide clear and accurate information

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pertaining to the different transport schemes included. It is considered that including the wording that further appraisal will be required “before a commitment can be made to their delivery” provides the impression to the reader that the schemes have already been approved subject to further study. However, this is not the case. Section C of Table 6.1 essentially contains aspirational schemes which require appraisal to be undertaken to determine their viability and deliverability prior to allowing fully informed investment decisions to be made.

SPP details on page 62, paragraph 274 that:

“In preparing development plans, planning authorities are expected to appraise the impact of the spatial strategy and its reasonable alternatives on the transport network, in line with Transport Scotland’s DPMTAG guidance.... Appraisals should be carried out in time to inform the spatial strategy and the strategic environmental assessment. Where there are potential issues for the strategic transport network, the appraisal should be discussed with Transport Scotland at the earliest opportunity.”

Furthermore, paragraph 275 details that:

“Development plans should identify any required new transport infrastructure or public transport services, including cycle and pedestrian routes, trunk road and rail infrastructure. The deliverability of this infrastructure, and by whom it will be delivered, should be key considerations in identifying the preferred and alternative land use strategies. Plans and associated documents such as Supplementary Guidance and the action programme, should indicate how new infrastructure or services are to be delivered and phased, and how and by whom any developer contributions will be made.”

Specifically in relation to rail stations, SPP states in paragraph 277; *“The strategic case for a new station should emerge from a complete and robust multimodal transport appraisal in line with Scottish Transport Appraisal Guidance. Any appraisal should include consideration of making best use of current rail services; and should demonstrate that the needs of local communities, workers or visitors are sufficient to generate a high level of demand, and that there would be no adverse impact on the operation of the rail service franchise. Funding partners must be identified.”*

No. 11 Plan Section 7: Other Issues & Supporting Documents

Change

Heat

We suggest SESplan is amended to include a statement that identifies supplementary guidance will be prepared to address cross boundary issues for strategic heat infrastructure. Such a statement will allow for future work to be progressed and have the status of the development plan in decision making, reflecting the significance Ministers attach to this policy area.

Reason

Paragraph 156 of Scottish Planning Policy (SPP, 2014) states that strategic development plans should support national priorities for the construction or improvement of strategic energy infrastructure, including generation, storage, transmission and distribution networks. They should address cross boundary issues, promoting an approach to electricity and heat that supports the transition to a low carbon economy.

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Our online guidance on Planning and Heat updated in October 2015 also considers that Strategic Development Plan Authorities (SDPA's) should encourage the efficient delivery of heat in all its forms, looking for potential opportunities to link urban networks across broader metropolitan areas, including local authority boundaries.

There is no apparent consideration given in SESPlan (including background reports) to cross boundary heat issues and no action proposed to consider this. SDPAs have access to the data in Scotland's Heat Plan <http://heatmap.scotland.gov.uk/> providing information to allow for the cross boundary consideration of heat.

No. 12 Plan Section 7: Other Issues & Supporting Documents

Change

Wind Energy, Minerals, Green Networks and Flooding

For the topics of strategic capacity for wind farms and minerals, working groups are recommended. For wind farms the working group is to identify what approach should be taken and for minerals it is to consider whether a sufficient land bank of minerals exists for construction aggregates. For both of these, there should be a clear statement of intent as to what the status of the findings or output of the working groups will be. This is to avoid these key strategic matters being without direction for the plan period. Although not preferred, it would be appropriate to include a statement that the output of the working groups will be adopted as supplementary guidance as well as listing the elements that the development plan authority considers should be contained therein.

Reason

Wind energy, minerals, green networks and flooding are each subject policies within SPP. SPP sets out national planning policies which reflect Scottish Ministers priorities for the operation of the planning system. It is therefore reasonable to expect that the spatial strategy established by the plan would be based on understanding these aspects in advance. This would allow for the strategy to deal with the impacts of the findings, each of which have potential significance for the constituent authorities of the SESPlan area. Without such evidence influencing the spatial strategy, confidence in it being deliverable is lessened.

With regard to energy and minerals, it is not clear what status the output of working groups will have. It is therefore uncertain that the strategic matters raised will have a statutory status to give them the necessary weight in decision making. This should be clarified in the plan.

With regard to green networks and flooding, we note that consideration of cross-boundary flooding matters is to be undertaken through supplementary guidance on cross-boundary Green Network Priority Areas. However, we do not consider that this approach satisfies paragraph 261 of Scottish Planning Policy in terms of addressing cross boundary flooding matters. This is a particular problem in terms of water management, where the emphasis placed on this in both National Planning Framework 3 and Scottish Planning Policy means that it is reasonable to expect the cross-boundary aspects as a minimum to have been considered.

Planning and Architecture Division
November 2016