



## **EAST AYRSHIRE LOCAL DEVELOPMENT PLAN**

### **DEVELOPMENT PLAN SCHEME**

**2021**

**20 January 2021**

## **CONTENTS**

- 1.0 Introduction**
- 2.0 Summary of 2020 work plan**
- 3.0 Local Development Plan 2017**
- 4.0 Minerals Local Development Plan 2020**
- 5.0 Local Development Plan 2 including Participation Statement**
- 6.0 Regional Spatial Strategy**

## 1. INTRODUCTION

1.1 Every planning authority must prepare a Development Plan Scheme on at least an annual basis. This sets out the authority's timetable for preparing and reviewing their Strategic Development Plan or Local Development Plan and outlines how this will be done. The Development Plan Scheme must also contain a Participation Statement which sets out how people can get involved in the plan preparation process.

1.2 East Ayrshire Council does not need to prepare a Strategic Development Plan; instead it is required only to prepare Local Development Plan(s) (LDP). As there is no strategic level development plan for East Ayrshire, the local development plan is required to set out a strategic vision for the area.

1.3 In April 2017, East Ayrshire Council adopted the East Ayrshire Local Development Plan (2017). This replaced the East Ayrshire Local Plan (2010) for all matters excluding minerals. As stated in previous Development Plan Schemes, the Council's Cabinet decided in August 2013 that a separate Minerals Local Development Plan that would cover all mineral extraction matters should be prepared, in addition to the East Ayrshire Local Development Plan.

1.4 In January 2020, East Ayrshire Council adopted the East Ayrshire Minerals Local Development Plan. This means the development plan now comprises the Minerals LDP (2020) and the East Ayrshire LDP (2017). The following Plans have now been superseded, so they no longer form part of the Development Plan:

- Ayrshire Joint Structure Plan – approved November 2007
- East Ayrshire Local Plan 2010 – adopted October 2010
- East Ayrshire Opencast Coal Subject Plan – adopted March 2003

1.5 In addition to the aforementioned documents, the Council has approved a number of statutory Supplementary Guidance and non-statutory Planning Guidance documents. The statutory Supplementary Guidance forms part of the Local Development Plan (see section 2 below).

1.4 Both the East Ayrshire LDP and the East Ayrshire Minerals LDP cover the whole of the East Ayrshire area as shown on the map below:

# Map of East Ayrshire



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## 2. SUMMARY OF 2020 WORK PLAN

The table below summaries the work which will be undertaken in 2021, which is set out in detail throughout this report.

**Table 1: Detailed work Programme to Publication of Proposed Plan stage.**

Quarter 1	<ul style="list-style-type: none"> <li>• Renewable energy: policies on wind and heat generation</li> <li>• Environment: policies on the natural and historic environment including Loudoun Castle and Estate</li> <li>• Overarching policies: policies which are applicable to all proposals</li> <li>• Industry &amp; initial look at industrial and business land allocations and miscellaneous land allocations: policies on the use of business and industrial land, business and industry in the rural area and working from home.</li> <li>• Simplified Planning Zones (SPZ): examination of the potential to identify suitable areas within EA; SPZ are areas where the planning application process is simplified; this will include the potential for these areas to be identified as Masterplan Consent Areas under the 2019 Planning Act.</li> <li>• Spatial Strategy: Ayrshire Growth Deal: policies and land allocations to support the Ayrshire Growth Deal projects including:             <ol style="list-style-type: none"> <li>1. National Energy Research Demonstrator (NERD), Cumnock</li> <li>2. Advanced Manufacturing Investment Corridor (AMIC), Kilmarnock</li> <li>3. Ayrshire Engineering Park at Moorfield, Kilmarnock</li> <li>4. Halo, Kilmarnock</li> </ol> </li> <li>• Housing supply target and land requirement - determining the number of houses which will be required per annum.</li> <li>• Housing policies &amp; initial examination of residential sites – affordable housing, housing in the countryside, gypsy traveller’s sites, conversions, enabling development.</li> <li>• Stewarton – Approach to Sustainable Growth, Industrial and Business land in Stewarton</li> <li>• Stewarton Stakeholder meeting</li> <li>• Design</li> <li>• Settlement boundaries – considering whether revisions are required.</li> <li>• Indicative Regional Spatial Strategy – response to Scottish Government comments</li> <li>• Kilmarnock and Cumnock Town Centre Planning and Placemaking Strategies (initial strategy development)</li> </ul>
Quarter 2	<ul style="list-style-type: none"> <li>• Addressing flooding in East Ayrshire – including the constraints it is placing on development</li> </ul>

	<ul style="list-style-type: none"> <li>• Town centre boundaries</li> <li>• Kilmarnock and Cumnock Town Centre Planning and Placemaking Strategies (initial strategy development)</li> <li>• Bellfield Interchange – considering capacity and upgrades.</li> <li>• South Central Kilmarnock – strategy for flooding and vacant and derelict land</li> <li>• Future economic expansion in the Kilmarnock area – enhancing the industrial and business land offer</li> <li>• Allocating areas for environmental designations such as woodland creation</li> <li>• Stewarton &amp; Kilmarnock strategies and consultation</li> <li>• Infrastructure – for example broadband and open space provision</li> <li>• Residential land allocations (1st pass) &amp; placemaking</li> </ul>
Quarter 3	<ul style="list-style-type: none"> <li>• Residential land allocations (2nd pass) &amp; placemaking</li> <li>• Traffic and transport assessment</li> <li>• Kilmarnock and Cumnock Town Centre Planning and Placemaking Strategies (final strategy and proposals)</li> <li>• Draft Proposed Plan including review/update of all topic areas (1st pass)</li> </ul>
Quarter 4	<ul style="list-style-type: none"> <li>• Final Draft Proposed Plan and Public consultation</li> </ul>

### 3. EAST AYRSHIRE LOCAL DEVELOPMENT PLAN 2017

3.1 The East Ayrshire Local Development Plan was adopted on 3 April 2017. The Action Programme associated with the Plan was updated in 2019. It was submitted to Scottish Ministers and can be viewed on the Council's website. The Action Programme will be updated in summer 2021.

3.2 The LDP 2017 refers to several pieces of Supplementary Guidance that required to be produced to support the policies of the Plan. These documents are clearly linked to policies within the Plan, are therefore statutory in nature and form part of the Development Plan. As per table 2 below, these have all now been produced and adopted. In addition, several non-statutory pieces of planning guidance have been produced.

**Table 2: Supplementary Guidance and Planning Guidance**

Statutory Supplementary Guidance	Non-statutory planning guidance
Developer Contributions (2017)	Community benefits from wind energy development (2017)
Affordable Housing (2017)	Ayrshire and Arran Forestry and Woodland Strategy (2014)
Financial Guarantees (2017)	Knockroon Design code (2010)
Planning for Wind Energy (2017)	Ayrshire Landscape Wind Capacity Study (2013)

Heat Generation (2017)	Bank Street / John Finnie Street Conservation Area Management Plan (2007)
Dark Sky Park Lighting (2017)	Catrine Conservation Area appraisals (2005)
Public and private green infrastructure / open space standards (2017)	Galston Conservation Area appraisal (2014)
Shop front design guidance (2017)	Cumnock Conservation Area appraisal (2009)
Display of Advertisements design guidance (2017)	Dalmellington Conservation Area appraisal (2017)
Production of Masterplans (2017)	Green infrastructure strategy (2015)
Housing Market Areas (2018)	Waterside (Doon Valley) Conservation Area appraisal (2018)
Listed Buildings and Conservation Areas (2018)	East Ayrshire Landscape Wind Capacity Study (2018)
Housing in the Countryside (2018)	Mauchline Conservation Area appraisal (2019)
Householder design guidance (2018)	Piersland Park (Kilmarnock) Conservation Area Appraisal (draft)
Newmilns and Greenholm Placemaking Map and Action Programme (2018)	Piersland Park (Kilmarnock) Design Guidance (draft)
Catrine Placemaking Map and Action Programme (2019)	
Ochiltree Placemaking Map and Action Programme (2019)	
New Cumnock Placemaking (2020)	
Dalrymple, Skeldon Mills and Hollybush (2020)	

3.3 The LDP 2017 contains placemaking maps for Kilmarnock, Cumnock, Galston, Stewarton and Dalmellington. They set out projects and proposals that will help make the settlements as successful as they can be. Within the LDP, the Council makes a commitment to prepare placemaking maps for the rest of East Ayrshire's settlements and sets out a timetable for this in the Action Programme. The placemaking maps will be adopted as statutory supplementary guidance and will become part of the LDP. The production of the placemaking maps will complete the outstanding work that remains in relation to the LDP.

3.4 Table 3 below shows the indicative timetable for the production of placemaking maps. The timetable is subject to change; it is dependent on both the willingness of communities to get involved and the work of the Council's Vibrant Communities team, which is working with communities to prepare Community-led Action Plans. There has been a lack of progress this year largely as a result of COVID 19 lockdowns and the redeployment of Vibrant Communities

resources to deal with emergency food provision, and combating isolation etc. The current Level 4 lockdown measures introduced in January 2021 makes it very difficult to assess what might be achieved in 2021. However, provided the communities are willing to progress the Place Plan process during these uncertain times, and provided additional resources can be provided from within the Development Planning and Regeneration Section the indicative programme is set out in Table 3. The timetable will be reviewed later in 2021.

**Table 3: Indicative programme for placemaking maps**

Year	Settlement	
<b>Complete</b>	Newmilns and Greenholm	Catrine
	Ochiltree	New Cumnock
	Dalrymple, Skeldon and Hollybush	
<b>Underway</b>	North West Kilmarnock	
	Mauchline	Kilmaurs
	Auchinleck	Hurlford and Crookedholm
	Darvel and Priestland	
<b>2021</b>	Stewarton	Galston
	Kilmarnock town centre	Kilmarnock - Shortlees, Bellfield, Caprington & Riccarton
	Crosshouse & Knockentiber	Dunlop and Lugton
	Fenwick and Laigh Fenwick	Drongan, Rankinston, Stair, Hayhill, Sinclairston and Coalhall
	Logan, Lugar and Cronberry	Netherthird, Craigens and Skerrington
<b>2022</b>	Moscow and Waterside	Dalmellington, Waterside & Bellsbank
	Burnside, Leggate, Connel Park and Bank Glen	Kilmarnock – Bonnyton, Grange and Howard
	Muirkirk	Cumnock
	Skares	Kilmarnock - South Craigs
	Sorn and Auchencloigh	Patna and Polnessan
	Gatehead	Kilmarnock - New Farm Loch

#### 4. EAST AYRSHIRE MINERALS LOCAL DEVELOPMENT PLAN 2020

4.1 The Minerals Local Development Plan (MLDP) was adopted on 13 January 2020. The MLDP will be accompanied by 4 pieces of statutory supplementary guidance and non-statutory planning guidance, as described in the table below.

**Table 4: Minerals Plan Statutory Supplementary Guidance/Planning Guidance**

Title	Statutory/Non-statutory	Progress/Timescale for Production
Peat, Excess Soils, Sewage Sludge (compiled into one guidance document)	Non-statutory guidance	Underway – to be adopted in 2021



Community Benefits for Minerals	Non-statutory guidance	Underway – to be adopted 2021
Financial Guarantees	Statutory guidance	Underway – to be adopted 2021
Strategic Woodland Creation	Non-statutory guidance	To be adopted 2021

4.2 The Action Programme associated with the Minerals Local Development Plan was approved by Cabinet in March 2020. Scottish Ministers subsequently approved the Action Programme and it is available to view on the Council’s website. It will be reviewed and updated within 2 years of its approval, by March 2022.

## 5. LOCAL DEVELOPMENT PLAN 2

5.1 Work has commenced on the preparation of the East Ayrshire Local Development Plan 2 (LDP2) which will, for the first time, incorporate all minerals related matters.

5.2 As reported in previous Development Plan Scheme’s, the early stages of the plan process were delayed due to uncertainties around the final content and timescale for implementation of the Planning (Scotland) Act 2019. With the Act receiving royal assent in summer of 2019, the content of the Act is now confirmed in statute.

5.3 The Scottish Government in September 2019 published its post-bill work programme, which has had significant implications for the preparation of East Ayrshire’s LDP2. However, much of the post bill work had since been paused as a result of the Covid-19 emergency. The details of the new development planning system and proposals for local place plan regulations will now be consulted upon in early 2021.

5.4 Further to the previously published work programme, in October 2020, the Scottish Government issued draft transitional arrangements. However due to the ongoing Covid-19 emergency the draft transitional arrangements have since been revised and now indicate that Local Development Plans can continue to be progressed and adopted under existing procedures (as defined by the 1997 Planning Act, updated by the 2006 Planning Act) if they have reached Examination stage **by June 2022**. LDPs that have not reached Proposed Plan consultation stage by June 2022 will be subject to the new procedures and requirements brought forward by the 2019 Act. In other words, the LDP process will have to re-start from the

beginning. The latest guidance affords the Planning Authority slightly more time to prepare the Proposed Plan.

5.5 As the current East Ayrshire LDP is now more than 3 years into its intended 5-year lifespan, it remains important that LDP2 is not delayed further. LDP2 will therefore continue to be taken forward under the legislation currently in force, with a Proposed Plan being ready for consultation before the end of November 2021. This still presents an ambitious timescale, but one that will mean the Development Plan is kept as up-to-date as possible. To delay the Plan, until the new guidance under the 2019 Planning Act has been prepared in 2021, would mean the 2017 Plan would become significantly out-of-date, making it susceptible to challenge through planning appeals and undermining its ability to lead and positively plan for significant development including projects contained within the Ayrshire Growth Deal that will come forward over the short to medium term. The progression of the Plan under the legislation currently in force marks a significant difference from what was anticipated within the 2019 Development Plan Scheme. At that point it was expected that the East Ayrshire LDP2 would be prepared under the new Act although final details of the Act with its implementation timetable were awaited.

5.6 Critical to the preparation of LDP2 is the work to advance National Planning Framework 4 (NPF4). Changes brought forward by the Planning (Scotland) Act 2019 (the “2019 Act”) mean that NPF4 will have a heightened status compared to previous NPFs, and it will for the first time form part of the statutory development plan. LDP2 must, wherever possible reflect and be consistent with NPF4. It is therefore preferable that the publication of LDP2 should follow that of NPF4. There is, however, a risk that if the NPF4 timescale slips further, LDP2 may have to be progressed in advance of NPF4 in order to meet the November 2021 deadline. Table 5 below shows the timescale for LDP2, set against the Scottish Government’s revised timescale for producing NPF4.

**Table 5: Timetable for LDP2 and NPF**

		<b>LDP2</b>	<b>NPF</b>
2020	Quarter 1	Main Issues Report approved	Early engagement / Call for ideas issued
	Quarter 2	Main Issues Report formal consultation (April 2020)	
	Quarter 3	Analysis of MIR responses and preparation of Proposed Plan	
	Quarter 4	Preparation of Proposed Plan	NPF4 Position Statement published
2021	Quarter 1	Preparation of Proposed Plan	
	Quarter 2		Parliamentary election
	Quarter 3		
	Quarter 4	Proposed Plan approved by Council and published for consultation (November 2021)	Publication of Consultation Draft

	Quarter 4	Consultation on Proposed Plan (November – January 2021)	Draft version laid before Parliament
2022	Quarter 1	Preparation of responses to comments received and production of examination papers	(no further information available at this stage)
	Quarter 2	Council election	
	Quarter 2	Proposed Plan submitted to Examination (April 2022)	
	Quarter 4	Examination report issued	
2023	Quarter 1	Plan adopted (April 2023)	
	Quarter 2	Finalise and publish Action Programme	

## Main Issues Report and Monitoring Statement

5.7 The Main Issues Report for LDP2 was approved by the Council Executive Committee in May 2020 with a period of consultation taking place between June and July 2020. The MIR focused on a number of key issues facing the area, including issues such as stimulating housing growth, planning for the Ayrshire Growth Deal, addressing flooding, enhancing placemaking and supporting low carbon development. Where reasonable, the MIR set out alternative options to encourage meaningful dialogue and engagement on the document. A Monitoring Statement was also published alongside the MIR which looked at the impact that existing development plans have had on the area and wider development and demographic trends that LDP2 will need to have cognisance of. The MIR fully took into account East Ayrshire Council's Local Outcomes Improvement Plan 2018-2021 and the anticipated outcomes from implementation of the Ayrshire Growth Deal.

## Proposed Plan

5.8 As illustrated in table 5 above, the Proposed Plan will require to be at consultation stage by the final quarter of 2021 to meet the Examination deadline detailed in the transitional guidance prepared for the 2019 Planning Act. These are firm deadlines and any slippage would have serious consequences for the plan making process i.e. LDP2 would have to be prepared under the 2019 legislation, effectively meaning preparation would need to the start of the new procedures (which have yet to be published). This will be avoided as far as possible.

5.9 Although work has commenced on the Proposed Plan, there is still a significant body of work to be undertaken in 2021. The following details the most significant:

- Preparation of place specific proposals to implement relevant parts of NPF4 and the development of local proposals that respond imaginatively to national and global trends including climate change, energy decarbonisation and changes in transport technology.
- Collation of data and information to enable the plan to respond proactively and creatively within a number of key development locations including the area around the Bellfield

Interchange area (Kilmarnock), Ayrshire Growth Deal locations, Stewarton (taking account of its infrastructure and service constraints) and Kilmarnock town centre and immediately surrounding areas, where issues of flooding and vacant land must be addressed.

- Public and sectoral engagement. This is likely to be an evolving process due to the Covid 19 pandemic. Specific proposals for engagement will be adapted to ensure public safety.
- Building the evidence base. Studies to ensure that the most up to date and accurate information is available include, but are not be limited to, a review of industrial and business land, housing land supply, sensitive landscape areas, garden and designed landscapes and the preparation of a Local Heat and Energy Efficiency Strategy.

## Strategic Environmental Assessment

5.10 A Strategic Environmental Assessment (SEA) is being carried out for LDP2. Work commenced during preparation of the Main Issues Report (MIR) and will continue throughout the preparation process and will not be complete until the plan is adopted. The SEA ensures that environmental considerations are integral to the plan making process from the outset. Where environmental impacts are identified, the SEA will identify mitigation measures that should be incorporated within the Plan. The SEA process is open and transparent; at key stages the public and statutory consultation authorities will be able to comment on the process and see how their comments help shape the SEA and plan making process.

## Timetable

5.11 Table 6 below details the various stages that require to be undertaken in the preparation of LDP2 and the accompanying Strategic Environmental Assessment and sets out a basic timetable for the production of the plan. As noted in the table, early preparation work commenced in 2019. It should be noted that the Covid-19 restrictions are putting severe pressure on staff, many of whom are working from home whilst also home schooling and looking after pre-school children. Depending upon how long schools and childcare facilities are closed, it may be difficult for the existing team to complete the workload in now more complex circumstances. The situation will be closely monitored to determine whether extra resources are required to assist the team meet the legislative deadline.

**Table 6: LDP2 and SEA timetable**

	Year/Month	LDP2 Process	SEA Process
2019		LDP2 Member Officer Working Group established and operational	Scoping report prepared
		Main Issues Report Prepared	Environmental Assessment of Main Issues Report prepared
		Monitoring Statement prepared	Habitats Regulations Appraisal of Main Issues Report prepared

2020	Quarter 2	Consideration of Main Issues Report and Monitoring Statement at Council Executive Committee	Interim Environmental Report submitted to Cabinet, in conjunction with MIR and Monitoring Statement.
	Quarter 3	Engagement and public consultation on MIR	Interim Environmental Report submitted to consultation authorities and issued for public consultation  Publish HRA and/or Appropriate Assessment where necessary and submit to SNH.
	Quarter 3 Quarter 4	Analysis of responses to MIR Preparation of Proposed Plan	Preparation of updated Environmental Report taking account of emerging Proposed Plan
2021	Quarter 1 Quarter 2 Quarter 3	Preparation of Proposed Plan Continued	Preparation of updated Environmental Report taking account of emerging Proposed Plan
	Quarter 4	Proposed Plan approved by Council and published for consultation (November 2021)  Consultation on Proposed Plan (November 2021 – January 2022)	Publication of updated Environmental Report  Publish updated Habitats Regulations Appraisal
2022	Quarter 1	Consultation on Proposed Plan  Preparation for Examination	Consultation on Environmental Report
	Quarter 2	Preparation and Proposed Plan submitted for Examination	Environmental Report submitted to Examination alongside Plan
	Quarter 3	Examination	Examination
	Quarter 4	Examination report issued	Environmental Report updated to reflect Examination Report
2023	Quarter 1	Plan adopted	Finalised Environmental Report published
	Quarter 2	Action Programme finalised and published	
	Quarter 3		Post-adoption statement prepared

	Quarter 4		
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**PARTICIPATION STATEMENT FOR LDP2**

5.12 The Council is keen to ensure that all interested individuals, bodies and organisations are given ample opportunity to contribute to the LDP2 preparation process. The Council does, however, have to balance this with the resources available to undertake engagement and consultation as well as restrictions in place as a result of Covid-19. The following steps have been, and will be undertaken in the preparation of the East Ayrshire Local Development Plan 2.

**Preparation of Main Issues Report and LDP2 Evidence Base**

5.13 In line with the Town and Country Planning (Development Planning) (Scotland) Regulations 2008, and to ensure that a wide range of stakeholders and interests were involved in the consultation, the Council sought the views of key agencies and other interested stakeholders in the compilation of the Main Issues Report. In tandem with this, a Member-Officer Working Group (MOWG) was set up and met regularly throughout 2019 and early 2020 to ensure effective early and ongoing involvement in the MIR preparation process by elected members and officers from a range of relevant departments across the Council and Community Planning partner organisations. The MOWG continued to meet regularly after the MIR consultation period closed to consider the responses received and support preparation of the evidence base for the Proposed Plan. The MOWG will continue to meet in 2021 to help shape the Proposed Plan. An outline of the work which will be carried out, in order, and thereafter presented to MOWG this year is set out in Table 7 below.

**Table 7: Detailed work Programme to Publication of Proposed Plan stage.**

<p>Quarter 1</p>	<ul style="list-style-type: none"> <li>• Renewable energy: policies on wind and heat generation</li> <li>• Environment: policies on the natural and historic environment including Loudoun</li> <li>• Overarching policies: policies which are applicable to all proposals</li> <li>• Industry &amp; initial look at industrial and business land allocation and miscellaneous land allocation: policies on the use of business and industrial land, business and industry in the rural area and working from home.</li> <li>• Simplified Planning Zones: these are areas within which the planning process is simplified</li> </ul>
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	<ul style="list-style-type: none"> <li>• Spatial Strategy: Ayrshire Growth Deal: policies and land allocations to support the Ayrshire Growth Deal projects including       <ol style="list-style-type: none"> <li>1. National Energy Research Demonstrator (NERD), Cumnock</li> <li>2. Advanced Manufacturing Investment Corridor (AMIC), Kilmarnock</li> <li>3. Ayrshire Engineering Park at Moorfield, Kilmarnock</li> <li>4. Halo, Kilmarnock</li> </ol> </li> <li>• Housing supply target and land requirement - determining the number of houses which will be required per annum.</li> <li>• Housing policies &amp; initial look at residential sites – affordable housing, housing in the countryside, gypsy traveller’s sites, conversions, enabling development.</li> <li>• Stewarton – Approach to Sustainable Growth, Industrial and Business land in Stewarton</li> <li>• Stewarton Stakeholder meeting</li> <li>• Design</li> <li>• Settlement boundaries – considering whether revisions are required.</li> </ul>
Quarter 2	<ul style="list-style-type: none"> <li>• Addressing flooding in East Ayrshire – including the constraints it is placing on development</li> <li>• Town centre boundaries</li> <li>• Bellfield Interchange – considering capacity and upgrades.</li> </ul>

	<ul style="list-style-type: none"> <li>• South Central Kilmarnock – challenging flooding and vacant and derelict land</li> <li>• Future economic expansion in Kilmarnock - enhancing the industrial and business land offer</li> <li>• Allocating areas for environmental designations such as woodland creation</li> <li>• Stewarton &amp; Kilmarnock strategies and consultation</li> <li>• Infrastructure – for example broadband and open space provision</li> <li>• Residential land allocations (1st pass) &amp; placemaking</li> </ul>
Quarter 3	<ul style="list-style-type: none"> <li>• Residential land allocations (2nd pass) &amp; placemaking</li> <li>• Draft Proposed Plan first pass</li> </ul>
Quarter 4	<ul style="list-style-type: none"> <li>• Public consultation</li> </ul>

5.14 Community engagement will similarly be important in shaping the Proposed Plan. It is proposed that current working arrangements with East Ayrshire Council's Vibrant Communities will be strengthened so that communities can be involved (as far as practicable given the pandemic) in developing the Proposed Plan. Community Groups that have prepared or are preparing Community Led Action Plans will be invited to contribute to the making of the Proposed Plan.

### **Main Issues Report Consultation**

5.15 The MIR was released for public consultation for a period of eight weeks between 1 June and 31 July 2020. The consultation was advertised in local newspapers and a copy of the MIR and associated documents were made available via the Council's website during this period of consultation. Previous LDP consultees were advised of the consultation via email or letter.

5.16 As a result of the ramifications of Covid-19, the Chief Planning Officer (Scottish Government) issued a letter in May 2020 to all planning authorities identifying that it would inevitably be 'difficult [for them] to discharge some of their responsibilities at the present time'.



Interim Development Planning Guidance was therefore issued to assist authorities with the Chief Planning Officer outlining that it was essential that the planning system remain open for business and that development plans would play a vital role in supporting our future economic recovery post pandemic. Accordingly, the guidance requested that all planning authorities should consider allowing longer timescales and more flexible arrangements for engagement in the development planning process. It also makes clear that Scottish Ministers, at development plan examination, would not wish to see plans being progressed through the system without sufficient or inclusive engagement.

5.17 In order to ensure that we were meeting the terms of the guidance, to avoid complications at later stages of the plan making process and to ensure communities were involved as much as possible, within the confines of lockdown, advice was sought from the Scottish Government on what could be done to promote engagement with the Main Issues Report. A meeting was held and the following was agreed and noted:

- Virtual meetings would be offered to Community Councils and Community Action Plan Groups;
- Newsletters on selected issues would be placed on the Council's website;
- Promotion of the MIR on social media would take place;
- The consultation period would run for 2 weeks more than the statutory minimum, with a further two week soft close period afforded to those who specifically requested more time to respond.

5.18 As a result of Covid-19 we were not able to honour arrangements set out in the Development Plan Scheme 2020 to hold workshop sessions.

## **ENGAGEMENT AND RESPONSES**

5.19 Six online engagement events were held with a number of local community councils, community action groups and members of the public. These discussed the specific main issues set out in the MIR but also focussed on those which were more relevant and or tailored to each community. These events were undertaken in collaboration with colleagues in Vibrant Communities and, in the case of two of the events (Stewarton and the Irvine Valley), with the assistance of Kevin Murray Associates who had, prior to lockdown, been awarded the brief for facilitating LDP2 engagement events.

5.20 To maximise the opportunity for those interested to comment on the MIR, the Development Planning and Regeneration team published a series of newsletters on some of the main issues. These were published on the Council's social media platforms and website and focussed on specific issues as set out in the MIR, in a shorter, more digestible format.

5.21 Responses were sought via email, letter and smartsurvey and a total of 297 representations were received from a range of stakeholders including key agencies, such as Transport Scotland, Nature Scot (formerly SNH), Scottish Water and SEPA as well as members of the public.

## **KEY AGENCIES GROUP**

5.22 The Key Agencies are bodies specified by Scottish Ministers who are under a duty to co-operate with planning authorities throughout the development planning process. The Key Agencies are defined in the regulations as:

- Nature Scot (formerly SNH);
- Scottish Environment Protection Agency;
- Scottish Water;
- Scottish Enterprise; and
- Health Boards.

In addition, the following bodies, whilst not key agencies have the same level of involvement:

- Historic Environment Scotland;
- Transport Scotland; and
- Forest Land Scotland.

5.23 The Key Agencies Group (KAG) incorporates all of the organisations listed above and they agreed to meet with the Development Planning Team of the Council. As a group they work collaboratively, rather than as individual agencies. It has been agreed with the KAG that it should concentrate its work on two specific areas: South Central Kilmarnock and Stewarton. The KAG is keen to provide support for the Council to work collaboratively with them and the Council's stakeholders including local communities to help deliver, once the pandemic has passed, a Green Recovery. The Council and the KAG are acutely aware of the significant challenges ahead and the need, more than ever, for our places and communities to evolve so that they are able to embrace change in a way that brings not only economic but also long term social and environmental benefits. Whatever the answers, taking time to work together to agree a shared perspective underpinned by sound evidence will help make sure that every single investment in a place co-ordinated through LDP2 delivers for everyone. The early and continued engagement of the KAG will not only help improve place outcomes but will provide opportunities to align resources more effectively and bring greater certainty for communities.

5.24 Along with the KAG, we intend to undertake further consultation on matters related to Stewarton and Kilmarnock in advance of the issue of the Proposed Plan. In Stewarton and Kilmarnock only, we intend to undertake further public consultation to assist in producing a development strategy. The format of engagement with the KAG and other stakeholders will depend on Covid restrictions.

## **Consultation and Community Engagement on the Proposed Plan and Environmental Report**

5.25 The Proposed Plan and accompanying documentation will be formally consulted on for a period of 8 weeks. The following steps will be taken after publication of the Proposed Plan to ensure that the maximum amount of people and organisations can put across their views.

- i. Press release in all local newspapers circulating within East Ayrshire, in the Council's 'eWords' magazine and on the Council's web site and 'stayconnected' mailing list, advising people of the consultation period.

- ii. A social media engagement strategy will be implemented, in conjunction with the Council's communications team. Given the considerable reach and potential audience of social media, increased emphasis will be given to using this medium as an engagement tool. In particular, this will be targeted at hard to reach groups including young people and families with children.
- iii. All Council Depute Chief Executives and Heads of Service, the Health and Social Care Partnership and Locality Planning Groups together with all Community Councils within the local authority area will be contacted individually for their views. If requested, officers will attend meetings (either virtually or personally if circumstances allow) of individual community councils to discuss the MIR.
- iv. All key agencies and other interested organisation and stakeholders, including Scottish Ministers, Scottish Forestry and Transport Scotland will be consulted.
- v. All persons/bodies/organisations that made representation on or lodged objections to the East Ayrshire Local Development Plan (2017) or Minerals Local Development Plan (2020) will be contacted for their views on the documents. A database of all interested parties will be built up over time and used for every consultation undertaken in the plan preparation process.
- vi. Workshop sessions will be held in various locations, however where necessary, more emphasis will be placed upon holding these events virtually due to the Covid-19 pandemic and to ensure public safety. These will comprise a mixture of afternoon and evening sessions and will be widely advertised to the general public. Community groups in the area, identified through collaboration with the Council's Vibrant Communities team, will be specifically made aware of the events and encouraged to attend.
- vii. Copies of the documentation will, if at all possible because of the pandemic, be made accessible in all local community libraries and in Council Offices for information and consultation purposes. The documents will however be placed on the Council's website and arrangements will be made for representations on the documents to be submitted to the Council electronically via a dedicated local development plan email address.
- viii. The possibility of working alongside other Council publicity and consultation activity will be examined.
- ix. Focussed engagement will be carried out with 2 local high schools (Loudoun Academy and Grange Academy) on particular elements of the Proposed Plan as part of the Ayrshire Chamber of Commerce's Learn4Work programme. These events were delayed due to the Covid-19 emergency and will be undertaken virtually to ensure the safety of those involved.

5.26 In cases where a proposal for development of a specific site is likely to have a significant effect on the use or amenity of that site or of neighbouring land, formal notification of the preparation of the plan will also be given, in terms of Regulation 14(1) of the Town and Country Planning (Development Planning) (Scotland) Regulations 2008, to the owner, lessee or

occupier of any premises situated on that site or to the owner, lessee or occupier of any premises situated on the neighbouring land concerned.

## **Consultation on Strategic Environmental Assessment (SEA)**

5.27 The Consultation Authorities (NatureScot, SEPA and Historic Environment Scotland) will be consulted via the SEA Gateway at every stage of the Environmental Report. The Report will also be available for public comment alongside the Proposed Plan. The MOWG has sight of the Environmental Report content to date at every meeting as the Plan is drafted and is invited to comment.

## **6. REGIONAL SPATIAL STRATEGY**

6.1 The Planning (Scotland) Act 2019 introduced a requirement for planning authorities to prepare Regional Spatial Strategies. The Act indicates that strategies will be non-statutory (so will not form part of the Development Plan) but should inform both the NPF and Local Development Plans. It also indicates that they should focus on strategic development, defined as being development that will have an impact on more than one local planning authority.

6.2 The secondary legislation that will help guide the preparation of Regional Spatial Strategies (RSS's) is not anticipated to be published until September 2021. The consultation draft of the NPF4 is expected by the third quarter of 2021, with the 2019 Act stating that NPF4 should be informed by RSSs. To resolve the conflicted timescales Scottish Government suggested that 'indicative' Regional Spatial Strategies should be prepared setting out key development priorities and principles, but without the full detail and engagement that would be expected of a full RSS.

6.3 An indicative Ayrshire Regional Spatial Strategy was approved by the Council's Cabinet in September 2020. It was also approved by North and South Ayrshire Council's as well as the Regional Economic Partnership Board. East Ayrshire Council will continue to work collaboratively with North and South Ayrshire Councils to prepare a full Ayrshire Regional Spatial strategy. The indicative RSS will be developed further into a full RSS when the guidance has been produced by Scottish Government. The indicative Strategy will also be taken into account in the East Ayrshire Proposed Local Development Plan.

6.4 Officers from across the three Ayrshire authorities will continue to work jointly to develop the full RSS in line with the Ayrshire Regional Economic Partnership Strategic Objectives and emerging timescales set out by Scottish Government. In developing the full strategy for Ayrshire, it is intended that there will be significant engagement and joint working with all partners, and sufficient opportunity to expand on, add to and amend the content of the indicative strategy will be given. Once national guidance is clarified the Council's engagement measures will be set out in a future edition of this document.