
NORTH AYRSHIRE COUNCIL

20 March 2019

Planning Committee

Title: **Supplementary Planning Guidance Work Programme**

Purpose: This report seeks approval to delete current supplementary guidance that will become obsolete at the point of the adoption of the emerging Local Development Plan. The report also sets out a wider work programme for reviewing planning guidance for members to note.

Recommendation: That the Planning Committee approves the deletion of a number of supplementary guidance and design brief documents that are currently out of date, or will become obsolete at the point of adoption of the emerging Local Development Plan.

1. Executive Summary

- 1.1 As a result of the advanced status of the Council's emerging Local Development Plan (LDP), Planning Services is undertaking a comprehensive review of the existing supplementary guidance to ensure it is fit for purpose, up-to-date and aligned with the emerging LDP. This review involves deletion of guidance that is out-of-date or will no longer be appropriate to retain given the policy content of the second LDP. The review will also update the content of existing guidance as required, and consolidate existing guidance into the following themes related to the LDP: 'towns and villages', 'countryside', 'coastal' and 'infrastructure and delivery'. The review will also identify the need to create additional guidance arising from any operational details in the current LDP that will be otherwise lost, if not included in supplementary guidance.
- 1.2 Design guidance for existing development sites and conservation appraisal and management plans will also be reviewed.
- 1.3 The review process will commence now and submitted to the Planning Committee for approval as required throughout the work programme.

2. Background

- 2.1 Planning Services is undertaking a comprehensive review of the existing supplementary guidance to consolidate and refresh guidance into themes related to the LDP: 'towns and villages', 'countryside', 'coastal' and 'infrastructure and delivery'. Part of this process will require deletion of guidance that is, or will be redundant, at the point of adopting the emerging LDP. This report recommends deletion of current supplementary guidance that

is not fit for purpose. It is anticipated that further recommendations will be made to Planning Committee following the adoption of the emerging LDP.

- 2.2 It is recommended that the Council's extant guidance on wind farm developments is deleted. A new guidance note will be prepared to provide planning direction on development proposals for wind energy developments as part of the supplementary guidance programme. However, the existing guidance is over 10 years old and relates to a development plan system that was in place in 2009 and a development plan that was replaced in 2014. As a consequence, the guidance carries almost no weight in decision making on planning applications. Following deletion of this guidance, and in advance of preparation of replacement guidance, Scottish Planning Policy, the adopted and emerging LDPs and technical landscape studies on the impact of wind energy development will inform planning decisions.
- 2.3 The Council's suite of development briefs and design guidance will be reviewed and updated/replaced, because they are now out-of-date and not significantly fit for purpose. A programme of work to identify sites that would benefit from site briefs will be prepared and brought to planning committee during 2019.
- 2.5 The final strand of work related to the supporting planning guidance relates to the updating of information relating to conservation areas. Current coverage of conservation areas with conservation appraisals and management plans needs updating and could potentially undermine decision making on planning applications and project development work. A programme of review is underway to update all conservation area documents and will also be presented to the Planning Committee in 2019.

3. Proposals

- 3.1 It is recommended that the Planning Committee approves the deletion of the following planning guidance/design brief documents: -
1. Ayrshire guidance on Wind Farm Development (*with immediate effect*)
 2. Interpretation of Policy ENV3(b) (*at point of adoption of emerging Local Development Plan*)
 3. Development Brief - Cairnhouse Farm, Blackwaterfoot (*with immediate effect*)
 4. Development Brief - Eglinton Country Park, Kilwinning (*with immediate effect*)
 5. Development Brief - Stanley Primary School, Ardrossan (*with immediate effect*)

4. Implications

Financial:	The LDP and associated supplementary guidance are not funding documents and there are no direct financial implications related to the proposals. The Proposed LDP has been produced to reflect existing Council priorities as expressed through the Capital Programme 18/19 – 27/28.
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	Costs related to the ongoing preparation of the LDP and supporting guidance will continue to be met from established Planning Services budgets.
Human Resources:	None.
Legal:	The recommendations within this report are in fulfilment of the Council's statutory obligation to produce a Local Development Plan by 2019 (and associated supporting guidance). There are no other legal implications identified.
Equality/Socio-Economic Duty:	The Proposed LDP is accompanied by an equalities impact assessment (EqIA) and an assessment of impact on children and young people; which identified impacts on population characteristic groups. The Proposed LDP is predicted to have a range of positive impacts on population characteristic groups and children and young people. It is expected that the EqIA for the LDP will provide assessment of the terms of some or all of the guidance notes. However, each guidance note produced will be screened to determine if a full EqIA is required in addition to the LDP EqIA.
Children and Young People:	Relating to the above, the EQIA process incorporated assessment of impacts of LDP on children and young people and it is expected that the EqIA for the LDP will provide assessment of the terms of some or all of the guidance notes. However, each guidance note produced will be screened to determine if a further assessment is required.
Environmental & Sustainability:	The Proposed LDP is accompanied by a Strategic Environmental Assessment (SEA). A Habitats Regulations Appraisal has also been conducted on the Proposed LDP. The environmental assessment processes have played a critical role in maximising the environmental performance of the LDP. It is expected that the SEA for the LDP will provide assessment of the terms of some or all of the guidance notes. However, each guidance note produced will be screened for environmental impacts to determine if a full SEA is required in addition to the LDP SEA.
Key Priorities:	The Proposed LDP is a spatial representation of the Local Outcome Improvement Plan. Accordingly, throughout its proposals and policies the Plan explains how the LDP will deliver on the LOIP themes of a North Ayrshire that is Healthier, Working, Safer and Thriving. The LDP also seeks to deliver action on the Council Plan and Community Planning Partnership's priority to grow North Ayrshire's population. Development of guidance to support the LDP will also assist to deliver these priorities.
Community Benefits:	As above, the Proposed LDP (and supporting guidance) seeks to deliver the Local Outcome Improvement Plan, and in so doing, is delivering sustainable economic and social benefits to communities while protecting and capitalising on North Ayrshire's outstanding natural environment.

5. Consultation

- 5.1 The LDP has been prepared to exceed statutory consultation requirement throughout the preparation process, which has included extensive engagement with communities through the Locality Planning Partnerships, industry engagement and engagement with statutory technical consultees throughout all LDP stages. This establishes the strategic direction for planning policy. Supporting planning guidance in its various forms will always conform to the overarching intent of the LDP. The Council's consultation strategy for the LDP is set out in its Development Plan Scheme, which is updated annually. Additional information on the consultation measures undertaken throughout the LDP process can be viewed at <https://www.north-ayrshire.gov.uk/planning-and-building-standards/ldp/ldp2.aspx>. In relation to each bespoke supporting guidance document, targeted consultation measures will be carried out as appropriate, which would include engagement with agencies for technical input, where necessary, and may in certain circumstances, also include some public consultation.



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Background Papers

N/A