



T: 0131-244 0237
E: chief.planner@gov.scot

Peter Arnsdorf
Acting SESplan Manager
SESPlan SDPA

By email to:
contactus@sesplan.gov.uk
peter.arnsdorf@midlothian.gov.uk

Our ref: A24431563

16 May 2019

Dear Peter

THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997: SESPLAN STRATEGIC DEVELOPMENT PLAN (SESPLAN 2)

I write to advise you that the Scottish Ministers have decided to reject the above plan.

In reaching their decision Ministers have considered the issues raised in representations made in accordance with the Town and Country Planning (Scotland) Act 1997 (as amended) (“the Planning Act”) and the report from the examination conducted under Section 12 of the Planning Act.

Under Section 13(1) of the Planning Act, this decision has been made for following reasons:

- **The Scottish Ministers are not satisfied that the Plan has been informed by an adequate and timely Transport Appraisal.** The Scottish Planning Policy sets out Ministers’ expectations for this in paragraphs 274 and 275. Concerns about the adequacy of the approach taken to the Transport Appraisal were repeatedly raised by the Scottish Government throughout the preparation of SESplan 2. These concerns have not been adequately addressed by the authority. At Examination the Reporter acknowledged that the plan is not consistent with Ministers’ expectations for Transport Appraisal as set out in the Scottish Planning Policy.
- **The plan does not take sufficient account of the relationship between land use and transport.** Paragraphs 272 to 275 of the Scottish Planning Policy sets out Ministers’ policy expectations for this. The plan does not properly acknowledge and address the region’s infrastructure constraints to support the spatial strategy for delivering housing land across the area. This falls short of Ministers’ expectations as



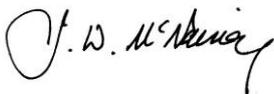
set out in National Planning Framework 3. The Examination confirmed that the plan does not include sufficient information on transport interventions required to support the spatial strategy. Ministers do not consider that it is acceptable to approve the plan as to do so would be to adopt a spatial strategy which is not supported by an adequate assessment of the transport impacts or by an adequate strategy to mitigate its impact on the strategic transport network.

- **The Scottish Ministers do not support the use of supplementary guidance to resolve this issue.** Paragraph 274 of the Scottish Planning Policy states that the Transport Appraisal should be carried out in time to inform the spatial strategy of the plan. Adoption of the plan, ahead of the preparation of supplementary guidance on transport, is not considered by Scottish Ministers to be an acceptable solution. Supplementary guidance brought forward after the plan has been adopted will not be able to change the spatial strategy that would already be embedded in the adopted plan. Scottish Government policy is clear that the plan's spatial strategy should be informed by an appraisal, prior to being adopted.

It is for the SDPA to decide the next steps for strategic planning in their area. It is open to the SDPA to prepare a new SESplan 2 informed by a full Transport Appraisal addressing strategic transport infrastructure issues, including cross-boundary requirements. In considering their position, authorities will wish to be mindful of the implications of the Planning (Scotland) Bill and any future transitional arrangements.

I recognise that the authorities will have significant concerns about the implications of this decision for planning in their areas. I can assure you that the Scottish Government continues to support a plan-led system and that we are committed to working with you to address the implications of this decision with respect to future local development plans across the area.

Yours sincerely



John McNairney
Chief Planner