
LOCAL DEVELOPMENT PLAN : MAIN ISSUES REPORT

Report by Service Director Regulatory Services

SCOTTISH BORDERS COUNCIL

30 August 2018

1 PURPOSE AND SUMMARY

- 1.1 This report seeks approval of the Main Issues Report as the basis for public consultation.**
- 1.2 The Main Issues Report (MIR) is a forerunner to the review of the forthcoming new Local Development Plan (LDP2) which will replace the existing adopted LDP 2016. In essence the MIR seeks public views on a range of key material considerations which LDP2 must address. It raises a series of questions for consideration and where possible suggests preferred and alternative approaches for addressing identified issues. As part of the MIR consultation a series of presentations and workshops will be held in venues across the Scottish Borders.
- 1.3 Responses from the MIR consultation will be reported back to the Council. These responses will be taken forward for consideration in the preparation of LDP2.

2 RECOMMENDATIONS

- 2.1 I recommend that the Council :**
- a) approves the Main Issues Report of the Scottish Borders Local Development Plan, as set out in Appendix A, as a basis for public consultation**
 - b) notes the summary of officer conclusions, as set out in Appendix B, as to the suitability or not of all sites submitted for inclusion within the MIR**
 - c) notes the Environmental Report, a hard copy of which has been placed within the members' library**
 - d) agrees to consult on the Main Issues Report and the Environmental Report for a period of 12 weeks**
 - e) delegates any non-policy editorial changes to the Main Issues Report and the Environmental Report to the Service Director of Regulatory Services, and**
 - f) agrees that responses to the MIR are reported back to the Council**

3 BACKGROUND

- 3.1 The Town and Country Planning (Scotland) Act 1997 sets out the statutory basis for development planning in Scotland. Detailed aspects of the development planning system are set out in the 2008 regulations. Section 16 of the Act requires all planning authorities to prepare the Local Development Plan (LDP) for their area. Scottish Government Circular 6 – Development Planning confirms the requirements of the Main Issues Report (MIR). The MIR must be prepared in advance of the LDP and must identify key issues for public opinion which the LDP should address.
- 3.2 The Government expects a degree of twin tracking in those areas such as the Scottish Borders that are also covered by a Strategic Development Plan (SDP) but stipulate that LDPs should not be submitted to Ministers until the SDP has been approved. The SDP is the high level strategic plan that sets out a range of strategic planning issues which the LDP must address. The LDP should be consistent with the strategy and policies of the SDP, as well as Scottish Planning Policy more generally. The proposed SESplan (the SDP for Edinburgh and the South East of Scotland) has recently been subject to Examination by Reporters from the Directorate for Planning and Environmental Appeals (DPEA). The recommendations by the Reporters will shortly be referred to Scottish Ministers culminating in a new adopted SESPlan. The decision from Scottish Ministers is expected by the end of this year and therefore at this stage the decision and any amendments to the recommendation by Ministers are unknown. The MIR therefore makes reference to the key parts within the proposed SESPlan, and will take account of the new SESPlan as required when it is adopted.
- 3.3 The MIR must be clear and concise and contain favoured and any reasonable alternative proposals for public consideration. The MIR is not a draft version of the Plan, but a consultation document that draws attention to the key issues. The purpose of the MIR is to focus on what are considered to be the *main issues*, and consequently not all *issues* will be identified at this stage, but will instead be featured when the proposed LDP2 is published. The MIR identifies a background context for each subject and emerging main issues to be addressed. It also sets out a series of questions to be considered for each subject, where possible.
- 3.4 The MIR draws together the findings of a number of activities undertaken by the Council in the last year. This has included a Call for Sites seeking the submission of potential development sites for a variety of uses, a number of public events and workshops to discuss the purpose of the MIR, the consideration of third party representations, consultations with other Council services and statutory bodies. It also has taken account of national planning requirements and other material considerations as well as the conclusions from a series of internal working groups on a variety of subject matters.

4 The Main Issues Report

- 4.1 The MIR is set out in **Appendix A** to this report. It is intended to encourage engagement with the local community. It seeks opinion on a

number of key issues and sets out the Council's proposed and alternative approaches to the following main issues:

- Vision, Aims and Spatial Strategy
 - The MIR identifies the vision, aims and spatial strategy which LDP2 must follow which are consistent with the SESPlan.
 - Growing our Economy
 - Proposals for new industrial / business land sites, including mixed use sites
 - Options for review of Business and Industrial Land policy
 - Seeking opinion of where further land allocations are required
 - Planning for Housing
 - Reference to housing land requirement
 - Proposals for new housing sites
 - Consideration of support for isolated housing in the countryside subject to high design standard
 - Proposed removal from the plan of longstanding and undeveloped allocated housing sites
 - Supporting our Town Centres
 - Consideration of options to allow a wider range of uses within town centres
 - Identification of other policy changes that will encourage the vibrancy and vitality of town centres
 - Delivering Sustainability and Climate Change agenda
 - Identification of measures to promote sustainable development and address climate change issues
 - Seek opinion on the potential for a National Park for the Scottish Borders
 - Regeneration
 - Identification of potential redevelopment sites
 - Settlement maps
 - Proposed settlement map for Oxnam
 - Proposed removal of designated core frontage area within Newcastleton Conservation Area
 - Planning Policy Issues
 - A number of policy changes are identified
- 4.2 The MIR also includes Appendices which confirm the aforesaid review of all policies within the LDP and where text updates will be required, reference to classifications of sites as stated within policy ED1 (Protection of Business and Industrial Land) and reference to the Use Classes (Scotland) (Order) 1997. 199 sites for a variety of uses were considered for inclusion within the MIR. A summary of officer conclusions on the reasoning why sites have or have not been included is set out in

Appendix B to this report

4.3 The MIR has been prepared taking into account the findings of a number of associated technical background papers. Due to the very large aggregate size of all these papers they have not been attached electronically but have instead been copied in full and are available for reference within the member's library. These include :

- Monitoring Report (this monitors the performance of planning policies and identifies new issues to be addressed)
- Housing Technical Note
- Town Centre Core Activity Pilot Scheme
- Western Rural Growth Area : Development Options Study (this consultants study identifies both short and long term options for housing and employment land)

5 PROPOSED CONSULTATION ON MAIN ISSUES REPORT

- 5.1 The MIR, once approved by Council, will be sent to graphics and then be printed for circulation. It will require to be formally advertised. The Environmental Report (ER), which has been prepared under the terms of the Environmental Assessment (Scotland) Act 2005, will also require to be advertised under separate legislation. Therefore in order to make the process as straightforward as possible it is proposed to run the two consultation processes in parallel. The MIR and ER will be made available for a consultation period of 12 weeks from the date of statutory advertisement.
- 5.2 Alongside the formal adverts all documentation will be placed on the Council website and made available for inspection at all public libraries and at Council Contact Centres. There will be consultation with Scottish Ministers, key statutory agencies, neighbouring authorities, SESplan authorities and Community Councils as well as public organisations and businesses and members of the public who have previously expressed an interest in the planning process in the Borders. The document will also be placed in SB Connect with information on how to respond to it.
- 5.3 During the course of the public consultation period it is proposed to hold a series of 'public surgeries' which will include an exhibition about the MIR where officers will be available to discuss any aspect of it. The public surgeries will be held in a number of venues across the Scottish Borders so that as many members of the public as possible are able to attend. Feedback from the consultations will be reported back to the Council.

6 IMPLICATIONS

6.1 Financial

There are no substantive cost implications arising for the Council in respect of publishing and consulting on the MIR

6.2 Risk and Mitigations

Risk of not providing guidance MIR

- a) There are no risks envisaged as the production of the MIR is a

statutory requirement.

Risk of providing MIR

- a) There are no perceived risks related to the publication of the MIR. Following consultation, taking into account the comments received, the Council will come to a settled view on the content of the MIR, and will update the Environmental Report as necessary.

6.3 Equalities

An Equalities Impact Assessment has been carried out on these proposals and it is anticipated that there are no adverse equality implications.

6.4 Acting Sustainably

a) **Economic Growth**

The Development Plan is a key component in promoting development which will increase employment opportunities, economic activity and sustainable growth

b) **Social Cohesion**

The MIR identifies equal benefits across the Scottish Borders.

c) **Protection of the Environment**

The MIR has been subject to environmental appraisal under the terms of the Environmental Assessment (Scotland) Act 2005. An Environmental Report (ER) has been prepared alongside the MIR. The ER sets out a detailed assessment of the potential impacts of the options within the MIR, and puts forward any necessary mitigation requirements.

6.5 Carbon Management

There are no significant impacts on the Council's carbon emissions arising from this report.

6.6 Rural Proofing

The MIR has been subjected to a rural proofing assessment, and no significant issues have been identified.

6.7 Changes to Scheme of Administration or Scheme of Delegation

There are no changes to be made.

7 CONSULTATION

- 7.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Chief Officer Audit and Risk, the Chief Officer HR, the Clerk to the Council have all been consulted and comments received have been incorporated into the final report.

Approved by

**Brian Frater
Service Director, Regulatory Services**

Signature

Author(s)

Name	Designation and Contact Number
Charles Johnston	Lead Planning Officer (Planning Policy and Access)

Background Papers: None

Previous Minute Reference: None

Note – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Jacqueline Whitelaw can also give information on other language translations as well as providing additional copies.

Contact us at Jacqueline Whitelaw, Environment and Infrastructure, Scottish Borders Council, Council Headquarters, Newtown St Boswells, Melrose, TD6 0SA, Tel 01835 825431, Fax 01835 825071, email eitranslationrequest@scotborders.gov.uk