

## EAST AYRSHIRE COUNCIL

### DEVELOPMENT SERVICES COMMITTEE - 11 OCTOBER 2006

#### SOUTH LANARKSHIRE LOCAL PLAN - FINALISED PLAN

#### Report by the Executive Director of Development and Property Services

### 1. PURPOSE OF REPORT

- 1.1 To advise the Committee of the response of the Head of Planning, Development and Building Standards on the contents of the South Lanarkshire Local Plan - Finalised Plan in terms of any cross-border policy issues it might raise for East Ayrshire; to advise the Committee whether the Finalised Plan has fully taken into account the issues formerly raised by the Council in its response to the South Lanarkshire Consultative Draft Local Plan and to seek homologation of the above response by the Committee.

### 2. BACKGROUND

- 2.1 In October 2005 the Council was consulted by South Lanarkshire Council on the South Lanarkshire Local Plan: Consultative Draft. In its response the Council commented on a number of cross-border issues in respect of the Plan principally relating to the following subjects:-

- travel demand - particularly in relation to walking, cycling and riding.
- environmental priorities and objectives - particularly in relation to green corridors.
- wind farms & other renewable energy issues.

- 2.2 South Lanarkshire Council has now produced The South Lanarkshire Local Plan: Finalised Plan and responses on the document were requested by 14 September 2006. In view of the early expiry date of the consultation period a response on the finalised plan has already been sent to South Lanarkshire Council by the Head of Planning, Development and Building Standards and an indication of the main issues raised in that response are detailed in Section 3 of this report.

### 3. FINALISED PLAN: RELEVANT ISSUES

- 3.1 In its response to South Lanarkshire Council in respect of the South Lanarkshire Local Plan: Finalised Plan, the Council made observations and comments relating to the following issues:

#### 3.2 Travel Demand

In its response to the South Lanarkshire Local Plan: Consultative Draft, the Council specifically pointed out that there was no acknowledgement in the document of the importance of potential path routes between South Lanarkshire and East Ayrshire linking the River Avon and River Irvine Valleys and the River Ayr and Douglas Water Valleys, although Policy TRA 2 of the draft plan stated that linear routes, such as former railway lines were to be safeguarded to provide walking, cycling and riding opportunities. It is noted that Policy TRA 2 has not been amended to take account of the Council's view that reference should be made in the Local Plan to the importance of the above cross-boundary routes. **The Council would therefore request, once again, that reference to this issue should be made in the policy and that an amendment to the Finalised Plan should be made in this regard.**

**3.3** The Council also commented in its response to the consultative draft plan that Policy TRA3 of the plan which relates to Core Path Plan proposals, should be amended to refer to cross-boundary co-working with East Ayrshire and other neighbouring Councils in the preparation of those documents, it being the opinion of the Council that co-working was essential to facilitate the development of any long distance path systems. No amendment has been made in the finalised plan to refer to any such co-working arrangements. **The Council would therefore request, once again, that reference to this issue should be made in the policy and that an amendment to the Finalised Plan should be made in this regard.**

### **3.4 Environmental Priorities and Objectives**

In its response to the South Lanarkshire Local Plan: Consultative Draft, the Council pointed out that the draft plan did not contain any policies or proposals to extend green networks within rural areas or make any reference to possible links into the valleys of the Rivers Ayr and Irvine which have potential for biodiversity dispersal and public recreation. Despite the Council requesting that such provisions be made, it is noted that the finalised plan still does not include any specific reference to rural green networks under Policy STRAT7 (Strategic Green Network Policy) and the related Policy ENV2 (Local Green Network Policy). The Council is of the view that the lack of reference to rural green networks in the Finalised Plan or to the opportunity these raise for public recreation and species dispersal, both within South Lanarkshire and across neighbouring local authority boundaries, is a significant omission. **Once again the Council would request that more specific reference be made to rural green networks, including opportunities for cross-border working with East Ayrshire and other neighbouring authorities, through an appropriate alteration to the Finalised Plan.**

### **3.5 Renewable Energy - Windfarms**

In the period that has elapsed since the Council responded to the consultative draft version of the South Lanarkshire Local Plan, the Finalised Replacement Ayrshire Joint Structure Plan 2006 has been published, with the replacement plan identifying Preferred Areas of Search for large scale wind farm development. It is noted that the 'potential' areas for wind farms identified in the Clyde Valley Structure Plan and in the South Lanarkshire Local Plan: Finalised Plan are not contiguous with the Preferred Areas of Search in the Finalised Ayrshire Joint Structure Plan 2006 and do not therefore allow a consistent cross-border strategic planning approach to the provision of wind farm development. **The Council has serious concerns regarding this issue and would therefore object to the proposed 'potential' areas for wind farms as shown in the South Lanarkshire Local Plan: Finalised Plan on the above and following grounds.**

**3.6** In its response on the South Lanarkshire Local Plan: Consultative Draft the Council also expressed its concern regarding the identification of 'potential' areas for large scale wind farms that were contiguous with those parts of the Muirkirk & Lowther Uplands SPA within South Lanarkshire and East Ayrshire. It was the Council's view that the 'potential' areas for large-scale wind farms were inappropriate, given the proximity of the above SPA containing protected species and their breeding grounds and foraging areas which could all, potentially, be seriously adversely affected by wind farm development. It is noted that no change to the above 'potential' areas has been incorporated within South Lanarkshire Council's finalised plan. It remains the Council's view that the direct abutting of the SPA and wind farm areas does not represent good forward planning. As regards the South Lanarkshire Local Plan: Finalised Plan, the development of wind farms directly adjacent to a

protected internationally important area of nature conservation interest could be held to run counter to those policies included in the Plan (principally Policies ENV4 and ENV37) that specifically safeguard statutory nature conservation sites. It is considered that future wind farm developments could potentially have serious adverse effects on the SPA through disturbance to the adjacent nesting and foraging areas of the protected birds to which the SPA relates. **The Council would therefore wish to object to the proposed location of 'potential' areas for wind farms adjacent to the Muirkirk & Lowther Uplands SPA.**

**3.7** Similarly, in view of the 'potential' areas for large-scale wind farms indicated in the South Lanarkshire's finalised plan still being contiguous with Sensitive Landscape Character Areas, as defined in the Approved Ayrshire Joint Structure Plan and the East Ayrshire Local Plan (and now also in the Finalised Replacement Ayrshire Joint Structure Plan 2006), it also remains the Council's view that any future wind farm development might have potential adverse effects on views both within and out of these Sensitive Landscape Character Areas, and also in terms of cumulative effects with other existing or proposed wind farms in the area. This would, in turn, make those landscape safeguarding criteria for wind farm developments incorporated within Policy ENV37 of the South Lanarkshire finalised plan difficult to apply. **The Council would, therefore, also object to the proposed location of 'potential' areas for wind farms adjacent to Sensitive Landscape Character Areas.**

**3.8** Notwithstanding the above specific matters, general cross-border issues relating to wind farm developments are also considered important and the Council had previously expressed the view that the South Lanarkshire Council's Environmental Report should have made an assessment of such issues in terms of cumulative effects, both permanent and temporary, on neighbouring authorities, including East Ayrshire. It is noted that the South Lanarkshire Local Plan: Finalised Plan, including the SEA Environmental Report, still does not contain any references to consultation with neighbouring authorities on cross-border issues. **The Council would therefore object to the omission from the South Lanarkshire Local Plan: Finalised Plan of any reference to cross-border issues relating to wind farm developments.**

## **4. CONCLUSIONS**

**4.1** It is concluded that the Travel Demand, Environmental Priorities and Objectives sections of the South Lanarkshire Local Plan: Finalised Plan should be amended along the lines detailed in Section 3 of this report.

**4.2** As regards the section of the South Lanarkshire Local Plan: Finalised Plan as it relates to Renewable Energy - Wind Farms, it is suggested the Council formally objects to those specific policy issues, as detailed in Section 3 of this report.

## **5. FINANCIAL IMPLICATIONS**

**5.1** There are no financial implications for the Council as a direct result of this report.

## **6. LEGAL IMPLICATIONS**

**6.1** There are no legal implications for the Council as a direct result of this report.

## **7. POLICY IMPLICATIONS**

**7.1** There are no policy implications for the Council as a direct result of this report.

## **8. COMMUNITY PLAN IMPLICATIONS**

**8.1** There are no community plan implications for the Council as a direct result of this report

## **9. RECOMMENDATION**

**9.1** It is recommended that the Committee:-

- (i) Agrees to approve the contents of this report; and**
- (ii) To homologate the response on the South Lanarkshire Local Plan: Finalised Plan already forwarded to South Lanarkshire Council.**

**James Lavery**  
**Executive Director of Development and Property Services**  
(KD/JT/SA) - FV  
21 September 2006

### **LIST OF BACKGROUND PAPERS**

- 1 South Lanarkshire Local Plan: Finalised Plan.**
- 2 Report by Executive Director of Development and Property Services to Development Services Committee: 20 December 2005.**
- 3 South Lanarkshire Local Plan: Consultative Draft Plan.**

For further information on the contents of this report, contact Karl Doroszenko, Policy and Projects Manager or Julian Thorp, Planning Officer on 01563 576751 or 01563 576789 respectively.

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