

Issue 35	Settlement Development Areas	
Development plan reference:	Policy 3 (Para 19.6, Page 83)	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number)		
Scottish Environment Protection Agency (SEPA) (326), Crofters Commission (271), Association for the Protection of Rural Scotland (353), G L Hearn for Co-operative Group (444), S & A Corbett, A & A Currie, W & K MacKenzie (519)		
Provision of the development plan to which the issue relates:	Delineation and policy relating to Settlement Development areas	
Councils summary of the representation(s):		
<p><u>Settlement Development Area - delineation</u> Concerns have been raised over the potential for the SDA policy to delineate areas of land that would impact to the detriment of both the existing settlement through impact on the setting and also in respect of surrounding countryside and existing uses. The following issues were cited;</p> <ul style="list-style-type: none"> ▪ Council should prepare village design statements to protect the character, integrity and setting of villages. (353) ▪ Concerns over interpretation of settlement boundaries and the word "settlement" which can be used very loosely for planning purposes. Over-development has taken place in small settlements eg Scotsburn/Lamington (519) ▪ The policy could offer support to certain land uses within the SDA that would have a detrimental impact on other interests. ▪ New developments within the SDA should be supported only in locations that are most appropriate within the SDA. (444) ▪ Concerned to note that Settlement Development Areas have sometimes been marked out to include much of the croft inbye land. (271) <p><u>Cross referencing to other policies</u> <u>SEPA (326)</u></p> <ul style="list-style-type: none"> ▪ Support this policy provided the policy make specific reference to the need for developments to be assessed for Flood Risk and in relation to River Basin Management Plans; or be clearly cross referenced to Policy 64, Water Environment and Policy 65 Flood Risk. In order to meet the requirements of the Water Framework Directive (200/60/EC). (326) (ALSO referred in policies 36, 37 and 39) (326) <p><u>G L Hearn (Co-operative Group) (444)</u></p> <ul style="list-style-type: none"> ▪ Comment was also made that the policy would benefit through explicit reference to a requirement for compliance with the other policies within the plan. (444) 		
Modifications sought by those submitting representations:		

Cross reference to other policies

SEPA seek inclusion of specific reference to the need for assessments for Flood Risk and in relation to River Basin Management Plans; or be clearly cross referenced to Policy 64, Water Environment and Policy 65 Flood Risk.

Specific reference should be made to the requirement to accord with other policies within the Plan.

Summary of responses (including reasons) by Planning Authority:

Settlement Development Areas - delineation

- The delineation of SDA boundaries forms part of the consultation on the preparation of a development plan and there is ample opportunity to effect any changes required to remove areas of land where development would not be appropriate.
- The plan preparation takes into account the presence of opportunities and constraints when formulating proposals to include within development plans. This includes the requirement to observe the presence of various factors;

Paragraph 19.5.1 states:”

When defining SDAs we have taken account of a number of things, including:

- the quality of neighbouring croft or agricultural land;
- the type of land;
- the ability of the landscape to allow for development;
- the pattern of existing *settlements*; and
- the availability of infrastructure.”

- Further, the impact of development on prime agricultural land is a key consideration within *Policy 29 Sustainable Design*; also the *Section on Crofting and Agriculture* at paragraph 20.15.2 the text indicates “*Agricultural land will be protected in line with Scottish Planning Policy*”.
- In regard to development within the SDA, development proposals on land not specifically allocated for a particular land use purpose will be assessed on compatibility with existing and approved adjacent land uses and effect on any relevant constraining features.

Cross reference to other policies

SEPA (326)

- SEPA seek the inclusion of a specific cross-reference to Water Environment and Flood Risk policies, this would, however, potentially lead applicants to consider that these may be the only relevant policies, guidance on the use of the General Policies makes it clear that proposals are assessed against all policies.

G L Hearn (Co-operative Group) (444)

- Also another request for a specific reference to the need to comply with other relevant policies in the plan was sought. However, the General Policies section of the Plan makes it clear that,(para 18.2) “...that each planning application will be assessed against all policies and legislation

to the particular proposal...” .
Any further plan changes commended by the council
None.
Reporter’s conclusions:
Added by Reporter at later date.
Reporter’s recommendations:
Added by Reporter at later date.