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Our ref: A46279772
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Dear Sybil,

**Town and Country Planning (Scotland) Act 1997
Notice of Intention to Adopt – Argyll & Bute Council Local Development Plan 2
(as modified)**

I refer to your correspondence of 20th October 2023, regarding Argyll & Bute Council's intention to adopt the proposed Argyll & Bute Council 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 Argyll & Bute Council consider modifying the proposed Argyll & Bute Council Local Development Plan 2 as indicated in the Annex to this Direction.

This Direction is considered necessary to:

- Ensure the LDP accurately reflects the current regulatory position in respect of mitigating the effects of aquaculture development.
- Ensure the LDP takes account of the fact that National Planning Framework 4 (NPF4) has been adopted and that this replaces National Planning Framework 3 and Scottish Planning Policy.
- Ensure the LDP accurately reflects the Climate Change (Scotland) Act 2009 net zero target.

Section 20(6)¹ provides (subject to any further direction under section 20) that your authority may not adopt the Argyll & Bute Council LDP2 unless you satisfy Scottish Ministers that you

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).

have made the modifications necessary to conform with this direction, or the Scottish Ministers withdraw it.

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

Yours sincerely

Kristen Anderson
Planning, Architecture and Regeneration Division

ANNEX

Table of modifications

Reference	Modification	Reason for modification
Paragraph 3.7	Remove reference to “effective” land supply	No longer part of national planning policy.
Paragraph 3.44	Replace “reduce emissions by at least 80% by 2045” with “reduce emissions to net zero by 2045”	Correcting an error.
Table 2	Remove reference to “effective” and “non-effective” sites	No longer part of national planning policy.
Policy 28	<p>Delete final paragraph “Proposals for new open cage/pen sites and the expansion of existing open cage/pen sites will only be permitted where there will be no adverse impact upon wild salmon using migratory routes. Where proposals are likely to impact wild salmon migratory routes, the operator must mitigate these effects through the implementation of an agreed Environmental Management Plan prepared in accordance with advice provided by Marine Scotland Science, NatureScot, and the Planning Authority.”</p> <p>Replace with “Proposals for new open cage/pen sites and the expansion of existing open cage/pen sites will only be permitted where there will be no significant adverse impact upon wild salmon using migratory routes and where any impacts are suitably mitigated.”</p>	To align with NPF4 and ensure that it does not become outdated as regulatory regimes change and once new national guidance on mitigation of relevant environmental concerns is issued.
Table 6	Remove defined Housing Market Areas and tenure split	Local Development Planning Guidance, May 2023 indicates that LDPs are no longer required to refer to Housing Market Areas and that the Local Housing Land Requirement should be all tenure.
Table 6	Remove reference to “effective” housing land supply.	No longer part of national planning policy.
Proposal F	Delete current text and replace with “The Council will work with	To take account of NPF4 policy 16 Quality Homes.

	developers, service providers and other partners to maintain a sufficient pipeline of deliverable housing land.”	
Policy 64	Delete additional “be” preceding “normally” in second line of text.	Correcting a typographical error.
Policy 65	Delete second bullet “they demonstrate that they will not result in a shortfall in housing land supply during the plan period.”	No longer part of national planning policy.
Appendix 1: Glossary	Delete entry pertaining to “Effective housing land supply”.	No longer part of national planning policy.
Appendix 1: Glossary	Delete entry pertaining to “Established housing land supply”.	There is no reference to “Established housing land supply” in the plan.
Appendix 1: Glossary	Delete entry pertaining to “Housing Market Areas”.	Subsequent to other modifications as listed above the plan will no longer reference “Housing Market Areas”.