

By email to:

Our ref: A12200627
17 September 2015

Dear Kenneth

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
NOTICE OF INTENTION TO ADOPT: SUPPLEMENTARY GUIDANCE -
REDEVELOPMENT OPPORTUNITIES**

I refer to your correspondence of 26 August 2015 certifying notice of South Ayrshire Council's intention to adopt supplementary guidance on Redevelopment Opportunities.

As this document has been prepared it has been consulted on and representations made have been taken into account by the planning authority. However, regulation 27(2) of the Town and Country Planning (Development Planning) (Scotland) Regulations 2008 sets out that supplementary guidance adopted and issued under section 22(1) of the 1997 Act, in connection with a particular local development plan, may only deal with the provision of further information or detail in respect of the policies or proposals set out in the plan *and then only* provided that those are matters which are expressly identified in a statement contained in the plan as matters which are to be dealt with in supplementary guidance.

We do not consider there to be a statement in the South Ayrshire Local Development Plan expressly identifying that the matters in the above document are to be dealt with in supplementary guidance. I refer you to our [letter of 15 January 2015 from the Chief Planner to all Heads of Planning](#) clarifying our approach to supplementary guidance.

Section 22(9) of the 1997 Act provides for guidance to be adopted and issued by a planning authority in connection with a local development plan, provided that the matters dealt with in that guidance are not matters which may be dealt with in supplementary guidance. Your authority may wish to give consideration to whether the above documents should be adopted as such guidance.

Yours sincerely

**Simon Pallant
Senior Planner**

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