

ITEM 7 – SUPPLEMENTARY GUIDANCE ON CROSS BOUNDARY GREEN NETWORKS

Report By: Peter Arnsdorf

Purpose

The purpose of this report is to provide an update on the outcome of the consultation on the draft Cross Boundary Green Networks Supplementary Guidance and to set out the implications of the recent Ministerial decision to reject the second Strategic Development Plan (SDP2) for the supplementary guidance.

Recommendations

It is recommended that the Joint Committee:

1. Notes the outcome of the consultation on the draft Cross Boundary Green Network Supplementary Guidance;
2. Notes the implications of the rejection of SDP2 for the supplementary guidance; and
3. Confirms that the supplementary guidance is held in abeyance.

1. Consultation

1.1 The Cross Boundary Green Network Supplementary Guidance was published on 12 February for an 8-week consultation period. The consultation period ended on 10 April 2019.

1.2 Representations were received from twenty two organisations and individuals. Of these representations, twelve were from community organisations and individuals, five were from key agencies and other national organisations and five were from landowners or development companies. Significant points raised in the responses include:

- The suggested inclusion of the City Bypass (the planting and green space along it) as a strategic green corridor;

- Requests to making specific reference to additional strategic active travel routes;
- The need to clarify references to woodland creation and tree planting;
- Explaining what designation as a strategic green corridor does and doesn't mean in terms of development;
- Clarification of various aspects of the text.

2. Effect of SDP2 Rejection on the Supplementary Guidance

- 2.1 Under Section 22(1) of the Town and Country Planning (Scotland) Act 1997 (as amended) a Strategic Development Planning Authority may adopt and issue guidance in connection with a strategic development plan. This guidance may only deal with the provision of further information or details in respect of the policies and proposals in that plan, and can only cover matters that are expressly identified in the plan as matters to be dealt with through supplementary guidance (Town and Country Planning (Development Planning) (Scotland) Regulations 2008).
- 2.2 Given the decision by Scottish Ministers in May 2019 to reject the second Strategic Development Plan, under the provisions of the relevant legislation, there is no longer a basis for this supplementary guidance to proceed to approval.
- 2.3 The supplementary guidance has been updated following the consultation, and was due to be presented to the Committee for approval. However, the current status of the Strategic Development Plan means the supplementary guidance will be held in abeyance until SESplan determines what action, if any, is taken regarding SDP2. One potential course of action is for the member authorities to individually treat the guidance as planning guidance and afford it appropriate wait in decision making.

Report Contact

Peter Arnsdorf

Acting SDP Manager

0131 271 3310

peter.arnsdorf@midlothian.gov.uk