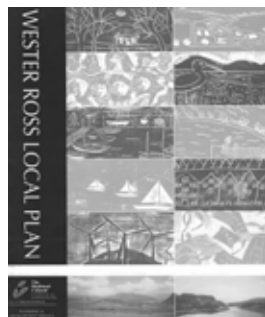


Appendix 2



Chapter No:

20

- | | | |
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| 58 | - | The Highland Cycle Campaign [Written Submissions] |
| 65 | - | Scottish Natural Heritage [Written Submissions] |

BACKGROUND

1. Appendix 2 of the deposit draft Wester Ross Local Plan is entitled “Working with Other Strategies”. The listed strategies relevant to this objection are set out in paragraph 8 of Appendix 1 to this report, under the heading of “Appendices”.

SUMMARY OF THE OBJECTIONS

2. The **first objector** sought that The Highland Cycling Strategy be included amongst those listed in the appendix, on the basis that cycling and walking issues, as the most socially inclusive, should be uppermost in transport planning for new developments. As the council had been involved to a large extent in assisting the creation of the Highland Cycle Strategy, its assistance would be wasted if full use were not made of it.

3. The **second objector** pointed out that there was no reference to the Highlands of Scotland Tourism Strategy in the appendix; nor to The Highland Council/Scottish Natural Heritage Landscape Capacity Study.

4. In addition, Part 1 of the Nature Conservation (Scotland) Act would place a new duty on public bodies to further the conservation of biodiversity, including the delivery of both national and local biodiversity plans and targets, and this would have implications for development. It was recommended that the appendix should include reference to key documents produced by the Scottish Biodiversity Forum which provided details of these new duties and targets.

5. Finally, the second objector recommended that the reference to the National Scenic Area Management Strategy should indicate the actions contained within the strategy as well as its aims.

SUMMARY OF THE COUNCIL’S RESPONSE

6. In regard to the **first objection**, Appendix 2: Working with Other Strategies included only those strategies which made specific reference to policies or actions for the plan area and which were most relevant to the plan; it was not intended to be a definitive list of all Highland-wide plans

and strategies. The council considered that such a list would become unwieldy and not be of any particular value. Paragraph 5.4 made reference to the need to depend upon other partnership and individual agency strategies in order to achieve the local plan's vision. It was considered that this was sufficient to alert its readers that the plan did not operate in isolation, but that there was a need to consider other plans and strategies.

7. In relation to the **second objection**, that the tourism strategy and joint Landscape Capacity Study be included in the list, the council accepted that there would be value in making explicit reference to the former in paragraph 5.4, given the importance of tourism to Wester Ross; and explained that the latter was commissioned to inform the preparation of the local plan and was therefore reflected and enacted within it. However, the council accepted that reference could be made to the study in the paragraph relating to Ross and Cromarty Landscape Capacity Study and Historic Land Use Assessment in terms of broader guidance on integrating landscape and development. It therefore proposed that these paragraphs be altered to the following (additional text shown underlined):

Paragraph 5.4 of the plan:

“5.4 The local plan will not achieve the vision alone. Although we can contribute significantly through the actions set out [in] our corporate plan, we will need to depend on a wide range of agencies, businesses and the community working together. We will also need to depend on other partnership and individual agency strategies, such as the Community Plan, Community Economic Development Plan, the Local Transport Strategy, the Highlands of Scotland Tourism Strategy and the Natural Heritage Futures.”

and, in Appendix 2,

“**Ross and Cromarty Landscape Character Assessment (1998), the Wester Ross Settlement Landscape Capacity Study (add date) and the Historic Land Use Assessment (2003)** – The Landscape Character Assessment describes the landscape character of Wester Ross by defining various types. It also assesses the forces for change, with suggestions on how these can best be accommodated within the current landscape character. The Wester Ross Settlement Landscape Character Assessment provides an appraisal of opportunities and constraints for housing for most settlements in Wester Ross in landscape terms. The Historic Land Use Assessment describes the evidence of past landscapes, from prehistoric times to now, and allows those that are rare or particularly characteristic of Wester Ross to be identified. All three can affect siting and design, and offer guidance to protect the natural and historic landscape character.”

8. Although Appendix 2 included only those strategies which made specific reference to policies or actions for the plan area and which were most relevant to the plan, nevertheless one such strategy already listed was the Local Biodiversity Action Plan. The council considered that this was sufficient to make the link between the local plan and biodiversity. In addition, structure plan Policy N4: Local Biodiversity Action Plans stated,

“In respect of habitats and species, the council will have regard to Local Biodiversity Action Plans, where available, in addition to Strategic Policy G6: Conservation and Promotion of the Highland Heritage in the consideration of development proposals.”

Despite this, the council accepted that more general guidance was contained in the Scottish Biodiversity Strategy and it proposed that reference be made to this as well.

9. Accordingly, the council proposed a further modification to add to the following paragraph in Appendix 2 (additional text shown underlined):

“**Wester Ross Local Biodiversity Action Plan** (launched 2004) – We have a duty under the Nature Conservation (Scotland) Act 2004 to help to conserve biodiversity (the range of plant and animal life). The

Local Biodiversity Action Plan is one way in which we will meet this duty. The Local Biodiversity Action Plan sets out what is important and valued about the natural heritage (in terms of broad habitats and species) and identifies a number of actions and projects that could be carried out to help protect it or improve it. These may have an influence on the location of future development. The Scottish Biodiversity Strategy outlines other relevant duties in respect of biodiversity.”

10. Finally, as the council considered that the actions within the National Scenic Area Management Strategy were very specific and intended to implement the aspirations of the strategy, many of which were unrelated to the strategy of the local plan, it did not consider it appropriate to make reference to the actions recommended by the management strategy within the local plan. Despite this, the council accepted that in its Appendix 2, the plan could refer to the objectives of the management strategy, as well as to its aims. It therefore proposed a further modification to Appendix 2 to amend the reference to the National Scenic Area Management Strategy (additional text shown underlined):

“**Wester Ross National Scenic Area Revised Draft Management Strategy** (2002) – The Draft National Scenic Area strategy sets out a range of aims and objectives for managing the National Scenic Area and includes a description of the scenic qualities that give the area its special status. These scenic qualities and the special status given by the National Scenic Area have an effect on the nature and location of development in Wester Ross. (The northern Part of Wester Ross is covered by the Assynt-Coigach National Scenic Area, but there is currently no such strategy for this area).”

11. On the basis that these amendments were to be made to the plan, the objector withdrew from further negotiations with the council.

CONCLUSIONS

12. On the face of it, the council has rejected a strategy from one objector on the basis that to add it to those listed in the plan would make the list unwieldy and valueless; and then accepted several from the second objector. I therefore consider it necessary to examine the differences between the strategies proposed to be added to Appendix 2, so as to be able to distinguish whether it is justifiable to add some, while rejecting another.

13. Those accepted were the Highlands of Scotland Tourism Strategy, The Highland Council/Scottish Natural Heritage Landscape Capacity Study, the new duties and targets listed in the key documents produced by the Scottish Biodiversity Forum and the actions contained within the National Scenic Area Management Strategy. Against these, reference to The Highland Cycling Strategy was rejected.

14. On the one hand, I consider the most clear-cut of these is the tourism strategy, which has far-reaching financial and environmental implications for the whole of Wester Ross and I consider that it should be included therefore; the cycling strategy is at the other end of the spectrum in my opinion, as such a strategy, although important in its capacity to ensure that this activity is taken into account in the area, is only a part of one the many facets of tourism, with correspondingly limited financial benefit to the area as a whole. In these terms, I am in no doubt that the council was right to include the one and to reject the other.

15. As an aside, the list of strategies in paragraph 5.4 is not definitive, and I therefore consider that there would be advantage in clarifying this – most simply achieved by the use of an “etcetera” at the end of the paragraph.

16. The council has taken up a position of compromise in relation to the three remaining considerations: the Landscape Capacity Study, the Scottish Biodiversity Forum and the National Scenic Area Management Strategy. The last of these is already referred to in the Appendix to the plan and the addition of the words “and objectives” evidently satisfies the objector. In relation to the reference to the Scottish Biodiversity Forum, the council accepts the reference but omits the detail of biodiversity plans and targets introduced by the Nature Conservation (Scotland) Act 2004; this seems to me to be a reasonable way of dealing with the matter without cluttering the plan with too many references.

17. Finally, there is an existing listed reference to Landscape Character and the council has accepted that the role the Landscape Capacity Study has played in the preparation of the plan be absorbed into the paragraph, both in the heading (which requires a date to be added in order to assimilate it with the other assessments listed) and in the supporting text. Perhaps including this study is less easily distinguished from the cycling strategy which has been omitted, but there already exists in the appendix this logical place for reference to it to be added, and I accept also that it refers to settlements throughout the plan area.

18. I therefore agree that the council’s position in this is tenable, if understandably less popular with the first objector.

RECOMMENDATIONS

19. Accordingly, I recommend that,

- (i) no change be made to the deposit draft local plan in respect of the first objection; and that
- (ii) the modifications proposed by the council and set out in paragraphs 7, 9 and 10 above and the refinement at paragraph 15, be incorporated into the local plan prior to its adoption.