

Agenda Item	7
Report No	RC/039/19

## HIGHLAND COUNCIL

**Committee:** Ross and Cromarty Committee

**Date:** 6 November 2019

**Report Title:** Applecross Community Land Use Plan

**Report By:** Executive Chief Officer Infrastructure and Environment

### 1. Purpose/Executive Summary

- 1.1 This report seeks the Committee's endorsement of detailed planning guidance for land within the Applecross Peninsula. This was produced for the Applecross Community Company, and facilitated by Planning Aid Scotland, and has included close liaison with the Applecross Trust and many other stakeholders. Endorsement by the Ross & Cromarty Committee would affirm the Council's use of the now finalised Applecross Community Land Use Plan as a material planning consideration for development management purposes and seek its subsequent clearance by Scottish Government for adoption as part of the Council's statutory guidance for the Applecross area.

### 2. Recommendations

- 2.1 The Committee is invited to:
- i. note the thorough formulation and consultation processes used in the production of the Plan;
  - ii. approve the [Applecross Community Land Use Plan](#) as a material planning consideration for development management purposes; and
  - iii. agree that the Plan and associated documentation be sent to Scottish Government seeking Ministers' clearance for the Council to adopt the Plan as statutory guidance supplementary to the recently adopted West Highland and Islands Local Development Plan.

### 3. Implications

- 3.1 Resource: Resources to complete the Plan's endorsement processes are allowed for within the existing Service budget.

- 3.2 Legal / Risk: The Plan could be challenged in the courts but only on matters of process not the planning merits of its contents. The organisations that produced the Plan have followed an inclusive, rational, evidenced and therefore defensible process.
- 3.3 Community (Equality, Poverty and Rural): The Plan's content promotes sustainable rural development including opportunities to increase employment and improve accessibility to facilities for all.
- 3.4 Climate Change / Carbon Clever: The Plan has been subject to and incorporated changes resulting from assessment of potential environmental effects.
- 3.5 Gaelic: sections of the Plan promote Gaelic heritage but the authors of the document have not included any Gaelic language content. It is intended that the Council's webpage that "hosts" the endorsed document will include a Gaelic heading.

#### **4. Context and Background**

- 4.1 Members may be aware that the Scottish Government wishes local communities to have a greater say on local land use planning issues. Indeed the 2019 Planning (Scotland) Act soon will introduce a legal right for any "community controlled body" (a properly constituted body representing and carrying out functions for the benefit of a community) to produce its own "Local Place Plan" for its community. These plans have been defined in the Act as "a proposal as to the development or use of land" and will therefore complement the development plans produced by the Highland Council.
- 4.2 The Highland Council is also supportive of empowering local communities to have a greater say in shaping planning policy at the very local level. Community led land use policy planning is an effective approach to using local knowledge to inform place planning at this scale. To this end, we have already supported and advised the preparation of other community land use plans such as the Isle of Rum Community Trust who produced the Isle of Rum Community Land Use Plan with assistance from Planning Aid Scotland. On completion, this plan was ratified by the Lochaber Committee as a material planning consideration for development management purposes. This report proposes that the Plan for Applecross receive a similar endorsement.
- 4.3 Ward 5 Members will be aware that Ward Discretionary funding was made available to assist in the production of the Plan. Also, various Council officials have helped in offering time and advice to refine the Plan's content and to ensure its consultation process has been fair, transparent and inclusive. The Plan's content and process offers a good example for other future Local Place Plans to follow.
- 4.4 Council officers have contributed to the preparation of this community plan for the Applecross area which is considered to be compatible with the Council's now-adopted [West Highland and Islands Local Development Plan \(WestPlan\)](#) which set the overall priorities and issues for Applecross in conjunction with community and other interests. The community Plan has since fleshed out the local detail.

## 5. Applecross Community Land Use Plan

- 5.1 [The Plan](#) was finalised in July 2019 and published via Planning Aid Scotland's website.
- 5.2 Its **origins** lie in the Applecross Community Company's desire to identify and activate housing, employment and community development sites across the Applecross peninsula. The finalised Plan has achieved more than that and is a distillation of the views of a range of local community groups, organisations and the views of the principal landowner, the Applecross Trust. The thorough and inclusive Plan preparation and consultation process has resulted in a document that has a large degree of local consensus support and a range of development site options that should be practicable.
- 5.3 The Plan's **content** includes a Vision for the peninsula which expands upon the Council's WestPlan Placemaking Priorities for Applecross. In line with good planning policy practice, the Plan directs most new development to more sustainable and serviceable locations. The predominantly crofting areas defined as North and South Applecross are identified for further dispersed and less intensive development whereas the more central Estate and Shore Street area is identified for larger development proposals including affordable housing, a multi purpose community / commercial hub facility, allotments, community woodland, and employment units.
- 5.4 The Plan identifies a number of potential development sites within each sub area of the peninsula and goes on to provide detailed guidance on infrastructure requirements and siting and design for each site, all with a view to mitigating any adverse impacts that development may have. Sensibly, the Plan also recognises that many of the sites have constraints which may render them unviable once further feasibility work is undertaken. Accordingly, they are described as a range of potential development site options only some of which will be taken forward. The Council as Planning Authority in determining relevant future planning applications will still need to seek confirmation that site and proposal-specific feasibility and impact issues have been addressed.
- 5.5 Planning Aid Scotland led the Plan's **consultation** process which included two school engagement workshops, several one-to-one stakeholder meetings, email or phone contact with other relevant contacts, public workshops, and online community opinion surveys. The draft Plan was widely advertised in the Applecross area, put on local physical deposit and online, and comments invited over a 4 week period. 98 comments were received from 16 respondents. Several changes have been incorporated in the finalised Plan to reflect these comments one notable example being additional text to reflect flood risk issues identified by SEPA which affect several potential development sites. All this engagement has been documented by Planning Aid Scotland and is available via [the Applecross Community Company's website](#).

## 6. Future Steps

- 6.1 Subject to Committee's agreement of the recommendations in this report, the Plan will become a material consideration for planning advice and applications. Along with associated documentation it will be collated and sent to Scottish Government seeking Ministers' clearance for the Council to adopt the Plan as statutory guidance supplementary to the recently adopted West Highland and Islands Local Development Plan.

Designation: Executive Chief Officer Infrastructure and Environment

Date: 21 October 2019

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### Background Papers

Applecross Community Land Use Plan: Finalised Plan: July 2019

<https://www.pas.org.uk/news/plan-it-applecross-community-land-use-plan-now-finalised/?cn-reloaded=1>

Applecross Community Land Use Plan: Consultation Summary Report: July 2019

<http://www.applecrosscommunitycompany.org/index.asp?pageid=695244>