

APPENDIX 2

PLANNING POLICY GUIDANCE FOR RESIDENTIAL AND NURSING HOMES

This guidance is supplementary to the policy considerations of the Moray Structure Plan and the Moray Local Plan. In addition to meeting the terms of this guidance, planning applications will be further assessed against the relevant development plan policies contained in these documents.

1.0 Introduction

- 1.1 The government introduced major changes in 1990 in relation to the care of patients in long-stay hospital wards and the 'Care in the Community' policy was established. This largely concerns the care of the elderly but also the care of the mentally ill, the physically handicapped and the learning disabled.
- 1.2 The full impact of this change in national policy is now becoming apparent in Moray through an increase in development activity particularly related to the provision of nursing homes for the elderly.
- 1.3 Although this policy is primarily aimed at dealing with this issue it is also considered relevant to a wider range of residential care homes including nursing homes, rehabilitation homes and homes for people with a learning disability, mental illness or physical disability. These types of home or institution are uses currently embraced by Class 13 of the Town and Country Planning (Use Classes) (Scotland) Order 1989 as amended. Planning applications for 'change of use', 'newbuild' and extensions to existing homes are covered by this policy.
- 1.4 The purpose of this policy is to set standards, to assist the Council in assessing planning applications and to provide guidance for applicants. Proposals for care developments from the public, private or voluntary sectors, will require to meet the terms of this policy if planning permission is to be granted. Applications will be further assessed against other relevant development plan policies.
- 1.5 The main planning considerations lie with issues of location, residential amenity and environmental impact. Homes for the elderly, infirm, physically handicapped or mentally ill are often the only home for many of their residents. Care is therefore required in the planning assessment of these projects to ensure that their location, design, layout and external environment offer appropriate opportunities for an active participation in community life for those residents who are able. For those who are not, then the home and the quality of its internal environment take on an even greater importance.

- 1.6 The following policies are designed to operate in tune with registration regulations in respect of the responsibilities of Grampian Health Board and the Council's Department of Community Services (Social Work), in order to ensure a comprehensive assessment of the quality of these proposals within the Moray area. These policies will also apply to shared and integrated care developments which combine residential, day care, respite and domiciliary services.
- 1.7 It is important to note that the grant of planning permission does not imply that 'registration' will be forthcoming from the registration authorities (Grampian Health Board and the Moray Council Department of Community Services). Further information on the delivery of Community Care Services in Moray can be obtained from the joint Grampian Health Board/The Moray Council Community Care Plan. Applicants are therefore advised to contact these organisations for a copy of the Community Care Plan, and to initiate discussions regarding registration.

2.0 Location

- 2.1 Residential homes will be encouraged to locate within existing towns and villages where there is ready access to community facilities, services and workforce. Designated housing sites, (as identified in the Local Plan) and existing residential areas are generally considered appropriate provided that concentrations of institutional use do not arise which would fundamentally alter the character of these areas.
- 2.2 Preferred locations include sites and detached properties away from main roads with level access and proximity to community facilities such as public parks, public transport routes, medical services, shops and post offices, including banks, chemists and food shops. Locations should also be within reasonable distance of appropriate emergency services such as hospitals. Rural locations (i.e. outwith the 33 main settlements identified in the Local Plan) are not normally considered appropriate for residential homes due to their distance from these facilities.
- 2.3 Nursing homes have slightly different locational criteria given that the majority of residents are unable to live independently and cannot leave the confines of the home itself. For nursing homes the prime locational considerations relate to the accessibility of the site to visitors, relatives and the emergency medical services, and the inherent qualities of the site itself in its ability to offer a tranquil yet stimulating environment for residents.
- 2.4 As with residential homes, nursing homes should be within existing residential areas (or designated housing sites) in existing towns and villages where workforce, services and good community accessibility is available. However as there is not the same requirement to locate nursing homes in close proximity to community facilities such as parks, shops, banks, chemists etc., in exceptional circumstances in response to local demand, nursing homes can take advantage of rural locations if there is satisfactory access to emergency services and public transport. For proposals where residential and nursing care are combined, these should be located within the towns and villages.
- 2.5 Planning permission will not normally be granted for residential or nursing homes in the following circumstances:
 1. In locations which are adjacent to "unneighbourly" uses - such as noisy or dirty industries or businesses, and in locations which have a specific land use designation under the provisions of the local plan for commercial/industrial/ business development where there is likely to be the potential for land use conflict.

2. In residential areas where the introduction of a new home will cause a loss of an existing open space or woodland, which provides essential recreational amenity to surrounding properties or will cause a loss of general amenity to the immediate neighbourhood in terms of policy L/IMP1 or L/IMP2 of the Local Plan.
3. In areas where in some combination topographical and access conditions are incompatible with the introduction of a home for elderly people or the physically handicapped. These conditions may include hilly topography, sub standard road geometry, lack of footpaths and parking space and general difficulty of access to shops, and community and medical facilities.

3.0 Size

- 3.1 Both the Community Services Department (Social Work) and Grampian Health Board (Nursing Home Quality Assurance), in implementing local and national policy in respect of community care, encourage the provision of care services in small or medium sized homes. Such homes are considered more homely and less "institutional" in appearance and character which is to the benefit of patient care.
- 3.2 Homes will be assessed with reference to the scale of operation proposed and the ability of a given locality to absorb a particular development without loss of amenity to both existing and new residents. Central to this assessment is the objective of achieving development which is intimate in scale and non-institutional in character.
- 3.3 The appropriateness of larger homes (i.e. over 40 beds) will therefore be the subject of a stringent assessment of the impact of such homes on residential amenity in terms of the guidance laid down in L/IMP1 or L/IMP2. Size and scale will be assessed in respect of the following factors:
 1. The layout and massing of the proposed buildings.
 2. The scale and massing of adjacent buildings.
 3. The provision of car parking and landscaped open space.
 4. The amount of traffic likely to be generated by staff and visitors.

4.0 Design and Layout

- 4.1 For the majority of residents of homes (particularly nursing homes for the elderly), this will be their only home and, as such, proposals will be assessed to ensure that residential amenity is maximised. Elderly people, for example have special design requirements not only related to their limited mobility but also in respect of matters of personal dignity and privacy. Privacy within private accommodation is essential but this is also a requirement for shared patios and sitting out areas in garden grounds.
- 4.2 The following policies shall apply not only to new build homes, but also to conversions of existing properties and extensions to existing homes:

4.3 New Build

1. New developments within existing neighbourhoods should respect the scale, density, layout, massing and materials of adjacent buildings. Within conservation areas design controls shall be in accordance with policy L/ENV15 of the Local Plan. Policy L/ENV14 shall apply if the building is within the curtilage of a listed building. Design opportunities may be greater depending on context, local plan policy and development briefs, if the development is on a designated housing site.

2. Building design should maximise the opportunities to introduce daylight to the interior of buildings, reducing the need for extensive lengths of artificially lit corridors and passages.
3. All habitable rooms should have residential standards of daylighting, offer privacy from overlooking and provide an attractive outlook onto areas of amenity sufficient to stimulate patient interest (e.g. streets, gardens, public thoroughfares, attractive townscape etc.). Private rooms should not have an outlook restricted solely to other parts of the built complex.
4. Windows throughout the development should be designed so as to offer a view from a sitting position and roof Velux windows will not be considered appropriate as the sole means of providing daylight in bedrooms, living rooms/kitchens and communal areas for dining and recreation. Developments should allow for 4 m between the windows of any habitable room and any driveway, parking space or path, and 10 m between any such window and the site boundary.
5. Given that the majority of residents will spend most of their time within the home and its garden ground, at least 50% of the total site area should be landscaped amenity space to include areas in which residents can sit out in sunlight for a significant portion of the day, and be sheltered from both the wind and from public view. Fully detailed landscaped plans should be submitted with all detailed planning applications.
6. Developments should provide off street parking to the specified standards of the Moray Council and ample space should also be provided for emergency access for ambulances, fire engines and for servicing and turning by larger vehicles such as mini buses and coaches.
7. Developments should be designed to allow disabled access to all parts of the site.
8. Proposals for rural locations should be designed accordingly and adhere to the siting and design guidance offered in the housing in the countryside document.

5.0 Conversions

- 5.1 Conversions of existing buildings should meet all the above criteria, where relevant, in addition to the following:
 1. They should not be in semi-detached, terraced or flatted properties unless the capacity of the home is less than 10 beds.
 2. They should meet residential standards of daylighting in all habitable rooms. As above roof Velux windows, as a sole provision of daylight, should be avoided.
 3. They should retain 50% of the total site area for landscaped open space. In certain circumstances selective demolition may be required to achieve the necessary levels of amenity space however demolition may be unacceptable within a conservation area, or if the building is listed.

6.0 Extensions to Existing Homes

- 6.1 All the above criteria will apply, where relevant. It should be noted however that extensions may not be acceptable if they result in amenity open space falling below 50% of the original total site area.

NOTE: Amenity open space will not include road access and parking.

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(incorporating, Planning, Roads and Building Control Services)

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Moray Council

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PLANNING POLICY GUIDANCE SEPTIC TANK AND SOAKAWAY SYSTEMS TECHNICAL REQUIREMENTS

POLICY L/ENV21

Private Sewage Treatment and Drainage - Requirements for Septic Tank and Soakaway Systems

(i) Septic Tanks and Soakaway Systems:

Testing Procedure

The applicant must satisfy the Moray Council, through its Department of Technical and Leisure Services and SEPA that the ground conditions are suitable for accepting a septic tank and soakaway discharge.

Applicants will require to carry out a test as to the sustainability for the proposed location for the septic tank and soakaway. If considered necessary by the above authorities, prior to any decision on the application. If such a test is not carried out, or proved not to be to the satisfaction of the Authority, the application for planning permission will be refused, unless SEPA agree to a discharge to a water course. SEPA will not agree to a discharge to a water course unless there is adequate dilution available and ground conditions have been shown to be unsuitable for a soakaway.

In proposals involving a development of more than one house, the scale of the development may require a BS test, subject to investigations by the Director of Technical and Leisure Services in conjunction with SEPA.

In certain circumstances, where for example the size of site, layout or existing contours of the site give reason to question the long term suitability of the site for acceptance of septic tank effluent, the Council, in consultation with SEPA, may require the provision of alternative locations for soakaways to serve a single tank for use in the event of the preferred soakaway failure. Where this is judged to be the case the applicant will be required to successfully test both soakaway locations in the manner provided for above.

Planning Policy Requirements

(ii) Applicants Control

Septic tanks and soakaways must be located within the application site and within the applicant's control, in order that they remain within the control of the applicant and can be subject to planning conditions pertaining to the development of the site.

(iii) Application Details

Applications involving the use of septic tanks must show accurately the proposed location of such installations and of drainage ditches and water courses in the vicinity. The requirements of NOSWA and SEPA will be incorporated as conditions of any planning consents granted.

(iv) Public Connection

Where a site falls within a settlement or rural community boundary which is already served by a public sewerage system, drainage should be effected by connection to that system, if sufficient capacity exists. Alternative arrangements will only be considered in exceptional cases where they meet with the full approval of SEPA, the Department of Technical and Leisure Services and NOSWA.

(v) Individual Tanks

For applications involving more than one house the Council will require each individual house to be served by a separate septic tank. Alternative arrangements will only be considered where they meet with the full approval of SEPA, the Department of Technical and Leisure services and NOSWA.

HOUSING NEED STATISTICS

(Applications for Local Authority Housing at 15/11/00)

Grnd = Ground Floor Main = Mainstream/General Needs Shel = Sheltered Housing

	1 Bedroom			2 Bedroom			3 Bedroom		4 Bedroom		5 Bedroom		Total
	Grnd	Main	Shel	Grnd	Main	Shel	Grnd	Main	Grnd	Main	Grnd	Main	
Aberlour	21	55	2	4	35		1	17		5	1	1	142
Alves	6	74		8	55		2	26		3	1		175
Archiestown	3	21	1	3	16			6		2	1		53
Arradoul	2	35	1	4	18			8		1			69
Bilbohall	63	269	12	36	247		7	97	1	19	1		752
Birnie	3	52	3	5	43			16	1	5	1		129
Bishopmill	101	308	25	46	276		10	121	2	31		1	921
Brodie	8	53		5	43		2	20	1	4	1		137
Buckpool	49	113	1	17	84		1	27	1	6		1	300
Burghead	11	62		10	49		2	23		4		2	163
Centre Buckie	43	128	3	16	67			30		6		1	294
Central Elgin	144	320	36	53	263	1	9	104	2	22	1	1	956
Central Keith	37	76	3	11	62			30	1	6		1	227
Clackmarras	2	42	3	3	32			16		5			103
Connage	1	24	1	4	14		1	3		2			50
Craigellachie	12	46	2	4	31		1	10		2			108
Cullen	15	55	1	7	33			18		1		1	131
Dallas	1	38		6	22		1	9		4		1	82
Deskford	1	25	1	4	11			6		1			49
Drummuir	2	19	2	3	9			5		3			43
Drybridge	1	27	1	4	14			6		1			54
Dufftown	16	53	2	3	28			15		6		1	124
Duffus	9	52		6	44		1	13		4			129
Dundurcas	1	16	1	3	9			3		1			34
Dunphail	3	36		5	19		1	7		3			74
Dyke	6	49		4	37		2	22		4		1	125
Enzie	5	28	1	4	14			5		1			58
Fife-Keith	27	73	2	8	55			28	1	6		1	201
Findhorn	17	95		17	67		2	35		9			242
Findochty	12	50	1	10	35			9				1	118
Fochabers	28	90	4	15	63		2	35	1	11			249
Forres	90	171	14	33	141		3	76	2	14	1	2	547
Garmouth	12	45	3	6	49		1	15		7			138
Glenallachie	2	18	1	3	10		1	3					38
Glenlivet	4	17	1	3	12			3			1		41
Grange	1	17	1	3	15			5		2		1	45
Half Davoch	2	36		4	21		1	8		3			75
Hopeman	24	62		10	51		1	24		7			179
Kingsmills	32	230	9	16	142		5	49	1	11			495
Kinloss	6	85		11	70		1	22		6	1		202
Knock	1	15	1	3	11			5		1			37
Knockando	3	17	1	3	13			6					43
Lhanbryde	15	88	4	8	69		1	22		8			215
Lintmill	4	29	1	4	14			7		1			60
Lossiemouth	56	167	8	20	169		1	67	1	18		2	509
Marypark	2	19	1	3	12			4					41
Miltoduff	4	43	3	4	41			14	1	6	1	1	118
Mosstodloch	24	80	3	12	55		1	31	1	6		1	214
Mulben	2	21	1	3	14		1	6		2			50
New Elgin	90	312	14	39	262		7	105	3	24	1	1	858
Newmill	4	22	1	3	17			8					55
Portessie	14	73	1	6	45			16		2		1	158
Portgordon	11	56	1	7	33		1	9		1		1	120
Portknockie	11	41	1	5	26			6		1		1	92
Rafford	6	47		8	35		2	17		7			122
Rathven	3	36	1	4	25			12	1	1			83
Roseisle	5	50		5	42		2	12		4			120
Rothies	15	67	4	9	37			23	1	5			161
Rothiemay	2	16	1	3	11			4		3			40
South Lesmurdie	40	181	9	18	124		7	52		11			442
Spynie	14	57	3	5	56			22		7	1		165
Tomintoul	4	20	1	3	13			4				1	46
Tomnavoulin	1	17	1	3	11			3				1	37
Urquhart	8	44	2	6	40			18		8		1	127
Total	1162	4583	201	601	3481	1	81	1448	22	344	13	28	11965

APPENDIX 4

CREDITS

Credits

The production of this plan was co-ordinated by a team of planning and administration officers of The Moray Council, working in close consultation with local community councils and community associations, special interest groups, the local development and business sectors, national agencies and the local design professions. Thanks are due to all who contributed to the making of the plan.

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