

E: developmentplans@gov.scot

Alison O’Kane
Acting Principal Planning Officer
East Ayrshire Council

By email: alison.o’kane@east-ayrshire.gov.uk

Our ref: A47728389
25th March 2024

Dear Alison,

**Town and Country Planning (Scotland) Act 1997
Notice of Intention to Adopt – East Ayrshire Local Development Plan 2 (as modified)**

I refer to your correspondence of 5th March 2024, regarding East Ayrshire Council’s intention to adopt the proposed East Ayrshire Local Development Plan 2 (as modified).

Scottish Ministers have decided that the proposed plan as notified is unsatisfactory and hereby direct, under section 20(5) of the Town and Country Planning (Scotland) Act 1997¹, that East Ayrshire Council consider modifying the proposed East Ayrshire Local Development Plan 2 as indicated in the Annex to this Direction.

This Direction is considered necessary to ensure the LDP takes account of the adoption of National Planning Framework 4 (NPF4) and that this replaces Draft NPF4 and Scottish Planning Policy.

Section 20(6)¹ provides (subject to any further direction under section 20) that your authority may not adopt the East Ayrshire LDP2 unless you satisfy Scottish Ministers that you have made the modifications necessary to conform with this direction, or the Scottish Ministers withdraw it.

¹ Section 20 is continued in effect to enable the constitution of local development plans in respect of which notice of the proposed local development plan was published in a local newspaper in accordance with regulation 12(2)(a) of the Town and Country Planning (Development Planning) (Scotland) Regulations 2008(1) before 12 February 2023 by regulation 4 of the Planning (Scotland) Act 2019 (Commencement No. 12 and Saving and Transitional Provisions) Regulations 2023 (SSI 2023/10).

I would be grateful if you would therefore confirm that your authority will modify the plan.

Yours sincerely

Adam Henry
Planning, Architecture and Regeneration Division

ANNEX

Table of modifications

Reference	Modification	Reason for modification
Page 42 Paragraph 82	Delete "SS9" and replace with "SS8"	Correcting a typographical error
Page 64 Policy OS1	Bullet point 4 – replace "is" with "are"	Correcting a typographical error
Page 90 Paragraph 179	Delete ",effective"	No longer part of national planning policy.
Page 90 Paragraph 180	Delete "draft "	To reflect the changed context for the plan.
Page 99 Policy RES6	Delete "The Council will assess any applications for permanent and temporary, privately or publically owned Gypsy/Traveller and Travelling Showpeople sites on land not identified for this use in the development plan on their own merits and will support the development of such sites where all of the below criteria can be met: (i) the site is readily accessible from the main road network; (ii) the development incorporates essential infrastructure including water, sewage disposal and electricity; (iii) the development is compatible with and has no detrimental impact upon the character, appearance and amenity of the surrounding area; (iv) the site is adequately screened and landscaped to the satisfaction of the Council; and (v) the site is located within reasonable distance of community facilities and local services and those facilities and services are readily accessible from the site with regard to the principles of the 20 Minute Neighbourhood. Proposals which do not meet all these criteria will not be supported by the	To align with Policy 16 of NPF4

	<p>Council.”</p> <p>Replace with “The Council will assess any applications for permanent and temporary, private or publically owned Gypsy/Traveller sites and family yards and Travelling Showpeople yards, including on land not identified for this use in the development plan, and support development of such sites where a need is identified and the proposal is otherwise consistent with the plan spatial strategy and other relevant policies, including human rights and equality.”</p>	
<p>Page 147 Paragraph 261</p>	<p>Remove “SPP and Draft NPF4 indicate”</p> <p>Replace with “NPF4 indicates”</p>	<p>To reflect the changed context for the plan.</p>
<p>Page 167 Glossary</p>	<p>Remove “Scottish Planning Policy Sets out national planning policies, reflecting the Scottish Governments priorities for the operation of the planning system and the development and use of land”.</p>	<p>To reflect the changed context for the plan.</p>
<p>Page 169 List of Acronyms</p>	<p>Remove “SPP Scottish Planning Policy”</p>	<p>To reflect the changed context for the plan.</p>