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Comhairle nan Eilean Siar

By email to: mairi.maciver@cne-siar.gov.uk

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Dear Mairi Maciver

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

I refer to your correspondence of 29 August 2018, notifying Scottish Ministers of your intention to adopt in association with Outer Hebrides Local Development Plan the documents titled:

- 'Caravans and Temporary Buildings Supplementary Guidance'
- 'Conservation Area Management Plans Supplementary Guidance'
- 'Marine Fish Farming Supplementary Guidance'
- 'Wind Energy Development Supplementary Guidance'

With regards to 'Caravans and Temporary Buildings Supplementary Guidance' and 'Conservation Area Management Plans Supplementary Guidance' Scottish Ministers do not propose to issue a direction in relation to these documents.

Prior to adopting these documents as supplementary guidance, your Authority should satisfy itself that it has met the requirements set out in the Town and Country Planning (Development Planning) (Scotland) Regulations 2008.

In particular, we would bring to your attention the need to comply with section 27(2) of the above regulations, which state 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.



With regards to 'Marine Fish Farming Supplementary Guidance' and 'Wind Energy Development Supplementary Guidance', Scottish Ministers have decided to extend the period for the consideration of the documents for an additional 28 days. The Scottish Ministers hereby direct under Section 22(7) of the Town and Country Planning (Scotland) Act 1997 that section 22 (6) of that Act is to apply as regards to the 'Marine Fish Farming' and 'Wind Energy Development' supplementary guidance documents submitted to Scottish Ministers, with the substitution of the period of 56 days for the period of 28 days mentioned in that section.

In terms of this direction section 22 (6) provides (subject to any further direction under section 22 (7)) that your authority may not adopt the supplementary guidance, before 24 October 2018.

Yours sincerely

Matthew Shepherd
Graduate Planner