

REPORT TO: East Lothian Council

MEETING DATE: 30 October 2018

BY: Depute Chief Executive (Partnerships and Community Services)

SUBJECT: Adopted East Lothian Local Development Plan 2018 Draft Supplementary Guidance for Consultation (Town Centre Strategies) and Draft Supplementary Planning Guidance (Design Standards for New Housing Areas; Green Networks)

1 PURPOSE

1.1 This report seeks Council approval for consultation on draft statutory Supplementary Guidance and draft non-statutory Supplementary Planning Guidance associated with the adopted East Lothian Local Development Plan 2018 (ELLDP 2018), namely:

- A draft of statutory Supplementary Guidance: Town Centre Strategies (Members Library Ref: 156/18, October 2018 Bulletin);
- A draft of non-statutory Supplementary Planning Guidance: Design Standards for New Housing Areas (Members Library Ref: 157/18, October 2018 Bulletin);

A draft of non-statutory Supplementary Planning Guidance: Green Networks (Members Library Ref: 158/18, October 2018 Bulletin).

2 RECOMMENDATIONS

2.1 That the Council approves for consultation the following draft documents:

- draft statutory Supplementary Guidance: Town Centre Strategies;
- draft non-statutory Supplementary Planning Guidance: Design Standards for New Housing Areas
- draft non-statutory Supplementary Planning Guidance: Green Networks

3 BACKGROUND

Purpose and processes for preparing statutory Supplementary Guidance and non-statutory Supplementary Planning Guidance

- 3.1 Now that ELLDP 2018 is adopted, the Council's intention is that it will be supported by statutory Supplementary Guidance as well as non-statutory Supplementary Planning Guidance. Some guidance has already been consulted on and is subsequently recommended for approval and this is a second tranche of guidance in support of the ELLDP 2018.
- 3.2 The statutory process for the preparation of statutory Supplementary Guidance must be followed by the Council. For statutory guidance to be prepared, the ELLDP 2018 contains a policy 'hook' in Policy DEL1 that signposts and enables this. Such guidance must also be limited to providing further information or detail on such policies.
- 3.3 Statutory guidance is not subject to Examination in Public, but the Council must consult on a draft version of it with stakeholders. Appended to this report is the draft Town Centre Strategies guidance that is recommended for consultation. Following this consultation exercise, the final version of the guidance that the Council wishes to adopt, the approach to and outcome of the consultation and any consequential modifications to the draft version of the guidance, must be reviewed by the Scottish Ministers who must give their clearance to the Council such that it may adopt the statutory guidance. If adopted, statutory Supplementary Guidance will become part of the development plan and therefore carry significant weight as a material consideration in planning decisions.
- 3.4 Whilst there is no statutory provisions setting out the scope or process for preparing non-statutory Supplementary Planning Guidance, if it is to carry enhanced weight as a material consideration in planning decisions it must be consulted on and adopted by the Council. For this type of guidance, there is no requirement for the Scottish Ministers to review it before the Council may adopt it.
- 3.5 The intention is that matters to be addressed within non-statutory Supplementary Planning Guidance are those that would be too detailed for inclusion within the main plan, but nonetheless merit more detailed policy guidance to assist with the operation of policies or proposals and the delivery of the plan. There is no pre-requisite for a policy 'hook' in the main plan in order to enable the preparation of non-statutory guidance. The preparation and adoption processes for non-statutory guidance can provide for more rapid policy responses to changes in operational practice than statutory Supplementary Guidance can, albeit non-statutory guidance carries less weight than statutory guidance in planning decisions.
- 3.6 The reason for re-consulting on some of the guidance documents is to ensure statutory compliance and to ensure that stakeholders have the opportunity to comment on the updated versions of the documents.

- 3.7 Once approved for consultation, statutory and non-statutory guidance documents may be taken into account as material considerations in planning decisions as appropriate, but cannot carry as much weight in the determination of planning applications as if they are adopted by the Council. Approval for public consultation of these draft documents at this stage is intended to help ensure that their preparation is progressed without delay with the intention that these draft consultation documents, once finalised following their period of public consultation and any other procedures as relevant, may be adopted by the Council as soon as possible.

Town Centre Strategies Supplementary Guidance

- 3.8 The Council had proposed that town centre strategies should form Supplementary Planning Guidance to the ELLDP 2018. However, in the Report on the Examination the Reporter recommended that these be Supplementary Guidance in line with Scottish Planning Policy that requires that spatial elements of town centre strategies should either be included in the development plan or Supplementary Guidance.
- 3.9 A draft town centre strategy has been prepared for each of East Lothian's six main town centres; Musselburgh, Tranent, Prestonpans, Haddington, North Berwick and Dunbar. The purpose of these draft strategies is to adopt a strategic approach to guide the improvement of town centres in East Lothian. They have been prepared using a range of information gathered through engagement and research including where appropriate, town centre charrettes and relevant parts of Area Partnerships Area Plans and other Supplementary Planning Guidance.
- 3.10 Following analysis from a health check of each town centre a series of actions are made to address the issues in each town centre. Each action is given an indicative short, medium or long timescale with identified lead and joint working parties for its implementation. The health check can be regularly updated and actions can be monitored and if required revised in future. The health check for each town centre is appended to the back of each strategy within this document.
- 3.11 Once adopted, they will provide an agreed strategic approach to the issues faced by the town centre, and will inform future decision making to help achieve sustained long-term improvement.

Design Standards for New Housing Areas Supplementary Planning Guidance

- 3.12 The previous Local Plan had Supplementary Planning Guidance on Design Standards for New Housing Areas approved in 2008. This guidance outlines the urban design principles that the Council wants to see provided in new housing developments and has been applied to new housing areas approved since 2008.
- 3.13 Much of this guidance remains relevant and should be carried forward to the new ELLDP 2018. However, it has been reviewed and updated where

necessary to make it a more effective document for developers and designers to use. It also takes account of the new ELLDP 2018 Design Policies and reflects relevant changes in national guidance.

- 3.14 Once adopted, the Design Standards for New Housing Areas will provide an agreed approach to the design of new residential areas and will be applicable to all allocated sites in the ELLDP 2018.

Green Networks Supplementary Planning Guidance

- 3.15 The Green Networks Supplementary Planning Guidance is new guidance that applies across East Lothian within and between settlements, into the countryside and along the coast and with links to green networks in neighbour authority areas.
- 3.16 The green network is defined as connected areas of green and blue space within and around our towns linking out into wider countryside which underpins the area's quality of life and sense of place and provides the setting within which high quality sustainable growth can occur.
- 3.17 The Green Network Supplementary Planning Guidance provides further guidance in support of ELLDP 2018 Policy DC10 and focuses on a number of priority areas that are important because of urban intensification, safeguarding existing components of the green network and new components which should be created and integrated with the existing network.

Consultation on the Guidance

- 3.18 It is proposed that the consultation period for all of the Supplementary Guidance and Supplementary Planning Guidance be for a six week period commencing 9 November, to allow for documents to be printed and circulated and a questionnaire prepared for the consultation hub. Key agencies, Area Partnerships and Community Councils will be separately notified of the consultation and a press advert published.

4 POLICY IMPLICATIONS

- 4.1 All of the Supplementary Guidance and Supplementary Planning Guidance supports the ELLDP providing further detail in support of its policies.

5 INTEGRATED IMPACT ASSESSMENT

The subjects of this report has been through the Integrated Impact Assessment process through the ELLDP and no negative impacts have been identified.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – none
- 6.2 Personnel – none
- 6.3 Other - none

7 BACKGROUND PAPERS

- 7.1 East Lothian Local Development Plan 2018
- 7.2 East Lothian Local Development Plan 2018 Draft Supplementary Guidance Town Centre Strategies: Musselburgh; Tranent; Prestonpans; Haddington; North Berwick; Dunbar (Members Library Ref: 156/18, October 2018 Bulletin)
- 7.3 East Lothian Local Development Plan 2018 Draft revised Supplementary Planning Guidance Design Standards for New Housing Areas (Members Library Ref: 157/18, October 2018 Bulletin)
- 7.4 East Lothian Local Development Plan 2018 Draft Supplementary Planning Guidance for Green Networks (Members Library Ref: 158/18, October 2018 Bulletin)

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