



SCOTTISH EXECUTIVE

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Dear Mr Johnson

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 AYRSHIRE JOINT STRUCTURE PLAN - PROPOSED MODIFICATIONS

1. The Scottish Ministers have considered the Ayrshire Joint Structure Plan. They have taken into account the objections and representations received and propose that the draft modifications listed in the document attached to this letter should be made to the Plan. The document also gives the Scottish Ministers' reasons for proposing the modifications.
2. The Scottish Ministers have considered whether an Examination in Public should be held but have decided that on the information currently before them it is appropriate to issue this letter and the draft modifications.
3. In accordance with the provisions of Regulation 18 of the Town and Country Planning (Structure and Local Plans) (Scotland) Regulations 1983, Scottish Ministers have made arrangements to advertise the draft modifications, inviting objections to be submitted to this Department by 1 June 2007. They have also served notice of the draft modifications on all those who lodged objections and representations to the plan.

Yours sincerely

Nick Evans

Nick Evans
Principal Planner



AYRSHIRE JOINT STRUCTURE PLAN SCHEDULE OF DRAFT MODIFICATIONS

Introduction Chapter

Challenges Box. Community Regeneration. Insert at the beginning:

“ Ayrshire has been identified by the Scottish Executive as one of 2 regional priorities for regeneration. It is supporting the Irvine Bay Regeneration Company and will work with local partners to pursue regeneration opportunities with a regional impact. “

Reason – To reflect the priorities in the Scottish Executive’s People and Place: Regeneration Policy Statement.

Delivering the Vision Chapter

STRAT1. Delete and insert “The three Councils shall apply the Guiding Principles of Sustainable Development in Schedule 1 to the preparation of development plans, the consideration of masterplans and to planning applications as appropriate.”

Reason – To recognise that the application of the principles has to take account of circumstances and different types of development, and may have to be applied before they can be included in development plans.

Schedule 1. Development Obligations first sentence. Delete “any” insert “the significant”

Reason – clarification.

Schedule 1 Development obligations. Delete 6th and 7th sentences.

Reason – not development obligations and because the statutory requirement is for EIA.

Paragraph 14. Insert at the end:

“In particular the distribution of investment, particularly housing, in the 57 communities listed in Schedule 3 as within the Core Investment Area and the 7 Investment Corridors will require careful monitoring. The results will inform the early preparation of a more focussed strategy for the Local Development Plans which will be prepared under the Planning etc (Scotland) Act 2006.”

Reason – To provide for the review of the development framework.

Economy Chapter

Paragraph 31. At the end of the first sentence insert “and requires the preparation of an airport master plan.”

ECON 1 final sentence. Add at the end “consistent with the Airport Master Plan”.

Reason – To apply the 2003 Aviation White Paper.

Paragraph 34. After “Riverside/Irvine” insert “,Ardeer” Line 13 delete “and Ardeer”
ECON 2 Existing Strategic Business sites. After “Irvine Riverside” insert “Ardeer”.

Reason – To recognise Ardeer as a strategic business site.

Paragraph 46. Delete ‘but this cannot be at the expense of the environment’ and insert ‘and take environmental impacts into account’. Delete “commercial” in both instances and on the Key Diagram and on the Economic Investment Diagram. Add at the end “An Environmental Impact Assessment is a requirement for proposals likely to have significant environmental effects.”

Reason – Clarification.

ECON 7 Wind Farms. Delete and insert:

A) “In the Areas of Search: proposals for large and small scale wind farm development will be supported subject to environmental impact assessment and other material considerations.”

B) Outside the Areas of Search: large scale windfarms will have to demonstrate that there are no suitable opportunities within the search areas: and **all** wind farm proposals will have to demonstrate that there will be no unacceptable significant adverse effects on:

- 1) communities;
- 2) landscape character and visual amenity;
- 3) natural environment;
- 4) built and cultural heritage;
- 5) telecommunications systems;
- 6) airport operational requirements;

C) Cumulative impact will be assessed in all cases, taking into account existing wind farms and other known proposals, with or without planning permission.

D) Proposals for wind farm development in areas designated for their national or international natural heritage value will not conform to the plan.

Reason – To reflect Scottish Planning Policy (SPP)6.

ECON 8 and Paragraph 47 headings. After “Biomass” insert “and power generation”.

Reason – To clarify that the policy applies to more than biomass.

ECON 9. Delete “plant” insert “facility”.

Reason – To be consistent with paragraph 51.

Economic Investment Diagram. Add the symbols for Bulk Freight Locations.

Communities Chapter

Above Paragraph 65. delete “National” from the title.

Paragraph 66. Insert at the beginning “The Scottish Executive has identified Ayrshire as one of 2 regional priorities for regeneration. It is supporting Irvine Bay Urban Regeneration Company and will work with local partners to pursue regeneration opportunities with a regional impact.”

Move the text of paragraph 66 to 65 and vice versa.

COMM 1 A) Add at the end “including the Coalfield Communities Initiative Area”.

COMM 1 C) Delete and insert “Promote Irvine Bay as part of the national regeneration initiative.”

Reason – To conform with the Scottish Executive’s People and Place: Regeneration Policy Statement.

Table 2. Delete and replace:

	Allocations		Indicative Targets	Indicative Total
	2005 – 2012	2012 - 2017	2017 – 2025	2005 - 2025
East Ayrshire	3600	3700	4800	12100
North Ayrshire	4800	3500	5500	13800
South Ayrshire	2700	4100	4500	11300
Ayrshire	11100	11300	14800	37200

Reason – To insert figures for 2017 – 2025

Table 3. Delete and Replace

	Indicative Target 2005-2025	Housing Opportunities 2005	Indicative Shortfall 2005 - 2017	Indicative Shortfall 2005- 2025
Core Area				
Ayr Area	9400	2850	3900	6550
Kilmarnock Area	5700	1850	2300	3850
Irvine Area	9000	4750	2550	4250
Total Core Areas	24100	9500	8750	14600
Corridors				
Glasgow Link	1500	450	600	1050
Cumnock Link	3150	1100	1200	2050
Irvine Valley	650	200	300	450
Doon Valley	750	200	350	550
Garnock Valley	2050	1450	350	600
North Coast	2000	700	800	1300
Carrick	1500	350	700	1150
Total Corridors	11600	4150	4450	7450
Non Corridors				
East Ayrshire	400	50	200	350
North Ayrshire	750	550	150	200
South Ayrshire	350	100	200	300
Total Non-Corridors	1500	650	550	900
Ayrshire	37200	14300	13750	22950

Reason – to reflect different assumptions about unproven and constrained sites becoming effective.

M74 Link. Wherever “M74 Link” occurs throughout the plan delete and replace with “Cumnock Link”

Reason – to better describe the area.

Community Investment Diagram. Indicate on the diagram the subdivision of the Core Investment Area into ‘Ayr Area’, ‘Kilmarnock Area’ and ‘Irvine Area’ as per Table 3. Strategic Expansion Locations - add a symbol for South Kilmarnock and ensure the symbol at Ayr covers south and south east. Amend figures to conform with replacement Table 3.

Reason – To facilitate the identification and delivery of housing land, and to clarify the areas shown in Table 3.

Paragraph 74. After the second sentence insert ‘This does not preclude the identification of other strategic locations through an alteration to the plan or by inclusion in subsequent local development plans providing they accord with Table 3 and any infrastructure and other requirements are met.’

Reason – To clarify the first 2 sentences of Paragraph 74.

Paragraph 75 second sentence. Add at the end ‘extending in some cases beyond the plan period’.

Reason – To enable long term investment in infrastructure.

Schedule 5. Insert the words ‘South and’ before ‘South East Ayr’

Reason – To clarify the location.

COMM 2 A) second sentence. After ‘review’ insert ‘at no more than 5 year intervals’.

Reason – To ensure the land supply.

COMM 3 B). Delete and replace with: ‘apply the Indicative Targets identified in Table 3 without significantly departing from them and to achieve the Housing Requirements of Table 2.

Reason – The Targets in Table 3 are only indicative.

COMM 3 F). Delete “any shortfalls” insert “appropriate shortfalls”.

Reason – To clarify the scope of developer contributions.

Paragraph 85 and COMM 6. B) . Add at the end “as indicated in Schedule 3”

Reason – To define the functions of centres”

COMM 6. First sentence. After “by” insert “policies and”.

Reason – to ensure that local plan policies apply the strategy.

COMM 6. C) Delete “extant” insert “non completed retail development, unimplemented”.

Reason – To reflect Schedule 6.

Environment Chapter

ENV 2 Landscape Protection. Delete and insert:

- A) Development that affects a National Scenic Area will only be permitted where it has been demonstrated:
 - a) The overall objectives of the designated area and the overall integrity of the area would not be compromised; or
 - b) any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social or economic benefits of national importance.

- B) In Sensitive Landscape Character Areas the protection and enhancement of the landscape shall be given full consideration in the preparation of local plans and the determination of planning applications.

Reason – To recognise the different status of the National Scenic Area and the Sensitive Landscape Character Areas and to reflect the SE model policy.

ENV 3 Core Investment Area Landscape. Add at the end “in a subsequent development plan”.

Reason – to clarify the means of defining a green belt.

Woodland Strategy Diagram. Insert in the key “Terms have the same meaning as in the Ayrshire and Arran Woodland Strategy”

Reason – Clarification.

Paragraph 102. Delete “concept” insert “conservation”.

Reason – To comply with the legislation.

ENV 7. Final sentence. Delete “prepare detailed” insert “include policies based on the Scottish Executive Model Policy”.

Reason – To deliver best practice in policy wording.

ENV 8 Flooding. A). Delete the first sentence and insert: “In accordance with the policy in SPP7, development proposals which would be at significant risk of flooding or which would increase the probability of flooding elsewhere will not be permitted. Local plans will apply the policy in the light of SEPA’s flood risk maps.” Second sentence. Delete: “and, only then, on brownfield sites”

Reason – to accord with SPP7.

Paragraph 116. After the second sentence insert “The 3 Councils will work together to resolve these uncertainties. Meanwhile “

ENV 12. Add at the end “They shall work together to prepare a strategy for mineral development, including opencast coal, to guide the preparation of future local development plans.

Reason – To provide a planned and up to date approach to mineral working.

Transport Chapter

TRANS 1. Add a new clause: “G) a transport appraisal process, which may include traffic modelling, is undertaken in accord with SPP17 and the results incorporated if necessary into the implementation of this plan and local development plans prepared under the Planning etc. (Scotland) Act 2006. Transport Scotland shall be consulted on the scope and content of the appraisal.”

Reason – To apply Scottish Planning Policy 17

Paragraph 120 third sentence. Add at the end “in accordance with national guidance on new railway station proposals”.

Reason – To apply national guidance on new stations.

Paragraph 124. Delete “These are” and insert: “These improvements will strengthen connectivity between Ayrshire and the M74 to serve European and UK locations, the Glasgow conurbation and, via the motorway and trunk road network, the rest of Scotland. Transport Scotland is undertaking a Strategic Transport Projects Review which will enable projects and improvements to be prioritised.”

Paragraph 124. Delete indent (i) and insert “Improved A78 links between Hunterston, the Irvine Bay Regeneration area and the Core Investment Area, which will improve connectivity with the Central Belt and beyond.

Paragraph 124. Indent (iv). Delete “in (i)”.

Reason – To recognise the importance of the road improvements to connectivity, the role of the Strategic Transport Projects Review, the tentative nature of the east – west link as proposed and the links to the M74 provided by other roads.

Paragraph 124. Add after indent (iv) “The transportation schemes within TRANS 3, which include alterations and improvements to the strategic trunk road network, require to be determined through an appraisal process which will include a STAG Appraisal as detailed within SPP 17 and PAN 75. The transportation schemes require approval from Transport Scotland, where collaborative working should be promoted for the provision and approval of strategic transport infrastructure. Currently, none of the schemes included in TRANS 3 have undergone an appropriate appraisal and do not have approval from Transport Scotland.”

Transport Investment Key Diagram Insert and Schedule 7 heading. Insert “Potential Opportunities for” before “New”.

Reason – to be consistent with the text.

Transport Investment Key Diagram Insert, Key Diagram and elsewhere. Wherever they occur the references to the 'east-west road' shall be deleted.

Reason – to be consistent with modified paragraph 124 and TRANS 3.

TRANS 2 Opening sentence. After “bodies” insert “and in the context of Scotland’s Railways”.

Reason – To take account of Scotland’s Railways.

TRANS 2 B). After “appropriate” insert “and subject to national guidance on new station proposals”; and after “developments” insert “prioritising the locations which support the implementation of the plan’s strategy as high, medium or low priorities”.

Reason – So the structure plan prioritises the locations in Schedule 7 in support of the strategy.

TRANS 3. B). After “study” insert “and if appropriate the”.

Reason – to ensure that any promotion and development of the proposals is founded on the studies.

TRANS 3. B) i). delete “an enhanced east-west link to the M74 motorway including” and add at the end “from the Core Investment Area”.

Reason – See paragraph 124 reason.

Implementation, Monitoring and Review chapter

IMP 2 Water and Sewerage Infrastructure. A) Insert at the end “and if a development can reasonably be connected to a public sewer there will be a general presumption against private waste water treatment systems.” C) Delete from “fund” to the end and insert “fund the non-strategic infrastructure servicing of their sites under the Provision of Water and Sewerage Services (Reasonable Cost)(Scotland) Regulations 2006.

Reason – To maximise the use of public sewers and clarify the apportioning of costs.

Glossary

Large Scale Wind Farms. Delete and insert “developments of more than 20MW of generating capacity.”

Reason – To reflect Scottish Planning Policy (SPP)6

Green belt. Delete “An area of land where strict planning controls apply” and insert “ An area of land designated for the purposes of managing the growth of a town or city in the long term where there is a strong presumption against inappropriate development”.

Reason – To accord with SPP 21 Green Belts.

Environmental Assessment (Under Communities). Make consistent with the definition of Environmental Impact Assessment under Environment.

Key Diagram

Add the green belt.

Reason – To indicate the general location of the green belt

Add Ardeer as an Existing Strategic Business Site.

Reason - To be consistent with the modified text.

Delete the “NR” symbol to the south east of Ayr and in the key after “National Regeneration” delete “Priorities” and insert “Initiative”.

Reason – To be consistent with People and Place: the SE Regeneration Policy Statement.