

# Report

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>21 June 2022</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Subject:	<b>South Lanarkshire Local Development Plan 2 Supporting Planning Guidance: Local Nature Reserves</b>
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## 1. Purpose of Report

1.1. The purpose of the report is to:-

- ♦ Seek approval for the Supporting Planning Guidance (SPG) on Local Nature Reserves as set out in the Appendix

## 2. Recommendation(s)

2.1. The Committee is asked to approve the following recommendation(s):-

- (1) that the Supporting Planning Guidance on Local Nature Reserves, attached as an Appendix to the report, be approved;
- (2) that the Head of Planning and Economic Development Services be authorised to make drafting and technical changes to the Supporting Planning Guidance prior to its publication.

## 3. Background

- 3.1. The Planning Committee on 1 December 2020 agreed to carry out the necessary steps to adopt the proposed South Lanarkshire Local Development Plan 2 (SLLDP2). The Plan was submitted to Scottish Ministers in February 2021 for them to advise of the Council's intention to adopt the plan and notice was received in March that adoption could proceed. The SLLDP2 was subsequently adopted in April 2021.
- 3.2. Following the adoption of the South Lanarkshire Local Development Plan 2 in April 2021, the Council has begun preparation of a series of supporting guidance to support the Plan. Section 9 of the Planning (Scotland) Act 2019 has removed the ability of Planning Authorities to prepare new statutory Supplementary Guidance which was previously the means of creating additional guidance. However, Circular 6/2013 – Development Planning states that planning authorities may issue non-statutory planning guidance to provide detail on a range of subject areas. This form of guidance does not form part of the Development Plan. However, approval by the Council gives it formal status, meaning that it will be a material consideration in decision making.

- 3.3. Supplementary Planning Guidance supports the policies in South Lanarkshire Local Development Plan 2 and is intended to provide guidance to developers at an early stage on what will be acceptable so that it can be factored into proposals. In addition, this SPG has been prepared specifically to formalise the boundaries of the Local Nature Reserves that are identified in SLLDP2.

#### **4. Current Position**

- 4.1. During the preparation of SLLDP2 the provision of 16 new LNRs at the locations listed below was proposed together with an extension to the existing Langlands Moss LNR.

The proposed LNRs are:-

- Backmuir Woods, Hamilton
- Blantyre, Bothwell and Uddingston
- Cadzow Glen, Hamilton
- Fernbrae Meadows, Rutherglen
- Greenhall, Millheugh and Barnhill, Blantyre
- Hamilton Low Parks, Hamilton
- Holmhill Wood Community Park, Cambuslang
- James Hamilton Heritage Park, East Kilbride
- Jock's Burn, Carluke
- Langlands Moss, East Kilbride (extension to existing LNR)
- Milton, Carluke
- Morgan Glen, Larkhall
- Mossneuk, East Kilbride
- Neilsland and Earnock, Hamilton
- Stonehouse Park, Stonehouse
- Udston and Glenlee Woods, Hamilton
- Westburn, Cambuslang

- 4.2. At that time precise boundaries for each of the LNRs could not be established. As a result, indicative boundaries were shown as proposals on the relevant settlement maps in the Proposed Plan that was published for public consultation. In accordance with the statutory requirements for the preparation of development plans, a range of publicity and consultation was carried out including all addresses which neighbour the sites being notified directly. As a result of the representations received, a number of minor changes were made to the LNR boundaries. These changes were considered by the Reporter who carried out the formal Examination of the Proposed Plan and did not make a recommendation requiring further changes. Nevertheless, a number of land ownership issues were still being resolved when the Plan was adopted by the Council in 2021. The detailed boundaries were therefore not shown on the settlement Plans at this stage, but instead the locations were shown indicatively with symbols. To address this matter paragraph 6.12 of SLLDP2 states that "The detailed boundaries of the LNR's will be defined through the preparation of management plans for these areas and included in Supporting Planning Guidance".
- 4.3. In parallel with the local development plan process, detailed discussion took place with NatureScot to progress the formal declaration of the LNRs under Section 21 of the National Parks and Access to the Countryside Act 1949 (as amended). NatureScot endorsed the declaration of the LNRs in September 2021. A report seeking approval to proceed with the declaration was approved by the Planning Committee on 5 October 2021. This report contained the detailed boundaries of the LNRs for committee

approval. The formal declaration was progressed by the Head of Administration and Legal Services in January and February this year.

- 4.4. Draft management statements which include information about all the sites and give an update on the work done to date, community involvement, and plans for the future have been prepared for each of the LNRs. They are available on the Council's website

## **5. Next Steps**

- 5.1. Other Supporting Planning Guidance approved by the Planning Committee has been the subject of consultation. Extensive consultation took place on the Local Nature Reserves proposals at both Main Issues Report and Proposed Plan stages of the preparation of SLLDP2. The results of the consultation exercise were reported to the Planning Committee in February 2019 when approval was given to submit the proposed plan for Examination. 25 representations relating to the LNRs were received with the vast majority of comments strongly supportive of the proposal to establish new LNRs. A small number of responses raised detailed issues regarding particular sites which would be addressed through the management plans for the sites. In addition, in developing their management plans for the LNRs the Countryside and Greenspace team has engaged with existing community groups associated with the sites.
- 5.2. The SPG does not introduce new policy or set out any detailed requirements for developers. The Local Nature Reserves have previously been subject to consultation through the LDP process and the draft Management Statements and maps which have been approved by the Council are available on the Council website. As a result, there is therefore no requirement for further consultation on this SPG as its purpose is to consolidate the existing approved LNR boundary maps into one easy to use supporting planning guidance document which will sit alongside the adopted LDP.
- 5.3. In view of the above it is recommended that the proposed SPG as set out in the Appendix is approved. If this is agreed the document will be published on the Council's website and thereafter used in decision making on planning applications.

## **6. Employee Implications**

- 6.1. The preparation of the Supporting Planning Guidance and subsequent implementation of the management plans will be carried out using existing staff resources within Planning and Economic Development Services and the Countryside and Greenspace team. The sites are entirely owned by the Council and maintained by Grounds Services with grounds maintenance regimes in place; no additional staff time is predicted for planned, ongoing site management.

## **7. Financial Implications**

- 7.1. The financial resources required to deliver SLLDP2 including any associated SPGs are based upon current budget levels available to Planning and Building Standards Services. Changes in these resources may impact on the programmes presented.

## **8. Climate Change, Sustainability and Environmental Implications**

- 8.1. A Strategic Environmental Assessment (SEA) of Local Development Plan 2, including the Plan's spatial strategy, policies and potential development sites, was carried out as required by the Environment Assessment (Scotland) Act 2005. This included a detailed assessment of all the proposed LNR sites. The comprehensive and robust SEA helped to ensure that LDP2 fulfils its purpose of providing a clear framework to direct development in an environmentally sustainable way, ensuring any wider environmental issues were considered as far as reasonably possible.

8.2. In accordance with the relevant legislation, an SEA Screening Report for the SPG has been prepared and submitted to the statutory Consultation Authorities (Historic Environment Scotland, NatureScot and Scottish Environment Protection Agency) for their consideration. They have confirmed SEA is not required.

## **9. Other Implications**

9.1 The SLLDP2 was adopted in April 2021. However, it is necessary to provide detailed guidance to support the adopted planning policies. There would be a reputational risk if this was not undertaken.

## **10. Equality Impact Assessment and Consultation Arrangements**

10.1. This report does not introduce a new or recommend a change to existing policy, function or strategy; therefore no impact assessment is required. Consultation has previously been undertaken with residential neighbours to sites, the general public, site community groups and NatureScot.

**David Booth**

**Executive Director (Community and Enterprise Resources)**

30 May 2022

### **Link(s) to Council Values/Ambitions/Objectives**

- ◆ Improve the quality of life of everyone in South Lanarkshire
- ◆ Make communities safer, stronger and sustainable
- ◆ Improve achievement, raise educational attainment and support lifelong learning
- ◆ Encourage participation in physical and cultural activities
- ◆ Work with communities and partners to promote high quality, thriving and sustainable communities
- ◆ Accountable, effective, efficient and transparent

### **Previous References**

- ◆ Planning Committee Report 26 February 2019: South Lanarkshire Local Development Plan 2
- ◆ Planning Committee Report 1 December 2020: South Lanarkshire Local Development Plan 2
- ◆ Planning Committee Report: 5 October 2021: Designation of Local Nature Reserves

### **List of Background Papers**

- ◆ South Lanarkshire Local Development Plan 2

### **Contact for Further Information**

If you would like to inspect the background papers or want further information, please contact:-

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## **Appendices**

Appendix 1 – SPG : Local Nature Reserves