

2. Planning, Policy and Legislative Background to Green Infrastructure

This section of the Strategy provides some background information on the planning, policy and legislative requirements around green infrastructure and open space, as well as providing an East Ayrshire specific policy lens.

2.1 National

The Planning (Scotland) Act 2019

The Planning (Scotland) Act received royal assent in July 2019. It places new statutory duties on local planning authorities to:

- Undertake and publish a Play Sufficiency Assessment.
- Prepare and publish an Open Space Strategy (OSS) related to the development, maintenance and use of green infrastructure, including open spaces and green networks.
- Prepare and consult on an Evidence Report as part of the preparation of a local development plan.

Open Space Strategy (OSS)

The OSS must contain:

- An audit of existing open space provision;
- An assessment of current and future requirements; and
- Any other matter which the planning authority consider appropriate.

The Town and Country Planning (Play Sufficiency Assessment) (Scotland) Regulations 2023

The Town and Country Planning (Play Sufficiency Assessment) (Scotland) Regulations 2023 came into force on 19th May 2023. This sets out the requirement that a Play Sufficiency Assessment must be prepared as part of preparing an evidence report that informs the preparation of a LDP, under the new development planning regulations.

This will help to ensure that there is good evidence on the sufficiency of play opportunities for children across the planning authority areas, to inform the preparation of the LDP (through Section 16D).

The Play Sufficiency Assessment will be prepared by the Council and will align with the principles set out within this document.

National Planning Framework 4 (NPF4)

The National Spatial Strategy of NPF4 states that “cleaner, safer and greener places and improved open spaces will be resilient and provide wider benefits for people, health and biodiversity in a balanced way.” It recognises that many people, including children and young people, need better places to support their lifelong health and wellbeing and build their future resilience. It seeks to improve the quality of life of people across Scotland through facilitating places that enable local living, including providing access to playgrounds and green or blue spaces where there are opportunities for relaxation and informal play.

Ensuring all children have access to good quality play opportunities will deliver the policy objectives contained in NPF4 and help local authorities to uphold the rights of children.

Planning Advice Note(s) - PAN 65



Planning Advice Note 65 sets out the objective of demonstrating to local authorities the value and approach to preparing open space audits and strategies.

The PAN gives advice on the value of the planning system in protecting and enhancing existing open spaces and providing high quality new spaces. PAN 65 states that:

‘Open spaces are important for our quality of life. They provide the setting for a wide range of social interactions and pursuits that support personal and community well-being. They allow individuals to interact with the natural environment and provide habitats for wildlife. They can also be important in defining the character and identity of settlements.’

The planning system performs two key functions in relation to open space:

- Protecting areas that are valuable and valued; and
- Ensuring provision of appropriate quality open space in, or within easy reach of, new development.

It should be recognised that open spaces form only part of a much wider spectrum of land usage. PAN 65 Planning and Open Space defines open space as ‘any vegetated land or structure, water or geological feature in an urban area and civic space consisting of squares, market places and other paved or hard landscaped areas with a civic function.’

Open Space is a ‘cross cutting’ issue, drawing on the policy areas of sustainable development, healthy living, environmental education, local climate variances, recreational access, biodiversity, cultural resources and social inclusion. A wide range of initiatives arising from such policies can benefit from well-designed, well-operated and well-maintained open space.

A key element in planning open space provision is the matching of local needs to local provision, to ensure equal access opportunity across

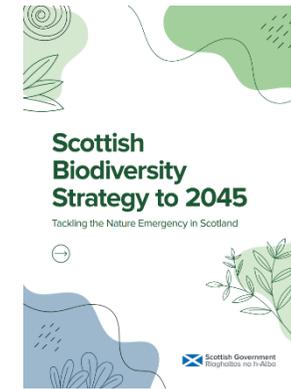
communities to the varied components (parks/amenity open space / play provision / sports areas / green corridors etc.).

Local authorities should aim to maintain or form networks of green and civic spaces which are:

- Well located – linking into the open space network, connecting into well-used routes and overlooked by buildings, helping to foster a feeling of safety and discourage anti-social behaviour as well as being easily accessible to all.
- Well designed – designed to reduce vandalism and (where appropriate) maintenance, with the use of high-quality durable materials, and incorporating elements of interest, for example, through public art.
- Well managed – covered by a management and maintenance regime attuned to the type of space, durability, wildlife present, level of usage and local interests.
- Adaptable – be capable of serving a number of functions and adapting to different uses while promoting a range of benefits, such as biodiversity, providing flood control, or environmental education.

Scottish Biodiversity Strategy

The Scottish Biodiversity Strategy sets the national vision of restoring and regenerating biodiversity by 2045 and a clear ambition to be Nature Positive by 2030. It is important that this is translated locally to protect, restore and regenerate the natural environment, species and habitats that are important across East Ayrshire's land and freshwater. Our greenspaces play an important role in connecting habitats through corridors and providing stepping-stone habitats.



2.2 Local

Local Development Plan 2 (LDP2)

Volume 1 of [Local Development Plan 2 \(LDP2\)](#) contains a robust and effective policy framework which relates to existing and future green spaces within East Ayrshire. These policies are as follows:

OS1: Green and Blue Infrastructure

OS2: Safeguarded Open Space

PLAY1: Play Provision

PLAY2: Loss of Play Equipment and Outdoor Sports Facilities

NE4: Nature Crisis

RES1: New Housing Development

RES4: Compact Growth

Schedule 1: Public and Private Green Infrastructure / Open Space Standards

