

Agenda Item	20
Report No	HC/45/19

HIGHLAND COUNCIL

Date: 5 September 2019

Report Title: Adoption of West Highland and Islands Local Development Plan

Report By: Director of Development and Infrastructure

1. Purpose/Executive Summary

1.1 This report seeks a decision by Council to adopt the West Highland and Islands Local Development Plan as modified following receipt of the Report of Examination. Formal adoption (constitution) can only take place if and when the Scottish Government clears the Plan for adoption. This clearance is expected by the end of August 2019 and a verbal update will be provided at Council.

2. Recommendation

2.1 Council is asked to adopt the West Highland and Islands Local Development Plan as modified and published following receipt of the Report of Examination.

3. Implications

3.1 Resource: Resources to complete the final statutory processes are allowed for within the existing Service budget.

3.2 Legal: The Plan could be challenged in the courts following its constitution but only on matters of process not the planning merits of its contents.

3.3 Community (Equality, Poverty and Rural): The Plan's content promotes sustainable rural development including opportunities to increase employment and address fuel poverty, and has been subject to and incorporated changes resulting from an equalities assessment.

3.4 Climate Change / Carbon Clever: The Plan has been subject to and incorporated changes resulting from environmental assessment.

3.5 Risk: The Plan's preparation followed due, statutorily defined, process and has been subject to independent examination.

3.6 Gaelic: The Plan includes Gaelic language foreword, headings and subheadings.

4. Background

- 4.1 The West Highland and Islands Local Development Plan (more commonly referenced by its abbreviated name of WestPlan) will be the third of the three area local development plans to be completed within Highland that will sit alongside the Highland-wide Local Development Plan in providing the land use planning framework for the determination of planning applications. The process of finalising the Plan is almost complete.
- 4.2 Following receipt of the Report of Examination in May 2019 officers incorporated into WestPlan the modifications recommended by the Scottish Government appointed Reporters and in July 2019 published this “as intended to be adopted” version of the Plan. A copy of the Plan as intended to be adopted and the Report of Examination is available via the background papers link below. Local Members were informed of the Examination outcome, which was very much in line with the position agreed by the three relevant area / local committees.
- 4.3 Constitution of WestPlan can only take place if and when the Scottish Government clears the Plan for formal adoption. This clearance is expected by the end of August 2019 and a verbal update will be provided at Council. Occasionally, Scottish Government delays its clearance of development plans and other supplementary guidance for another 28 day period in which case officers would need to delay constitution of WestPlan until that clearance is received but could do so without a further report to Council if Members approve the recommendation in this report.

5. Final Steps

- 5.1 Upon adoption of WestPlan the final procedures are to:
- publish the constituted Plan and its associated documentation; and,
 - within 3 months of the constitution of the Plan prepare, publish and adopt an Action / Delivery Programme to accompany the Plan.

Designation: Director of Development and Infrastructure

Date: 16 August 2019

Author: Tim Stott, Principal Planner

Background Papers:

- WestPlan (as Modified following Examination and As Intended to be Adopted): July 2019
- WestPlan Report of Examination: May 2019

Both available via: <https://www.highland.gov.uk/westplan>