

NOTE FOR COUNCIL PAPERS ON THE ALTERATION TO EAST AYRSHIRE LOCAL PLAN (ITEMS 7.1 TO 7.3)

These papers were originally excluded from publication to the Press and public under paragraph 13 of the Local Government (Scotland) Act 1973, as amended. However, as the Council has now considered and decided on these reports, they have now been released into the public domain.

Council, at its meeting on Thursday 26 February 2009, agreed to the recommendations within these reports and, in terms of report 7.1, Objection and Representations Document and Schedule of Proposed Modifications, to a number of additional matters.

These additional matters are being incorporated within the supplementary background papers as referred to on the Agenda and will be available on the Council's Planning and Economic Development web pages by no later than Friday 6 March 2009. The weblink for this is shown below.

<http://www.east-ayrshire.gov.uk/devser/planandbuild/localplanposter.asp>

EAST AYRSHIRE COUNCIL

COUNCIL: 26 FEBRUARY 2009

ALTERATION TO THE EAST AYRSHIRE LOCAL PLAN

DRAFT SUPPLEMENTARY PLANNING GUIDANCE

Report by Depute Chief Executive / Executive Director of Corporate Support

1. PURPOSE OF REPORT

- 1.1 To present to Council for information, consideration and approval, three draft Supplementary Planning Guidance Documents prepared by the Head of Planning and Economic Development, relating to the subjects of Developer Contributions, Affordable Housing and Master Planning.

2. BACKGROUND INFORMATION

- 2.1 The finalised draft version of the Alteration to the East Ayrshire Local Plan was approved by Cabinet at its meeting of 7 November 2007 and, following consideration of objections received in respect of the plan, the Cabinet is being asked to approve separately a series of modifications to be made to the document. Within the finalised version of the local plan alteration, as now amended, Policy RES 31 of the plan requires prospective developers to fully reflect and respect the provisions of the Council's Supplementary Planning Guidance on affordable housing. In a similar vein, Policies RES 27 and RES 29, respectively, require housing developers to prepare Master Plans in certain situations which reflect and respect the Council's Supplementary Planning Guidance on Master Planning and to make contributions to the Council in accordance with the Council's Supplementary Planning Guidance on developer contributions. In order to facilitate the implementation of these policies and to provide detailed advice and guidance to potential developers and other users of the planning system, the Council has now prepared new draft Supplementary Planning Guidance relating specifically to these particular matters.
- 2.2 At its meeting of 4 February 2009, Cabinet received the three draft Supplementary Planning Guidance documents that are the subject of this report but agreed at the meeting to refer these to full Council for its consideration and approval. Following the Cabinet meeting, and in order to provide members with additional information and to help clarify any outstanding issues of concern, a Members Seminar was held on 17 February 2009.

3 PROVISIONS OF THE SUPPLEMENTARY PLANNING GUIDANCE

Guidance relating to Affordable Housing

- 3.1 The proposed draft Supplementary Planning Guidance relating to affordable housing sets out the basis for a comprehensive, consistent and transparent approach to implementing the Council's Affordable Housing Policy (Policy RES 31) as contained in the finalised draft version of the Alteration to East Ayrshire Local Plan as modified. It provides guidance to developers, landowners, Registered Social Landlords (RSLs) and other organisations involved in the planning process as to when affordable housing will be sought and the mechanisms through which it is to be delivered.
- 3.2 The draft guidance places the Council's approach to affordable housing in its national and local policy context and describes the various types of housing which fall within the 'affordable' category. An assessment is also made of the existing and projected needs for affordable housing within East Ayrshire and a series of actions proposed which the Council would intend to initiate to address and overcome identified deficiencies in affordable housing provision. In light of the current economic climate, provision has also been made in the draft guidance for reduced affordable housing provision to be made where a financial case for the reduction can be conclusively demonstrated to the Council.

Guidance relating to Developer Contributions

- 3.3 The proposed draft Supplementary Planning Guidance relating to developer contributions sets out the basis for a comprehensive, consistent and transparent approach to implementing the Council's Developer Contributions Policy (Policy RES 29) as contained in the finalised draft version of the Alteration to East Ayrshire Local Plan as modified. It provides guidance to landowners, developers and other organisations involved in the planning process as to when and where developer contributions will be required and identifies a selective number of specific projects towards which such contributions will be directed.
- 3.4 The draft guidance describes the legal and policy context within which the Council's proposed developer contributions system will operate and also details the framework developed by the Council to operate and implement the developer contributions policy. The draft guidance focuses on developer contributions raised from residential developments and where a development is considered likely to require the provision of new infrastructure, facilities and amenities or where it is likely to place unacceptable additional pressure on existing infrastructure, facilities and amenities, developer contribution projects have been identified in the guidance together with estimated indicative costs for their implementation.
- 3.5 Based on the above information, the draft Supplementary Planning Guidance identifies the various levels of contribution that developers will be required to lodge with the Council in various parts of the authority area (based on the estimated cost of providing various local settlement related projects and projects relating on a broader basis to the particular investment corridor or core area within which the proposed development is

located), ensuring that the contributions required are directly proportionate and related to the scale and kind of development proposed. Detailed information is also provided regarding the implementation of the developer contributions funds that it is proposed to set up to administer the contributions received. Provision has also been made in the draft guidance for reduced developer contributions to be made where it can be demonstrated that paying the full contribution would make the development unviable. Also, in light of the current economic climate, provision has been made for developer contributions to be paid at a later stage in the development process than would previously be considered appropriate, eg once the houses in question have been sold.

Guidance relating to Master Planning

- 3.6 The proposed draft Supplementary Planning Guidance relating to master planning sets out detailed advice to potential developers about the preparation of master plans in line with the Council's Master Planning Policy (Policy RES 27) as contained in the finalised draft version of the Alteration to East Ayrshire Local Plan as modified. The draft guidance describes the national and local policy context within which the Council's proposed approach to master planning will operate and also provides details as to the recommended format that master plans should take and the type of information that they should contain. In addition, the draft guidance recommends detailed discussion with service providers and other stakeholders before and during the preparation of the master plans to be produced and full consultation with local communities prior to the lodgement of the master plan to the Council for consideration. Prospective developers will be required to provide evidence to the Council that full consultation has taken place in this regard, detailing the steps that have been taken to engage the public in the master plan preparation process.

4 NEXT STEPS

- 4.1 It is proposed in relation to all three Supplementary Planning Guidance (SPG) documents that a consultation exercise be undertaken. The exercise will be particularly focused on those who may have an interest in developing in East Ayrshire. Following consideration of all comments received on the draft SPGs a revised set of SPG documents will be presented to Cabinet and Council for approval.

5 FINANCIAL IMPLICATIONS

- 5.1 No financial implications are envisioned as a direct result of this report.

6 LEGAL IMPLICATIONS

- 6.1 There are no legal implications arising as a result of the Council's approval of this report.

7 POLICY IMPLICATIONS

- 7.1 There are no direct policy implications arising as a result of the Council's approval of this report. However, once finally approved by the Council, the Supplementary Planning Guidance will formally become a material planning considerations in the Council's consideration and determination of relevant planning applications.

8 COMMUNITY PLAN IMPLICATIONS

- 8.1 There are no community plan implications arising as a result of the Council's approval of this report.

9 RECOMMENDATIONS

9.1 It is recommended that Council agrees:

- (i) to approve the three Supplementary Planning Guidance documents attached to this report;**
- (ii) to authorise the Head of Planning and Economic Development to carry out a selective consultation process with the development industry and other stakeholders, to make any minor, non-substantive changes to the documents concerned to reflect representations received, and to report back to Cabinet on any substantive changes required.**

Elizabeth Morton
Depute Chief Executive / Executive Director of Corporate Support

17 February 2009 (JL/EF/KD)

LIST OF APPENDICES

Appendix 1: Supplementary Planning Guidance – Developer Contributions

Appendix 2: Supplementary Planning Guidance – Affordable Housing

Appendix 3: Supplementary Planning Guidance - Masterplanning

LIST OF BACKGROUND PAPERS

- (i) Report to Cabinet on 4 February 2009 entitled 'Alteration to the East Ayrshire Local Plan: Draft Supplementary Planning Guidance'.

For further information on this report please contact John Lilley on (01563) 576754 or Karl Doroszenko (01563) 576751.

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