

## The Highland Council

25 June 2015

Agenda Item	17
Report No	HC/29/15

### Adoption of Inner Moray Firth Proposed Local Development Plan

#### Report by Director of Development and Infrastructure

##### Summary

This report seeks a decision by Council to adopt the Inner Moray Firth Local Development Plan as modified following receipt of the Report of Examination. Members are reminded that the Reporters recommendations for modifying the Plan are binding upon the Council, except in very exceptional circumstances which in our view do not apply in this case.

#### 1. Background

- 1.1 The Inner Moray Firth Local Development Plan (IMFLDP) is the first of three Area Local Development Plans 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 preparing the plan is almost complete.
- 1.2 In accordance with planning regulations following receipt of the Report of Examination in March 2015 we have incorporated the modifications required into a final Proposed Plan. Members are reminded that the Reporters recommendations for modifying the Plan are binding upon the Council, except in very exceptional circumstances which in our view do not apply in this case. This modified version of the Plan is presented to Members today for consideration for adoption. Upon adoption of the Plan the final procedures are to:
  - secure Scottish Ministers' clearance that the Plan can be constituted; and
  - publish the constituted Plan.
- 1.3 A copy of the Plan intended for adoption is available in the Members' Library and at [www.highland.gov.uk/imfldp](http://www.highland.gov.uk/imfldp). The Plan and its associated documents have been sent to Scottish Ministers seeking Scottish Government clearance for the Plan's constitution. This clearance should be granted in early July 2015, at which point the Plan will carry its full legal weight in the determination of planning applications.
- 1.4 An Action Programme to accompany the IMFLDP must be produced and adopted within 3 months of the constitution of the Plan. Approval of this document is delegated to Planning Development and Infrastructure Committee

and it is intended this will be reported to that Committee's August meeting.

## **2. Implications**

- 2.1 The Plan has been subject to and incorporated changes resulting from environmental and equalities assessments. It includes Gaelic headings and subheadings. Its Examination included Government Reporter assessment of climate change and rural issues. Resources to complete the final statutory processes are allowed for within the existing Service budget. The Plan could be challenged in the courts following its constitution but only on matters of process not the planning merits of its contents.

### **Recommendation**

Council is asked to adopt the Inner Moray Firth Proposed Local Development Plan as modified and published following receipt of the Report of Examination, noting that the Reporters recommendations are binding upon the Council.

Designation: Director of Development and Infrastructure

Date: 8<sup>th</sup> June 2015

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Background Papers:

Inner Moray Firth Proposed Local Development Plan (as Modified following Examination and As Intended to be Adopted): May 2015