

Issue 7	Elgin	
Development plan reference:	<p>Volume 2: Settlement Statements</p> <p>Elgin</p> <p>R1 Bilbohall North page102</p> <p>R2 Edgar Road page 102</p> <p>R3 Bilbohall South page 103</p> <p>R4 South West of Elgin High School page 104</p> <p>R5 Bilbohall West page 105</p> <p>R6 Knockmasting Wood page 106</p> <p>R7 The Firs page 107</p> <p>R9 Hamilton Drive page 109</p> <p>R11 Findrassie page 110</p> <p>R14 South Lesmurdie page 114</p> <p>R16 Barmuckity page 115-116</p> <p>R19 Easter Linkwood and Linkwood page 117</p> <p>R22 Spynie Hospital page 119</p> <p>LONG 2 Elgin South page 121</p> <p>I5 Pinefield Industrial Estate page 123 / ENV 4 Sports Area Pinefield Playing Field page 148</p> <p>I6 Linkwood East page 123</p> <p>I7 Barmuckity Business Park page 124 / Barmuckity Business Park Strategic Framework page 153-156</p> <p>I16 Burnside of Birnie page 129-130</p> <p>LONG 3 Burnside of Birnie page 131</p>	Reporter:

	<p>MU1 Riverview page 131</p> <p>OPP5 Auction Mart, Linkwood Road page 135</p> <p>OPP8 Lossie Green page 141</p> <p>OPP9 Town Hall page 142</p> <p>OPP11 Walled Garden page 143</p> <p>Site Not Taken Forward – EL4 Hattonhill</p> <p>Site Not Taken Forward – EL5 Oldmills Road</p> <p>Site Not Taken Forward – EL16 Bain Avenue (ENV2 and 3 in Proposed Plan)</p>	
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Bilbohall Masterplan Area (Sites R1 Bilbohall North, R2 Edgar Road, R3 Bilbohall South, R4 South West of Elgin High School, R5 Bilbohall West, R6 Knockmasting Wood, and R7 The Firs)</p> <p>Scotia Homes Ltd (480)</p> <p>David MacBeath (866)</p> <p>Keith Anderson (1867)</p> <p>Carolyn Anderson (1869)</p> <p>Ian Davidson (1871)</p> <p>Sheila Cassidy (1872)</p> <p>Peter Long (1874)</p> <p>Denise Long (1875)</p> <p>Malcolm Wilcox (1879)</p> <p>Eileen and Andrew Rae (1880)</p> <p>Rafik Hamdy (1885)</p> <p>Fiona Osunrinade (1887)</p> <p>Sofie Wright (1894)</p> <p>Bernard Cassidy (2176)</p> <p>Joan Wilcox (2188)</p> <p>Michelle Mackenzie (2189)</p> <p>Fiona Davidson (2190)</p> <p>Katherine Mackintosh and Frank Reid (2191)</p> <p>R9 Hamilton Drive</p> <p>William Fitzsimmons (2215)</p> <p>Alex and Margaret Gordon (2217)</p> <p>R11 Findrassie</p> <p>Woodland Trust Scotland (1818)</p>		

Jenny Benson (2115)

R14 South Lesmurdie

Norman Birch (1611)

R16 Barmuckity

Wayne Miles (1858)

R19 Easter Linkwood and Linkwood

Woodland Trust Scotland (1818)

R22 Spynie Hospital

NHS Grampian (300)

Kelvin Hirst (1999)

Iain Bufton (2172)

Gillian Mackay (2187)

LONG 2 Elgin South

Woodland Trust Scotland (1818)

Site Not Taken Forward – EL4 Hattonhill

Oldmills Farm Partnership (2214)

Site Not Taken Forward – EL5 Oldmills Road (ENV6 in Proposed Plan)

Oldmills Farm Partnership (2214)

Site Not Taken Forward – EL16 Bain Avenue (ENV2 and 3 in Proposed Plan)

Springfield Properties plc (10)

Fiona Duncan (1826)

Gillian Mackay (2187)

I5 Pinefield Industrial Estate/ENV4 Pinefield

New Elgin JFC (2124)

I6 Linkwood East

Jack Brown (1012)

I7 Barmuckity

Wayne Miles (1858)

I16 and LONG 3 Burnside of Birnie

David Mackay (1549)
Alex and Rachel McClure (1747)
Strathdee Properties (1798)
Elgin Community Council (1832)
Charles William Hill (2192)

MU1 Riverview

Woodland Trust Scotland (1818)

OPP5 Elgin Auction Mart

ANM Group Ltd (868)
David Bailey (885)
Jenny Main (1979)

OPP8 Lossie Green

Elgin Community Council (1832)

OPP9 Town Hall

Bill Hope (1248)

OPP11 Walled Garden

Stephen Duff (319)
Ken Kennedy (326)
James Richardson (610)
Anonymous (1229)
Bill Hope (1248)
Juliet Govier (1577)
Alison Walton (1735)
Elgin Community Council (1832)
Anne Rodda (1963)
Sheona Davidson (1964)
Pamela Napolitano (1965)
John Sherry (1966)
Tim Aspden (1967)
Nicholas Chambers (1968)
Daniel Stewart (1969)
Jennifer Reidford (1994)
Lorraine Campbell (2000)
Edwin Parkin (2013)
Caitlin McCormack (2026)
Grant Croudace (2027)
Evelyn Lawson (2028)
Hazel Croudace (2029)
Kathryn Darley (2030)
Gillian Bain (2031)
Alanna Magee (2032)

Andy Brown (2033)
Peter Carvell (2034)
Yvonne Alexander (2035)
Charlene Marshall (2036)
Raymond Aitken (2037)
Mrs L Robertson (2038)
Ben Moore (2039)
Joseph Souter (2040)
Michele Smith (2041)
Stephanie Sparkes (2042)
Jacquie Melrose (2043)
Eleanor Melton (2044)
Toni McIlwraith (2045)
Kristine Duffus (2046)
Cindy Gee (2047)
Margaret Sammon (2048)
Janice Mackenzie (2049)
Elizabeth Boyall (2050)
Laura Mawson (2051)
Nigel Kirby (2052)
Judith Spark (2053)
Joan Scott (2054)
Rebecca Adams (2055)
Elise Cox (2056)
Joshua Willis (2057)
Fiona Cumming (2058)
Anna Campbell (2059)
Heather Hagen (2060)
Charlotte Friston (2061)
AM (2062)
Charlotte Smith (2063)
Kirsten Steele (2064)
Kenneth Kennedy (2065)
Nikki Yoxall (2066)
Michaela Munro (2067)
Jolene Young (2068)
Lynne Minion (2069)
Jeniffer Mackean (2070)
Maggie Brown (2071)
Siobhan Mainland (2072)
Ms S Jeffrey (2073)
Anna Mcpherson (2074)
Esther Dale (2075)
Lara Beach (2076)
Ian Taylor (2077)
Kaye McIntosh (2078)
Dr Tom McCallum (2080)
Cameron Smith (2081)
Dagmar Gross (2082)
Sheila Cochrane (2083)
Beatrice Dobney (2084)
Ellice Walker (2085)

Ian Bremner (2086)
Una Gault (2087)
Lesley Williamson (2090)
Charlotte Coxon (2091)
Monika Jakiel (2092)
Jennifer Upson (2093)
Elizabeth Duncan (2094)
Frances Wardhaugh (2095)
Julie Ann Henderson (2096)
Cleo Hart (2097)
Natalie Campbell (2098)
Gordon Forsyth (2099)
Isabel MacColl (2101)
Stuart James (2102)
Helen Dixon (2103)
JE Allan (2104)
Valerie Weston (2107)
Dawn Mylchreest (2108)
Gillian Karpa (2109)
Sarah Macpherson (2110)
Jane Charles (2118)
Mr R Craib (2119)
David Sharp (2123)
Scottish Rock Garden Club (2125)
Alan Souter (2126)
Margaret Sharp (2127)
Leon Lumsden (2128)
Morag McCloy (2129)
Angela Innes (2135)
Duncan Alexander (2136)
Carol Casburn (2137)
James MacDonald (2138)
Stephen Scott (2139)
Emma Ritchie (2140)
Anna Pearson (2141)
Leah Horner (2142)
Tracey Willetts (2143)
Iain Ritchie (2144)
Susan Ritchie (2145)
Rebecca Ritchie (2146)
Louisa Thain (2148)
Rev Anne Attenburrow (2149)
June Harris (2150)
Mrs R Cruickshank (2151)
George and Isobel Esson (2155)
James Topping (2156)
David Southcombe (2157)
Menita Roberts (2161)
John and Susan Hammond (2163)
Ross Grant (2166)
Janet E Milne (2170)
Anne Chadwick (2173)

<p>Dr Miriam Brown (2174) RR Cook (2179) Martin Keith (2182) Jim Walton (2183) Michelle Slater (2185) Scotland's Garden and Landscape Heritage (2193) Mike Rodda (1963) Pamela Sutherland (2195) David Chadwick (2196) David A Stewart (2197) Anne Wibberley (2198) Amanda Willox (2199) Allysha Stewart (2200) Karen Mcarthur (2202) Shelagh M Scott (2216) Penelope Roberts (2218)</p>	
<p>Provision of the development plan to which the issue relates:</p>	<p>Housing, employment and other designations within the Elgin Settlement Statement.</p>
<p>Planning authority's summary of the representation(s):</p>	
<p>Bilbohall Masterplan Area (Sites R1 Bilbohall North, R2 Edgar Road, R3 Bilbohall South, R4 South West of Elgin High School, R5 Bilbohall West, R6 Knockmasting Wood, and R7 The Firs)</p> <p><u>Scotia Homes Ltd (480/5/1)</u></p> <p>Scotia Homes Ltd support sites R4, R5 and R6 as they are effective well connected to existing services and infrastructure will be considered as part of the master planning process. Support revised capacity of R4 to 107 units to reflect the Bilbohall Masterplan Supplementary Guidance approved in November 2018.</p> <p>Traffic Management and Road Safety</p> <p><u>David MacBeath (866/3/1), Keith Anderson (1867/2/1) , Carolyn Anderson (1869/2/1), Ian Davidson (1871/2/1), Sheila Cassidy (1872/2/1), Peter Long (1874/2/2), Denise Long (1875/2/2), Eileen and Andrew Rae (1880/2/1), Rafik Hamdy (1885/2/1), Fiona Osunrinade (1887/2/1), Sofie Wright (1894/2/1), Bernard Cassidy (2176/1/1), Joan Wilcox (2188/1/7), Michelle Mackenzie (2189/1/1), Fiona Davidson (2190/1/1), Katherine Mackintosh and Frank Reid (2191/1/1)</u></p> <p>Roads infrastructure cannot support the level of development proposed.</p> <p>Proposals for the railway bridge at Mayne Farm Road are inadequate and a replacement bridge is required. The bridge is not sufficient to carry the development traffic and visibility is restricted. No survey of the structural stability of the bridge has been undertaken. Queries if creating two lanes on the existing bridge is possible and if this would allow two buses to pass. Access over the railway bridge will lead to very long queues blocking existing roads and preventing access by emergency vehicles. No detail is provided on how pedestrians will cross the railway line.</p>	

All proposals at the railway bridge put pressure on the local network including

- Traffic turning on to Wittet Drive where there is no visibility. No improvements are proposed.
- Traffic will be increased along Fleurs Drive, Pluscarden Road, Wards Road and Mayne Road. No data on the traffic impact or the suitability for buses has been provided.
- Impacts on houses on Mayne Road.

The Masterplan proposal that all additional traffic can be accommodated without improvements is short sighted and wrong. Nothing is proposed to address road safety on the wider network or improve visibility.

Increased volume of traffic and queuing traffic will increase noise and pollution and lead to traffic jams on Wittet Drive.

The natural obstacles to slow traffic within the Masterplan will lead to traffic jams. There is no clarity about what is proposed to manage traffic. Proposal creates a link road through the development. This will create a rat run going to the A96 to avoid the railway level crossing. Proposal resurrects the Western Link Road by default.

Access to the playpark will be difficult due to the arrangements proposed at the bridge. Traffic lights at a bridge beside a children's playpark is a bad idea with buses, tractors and impatient drivers.

Katherine Mackintosh and Frank Reid (2191/1/1)

Works must be completed on TSP3, 4 and 26 before any new housing is commenced as existing infrastructure is not able to cope with additional development. Completion of the Fairfield Avenue development was not allowed without improvements to be completed first.

All construction traffic must be via Edgar Road.

A clear timetable is required for delivery of TSP30 and TSP31. It is noted contributions will be sought towards development despite 56% of vehicles from Bilbohall using this route.

Improvements at TSP27 Edgar Road/The Wards/Glen Moray Drive must be completed prior to any new housing commencing.

A full Transport Assessment is required. A Transport Impact Assessment is required with actual survey information so the actual traffic picture is understood.

The model used by Curtins for the Masterplan has fundamental inconsistencies. The number of car trips modelled is underestimated and does not reflect the parking space requirements.

Rafik Hamby (1885/2/1)

A third access point is required for the proposed numbers.

If the railway line is doubled the railway bridge will be closed meaning the development will only have one access.

David MacBeath (866/3/1), Carolyne Anderson (1869/2/1)

Car parking for the football pitch is opposite 1 Fairfield Avenue. What restrictions will be in place during sporting events to accommodate additional parking?

Impact of noise from cars and buses passing existing properties. The Council should replace garden fencing with acoustic fencing panels to reduce noise and afford privacy.

Eileen and Andrew Rae (1880/2/1)

Parking for the playpark is required to ensure that existing roads are not used.

Fiona Osunrinade (1887/2/1)

Artist impressions of the bridge solution required.

Impacts on Wildlife

David MacBeath (866/3/1), Carolyne Anderson (1869/2/1), Ian Davidson (1871/2/1), Peter Long (1874/2/2), Denise Long (1875/2/2), Malcolm Wilcox (1879/2/7), Rafik Hamby (1885/2/1), Sofie Wright (1894/2/1), Joan Wilcox (2188/1/7), Michelle Mackenzie (2189/1/1), Fiona Davidson (2190/1/1), Katherine Mackintosh and Frank Reid (2191/1/1)

Concerns raised about detrimental impacts on wildlife that currently use the field, detrimental impact on the wetlands and the disconnection between the wetlands and the surrounding countryside.

No wildlife corridors are provided linking the west of the site to the Wards Wildlife Site. This is contrary to the requirements of Policy EP1 to protect local nature reserves and provide surveys for protected species. Landscape corridors must be retained to allow wildlife to continue to move freely between areas. As the Masterplan states the road through the site will be classed as a "Link Road" this emphasises that no provision has been made for wildlife corridors.

Flooding and Infrastructure

Keith Anderson (1867/2/1), Carolyne Anderson (1869/2/1), Peter Long (1874/2/2), Malcolm Wilcox (1879/2/7), Eileen and Andrew Rae (1880/2/1), Fiona Osunrinade (1887/2/1), Ian Davidson (1871/2/1), Sheila Cassidy (1872/2/1), Denise Long (1875/2/2), Rafik Hamby (1885/2/1), Bernard Cassidy (2176/1/1), Joan Wilcox (2188/1/7), Michelle Mackenzie (2189/1/1), Fiona Davidson (2190/1/1)

Concerned that increased hard standing and buildings will cause water run-off which will impact on Fairfield Avenue. Fairfield Avenue is the lowest point in the area and it seems there is no solution to prevent flooding from run-off water, drainage and sewage. Edgar Road already has a history of flooding and the increase of flow from development will increase flood risk.

Guarantees are required that existing properties will not be subject to flooding and who

will be responsible if it occurs. Evidence needed of SEPA reports and test holes. Detailed reports on Flood Risk not available.

Keith Anderson (1867/2/1), Eileen and Andrew Rae (1880/2/1)

Infrastructure including sewage must be guaranteed to be able to cope with the proposed development.

Sofie Wright (1894/2/1)

There is no capacity at doctors, dentists, sport and leisure facilities. There is a poor choice of shops.

Landscape Impacts and Number of Units Proposed

Keith Anderson (1867/2/1), Eileen and Andrew Rae (1880/2/1)

Previous landscape studies showed areas to be unsuitable for development and it is unclear what has changed.

Carolyn Anderson (1869/2/1), Ian Davidson (1871/2/1), Peter Long (1874/2/2), Denise Long (1875/2/2), Fiona Osunrinade (1887/2/1), Fiona Davidson (2190/1/1)

Number of houses risen from 370 to 450. This should be reduced to a more manageable number. R3 originally proposed for 75 and has now increased to 100. Large areas marked as undevelopable unclear why this has changed.

Noise Impact and Air Quality

Sofie Wright (1894/2/1), Katherine Mackintosh and Frank Reid (2191/1/1)

No noise impact assessment has been completed and there is no requirement for one within the designation. This is required for all planning applications and mitigation provided.

Noise impact from increased traffic using Mayne Farm Road/Bilbohall Road will be significant and the traffic calming measures will produce noise. The road should be moved away from existing housing.

The designation does not mention air quality. The Masterplan suggests that there will be no significant impact of air quality however the proposed Local Development Plan 2020 does not require any assessment, this is remiss and must be corrected. Increased traffic and stationary traffic at the railway bridge will impact on air quality.

R1 Bilbohall North

Michelle Mackenzie (2189/1/1)

Further development of R1 is not possible as the area floods.

R3 Bilbohall South

Carolyn Anderson (1869/2/1)

Objects to affordable housing being built on R3 due to the impacts on residents of Fairfield Avenue.

Affordable housing should be located on lower areas further south and the Fairfield end should be kept for private estates that are one storey to avoid impacts on existing properties. Or earth should be moved to separate the affordable housing.

Development will impact on views and cause overshadowing.

Carolyn Anderson (1869/2/1), Ian Davidson (1871/2/1), Peter Long (1874/2/2), Denise Long (1875/2/2), Malcolm Wilcox (1879/2/7), Eileen and Andrew Rae (1880/2/1), Fiona Osunrinade (1887/2/1), Sofie Wright (1894/2/1), Joan Wilcox (2188/1/7), Fiona Davidson (2190/1/1)

There is no detail of the height and distance of properties behind existing properties on Fairfield Avenue. Led to believe these are single storey bungalows but no detail is provided.

Development is on a hill and despite houses being single storey existing properties will be overlooked impacting on privacy. The tree planting proposed will restrict sunshine. The field at R3 provides amenity for the residents of Fairfield and this will be lost with development. This will impact on other recreational use.

The houses to the back of Fairfield Avenue in R3 should be removed from plans and located elsewhere to minimise impacts on existing residents.

Sheila Cassidy (1872/2/1), Bernard Cassidy (2176/1/1), Eileen and Andrew Rae (1880/2/1)

The existing landscaped area behind Fairfield Avenue needs protection from anti-social behaviour and the maintenance of this area should fall to the R3 developers. The existing landscape strip must be fenced off to prevent this becoming a path.

Katherine Mackintosh and Frank Reid (2191/1/1)

Advance planting between Block E in the Masterplan and Fairfield Avenue must commence as soon as ground works are completed to allow trees to establish. Maintenance and replacement of trees for 5yrs required to ensure this is fully established. Planting should come to the road boundary to give existing houses privacy from Blocks B, C and E. The hedgerow along Mayne Farm Road must be replaced to mitigate noise, improve air quality and enhance amenity.

R5 Bilbohall West

Scotia Homes Ltd (480/5/1)

Capacity of site R5 Bilbohall West should be increased from 50 to 91 houses to be consistent with neighbouring sites and to have regard to masterplanning and placemaking principles.

The capacity and density proposed at R5 is significantly lower than other sites within the

Bilbohall Masterplan area and is 50% less than R3. Density should be increased to 91 units based on a density of 12.4 houses per net developable area. This is consistent with adjacent sites. (The developable area is noted as being 5.88 acres within a table within the response).

There is no masterplanning justification for the lower density.

The consultants who prepared the Bilbohall Masterplan Supplementary Guidance were engaged by Scotia Homes Ltd in respect of their response to the Main Issues Report. Having regard to their analysis of the site and having regard to the draft Bilbohall Masterplan at the time two capacity options with layouts were tabled. The lower capacity option for 70 houses failed in terms of connectivity and integration with the Bilbohall Masterplan and site R4. Option 2 for 91 houses integrated better with the Bilbohall Masterplan and would allow for more effective implementation of structural landscaping that more closely follows the ridgeline. The MIR submission is appended to the objection in support of the position.

R7 The Firs

David MacBeath (866/3/1)

Concerned about level of development and impacts on privacy. Car parking area to the rear of 1, 3 and 5 Fairfield Avenue should be restricted to avoid high sided vehicles and CCTV overlooking back gardens.

Keith Anderson (1867/2/1), Carlyne Anderson (1869/2/1), Ian Davidson (1871/2/1), Peter Long (1874/2/2), Denise Long (1875/2/2), Eileen and Andrew Rae (1880/2/1), Joan Wilcox (2188/1/7), Fiona Davidson (2190/1/1)

No clarity provided as to what is to be built, how many houses there will be and their style.

Rafik Hamby (1885/2/1), Fiona Osunrinade (1887/2/1)

Number of units has increased from 4-5 units to 10 units and is beyond what could be accommodated on the current footprint of the old buildings which would impact on the surrounding houses. This suggests the intention is to build flats which would be inappropriate in a suburban family focused development and will result in noise and security risks.

R9 Hamilton Drive

William Fitzsimmons (2215/1/1), Alex Gordon (2217/1/1)

Drainage and Flood Risk

Flooding on the site has already damaged houses on Duncan Drive. The drainage system must be able to cope with an additional 20 units.

Access

The Development Brief shows an indicative access adjacent to 13 Hamilton Drive and

this should be further east or at the existing access point. This is too close to the drive of 13 Hamilton Drive, visibility would also be obscured due to cars parked on the road and where learner drivers practice reversing around corners at Hamilton Crescent. Access to/from the site will be on a hill making it awkward coming out onto Hamilton Drive. Locating it further east would make the route to the Child Protection Unit more direct and less invasive to new development as the facility is accessed 24hours a day.

Layout and Design

Buildings should conform and fit with current houses in Hamilton Drive.

Maintenance and Impacts on Neighbouring Property

The designation requirements include retention of stone boundary walls. The developer must carry out maintenance and restoration work with traditional materials. The hedge along the west and south of the site must be retained and maintained. Removing the hedge would damage the wall. Questions who will be responsible for maintaining the wall between 1 Hamilton Drive and 13 Hamilton Drive.

The pavement between 13 Hamilton Drive and the existing site access is sinking towards where the new houses will be built. The path may fall away into the new buildings or gardens.

Concerned about the impacts of removal of concrete pad, other foundations and access roads in terms of vibration and damage to neighbouring property. When the old hospital was knocked down the hammer drill caused masonry to fall off neighbouring houses due to vibrations.

R11 Findrassie

Jenny Benson (2115/1/1)

There is no need for additional houses and the housing being built currently is not being sold. Services including schools, the hospital, and the leisure centre are unable to cope with current demand. The town is dead, lifeless and struggling. Proposal will impact on wildlife that lives in Findrassie and the pond.

Woodland Trust (1818/2/6)

The North West of the development is adjacent to an area of LEPO woodland, Findrassie Wood. There is no specific mention of a buffer between the existing woodland and the development in the text but the Findrassie Masterplan shows an area of planting between the development and the woodland edge. The appropriate size and type of buffer can be advised at planning application stage. The site requirements should be more specific about buffer woodland creation.

R14 South Lesmurdie

Norman Birch (1611/4/1)

The site is unsuitable for additional housing. The site is small and is constrained by gas, sewerage, water pipes and valves which have to remain accessible. Half the site is

protected by the Flood Alleviation Scheme and the defended flood plain is not suitable for development. The site is the only recreational land and is well used by children, adults and pet owners.

The only access is via Woodside Terrace which is already busy with traffic and parked cars. Additional traffic would be a danger to children. The area is used for parking due to a lack of spaces within existing development.

Would impact on the view/outlook of many residents.

R16 Barmuckity/ I7 Barmuckity Business Park

Wayne Miles (1858/3/1)

Objects to R16 and I7. Development should be spread around all towns so that no one town grows too quickly and loses its character. The countryside is a good introduction to a settlement. Development will impact on the peace, privacy, sunlight and views enjoyed by existing properties. Buildings will be damaged by construction work vibrations. Field is of national historic significance with findings of two round houses and ring ditch found on the site. Also bronze age pieces have been found and more recently a Pictish stone. This requires to be fully researched before being built on.

R19 Easter Linkwood and Linkwood

Woodland Trust Scotland (1818/2/7)

There is a narrow strip of LEPO along Linkwood Road near the southern end of the site. This forms a corridor to a larger area of LEPO woodland, Birkenhill Wood, which is adjacent to site allocation LONG2 Elgin South. The development area should be designed to retain any existing trees. In addition, a buffer between the area of woodland and the development should be included as a site specific requirement.

Note that on page 171 of the Elgin South Masterplan that the woodland areas are to be retained and this should be stated in the site specific requirements. The woodland areas could also be surveyed to assess their ecological value and a management plan and buffer areas can be further informed by this. The site development is likely to increase recreational use, which is encouraged, however paths within the woodland should not result in felling and be designed to ensure they are followed to avoid creation of desire lines and damage to ground flora.

R22 Spynie Hospital

Impacts on amenity, privacy, sunlight and wildlife

Kelvin Hirst (1999/1/1), Iain Bufton (2172/1/1), Gillian Mackay (2187/1/1)

Existing houses back onto a wildlife corridor and enhancement of this area to screen development and preserve wildlife is desirable. Screening to existing houses that are at a lower level is required to preserve privacy avoid overshadowing and mitigate against increased noise. Drainage must be carefully considered to ensure no detrimental effect on lower properties. The area is used by deer, birds, bats, pine marten and red squirrels. Development would increase noise and obscure sun due to the elevated level of land and

housing height. Nothing was planned originally on this part of the site and the impact of development on existing housing with a quiet environmentally friendly backdrop must not be overlooked.

Development would impact on property value and site/location/corner plot status.

Road Safety, Layout and Design and Contamination

Gillian Mackay (2187/1/1)

Objects on road safety grounds. The access is within a 40mph limit and this is not adhered to. A 30mph limit is needed from the entrance to the Findrassie development (R11) to slow traffic down. The road is narrow in places with many school children using this. Parking outside Beechbrae Education Centre should be stopped with double yellow lines. Increased traffic will cause frustration and accidents.

The scale, density and character of this site must be appropriate to the surrounding area. The open space requirements and enhancement and extension of wildlife corridors must be adhered to in line with policies. Impacts on the Spynie Care Home residents must be taken into account and disruption minimised. A play area could be disruptive to the Care Home. The type of housing should be bungalows, property for elderly residents and accessible housing to make this acceptable to the Care Home and existing home owners.

Rubble left on site from the hospital demolition must be tested for asbestos and other contamination.

Site Capacity

NHS Grampian (300/6/4)

Object to the unit allocation as these are too low and lower than other low density sites and adjacent allocated sites. Whilst the capacity is indicative this has a negative effect on site valuation and the units should be revised to be in line with adjacent sites. A capacity of 75-80 units would be more appropriate and in keeping with surrounding sites.

LONG 2 Elgin South

Woodland Trust Scotland (1818/2/5)

A significant part of the Southern Boundary of the site borders on to an area of LEPO, Birkenhill Wood. A buffer between the area of woodland and the development should be a site specific requirement. The appropriate size and type of buffer can be advised on at planning application stage.

Note on page 171 of the Elgin South Masterplan that the woodland areas are to be retained and this should be stated in the site specific requirements. The woodland areas could also be surveyed to assess their ecological value and a management plan and buffer areas can be further informed by this. The site development is likely to increase recreational use, which is encouraged, however paths within the woodland should not result in felling and be designed to ensure they are followed to avoid creation of desire lines and damage to ground flora.

Not Taken Forward – EL4 Hattonhill

Oldmills Farm Partnership (2214/0/2)

Object to removal of the site at Hattonhill from the Local Development Plan. This site is designated within the 2015 Local Development Plan and now that the Western Link Road proposals are no longer progressing the landowner is in a position to bring the site forward for development.

The Main Issues Report proposed the continued allocation of the site. The Proposed Plan removes the allocation and this is now “whitelands” within the settlement boundary.

A reduced capacity from that proposed at the MIR stage of 28 units is now proposed (compared to 38 at the Main Issues stage) with an indicative layout provided that demonstrates open space can be accommodated along with a landscaped buffer to the river and A96.

An access report was submitted with the MIR response in support of the proposal. One point of access is required for the level of housing proposed and an indicative junction design is submitted with the response to the Proposed Plan showing visibility splays can be achieved.

The site is effective and can be brought forward in the short term. Hattonhill should be designated for housing with an indicative capacity of 28 houses.

Not Taken Forward - EL5 Oldmills Road (ENV6 in Proposed Plan)

Oldmills Farm Partnership (2214/2/1)

Revised proposal for site at Oldmills submitted. Propose a 1.1ha site for low density development of 12 units in a highly landscaped setting. Mature trees along boundary maintained and opportunity to create more formalised open space within this important green corridor. The current agricultural land offers no recreational value. Site is suitable for long term housing growth within the centre of Elgin and provides variety to long term housing options.

Proposal would only result in the loss of a small area of greenfield land. The existing agricultural use offers no amenity or recreational value to residents. The proposed development could incorporate amenity space and paths that would enhance the value of this part of the green corridor. Developer requirements could be included for landscaping and open space as well as an ecological assessment.

An access report was submitted at the MIR stage that identifies there is scope for a priority junction on Jock Inksons Brae to provide access to the site.

An assessment of potential flood risk has been made. The proposed site would be free of flooding in a 1:200 year flood event and would not be reliant on the Flood Alleviation Scheme. The site is also almost entirely free of flooding within the 1:1000 year flood event. From the elevated nature of the site, indicative flood extents and Scottish Planning Policy Flood Risk Framework it can be concluded that the majority of the site is likely to be at little or no risk of flooding with only a small proportion at low to medium risk. It is therefore suitable for most forms of development.

Not Taken Forward – EL16 Bain Avenue (ENV2 and 3 in Proposed Plan)

Springfield Properties plc (10/13/10)

Object to non-inclusion of a site at Bain Avenue Elgin. Part of this site was “preferred” at the MIR stage for affordable housing along with significant landscaping on an existing poorly functioning area of ENV greenspace and play area. This site was not taken forward due to objections from SEPA and SNH on surface flooding and loss of open space respectively.

A DIA would accompany any planning application to demonstrate that surface water can be satisfactorily dealt with. The proposal would have considerable compensatory planting and landscaping along with housing as a multi beneficial scheme which delivers much needed affordable housing along with an enhanced area of public greenspace.

Fiona Duncan (1826/2/2)

Welcome that policy EP5 appears to be protecting the open space at Bain Avenue which continues to be identified as an ENV designation.

The way Bain Avenue/McMillan Avenue has been developed demonstrates that there is not an excess of ENV open space. The 2.1ha ENV 2 and 3 shown in the Proposed Plan is for 454 units. This area includes the SUDS which is unusable. On average if each unit contains two people this is 908 people for less than 2.1ha which is below the quantity of open space recommended in the Moray Open Space Strategy Supplementary Guidance (January 2018).

Gillian Mackay (2187/1/2)

Ownership of the play area must be clarified. Title deeds of householder stated that owners all owned an equal share of the land where the play park is with Screen Autumn factoring this. Ownership is shared between the 328 houses in the first phase and changes must have approval of more than 50% of owners.

I5 Pinefield Industrial Estate /ENV4 Pinefield

New Elgin JFC (2124/1/1)

Emergency vehicle access from Ashgrove Road down the path adjacent to the pitches must not be obstructed and full access to pitches must be retained. This is required for the health and safety of all users of the pitches and is part of risk assessment for SFA regulations. Access to pitches must be maintained at all times. Queries if green space can be sold for industrial purposes.

I6 Linkwood East

Jack Brown (1012/2/2)

Use classes 3 Food and Drink, 7 Hotel and Hostels, and 11 Assembly and Leisure as granted in planning consent 09/01477/OUT should be added to the suitable uses.

- This range of uses better reflects existing uses on the site namely two drive

through units, furniture showroom and consent for car showroom.

- Barmuckity Business Park is near opening which will provide a minimum of 22.1ha for classes 4 Business, 5 General Industrial and 6 Storage or Distribution (with a greater mix permitted across 7.41 of this). Therefore part or all of the remaining 1.5ha at I6 being developed for class 3,7 and 11 would not cause a significant reduction in supply.
- The uses proposed would also better reflect those proposed at Barmuckity.
- Had the access for I6 not formed part of a separate planning application the uses proposed would still be permitted under 09/01477/OUT.

The outcome of planning appeal PPA/300-2012 confirmed it was unreasonable to require the provision of a pedestrian and vehicle route between I1 and I6, with the condition removed from consent 09/01477/OUT. The requirement for this is unreasonable and should be removed.

The requirement for a pedestrian/cycle connection to the cycle path along the flood alleviation embankment is an unreasonable cost to a developer as until the cycle path was introduced by the Council this was not a requirement. The developer should only be required to reserve a route for such a connection.

Requirement for a Flood Risk Assessment should be deleted as the site is protected by the Moray Flood Alleviation Scheme.

The requirement for no development within 6m of the flood embankment is unreasonable and too restrictive. It has already been agreed with the Flood Alleviation team that roads, foot/cycle ways, car parking and development that does not prevent access to or damage the embankment is permitted within 6 metres. Amended wording proposed.

I16 and LONG 3 Burnside of Birnie

Strathdee Properties Ltd (1798/3/5)

As landowner support allocation for business and industrial use. Welcome opportunity to work with Moray Council to prepare a Development Framework and consider the Key Design Principles included in the Proposed Plan are deliverable. Supports the use classes identified and notes Class 7 Hotel and Hostels and Class 11 Assembly and Leisure on part of the site increase the viability of the site. Have experience of developing and letting commercial units in the Elgin area and are confident that site I16 can be delivered.

Need for Industrial Land

David McKay (1549/2/1)

LONG 3 should be removed. The industrial site would be larger than central Elgin and out of character with the scenic approach to Elgin. The north of Elgin should be considered as there is minimal industrial land identified there and would keep the size of both industrial areas manageable and in keeping with the rest of Moray.

Alex and Rachel McClure (1747/2/2)

Objects to inclusion of site I16 for industrial uses. The minimum requirement for

employment land in Elgin is 23 hectares. The A96 dualling will reduce the amount of available land and therefore the reasoning to continue to allocate the area that will be considerably smaller rather than seek alternative land is difficult to understand. The need for industrial land of the scale at Burnside of Birnie has not been clearly identified. Barmuckity and other areas remain undeveloped and the published uptake rate is expected to allow the currently allocated employment land to accommodate the period up to 2025.

Preferred A96 Dualling Route

Elgin Community Council (1832/3/2)

The impact of the routing of the A96 needs further consideration and it should form the southern boundary of Elgin. The boundary of I16 should be adjusted.

David McKay (1549/2/1)

LONG 3 should be removed. The A96 dualling route could form a boundary for Elgin with a clear distinction between town and country. As the dualling route is now known it should be taken into account before designating LONG3.

Alex and Rachel McClure (1747/2/2)

Objects to inclusion of site I16 for industrial uses.

- Now that the A96 dualling route has been published full recognition of this must be taken into account when considering the designation. This would sever I16 and makes shared access for I16 and LONG3 impossible.
- The A96 dualling route should form a natural and physical barrier to development to the south. With the land to the south preserved as agricultural land.
- The landscaping, SUDS and drainage for the A96 will further reduce the developable area beyond any reasonable purpose along with the other constraints. The land would not be developable in any reasonable commercial and marketable capacity and the land to the south of the A96 dualling should be removed.

Objects to inclusion of site LONG3 for industrial uses. Due to the constraints on I16 and the developable area being severely impacted by the A96 LONG3 should be removed.

Charles William Hill (2192/1/1)

The designations have not been integrated with the A96 dualling proposals and the interdependencies have not been identified or understood. It is inappropriate to progress the designation given this lack of diligence.

Site Constraints

David McKay (1549/2/1)

LONG 3 should be removed. LONG 3 has several constraints which limit its use including land for the A96 and slip roads, poor access, high pressure gas main, watercourse, flood risk and offsets to protect existing residential properties. It is inappropriate to remove a scenic piece of community resource for such a small return.

Alex and Rachel McClure (1747/2/2)

Objects to inclusion of site I16 for industrial uses. The constraints are grossly underestimated given the existence of the high pressure gas main. HSE impose a safe building distance of 32m either side of high pressure gas mains.

Charles William Hill (2192/1/1)

The site has compounding constraints including flood plain restrictions, access requirements for the high pressure gas main, the future A96 dualling footprint and requirements for green corridors and amenity land. Combined with the inadequate access from Elgin town centre a fragmented development will result that will exacerbate traffic on the heavily used narrow A941. These constraints suggest the site is fundamentally flawed and should be removed.

Development will increase flood risk and existing properties must not be put at increased flood risk as a consequence of development.

Impact on Residential Properties

David McKay (1549/2/1)

If the designation is retained the following must be minimum considerations

- Protection of existing residential properties (Blossombank, Burnside of Birnie, and Brackairlie). This should include using land to east of Blossombank for less obtrusive uses.
- A green corridor should be provided from Birkenhill Woods to the Wood of Level to allow for local amenity and open up recreational opportunities.
- The driving range to the north of the industrial estate could be moved to this area and the existing driving range reallocated for industrial where there will be minimal impact as there are no adjacent properties.
- Access should be provided from the west from Birnie Road with no development identified to the east side of the River.
- The impact of the greater mix of uses along A941 should be reconsidered. For class 5, class 6, class 7 and class 11 impacts from noise, light pollution, odour, vibration, pollution, impacts of 24hr uses and impacts on privacy would be a concern. Class 4 Business could be more suitable within a residential area.
- A clear area must be left to either side of the Burn of Linkwood for nature and recreational use.
- Planting must be provided around residential properties as an absolute minimum.

Alex and Rachel McClure (1747/2/2)

Objects to inclusion of site I16 and LONG 3 for industrial uses.

- A Development Framework for the site is now impossible given the constraints and the preferred route of the A96 dualling.
- The proposals would encircle their property with industrial land and cause significant injurious affection. The allocation will result in significant blight. It is inequitable for them to have their property interests and lifestyle affected without compensation with the cost borne by the wider community who will benefit from the future development.

- Moray Council have not taken residential property interests into account when allocating the land. Burnside of Birnie is a rural residential property with a huge amount of amenity and unrestricted views. The proposal is planning blight on them whilst the Council attempt to develop a Development Framework and it would be impossible to sell the property.

The proposal would have a detrimental impact on property rights. Allocating the land without fairly compensating residents would place such a restriction of uses so extreme in substance, though not in form, that it would amount to “taking” of land for the benefit of the public. If allocation of the land proceeds property rights would be severely impacted and would be detrimental to the owners of Burnside of Birnie’s interest. The proposal would severely impact on property value and it would be extremely difficult to sell the property. It is remiss of Moray Council to allocate the land and ignore Transport Scotland’s proposals. If Moray Council were to operate in isolation they would significantly alter the status of the owners position regarding future claims against Transport Scotland for loss of value and have a duty to act responsibly.

Charles William Hill (2192/1/1)

The proximity of industrial uses will change the environment in which residential properties sit and erode the valued amenity.

There will be a negative impact on the value of existing residential property. Reduce the ability to sell property due to the future uncertainty. Compensation for loss of value and prolonged period of uncertainty required.

The combination of the industrial designation, proposed shared access, and the A96 routing has a deep psychological impact for residents. The Council must be empathetic and mindful of this.

Proposal has no measures to protect residents from particulate, noise, and light pollutions associated with major development. Mitigation measures are required to mitigate impacts on the environment and residents.

Access

Alex and Rachel McClure (1747/2/2)

Objects to inclusion of site LONG3 for industrial uses.

- Due to the constraints on I16 and the developable area being severely impacted by the A96, LONG3 should be removed. Access to LONG3 would not be shared by I16 and movement between the two areas would not be possible. There would be three access points off the A941 within a short stretch of road (I16, LONG3 and Burnside of Birnie). This would require unsightly traffic management. A Development Framework would be impossible and would not fit with the Council’s strategy.
- LONG 3 should be removed. Access would require to be off the A941. The land could not be accessed from other developable land and would be too small to be of viable use. A new access would be a road safety issue.

Charles William Hill (2192/1/1)

Object to a shared access with existing residential uses. Alternative access proposals required.

Landscaping Quality

David McKay (1549/2/1)

The 15m landscaping proposed along the A941 must be more substantial than existing development which have provided only a wide grass area and some Rowan trees which in no way softens views. The woodland planting to reinforce edges must be a mix of good quality specimen trees and not the cheapest at the time. This must be wide enough to be a useable space for nature.

Settlement Boundary

Charles William Hill (2192/1/1)

The Elgin settlement boundary excludes the existing residential properties which if the designation is approved would prohibit existing owners from developing. This is inequitable given the designation proposals. Existing properties should be included within the settlement boundary to open up opportunities for development.

MU1 Riverview

Woodland Trust Scotland (1818/2/8)

The western boundary of the site is adjacent to a large area of LEPO woodland, Quarrel Wood. A buffer between the area of woodland and development should be a site specific requirement. The appropriate size and type of buffer can be advised on at planning application stage. The site specific requirements should recognise that this woodland is on the AWI to help inform the developer of the constraints this may pose.

OPP5 Elgin Auction Mart

Suitable Uses

ANM Group Ltd (868/4/1)

Support continued designation of OPP5 and the suitable uses. However, the stated uses should be expanded to include retail and leisure uses, given the historic consideration of the site for a supermarket and a restaurant/bar. This will maximise the opportunities for development going forward.

Open Space and Landscaping Requirements

ANM Group Ltd (868/4/1)

Specifying open space and landscaping requirements in the designation is not required as this can be achieved and controlled through detailed proposals for the site.

Traffic, Roads and Connections

ANM Group Ltd (868/4/1)

It is not possible to provide a through connection to the south of the site to Market Drive without purchasing third party land. The requirement should not be placed on the developer as it will affect the viability and deliverability of the site. The requirement to connect to Market Drive should not be identified in the designation as there is no guarantee this can be provided.

Considers safeguard of land for improvements at TSP30 to be appropriate but it should also be recognised that a reduction in developer obligations requires to be made to compensate for the land take. This was acknowledged by Moray Council in the Committee report for application 17/00120/PPP which stated "the District Valuer will determine the value of the land required for junction improvements. This would be deducted from the total transportation contribution".

David Bailey (885/2/1)

Concerned about the impacts of more traffic from the development and cumulatively from wider development. A pedestrian crossing is required across Linkwood Road at the roundabout. Infrastructure must be in place prior to development.

A connection to Market Drive is unacceptable to residents of Market Drive.

Flooding and Drainage

ANM Group Ltd (868/4/1)

The flooding issue that remains unresolved from consideration of the planning application 17/00120/PPP is overland surface water flows from the south, which fail to get into the public drainage/watercourse system and lead to flooding on the site. This surface water is entirely from off-site sources and this water is not being dealt with by Council infrastructure. Application proposed land raising. Displacement of surface water may result in increased flood risk to adjacent receptors in the 200 year return period event. However, the Council's Surface Water Management Plan may allow a determination of whether the landraising will increase risk to adjacent properties and thereafter assist in developing any further mitigation that may be required. An off-site solution is therefore required and the Committee report stated the Council does have powers to provide flood protection, however, if it is feasible, it would be to provide protection to existing property, not to facilitate new development. It is argued that there is existing built development on the site and the Council therefore have a responsibility to protect it. SPP also places a sharp focus on the delivery of allocated sites which Moray Council are failing to do in relation to this site, demonstrated by the past planning applications that have failed to reach consent. Consideration must be given to the potential of land raising on this site. A more reliable estimate of flood levels could be obtained by more detailed modelling and the Council advised in October 2017 that they were undertaking further flood modelling work to investigate surface water flooding hotspots, including Linkwood Road as part of its Surface Water Management Plan. Moray Council require to progress this as a matter of urgency and identify funding to carry out the necessary improvements in a realistic timescale. In advance of any improvement, the land owner is progressing alternative solutions to addressing flooding on the site, to allow development of this allocated site to proceed. However, it is considered appropriate to acknowledge that this issue needs further consideration and collaboration between all parties, including Moray Council as it

is not the responsibility of the owners of this site to mitigate existing flooding issues from offsite sources.

David Bailey (885/2/1), Jenny Main (1979/1/1)

The mart site is low lying with a high water table just 2 metres below surface level. When there is heavy rain water rises and surface water drains cannot cope resulting in the site and surrounding areas flooding. Past developments at Edgar Road have resulted in water that previously flowed to the Tyock Burn being obstructed and rising up on OPP5 and Market Drive. This problem would get worse with the surface water and sewerage from any development. The drainage system would not cope with any increase. To date no developer has resolved this issue.

Other Issues Raised

ANM Group Ltd (868/4/1)

The historic use of the site as an auction mart is long abandoned. The auction centre has no architectural merit and requirement to reflect the historic use in building design is excessive. Consideration of public art is more appropriately considered at the application stage.

David Bailey (885/2/1)

Impact on schools, early year childcare, health centres, dental surgeries need to be considered.

HSE raised concern about housing close to Gleaner Depot.

Jenny Main (1979/1/1)

Site should be developed for recreational use, for example a touring motorhome/caravan park which would encourage tourists and be within walking distance of the town centre.

OPP8 Lossie Green

Elgin Community Council (1832/3/4)

The Lesser Borough Briggs area to the north of Borough Briggs Road should be removed from the OPP8 designation. Elgin Community Council support the use of that area for the Elgin Sports Community Trust Community Asset Transfer and not for mixed uses including leisure, office and or retail.

OPP9 Town Hall

Bill Hope (1248/2/1)

The present Town Hall is unsuited to running several activities at the same time and is not a modern multi-functional centre. It should be replaced.

OPP11 Walled Garden

James Richardson (610/3/1), Elgin Community Council (1832/3/5), Jennifer Reidford (1994/1/1), Grant Croudace (2027/1/1), Alanna Magee (2032/1/1), Cindy Gee (2047/1/1), Judith Spark (2053/1/1), Joan Scott (2054/1/1), Charlotte Friston (2061/1/1) Michaela Munro (2067/1/1), Lynne Minion (2069/1/1), Sheila Cochrane (2083/1/1), Ellice Walker (2085/1/1), Una Gault (2087/1/1), Leon Lumsden (2128/1/1), Anna Pearson (2141/1/1), Ross Grant (2166/1/1)

Objects to the designation of the site and wish the Biblical Garden to be retained.

Site Description

Stephen Duff (319/4/1), Anonymous (1229/8/1), Juliet Govier (1577/2/1), Alison Walton (1735/2/1), Pamela Napolitano (1965/1/1), John Sherry (1966/1/1), Tim Aspden (1967/1/1), Lorraine Campbell (2000/1/1), Edwin Parkin (2013/1/1), Bill Hope (1248/2/1), Eleanor Melton (2044/1/1), Janice Mackenzie (2049/1/1), Esther Dale (2075/1/1), Stuart James (2102/1/1), Jane Charles (2118/1/1), David Sharp (2123/1/1), Margaret Sharp (2127/1/1), Emma Ritchie (2140/1/1), Tracey Willetts (2143/1/1), Iain Ritchie (2144/1/1), Susan Ritchie (2145/1/1), Anne Chadwick (2173/1/1), Miriam Brown (2174/1/1), David A Stewart (2197/1/1), Karen McArthur (2202/1/1)

Respondents state that the site description is incorrect. Stating that

- The term “vacant and derelict” is misleading. The area is used by Moray College, Greenfingers Training Services and REAP to deliver training programmes and as a Council depot. None of the facilities are vacant or derelict and this has been wrongly categorised as “OPP”. The buildings include classrooms, greenhouses, polytunnels and tool-sheds.
- The photograph in the Plan captioned “Walled Garden” is misleading as it only shows the site from one aspect. Public will not be aware the proposal relates to the Biblical Garden/Moray College UHI.
- The Biblical Garden is not a Walled Garden and should be categorised as a Battlefield or Gardens and Designed Landscape in terms of policy EP11.

Value of Greenspace

Stephen Duff (319/4/1), James Richardson (610/3/1), Anonymous (1229/8/1), Bill Hope (1248/2/1), Juliet Govier (1577/2/1), Alison Walton (1735/2/1), Elgin Community Council (1832/3/5), Sheona Davidson (1964/1/1), John Sherry (1966/1/1), Tim Aspden (1967/1/1), Nicholas Chambers (1968/1/1), Lorraine Campbell (2000/1/1), Hazel Croudace (2029/1/1), Andy Brown (2033/1/1), Yvonne Alexander (2035/1/1), Charlene Marshall (2036/1/1), Mrs L Robertson (2038/1/1), Ben Moore (2039/1/1), Michele Smith (2041/1/1), Jacqui Melrose (2043/1/1), Margaret Sammon (2048/1/1), Janice Mackenzie (2049/1/1), Elizabeth Boyall (2050/1/1), Laura Mawson (2051/1/1), A M (2062/1/1), Charlotte Smith (2063/1/1), Kirsten Steele (2064/1/1), Kenneth Kennedy (2065/1/1), Lynne Minion (2069/1/1), Jennifer Mackean (2070/1/1), Maggie Brown (2071/1/1), Siobhan Mainland (2072/1/1), Ms S Jeffrey (2073/1/1), Anna McPherson (2074/1/1), Esther Dale (2075/1/1), Lara Beach (2076/1/1), Ian Taylor (2077/1/1), Dr Tom McCallum (2080/1/1), Dagmar Gross (2082/1/1), Beatrice Dobney (2084/1/1), Una Gault (2087/1/1), Elizabeth Duncan (2094/1/1), Frances Wardhaugh (2095/1/1), Cleo Hart (2097/1/1), Natalie Campbell (2098/1/1), Isabel MacColl (2101/1/1), Stuart James (2102/1/1), JE Allan (2104/1/1), Valerie Weston (2107/1/1), Dawn Mylchreest (2108/1/1), Gillian Karpa (2109/1/1), Sarah Macpherson (2110/1/1), Jane Charles (2118/1/1), Mr R Craib (2119/1/1), David Sharp (2123/1/1), Scottish Rock Garden Club (2125/1/1), Alan Souter

(2126/1/1), Margaret Sharp (2127/1/1), Morag McCloy (2129/1/1), Angela Innes (2135/1/1), Duncan Alexander (2136/1/1), Carol Casburn (2137/1/1), Stephen R Scott (2139/1/1), Louisa Thain (2148/1/1), Rev Anne Attenburrow (2149/1/1), June Harris (2150/1/1), R Cruickshank (2151/1/1), George and Isobel Esson (2155/1/1), David Southcombe (2157/1/1), Janet Milne (2170/1/1), Anne Chadwick (2173/1/1), Miriam Brown (2174/1/1), R. R. Cook (2179/1/1), Martin Keith (2182/1/1), Jim Walton (2183/1/1), Michelle Slater (2185/1/1), Scotland's Garden and Landscape Heritage (2193/1/1), Mike Rodda (2194/1/1), David A Stewart (2197/1/1), Amanda Willox (2199/1/1), Allysha Stewart (2200/1/1), Karen McArthur (2202/1/1), Shelagh Scott (2216/1/1)

The site should be retained for the community as it is a key resource. Respondents highlight the importance of greenspace for the community stating.

- The Biblical Gardens are a tourist attraction with 48,000 visitors a year and is linked to the "Castle to Cathedral to Cashmere" heritage experience. Visitors to the garden spend money locally.
- The Gardens are valued as they provide peace, tranquillity and place for reflection. The gardens complement the Cathedral. Gardens are a haven for wildlife and wildflower supporting insects in decline. The Biblical Garden is part of the green infrastructure of Elgin and should be protected as open space with an ENV designation.
- Greenspace benefits to people in terms of health, mental wellbeing, recreation and education. Horticulture and use of greenspace is essential as more and more research highlights the medical and health wellbeing benefits as a preventative/treatment for people.
- Maintenance of the Biblical Gardens is carried out by Moray College Horticultural students during term time and the Friends of Biblical Garden volunteers throughout the year. This is to the benefit of the people of Elgin and the education of young people. The model is without cost to the public purse.
- The Biblical Garden contains memorial trees, plants and benches donated to commemorate loved ones.
- The cuts to the Council's budget have resulted in poorer parks and removal of flower beds. The Horticulture Students and Friends of Biblical Garden have kept the Biblical Garden in good condition with attractive flower beds.
- Hotel should not be near to the garden as it is beautiful and tranquil.

Impact of Development on OPP11

Stephen Duff (319/4/1), Bill Hope (1248/2/1), Juliet Govier (1577/2/1), Alison Walton (1735/2/1), Anne Rodda (1963/1/1), Sheona Davidson (1964/1/1), Pamela Napolitano (1965/1/1), John Sherry (1966/1/1), Tim Aspden (1967/1/1), Nicholas Chambers (1968/1/1), Daniel Stuart (1969/1/1), Evelyn Lawson (2028/1/1), Kathryn Darley (2030/1/1), Gillian Bain (2031/1/1), Andy Brown (2033/1/1), Peter Carvell (2034/1/1), Michele Smith (2041/1/1), Margaret Sammon (2048/1/1), Nigel Kirby (2052/1/1), Rebecca Adams (2055/1/1), Elise Cox (2056/1/1), Anna Campbell (2059/1/1), Heather Hagen (2060/1/1), A M (2062/1/1), Jolene Young (2068/1/1), Jeniffer Mackean (2070/1/1), Esther Dale (2075/1/1), Ian Taylor (2077/1/1), Kaye McIntosh (2078/1/1), Charlotte Coxon (2091/1/1), Monika Jakiel (2092/1/1), Frances Wardhaugh (2095/1/1), Natalie Campbell (2098/1/1), Gordon Forsyth (2099/1/1), Stuart James (2102/1/1), Helen Dixon (2103/1/1), Valerie Weston (2107/1/1), Jane Charles (2118/1/1), Mr R Craib (2119/1/1), David Sharp (2123/1/1), Scottish Rock Garden Club (2125/1/1), Alan Souter (2126/1/1), Margaret Sharp (2127/1/1), Angela Innes (2135/1/1), Duncan Alexander (2136/1/1), James MacDonald (2138/1/1), Stephen R Scott (2139/1/1), Emma Ritchie (2140/1/1),

Tracey Willetts (2143/1/1), Iain Ritchie (2144/1/1), Louisa Thain (2148/1/1), R Cruickshank (2151/1/1), George and Isobel Esson (2155/1/1), James Topping (2156/1/1), David Southcombe (2157/1/1), John and Susan Hammond (2163/1/1), Janet Milne (2170/1/1), Miriam Brown (2174/1/1), Martin Keith (2182/1/1), Scotland's Garden and Landscape Heritage (2193/1/1), Mike Rodda (2194/1/1), Pamela Sutherland (2195/1/1), David Chadwick (2196/1/1), David A Stewart (2197/1/1), Anne Wibberley (2198/1/1), Amanda Willox (2199/1/1), Allysha Stewart (2200/1/1), Karen McArthur (2202/1/1), Shelagh Scott (2216/1/1)

The areas that support the Biblical Garden should be protected from development. OPP11 is fundamental to the upkeep of the Biblical Garden. The Biblical Garden would cease to exist if OPP11 is developed, as there would be neither students nor volunteers to work there; and the buildings needed for teaching, tools and green housing would be gone. OPP11 is essential for growing plants used in the Biblical Garden, war memorials and by other community groups. Getting plants from out with Moray would be expensive and mean money going out of Moray.

Education and Training

Anonymous (1229/8/1), Bill Hope (1248/2/1), Juliet Govier (1577/2/1), Alison Walton (1735/2/1), Tim Aspden (1967/1/1), Nicholas Chambers (1968/1/1), Daniel Stuart (1969/1/1), Lorraine Campbell (2000/1/1), Caitlin McCormack (2026/1/1), Kathryn Darley (2030/1/1), Gillian Bain (2031/1/1), Andy Brown (2033/1/1), Charlene Marshall (2036/1/1), Raymond Aitken (2037/1/1), Mrs L Robertson (2038/1/1), Joseph Souter (2040/1/1), Stephanie Sparkes (), Jacqui Melrose (2043/1/1), Toni McIlwraith (2045/1/1), Kristine Duffus (2046/1/1), Margaret Sammon (2048/1/1), Elizabeth Boyall (2050/1/1), Fiona Cumming (2058/1/1), Anna Campbell (2059/1/1), Heather Hagen (2060/1/1), Charlotte Smith (2063/1/1), Kirsten Steele (2064/1/1), Nikki Yoxall (2066/1/1), Jolene Young (2068/1/1), Jeniffer Mackean (2070/1/1), Maggie Brown (2071/1/1), Siobhan Mainland (2072/1/1), Ms S Jeffrey (2073/1/1), Anna McPherson (2074/1/1), Esther Dale (2075/1/1), Lara Beach (2076/1/1), Ian Taylor (2077/1/1), Cameron Smith (2081/1/1), Dagmar Gross (2082/1/1), Una Gault (2087/1/1), Lesley Williamson (2090/1/1), Charlotte Coxon (2091/1/1), Monika Jakiel (2092/1/1), Elizabeth Duncan (2094/1/1), Julie-Ann Henderson (2096/1/1), Cleo Hart (2097/1/1), Stuart James (2102/1/1), Jane Charles (2118/1/1), David Sharp (2123/1/1), Margaret Sharp (2127/1/1), Carol Casburn (2137/1/1), Stephen R Scott (2139/1/1), Emma Ritchie (2140/1/1), Tracey Willetts (2143/1/1), Iain Ritchie (2144/1/1), Louisa Thain (2148/1/1), Rev Anne Attenburrow (2149/1/1), June Harris (2150/1/1), James Topping (2156/1/1), David Southcombe (2157/1/1), Menita Roberts (2161/1/1), Janet Milne (2170/1/1), Anne Chadwick (2173/1/1), Miriam Brown (2174/1/1), Martin Keith (2182/1/1), Jim Walton (2183/1/1), Michelle Slater (2185/1/1), Scotland's Garden and Landscape Heritage (2193/1/1), Pamela Sutherland (2195/1/1), David Chadwick (2196/1/1), David A Stewart (2197/1/1), Anne Wibberley (2198/1/1), Amanda Willox (2199/1/1), Allysha Stewart (2200/1/1), Karen McArthur (2202/1/1), Shelagh Scott (2216/1/1), Penelope Roberts (2218/1/1)

The valuable contribution the existing education establishments make has not been taken into account. Development of OPP11 would have an adverse impact on education, students with learning difficulties, and horticultural students.

- Moray College offer Scottish Vocational Training at 3 levels and a Higher National Certificate in Horticulture. Without the training facilities located on OPP11, these courses would not run. The tool sheds, potting shed, greenhouses and polytunnels are essential to the training.

- The horticulture courses meet the needs of local employers and provide qualifications and training in a growing sector. This meets the Councils Economic Strategy of retaining young people in the area, attracting a working age population and aligning infrastructure to support business growth and skills development.
- Moray College UHI horticulture department are successful in achieving high standards. Closure due to lack of premises would mean the only courses available in Scotland would be at Argyll, Dundee or Glasgow.
- It is not feasible for Moray College UHI students to locate elsewhere as there are no vehicles or budget to transport staff, students and machinery making it difficult to maintain the Biblical Gardens.
- Greenfingers Training Service is for adults with learning disabilities, on the Autistic spectrum and in recovery of mental health conditions and the service occupies the largest part of the OPP11 site. Greenfingers supports people that are furthest from the labour market to gain employability skills and work experience. Trainees go onto employment, further education, volunteering or progressing on to other services. This service should not be lost.
- Sites considered previously by Greenfingers were discounted due to costs and travel distance. There are no suitable locations for Greenfingers to be relocated as other sites would not provide the same facilities and would not be accessible to users. Since relocating to the Walled Garden the training service has expanded and further expansion is planned to develop a public sales area, garden development, and food growing production.
- Greenfingers works closely with Forestry commission Scotland, Moray Council Park and Gardens, Moray College UHI, Community Councils and public customers. Greenfingers carryout maintenance with the Forestry Commission Scotland, Dr Grays Hospital sensory garden, and private gardens.
- Consideration needs to be given to the 28 horticulture students at Moray College UHI and Greenfingers trainees. The Council must be careful not to breach their Human Rights under the ECHR.

Council Priorities, Outcomes and Plan Vision

Juliet Govier (1577/2/1), Elgin Community Council (1832/3/5), Sheona Davidson (1964/1/1), John Sherry (1966/1/1), Tim Aspden (1967/1/1), Kathryn Darley (2030/1/1), Andy Brown (2033/1/1), Janice Mackenzie (2049/1/1), Nigel Kirby (2052/1/1), Joan Scott (2054/1/1), Elizabeth Duncan (2094/1/1), Cleo Hart (2097/1/1), Natalie Campbell (2098/1/1), Stuart James (2102/1/1), JE Allan (2104/1/1), Jane Charles (2118/1/1), Scottish Rock Garden Club (2125/1/1), Emma Ritchie (2140/1/1), Leah Horner (2142/1/1), Tracey Willetts (2143/1/1), Iain Ritchie (2144/1/1), Susan Ritchie (2145/1/1), Rebecca Ritchie (2146/1/1), Louisa Thain (2148/1/1), James Topping (2156/1/1), Mike Rodda (2194/1/1), David Chadwick (2196/1/1)

Proposal is short sighted with monetary gain being prioritised over education and a valued greenspace. The commercial gain would be of little benefit to Elgin compared to the services currently provided. The benefits to existing users and volunteers should not be underestimated and the knock on effects of losing such services should be considered.

The Biblical Garden is run in partnership with Moray College, Friends of the Biblical Garden and Moray Council and is a model of good practice.

Juliet Govier (1577/2/1)

The Biblical Garden supports the LOIP outcomes of “Building a better future for our children and young people”, “Empowering and Connecting Communities” and “Growing a diverse and sustainable economy”. It also supports the Placemaking outcomes under the headings Social and Environmental on page 10 of the Proposed Plan including “inclusive society/mixed communities”, “well designed, multifunctional green spaces and networks that encourage people to lead healthier lifestyles”, “provide safe and pleasant walking and cycling routes” and “support and improve habitats and biodiversity”.

Esther Dale (2075/1/1)

The Biblical Garden supports the Vision Objective to “create sustainable, welcoming, well connected and distinctive places that are safe, healthy, and inclusive.”

Anne Chadwick (2173/1/1)

The plan states that it covers a broad spectrum of issues including employment opportunities, connecting communities, good health and educational facilities, supporting health challenges by supporting physical activities and mental well being, helping reduce inequalities and improve life chances for everyone to enjoy a good quality of life. Greenfingers’ activities achieve this and closure of the service would reduce the quality of life many vulnerable people.

Ken Kennedy (326/1/1), Kenneth Kennedy (2065/1/1)

In section 3.3 of the 2015 Central Elgin Regeneration Public Design Charrette Development Framework one of the priorities identified for Cooper Park was investment in Health and Wellbeing in the Lossie Green Corridor/Cooper Park. The suggestion of a hotel does not fulfil this principle.

Fiona Cumming (2058/1/1)

As a Community Planning Partner Moray Council needs to engage with partners such as Moray College UHI and explore ways that collaborations in the Cooper Park area can be expanded rather than closed down.

Dagmar Gross (2082/1/1)

The Biblical Garden was created by donations and the efforts of these people, those who benefit from the garden and Moray College Horticulture Department should not be ignored to finance the Council.

Hotel (Need and Alternative Locations)

Pamela Napolitano (1965/1/1), Charlene Marshall (2036/1/1), Mrs L Robertson (2038/1/1), Ben Moore (2039/1/1), Eleanor Melton (2044/1/1), Janice Mackenzie (2049/1/1), Joan Scott (2054/1/1), Fiona Cumming (2058/1/1), Ian Taylor (2077/1/1), Lesley Williamson (2090/1/1), Helen Dixon (2103/1/1), Mr R Craib (2119/1/1), Stephen R Scott (2139/1/1), Iain Ritchie (2144/1/1), Susan Ritchie (2145/1/1), Rebecca Ritchie (2146/1/1), Rev Anne Attenburrow (2149/1/1), James Topping (2156/1/1), Jim Walton (2183/1/1), Shelagh Scott (2216/1/1)

There is no need for a hotel site unless existing hotels are at 100% capacity. Investment in existing hotels should be encouraged. The Mansion House Hotel closed due to lack of business and a new hotel has been approved at Barmuckity. An additional hotel puts existing hotels at risk and would do nothing for the community.

Kathryn Darley (2030/1/1), Andy Brown (2033/1/1), Raymond Aitken (2036/1/1), Michele Smith (2041/1/1), Eleanor Melton (2044/1/1), Toni McIlwraith (2045/1/1), Cindy Gee (2047/1/1), Laura Mawson (2051/1/1), Judith Spark (2053/1/1), Joshua Willis (2057/1/1), Heather Hagen (2060/1/1), Kirsten Steele (2064/1/1), Maggie Brown (2071/1/1), Kaye McIntosh (2078/1/1), Dagmar Gross (2082/1/1), Beatrice Dobney (2084/1/1), Frances Wardhaugh (2095/1/1), Sarah Macpherson (2110/1/1), Emma Ritchie (2140/1/1), Susan Ritchie (2145/1/1), Rebecca Ritchie (2146/1/1), Michelle Slater (2185/1/1), David A Stewart (2197/1/1)

The hotel could be located elsewhere. There are other brownfield and less sensitive sites with Grant Lodge suggested as an alternative.

An overpriced hotel will not benefit Elgin. Focus should be on facilities to draw visitors to Elgin and investing in existing facilities. Elgin needs to attract responsible tourism in keeping with its historic past.

Some respondents suggest the OPP11 boundary should be moved west or the walled garden should be for an allotment scheme that would allow all the education resources to continue.

John and Susan Hammond (2163/1/1)

An economic case must be made for a four star hotel at the OPP11 site. The Cultural Quarter will not be enough to prolong visitors stay in the town. The Cultural Quarter must be established before a hotel is considered to prevent an empty or rundown hotel. Queries who is likely to gain from investment in the Cultural Quarter.

Alternative Proposals

Nicholas Chambers (1968/1/1)

Development and the horticulture facilities linked to the Biblical Gardens could successfully co-exist with each other, be mutually beneficial and work together to attract greater numbers of visitors by offering improved facilities. The designation wording must be modified to ensure that development of the Walled Garden guarantees the future of the training facilities at the Biblical Gardens.

Dr Tom McCallum (2080/1/1)

The Biblical Garden should be developed as a horticultural visitor attraction perhaps by creating a community trust.

Ian Bremner (2086/1/1)

Site should be used as allotments.

Traffic, Access and Parking

Tim Aspden (1967/1/1), Lesley Williamson (2090/1/1), Elizabeth Duncan (2094/1/1), Gillian Karpa (2109/1/1), Sarah Macpherson (2110/1/1), Tracey Willetts (2143/1/1), R Cruickshank (2151/1/1), R. R. Cook (2179/1/1), Pamela Sutherland (2195/1/1)

The current road system would not cope with increased traffic and access to the site is difficult. There are already traffic issues around Pansport roundabout. The site has no direct access from the site to Kings Road this would need to be through the Biblical Garden or Bishop's House. Access through Cooper Park has been ruled out.

Charlene Marshall (2036/1/1)

Parking in Cooper Park is already a problem and would be worse with a hotel.

Historic Sensitivity of Site

James Richardson (610/3/1), Beatrice Dobney (2084/1/1), Stephen R Scott (2139/1/1), Tracey Willetts (2143/1/1), James Topping (2156/1/1), John and Susan Hammond (2163/1/1), David A Stewart (2197/1/1), Shelagh Scott (2216/1/1)

This site is of historical importance and close to Elgin Cathedral, Bishop's Houses, Walled Garden and Grant Lodge. The impact of a large building and access in terms of sympathetic planning to this historic religious place must be considered. Proposal is not compatible with initiatives to support the town for example Castle to Cathedral to Cashmere. The site is in the local conservation area.

Martin Keith (2182/1/1)

Proposal would detract from the aesthetic value of Elgin Cathedral which is a pivotal part of the tourist industry and cultural history. Development would turn away tourists and imply the local community no longer values its cultural heritage.

Scotland's Garden and Landscape Heritage (2193/1/1)

Early 19th century plans show the south-eastern quarter of the site was occupied by North College, previously the cathedral's Deanery with the northern part (including OPP11) maintained as gardens and orchards. Later maps identify the area as "Precincts of the Cathedral". The site is historically a significant part of the cathedral precincts or grounds, lying within the 'historic core' of the City of Elgin as defined by Moray Council's Sites and Monuments Record. Cognisance of Historic Environment Scotland's Guidance Note on 'Managing Change in the Historic Environment: Setting' regarding the potential negative effects of unsympathetic development - especially the statement on Page 11 regarding 'the effect of the proposed change on qualities of the existing setting such as sense of remoteness, current noise levels, evocation of the historical past, sense of place, cultural identity, (and) associated spiritual responses' must be taken into account.

Other Issues

Ken Kennedy (326/1/1), Kenneth Kennedy (2065/1/1)

The suitable uses are described as Arts, Cultural and Community/Visitor Facilities. The specific requirements reference a hotel. This is not a visitor facility. A visitor facility should

be about providing somewhere for the visitor to see or go or do when they are in Elgin not stay. The existing training facilities should be encouraged to expand to increase interaction with visitors.

Ben Moore (2039/1/1)

Community should work together to solve the lack of planting. Planting is a low cost of making areas attractive. Losing Biblical Garden will make Elgin more depressing.

Cameron Smith (2081/1/1)

Horticultural pupils should be given a new garden.

R. R. Cook (2179/1/1)

Proposal will create additional noise and light pollution.

Modifications sought by those submitting representations:

Bilbohall Masterplan Area (Sites R1 Bilbohall North, R2 Edgar Road, R3 Bilbohall South, R4 South West of Elgin High School, R5 Bilbohall West, R6 Knockmasting Wood, and R7 The Firs)

Scotia Homes Ltd (480/5/1)

Continue to designate R4 and R12 at proposed capacity. Increase capacity of R5 to 91 houses.

David MacBeath (866/3/1)

Alternative access required that does not include Mayne Farm railway bridge. Restrictions on parking and use of CCTV within site R7.

Keith Anderson (1867/2/1)

Guarantees required that property will not flood and the infrastructure will cope. More detail on what is proposed and the impacts.

Carolyn Anderson (1869/2/1), Ian Davidson (1871/2/1), Peter Long (1874/2/2), Denise Long (1875/2/2), Fiona Davidson (2190/1/1)

Alternative access required that does not include Mayne Farm railway bridge. Implied removal of site R3 Bilbohall South. Requirement for detailed report on drainage and flooding. Reduction in house numbers.

Sheila Cassidy (1872/2/1) Bernard Cassidy (2176/1/1)

Boundary fence to existing landscape planting required, and requirement that this not become a public path.

Malcolm Wilcox (1879/2/7) Joan Wilcox (2188/1/7)

More detail required on access and drainage proposals. Implied removal of housing in R3 adjacent to Fairfield Avenue.

Eileen and Andrew Rae (1880/2/1)

Traffic impact assessment required. Provide parking at play area. Guarantees required that property will not flood and the infrastructure will cope. More detail on what is proposed and the impacts. Greater detail on proposals on site R7 required.

Rafik Hamdy (1885/2/1)

Third access point required. Implied reduction in house numbers.

Fiona Osunrinade (1887/2/1)

Detailed reports required on impact of development. Artist's impression of bridge solution required. Assurance that housing in R3 adjacent to Fairfield Avenue will be single storey.

Michelle Mackenzie (2189/1/1)

Alternative access required that does not include Mayne Farm railway bridge and reduction in housing numbers implied.

Katherine Mackintosh and Frank Reid (2191/1/1)

TSP3, 4, 26 and 27 to be completed before any development commences. Construction traffic to be via Edgar Road. Full Transport Assessment required. Add requirement for noise and air quality assessments. Advance planting adjacent to Fairfield Avenue to be provided as soon as ground works are completed. Hedgerow to be replaced/enhanced. Retain wildlife corridors.

Sofie Wright (1894/2/1)

Houses within R3 Bilbohall South that back onto any houses in Fairfield Avenue and Fairfield Way to be removed.

R9 Hamilton Drive

William Fitzsimmons (2215/1/1), Alex Gordon (2217/1/1)

Seeks amendments to designation text regarding flood risk, access location, design, maintenance obligations and impact on neighbouring properties but no wording is specified.

R11 Findrassie

Jenny Benson (2115/1/1)

Remove site R11.

Woodland Trust Scotland (1818/2/6)

Add requirement for buffer to existing woodland.

R14 South Lesmurdie

Norman Birch (1611/4/1)

Remove site R14.

R16 Barmuckity/ I7 Barmuckity Business Park

Wayne Miles (1858/3/1)

Remove site R16 and I7.

R19 Easter Linkwood and Linkwood

Woodland Trust Scotland (1818/2/7)

Amend designation text to require retention and buffering to ancient woodland.

R22 Spynie Hospital

Kelvin Hirst (1999/1/1), Iain Bufton (2172/1/1)

Include a requirement for a buffer between the R22 and housing at R10 to mitigate impacts on existing houses and wildlife/environment.

Gillian Mackay (2187/1/1)

Include a requirement for a buffer between the R22 and housing at R10 to mitigate impacts on existing houses and wildlife/environment. Extend 30mph limit, and require double yellow lines at Beechbrae Education Centre. Only allow bungalows, property for elderly and accessible housing. Require contamination assessment.

NHS Grampian (300/6/4)

Increase site capacity to 75-80.

LONG 2 Elgin South

Woodland Trust Scotland (1818/2/5)

Amend designation text to require retention and buffering to ancient woodland.

Not Taken Forward – EL4 Hattonhill

Oldmills Farm Partnership (2214/2/2)

Designate site at Hattonhill for 28 houses.

Not Taken Forward - EL5 Oldmills Road (ENV6 in Proposed Plan)

Oldmills Farm Partnership (2214/2/1)

Identify land to north of Jock Inksons Brae for 12 houses.

Not Taken Forward – EL16 Bain Avenue (ENV2 and 3 in Proposed Plan)

Springfield Properties plc (10/13/10)

Identify site at Bain Avenue for housing.

Fiona Duncan (1826/2/2), Gillian Mackay (2187/1/2)

Retain site as ENV.

I5 Pinefield Industrial Estate /ENV4 Pinefield

New Elgin JFC (2124/1/1)

Party not specific regarding change sought retention of access to football pitches implied.

I6 Linkwood East

Jack Brown (1012/2/2)

- Add use classes 3, 7 and 11 to suitable uses.
- Remove requirement for “Proposals to address/safeguard the potential to achieve a pedestrian and vehicular access between I1 and I6”.
- Amend requirement for a connection to the cycle path to “A route for a pedestrian and cycle path connection should be reserved along the side of the flood alleviation embankment or such as other route may be agreed by the Moray Council and developer depending on how the site is developed.”
- Delete requirement for a Flood Risk Assessment.
- Amend requirement to 'Development within 6m of the embankment should not restrict access to the embankment for maintenance or inspection or effect its integrity. Development of roads, car parking, foot and cycle ways, surfaced yard space or development that does not affect the integrity of the embankment or restrict access is permitted'

I16 and LONG 3 Burnside of Birnie

David Mackay (1549/2/1)

Remove LONG 3.

Alex and Rachel McClure (1747/2/2)

Remove I16 and LONG3 and find other land within the preferred A96 dualling route.

Strathdee Properties Ltd (1798/3/5)

Carry forward I16 designation into the adopted Local Development Plan.

Elgin Community Council (1832/3/2)

Adjust I16 boundary to northern edge of the preferred A96 dualling. Delete remainder of site and LONG3.

Charles William Hill (2192/1/1)

Remove I16 and LONG 3.

MU1 Riverview

Woodland Trust Scotland (1818/2/8)

Amend designation to require buffer to adjacent Ancient Woodland.

OPP5 Elgin Auction Mart

ANM Group Ltd (868/4/1)

- Remove open space and landscaping requirements from site specific requirements.
- Remove requirement for a connection to Market Drive from site specific requirements.
- Remove requirement for proposals to look to reflect the historic use of the site as an agricultural auction mart in the character and design of the buildings and public art.
- The designation should make clear that a reduction in developer obligations will be made to compensate for land take.

David Bailey (885/2/1)

Add requirement for pedestrian crossing on Linkwood Road. Remove requirement to connect to Market Drive. Ensure drainage and flood impacts are properly resolved.

Jenny Main (1979/1/1)

Ensure drainage and flood impacts are properly resolved. Develop for recreational use.

OPP8 Lossie Green

Elgin Community Council (1832/3/4)

Remove Lesser Borough Briggs from the OPP8 designation.

OPP9 Town Hall

Bill Hope (1248/2/1)

Replace the Town Hall.

OPP11 Walled Garden

Stephen Duff (316/4/1), Ken Kennedy (326/1/1), Anonymous (1229/8/1), Bill Hope (1248/2/1), Juliet Govier (1577/2/1), Alison Walton (1735/2/1), Elgin Community Council (1832/3/5), Anne Rodda (1963/1/1), Sheona Davidson (1964/1/1), Pamela Napolitano (1965/1/1), John Sherry (1966/1/1), Tim Aspden (1967/1/1), Daniel Stuart (1969/1/1), Lorraine Campbell (2000/1/1), Edwin Parkin (2013/1/1), Caitlin McCormack (2026/1/1), Evelyn Lawson (2028/1/1), Hazel Croudace (2029/1/1), Gillian Bain (2031/1/1), Peter Carvell (2034/1/1), Yvonne Alexander (2035/1/1), Charlene Marshall (2036/1/1), Raymond Aitken (2037/1/1), Mrs L Robertson (2038/1/1), Ben Moore (2039/1/1), Joseph Souter (2040/1/1), Michele Smith (2041/1/1), Stephanie Sparkes (2042/1/1), Jacqui Melrose (2043/1/1), Eleanor Melton (2044/1/1), Kristine Duffus (2046/1/1), Cindy Gee (2047/1/1), Margaret Sammon (2048/1/1), Janice Mackenzie (2049/1/1), Elizabeth Boyall (2050/1/1), Laura Mawson (2051/1/1), Nigel Kirby (2052/1/1), Judith Spark (2053/1/1), Joan Scott (2054/1/1), Rebecca Adams (2055/1/1), Elise Cox (2056/1/1), Fiona Cumming (2058/1/1), Anna Campbell (2059/1/1), AM (2062/1/1), Charlotte Smith (2063/1/1), Kirsten Steele (2064/1/1), Nikki Yoxall (2066/1/1), Jolene Young (2068/1/1), Lynne Minion (2069/1/1), Jennifer Mackean (2070/1/1), Maggie Brown (2071/1/1), Siobhan Mainland (2072/1/1), Ms S Jeffrey (2073/1/1), Anna Mcpherson (2074/1/1), Esther Dale (2075/1/1), Lara Beach (2076/1/1), Ian Taylor (2077/1/1), Kaye McIntosh (2078/1/1), Dr Tom McCallum (2080/1/1), Cameron Smith (2081/1/1), Dagmar Goss (2082/1/1), Beatrice Dobney (2084/1/1), Ellice Walker (2085/1/1), Una Gault (2087/1/1), Lesley Williamson (2090/1/1), Charlotte Coxon (2091/1/1), Monika Jakiel (2092/1/1), Elizabeth Duncan (2094/1/1), Julie Ann Henderson (2096/1/1), Cleo Hart (2097/1/1), Natalie Campbell (2098/1/1), Gordon Forsyth (2099/1/1), Isabel MacColl (2101/1/1), Stuart James (2102/1/1), Helen Dixon (2103/1/1), JE Allan (2104/1/4), Valerie Weston (2107/1/1), Dawn Mylchreest (2108/1/1), Gillian Karpa (2109/1/1), Jane Charles (2118/1/1), Mr R Craib (2119/1/1), David Sharp (2123/1/1), Scottish Rock Garden Club (2125/1/1), Alan Souter (2126/1/1), Margaret Sharp (2127/1/1), Leon Lumsden (2128/1/1), Morag McCloy (2129/1/1), Angela Innes (2135/1/1), Carol Casburn (2137/1/1), James MacDonald (2138/1/1), Stephen R Scott (2139/1/1), Emma Ritchie (2140/1/1), Leah Horner (2142/1/1), Tracey Willetts (2143/1/1), Iain Ritchie (2144/1/1), Susan Ritchie (2145/1/1), Rebecca Ritchie (2146/1/1), Louisa Thain (2148/1/1), Rev Anne Attenburrow (2149/1/1), June Harris (2150/1/1), George and Isobel Esson (2155/1/1), James Topping (2156/1/1), David Southcombe (2157/1/1), Menita Roberts (2161/1/1), John and Susan Hammond (2163/1/1), Janet E Milne (2170/1/1), Anne Chadwick (2173/1/1), Dr Miriam Brown (2174/1/1), Martin Keith (2182/1/1), Jim Walton (2183/1/1), Michelle Slater (2185/1/1), Scotland's Garden and Landscape Heritage (2193/1/1), Mike Rodda (2194/1/1), Pamela Sutherland (2195/1/1), David Chadwick (2196/1/1), Anne Wibberley (2198/1/1), Amanda Willox (2199/1/1), Allysha Stewart (2200/1/1), Karen McArthur (2202/1/1), Shelagh M Scott (2216/1/1), Penelope Roberts (2218/1/1)

Existing uses should be retained and the designation should be changed to protect the site from development. (In some cases this change is implied based on the objection wording rather than specified).

Duncan Alexander (2136/1/1)

Change boundaries so no land used for growing plants for Biblical Garden is included.

Kenneth Kennedy (2065/1/1)

OPP11 should be given an ENV designation.

Nicholas Chambers (1968/1/1)

Protect Biblical Garden as open space. Wording should be changed to ensure any development in the Walled Garden guarantees the future of training facilities.

Kathryn Darley (2030/1/1), Andy Brown (2033/1/1), Toni McIlwraith (2045/1/1), Heather Hagen (2060/1/1), Frances Wardhaugh (2095/1/1)

The hotel could be located somewhere else, the OPP11 boundary should be moved left or the walled garden should be for an allotment scheme that would allow all the education resources to continue.

David A Stewart (2197/1/1)

Keep learning support area adjacent to the Biblical Garden.

James Richardson (610/3/1), Joshua Willis (2057/1/1), Sarah Macpherson (2110/1/1), Mrs R Cruickshank (2151/1/1)

Designate hotel elsewhere and protect the Walled Garden from development.

Jennifer Reidford (1994/1/1), Grant Croudace (2027/1/1), Alanna Magee (2032/1/1), Charlotte Friston (2061/1/1), Michaela Munro (2067/1/1), Sheila Cochrane (2083/1/1), Jennifer Upson (2093/1/1), Anna Pearson (2141/1/1), Ross Grant (2166/1/1), RR Cook (2179/1/1)

Removal of site implied.

Ian Bremner (2086/1/1)

Site should be allotments.

Summary of responses (including reasons) by planning authority:

Bilbohall Masterplan Area (Sites R1 Bilbohall North, R2 Edgar Road, R3 Bilbohall South, R4 South West of Elgin High School, R5 Bilbohall West, R6 Knockmasting Wood, and R7 The Firs)

The principle of residential development at Bilbohall has been established for some time, with sites R1, R2 and R3 identified for development in the 2000 Local Plan, and site R4 identified in the 2008 Local Plan. Sites R6 and R7 were first identified in the 2015 Local Development Plan. Therefore, these sites have been considered at previous plan examinations. A Masterplan for sites R2, R3, R4, R6 and R7 has been developed and adopted as Supplementary Guidance on the 13 November 2018 following extensive consultation with the public and other stakeholders. The Masterplan was prepared by the Bilbohall Consortium, which comprises the landowners – Scotia Homes (R6 with an option to purchase R4 from the current landowner), Grampian Housing Association (R3) and Moray Council (R2 and R7). The Consortium is now working towards delivery of the Masterplan. Bilbohall is a landscape-led Masterplan that addresses the unique

topography and mature landscape setting of the area. The Proposed Plan identifies site R5 as an expansion to development within this area and it is noted this area is not included within the Masterplan.

Development at Bilbohall has historically been constrained by the ability to create a second access point and for many years the Western Link Road was considered to be a solution to this. The Western Link Road proposal included extension to Edgar Road with a link provided over the railway to Wittet Drive and then onwards to the A96. The primary purpose of the Western Link Road was a distributor road for traffic travelling around and through Elgin but the proposal would also have assisted in creating a second access point to development at Bilbohall. At the Moray Council meeting on 30 March 2016 the funding for the Western Link Road was removed from the Capital Plan thereby cancelling the project. Following on from this the Elgin Transport Strategy was developed to address transport needs in Elgin, including the growth planned in the 2015 Local Development Plan. This includes a new road link between Ashgrove Road and Maisondieu Road. An extension to Edgar Road has been built as part of the replacement of Elgin High School in 2017 aiding creation of second access to Bilbohall and through the Bilbohall Masterplan options for delivering suitable access are explored in more detail.

Sites R2 and R3 are identified in the Council's Strategic Housing Investment Plan with first phases identified in the 2019/2020 period. The level of affordable housing proposed in the Bilbohall Masterplan is 62% of the total development and therefore more akin to the actual need than the 25% requirement stipulated in Scottish Planning Policy (SPP).

Traffic Management and Road Safety

David MacBeath (866/3/1), Keith Anderson (1867/2/1), Carlyne Anderson (1869/2/1), Ian Davidson (1871/2/1), Sheila Cassidy (1872/2/1), Peter Long (1874/2/2), Denise Long (1875/2/2), Eileen and Andrew Rae (1880/2/1), Rafik Hamdy (1885/2/1), Fiona Osunrinade (1887/2/1), Sofie Wright (1894/2/1), Bernard Cassidy (2176/1/1), Joan Wilcox (2188/1/7), Michelle Mackenzie (2189/1/1), Fiona Davidson (2190/1/1), Katherine Mackintosh and Frank Reid (2191/1/1)

Many of the objections relate to detail within the Bilbohall Masterplan (CD17) and not to the designation requirements or TSP text. The Masterplan is Supplementary Guidance and only the overall concept layout is shown within the Proposed Plan. The detail provided within the Masterplan is not subject to examination.

Strategic Traffic Modelling was undertaken for the Masterplan and this shows that the link capacity of the roads in the vicinity of the development can generally accommodate the increase in the volume of traffic associated with the Bilbohall development. Improvements will be required to the existing bridge over the rail line at Bilbohall Road and to the north. Options for improvements to the bridge and junction to the north seek to address road safety concerns by removing the one-way priority working and the improvements would be required in advance of any further development accessed via Mayne Farm Rail Bridge. The options for improvement which have been assessed include retaining the bridge in its current form with the signalisation of the Bilbohall Road/Mayne Road/Wards Road/Fleurs Road junction. An alternative option proposes removal of the footway on the eastern side of the existing rail bridge to provide a southern carriageway to allow two-way traffic over the bridge with the provision of a separate active travel bridge across the rail line. Initial analysis of junction options has been explored and is presented in the Masterplan (CD17 reference page 67). The Masterplan is Supplementary Guidance and

not subject to examination. Transport Assessments are required within the designation text for sites at Bilbohall including the assessment and mitigation of impacts at various junctions. These will be considered at the planning application stage.

As noted above the Western Link Road's primary purpose was to address the distribution of traffic around and through Elgin, and as such the design of the new sections of road met the standards for a distributor road. The transport proposals within the Bilbohall Masterplan are to address the needs of development only and the Masterplan includes measures to deter through traffic. The preferred design shows the Primary Street does not take a direct route through the development and is to be characterised by development on both sides. Traffic calming measures are also included within the Bilbohall Masterplan (CD17 Section 4.4.11 page 42). The Elgin Transport Strategy was approved in 2017 and aims to address transport needs in Elgin, including growth identified in the 2015 Local Development Plan. The Elgin Transport Strategy includes proposals for a new road link from Ashgrove Road to Maisondieu Road to help address traffic distribution in and around Elgin.

The Elgin Traffic model has been updated using new traffic surveys undertaken in 2018. The traffic model has been developed in accordance with Government's Transport Analysis Guidance and the Design Manual for Roads and Bridges. New traffic model runs are being undertaken to identify any capacity constraints on the road network associated with development in the Proposed Plan. The new model runs also include the preferred route of the A96 Hardmuir to Fochabers dualling announced in December 2018. An assessment based on existing traffic flows on Mayne Farm Road/Bilbohall Road would not take into account the re-routing of traffic due to the developments in the Proposed Plan and as a result of infrastructure proposals such as the A96 dualling.

The level of traffic generated by the proposed development has been determined using TRICs trip generation rates for the AM and PM Peak periods, in line with best practice. The level of parking provision does not equate to the number of vehicle movements during the peak periods.

Within the Masterplan (CD17 section 4.4 page 38) the Bilbohall road network has been designed to discourage through traffic travelling between the south and west of Elgin through a combination of measures which respond to the location rather than apply rigid standards, and prioritises pedestrians over motor vehicles. This is in accord with Scottish Government policy 'Designing Streets', the National Roads Development Guide 2014 (NRDG) and the Council's Supplementary Guidance on Urban Design which promotes good placemaking in which designing natural traffic calming into the development and creating attractive, safe streets is a key component. The detail of proposals will be considered at the planning application and Road Construction Consent stage.

Open spaces including the neighbourhood park and pocket park will be linked via a network of footpaths/cyclepaths and green corridors to encourage people to walk or cycle to these facilities. However, the Masterplan shows a car park is to be provided for visitor parking for the neighbourhood park.

The timing of delivery of TSP3, 4 and 26 will be assessed at the time of a planning application in conjunction with the required Transport Assessment.

Contributions to improvement at TSP30 A941 New Elgin Road/Edgar Road/Linkwood Road and TSP31 A941 New Elgin Road/Station Road/Maisondieu Road are required and

will be sought from the majority of development proposed in Elgin. These junctions are identified in the Elgin Transport Strategy (CD77 page 12) and junction improvements are included within the medium term core package. The Delivery Programme (CD04 page 48) notes the timescales for delivery will be dependent on available funding.

The timing of delivery of TSP27 Edgar Road/The Wards/Glen Moray Drive will be determined at the planning application stage in conjunction with the Transport Assessment.

The designation text requires a Transport Assessment for the sites at Bilbohall.

No modification is proposed.

Impacts on Wildlife

David MacBeath (866/3/1), Carolynne Anderson (1869/2/1), Ian Davidson (1871/2/1), Peter Long (1874/2/2), Denise Long (1875/2/2), Malcolm Wilcox (1879/2/7), Rafik Hamby (1885/2/1), Sofie Wright (1894/2/1), Joan Wilcox (2188/1/7), Michelle Mackenzie (2189/1/1), Fiona Davidson (2190/1/1), Katherine Mackintosh and Frank Reid (2191/1/1)

Requirements for a Phase 1 Habitat Survey are included within the site designation text. Proposals will be assessed at the planning application stage and will require to accord with policy PP1 Placemaking, EP1 Natural Heritage Designations, EP2 Biodiversity and EP5 Open space.

An extended Phase 1 Habitat Survey has been undertaken during the preparation of the Masterplan (CD17 section 1.5.3 page 22) which identified that the predominant grasslands are typically low value to biodiversity and recommends that further surveys for bats, badgers and nesting birds are undertaken at planning application stage. SNH have been involved in the preparation of the Masterplan from the outset and the wildlife corridor proposed along the marshy grassland within the northern section of the 'valley floor' character area which is considered to be better suited to accommodate wildlife than the rear of houses and gardens has been incorporated into the Masterplan. Wildlife friendly measures suggested by the RSPB have been incorporated into the Masterplan. At the planning application stage additional, more detailed measures will be required to accord with EP1 Natural Heritage Designations, Policy EP2 Biodiversity and EP5 Open Space.

No modification is proposed.

Flooding and Infrastructure

Keith Anderson (1867/2/1), Carolynne Anderson (1869/2/1), Ian Davidson (1871/2/1), Sheila Cassidy (1872/2/1), Peter Long (1874/2/2), Denise Long (1875/2/2), Malcolm Wilcox (1879/2/7), Eileen and Andrew Rae (1880/2/1), Fiona Osunrinade (1887/2/1), Rafik Hamby (1885/2/1), Sofie Wright (1894/2/1), Bernard Cassidy (2176/1/1), Joan Wilcox (2188/1/7), Michelle Mackenzie (2189/1/1), Fiona Davidson (2190/1/1)

The designation text for sites at Bilbohall requires Flood Risk and Drainage Impact Assessments to be completed. A fundamental principle of policy EP12 Management and Enhancement of the Water Environment is that development should not take place if it

would materially increase the possibility of flooding elsewhere.

SEPA's flood map identifies some surface water flooding across the development site which is generally due to low lying areas. Surface water issues will be taken into consideration in the detailed drainage design at the planning application stage.

For the Masterplan technical studies were carried out as part of the preliminary Drainage Strategy and Flood Risk Assessment to assess pre-development and post-development run-off rates and ensure that adequate storage is provided in order that a 1 in 200 year event plus climate change can be contained and managed on-site. This has included an analysis of catchments, discharge rates and volumes. This forms an appendix to the Masterplan.

At this stage the Council's Flood Team are satisfied that surface water from the development can be adequately discharged without causing flooding problems in the immediate vicinity or further downstream. Run-off produced from the proposed development will be dealt with as part of the detailed drainage design which will be assessed at the planning application stage to ensure there will be no increase in flood risk. As with all new developments, the proposed drainage strategy will be subject to detailed scrutiny as standard and will be undertaken in accord with planning policy requirements, and best practice guidelines.

The Masterplan (CD17 section 4.6.1 page 46) sets out that gravity sewers will be used, where possible, to pump foul drainage from the development, but that due to distances involved additional pumping station(s) may be necessary. Scottish Water had no objection to the Masterplan and advised that where network mitigation is identified the upgrade works must be funded and carried out by the developer. Scottish Water are currently undertaking modelling work for Elgin which will provide further detail on any mitigation required to support the development.

Policy PP3 Infrastructure and Services requires development proposals to provide for education, health, transport, sports and recreation and access facilities in accordance with Supplementary Guidance on Developer Obligations. Developer Obligations will be sought to mitigate any measurable adverse impact on local infrastructure. The table on page 152 of the Settlement Statement sets out the infrastructure that is likely to be sought from each site, including those at Bilbohall.

No modification is proposed.

Landscape Impacts and Number of Units Proposed

Keith Anderson (1867/2/1), Eileen and Andrew Rae (1880/2/1)

The Landscape Report titled 'Integration of New Developments into the Landscape' (2005) (CD36) was a high level study to assess the potential effects of new development on the character of the landscape surrounding the five main settlements in Moray, and provide an indication of developable areas. This study informed the Moray Local Plan 2008 and Moray Local Development Plan 2015. A detailed Landscape and Visual Appraisal has been undertaken in the preparation of the Bilbohall Masterplan which correlates with the 2005 study and MLDP2015 Key Design Principles and concluded that a slightly larger developable area in site R3 was possible without detrimentally impacting on the landscape character.

No modification is proposed.

Carolyn Anderson (1869/2/1), Ian Davidson (1871/2/1), Peter Long (1874/2/2), Denise Long (1875/2/2), Fiona Osunrinade (1887/2/1), Fiona Davidson (2190/1/1)

The capacity of the sites within the Bilbohall Masterplan have been informed by detailed landform and topographic surveys, density levels in the surrounding area and a high quality design incorporating existing landscape features. The Masterplan capacities have therefore been used in the Proposed Plan given these have been based on up to date information on the site characteristics and conformity with policy.

No modification is proposed.

Noise Impact and Air Quality

Sofie Wright (1894/2/1), Katherine Mackintosh and Frank Reid (2191/1/1)

Further environmental assessments will take place at the detailed planning application stage to control any environmental impacts associated with the development (e.g. operation times for construction, noise, dust, vibration monitoring, etc.) in line with Policy EP14 Pollution, Contamination and Hazards. The Council's Environmental Health section has been involved in the preparation of the Masterplan from the outset and will be consulted on future planning applications.

No modification is proposed.

R1 Bilbohall North

Michelle Mackenzie (2189/1/1)

There is an existing consent for development of site R1 (06/00232/FUL) and as part of this consent has been implemented the remainder of the consent could potentially come forward (subject to conditions being met).

No modification is proposed.

R3 Bilbohall South

Carolyn Anderson (1869/2/1), Ian Davidson (1871/2/1), Sheila Cassidy (1872/2/1), Peter Long (1874/2/2), Denise Long (1875/2/2), Malcolm Wilcox (1879/2/7), Eileen and Andrew Rae (1880/2/1), Fiona Osunrinade (1887/2/1), Sofie Wright (1894/2/1), Bernard Cassidy (2176/1/1), Joan Wilcox (2188/1/7), Fiona Davidson (2190/1/1), Katherine Mackintosh and Frank Reid (2191/1/1)

The level of detail sought by the objectors will not be known until a planning application is submitted and is a level of detail beyond what would be expected in the designation text. The Masterplan provides additional detailed guidance and compliance with this will be assessed at the Planning Application stage. Impacts on privacy, daylight, and amenity will be considered against Policy DP1 Development Principles part e).

The timing of planting is a matter for the planning application stage.

To reflect concerns raised during the initial consultation on the preferred option for the draft Masterplan the height of properties within Block E was reduced to single storey and the length of rear gardens decreased to enlarge the buffer strip, which will be planted with trees. A minimum distance of 40m between the rear elevations of properties within Block E and Fairfield Avenue is specified within the Masterplan (CD17 page 37). The Masterplan also requires a minimum 15m wide buffer strip to be planted alongside the existing 10m buffer strip to the rear of Fairfield Avenue together with detail on tree species to ensure an overall maturity height of 10-12m, year-round foliage and coverage at understorey level. It is not considered that the proposed development or planting will restrict sunlight to existing properties given the reduced height of development in Block E, separation distances between rear elevations, and the existing planted buffer strip that currently restricts sunlight to some degree.

It is understood that the existing planted buffer strip is owned by the residents of the Fairfield housing development and therefore, responsibility for the maintenance of this lies with the property owners. Any new planting will be the responsibility of the developer of site R3 and future occupiers.

No modification is proposed.

R5 Bilbohall West

Scotia Homes Ltd (480/5/1)

Scotia Homes Ltd are looking to increase the capacity of site R5 to 91 units. The difference in position relates to what is considered to be developable and the appropriate density to use. In landscape terms the site is located in a sensitive location due to its prominent location above the flood plain to the west and its rising topography. While Mayne Wood does provide an element of a backdrop, significant structural landscaping will be required to contain the site and reduce visual impacts, particularly when viewed from the west. Landscaping will also be required to maintain and enhance the character of the site, to safeguard the avenue of mature trees and establish and enhance the green corridor the site benefits from.

The layout proposed by Scotia Homes Ltd cuts significantly into the slope and whilst landscaping is proposed in site R4 along the highest part of the ridge, the Council consider that the landscaping and open space should be continued down the slopes with the developable area to be on the lower parts of the site. Policy PP1 Placemaking part i) Character and Identity requires development to retain, incorporate or respond to the landscape including topography. The site is considered to be the limit to the extent that Elgin can expand in this location due to the flood plain and woodland. Therefore, in this rural fringe a lower density is more in keeping with the character of the location. The low density used within the Bilbohall Masterplan of 15-25 units/ha (CD17 page 48) is more applicable. It is also noted that part c of Policy DP2 Housing (CD01 Volume 1 page 38) states that capacity figures are indicative only therefore there is an element of flexibility in terms of capacity that can be considered when a planning application is assessed.

The Council does not support an increase in capacity on landscape grounds and considers a lower density on the rural fringe is more appropriate.

No modification is proposed.

R7 The Firs

David MacBeath (866/3/1) Keith Anderson (1867/2/1), Carlyne Anderson (1869/2/1), Ian Davidson (1871/2/1), Peter Long (1874/2/2), Denise Long (1875/2/2), Eileen and Andrew Rae (1880/2/1), Rafik Hamby (1885/2/1), Fiona Osunrinade (1887/2/1), Joan Wilcox (2188/1/7), Fiona Davidson (2190/1/1)

The level of detail being sought will not be available until a planning application is submitted and would be too restrictive to include in the designation text. However, the Masterplan does set out requirements in terms of building height and parking (CD17 43 and 49). The height of development within site R7 The Firs has been reduced from 3-storey in the draft Masterplan to 2-storey in the final Masterplan to reflect concerns raised about overlooking and privacy. Existing properties within R7 and Fairfield Avenue are 2-storey.

The capacity of the site changed between the draft Masterplan and the final Masterplan from 4 to 10 units to allow for a range of redevelopment options such as cottage style flats. As noted above the height of properties is restricted to two storey within the Masterplan. The capacity of the site therefore reflects the capacity in the Masterplan.

No modification is proposed.

R9 Hamilton Drive

William Fitzsimmons (2215/1/1), Alex Gordon (2217/1/1)

This brownfield site was identified in the 2000 Moray Local Plan for redevelopment. The site has therefore been subject to previous examinations. The site is in the process of being sold by Moray Council to a developer. A planning application is anticipated in the coming year and completions are identified in 2019 Housing Land Audit (CD41 page 98).

Drainage and Flood Risk

Many of the issues raised are covered by policy and the designation requirements and would be dealt with when a planning application is received. For example a fundamental principle of policy EP12 Management and Enhancement of the Water Environment is that development should not take place if it would materially increase the possibility of flooding elsewhere. Addressing existing surface water issues is a designation requirement, as well as submission of a Flood Risk and Drainage Impact Assessments.

No modification is proposed.

Access

The access shown within the Hamilton Drive Development Brief (CD26 page 3 and 5) is indicative only and further assessment will be required at the planning application stage to ensure gradient and visibility is addressed as required in the designation text. It is noted that this indicative access is not shown hard up to the boundary with 13 Hamilton Drive and building is shown between 13 and the indicative access. Positioning of the access would need to take cognisance of the location of existing driveways. It is also a designation requirement to retain access to existing buildings to the south east of the site

(i.e. the Child Protection Unit).

No modification is proposed.

Layout and Design

The designation requirements seek to maintain a uniform building line and height along the Hamilton Drive frontage. To reflect the diversity and individual house styles along Hamilton Drive the designation requires bespoke individual designs and repetition along the Hamilton Drive frontage must be avoided. Retention of existing stone boundary wall is a designation requirement.

No modification is proposed.

Maintenance and Impacts on Neighbouring Property

Issues regarding impacts from the removal of the concrete pad and construction of the site will require to be considered within a Construction Management Plan. Any existing burdens on the land including maintenance of walls and hedges are legal issues and not planning matters.

No modification is proposed.

R11 Findrassie

Woodland Trust Scotland (1818/2/6), Jenny Benson (2115/1/1)

This is a longstanding designation with growth in this area first identified in the 2008 Moray Local Plan when the area was identified as LONG. The site was then designated as a residential/housing site in the 2015 Moray Local Development Plan. It is also noted that a Masterplan, which was widely consulted on, has been prepared and adopted as Supplementary Guidance to the plan (CD20). Planning Permission in Principle has also been approved for the first phases of the R11 Findrassie site, subject to completion of a section 75 agreement.

The baseline for calculating housing need and demand in Moray is set out within the Housing Needs and Demand Assessment 2017 (CD45). This identifies the need and demand for 304 units to be delivered per annum, with a particular need in the first 5 years of the plan for 423 units per annum.

Through policy PP3 Infrastructure and Services the impact on services, including schools, health services and sports and recreational will require to be taken into account and mitigated where necessary.

R11 is primarily improved grassland with limited potential to support local wildlife. Proposals within the Masterplan and Planning Permission in Principle include mitigation measures to protect the water environment and wildlife that depend on it. The Masterplan creates opportunities to provide a green corridor that aids habitat creation and biodiversity enhancement. The Masterplan respects the existing site features, including the pond referred to. This is in line with policy EP2 Biodiversity and EP5 Open Space.

Where mature trees exist bordering a site it is a policy requirement within EP7 Forestry,

Woodland, and Trees part c) for a tree survey, and tree protection and mitigation plan to be submitted with a planning application if the trees (or their roots) have the potential to be affected by development or construction activity. This does not require to be written into the designation as this is covered within policy.

No modification is proposed.

R14 South Lesmurdie

Norman Birch (1611/4/1)

Development of this site is conditional upon improved play/open space being provided as stated within the designation text. The site constraints are acknowledged within the designation text, including flood risk and pipelines. The constrained areas offer an opportunity to create a higher quality and more attractive space that benefits the neighbourhood and nature. Given the constraints on the site a low capacity is proposed of up to 15 houses only. Policy PP3 Infrastructure and Services and DP1 Development Principles will require developers to consider the impact of development on the safety and efficiency of the existing roads/transport network and provide appropriate mitigation/modification where required. A Transport Statement is also required as stated within the designation text. Impact on views is not a material planning consideration.

No modification is proposed.

R16 Barmuckity/ I7 Barmuckity Business Park

Wayne Miles (1858/3/1)

The Spatial Strategy focuses growth on the primary growth area of Elgin in recognition of Elgin's role as the regional centre and focus of demand. The growth strategy for other towns is based on their role within the spatial strategy which reflects population size, access to services and jobs and development pressure. Equally spreading development across all towns would not be reflective of demand, access to services and jobs and would be disproportionate to the size of some settlements.

It is noted that the most easterly part of I7 has planning consent for construction of the road network, with consent also granted for a hotel, petrol filling station, self storage units and start up industrial units. This site is critical to the supply of employment land in Elgin and is one of only a few sites that are immediately available in Moray.

A buffer of trees and shrubs around the existing residential properties is either included within the "Barmuckity Business Park Strategic Framework" on page 153 to 156 of CD02 Volume 2 or within the Key Design Principles for site R16 (CD02 figure 1.4 on page 116 of Volume 2 Settlement Statements) to mitigate impacts on amenity and privacy. This is also considered in Policy DP1 Development Principles part e). Impacts on views are not a material planning consideration.

There is a designation requirement for an archaeological evaluation of the site. It is likely that this would be conditioned within planning consent and would require to be completed prior to the commencement of development. The wording of any condition would be prepared in consultation with the Regional Archaeologist. The Regional Archaeologist has no objection to the site designation.

No modification proposed.

R19 Easter Linkwood and Linkwood

Woodland Trust Scotland (1818/2/7)

Policy EP7 Forestry, Woodlands and Trees does not support removal of woodland that is identified in the Ancient Woodland Inventory. Therefore a specific requirement within the designation is not necessary as this is covered by policy. There is a requirement within the designation to comply with the Elgin South Masterplan (CD19), this includes retaining established tree belts and mature specimen trees and setting development back from these. This includes the line of trees along Linkwood Road that are within the Ancient Woodland Inventory (CD19 page 29 and page 32 of Elgin South Masterplan). Compliance with the Masterplan is a designation requirement.

No modification is proposed.

R22 Spynie Hospital

Impacts on amenity, privacy, sunlight and wildlife

Kelvin Hirst (1999/1/1), Iain Bufton (2172/1/1), Gillian Mackay (2187/1/1)

This is a brownfield site that was previously used as a Hospital and is identified as an OPP site in the current Local Development Plan. The hospital buildings have now been demolished and the site is available for development. The most northerly part of the site to the west of Spynie Dental Centre is designated in the current Local Development Plan as part of site R5 Spynie Hospital North (LDP2015 reference). This has not been developed with the rest of the R5 Spynie Hospital North site as this was not in the ownership of the developer. Whilst this area was not included in the planning application for the existing housing this did form part of a housing designation with the intention that this be developed. There was no indication within the planning application or site designation that this area would be left as undeveloped open space. This area has now been incorporated into R22 Spynie Hospital as this better reflects NHS Grampian's ownership.

A buffer between the existing housing and development of R22 Spynie Hospital is not required. Policy DP1 Development Principles part e) states that "Proposals must not adversely impact upon neighbouring properties in terms of privacy, daylight, or overbearing loss of amenity." Therefore, impacts of development on existing development will be considered at the planning application stage. It is considered that housing with rear gardens backing onto the existing housing would be reflective of the setting within the town and policy requirements will ensure proposals do not adversely impact on neighbouring properties amenity, daylight or privacy. Requiring a buffer would unreasonably constrain the layout and design of the site.

There is a requirement within the designation for bat, squirrel and tree surveys to be prepared. These along with the requirements of policy EP1 Natural Heritage Designations and policy EP7 Forestry, Woodland and Trees would be considered at the planning application stage. Other policies that will apply are EP2 Biodiversity which aims to deliver biodiversity enhancement by creating networks of high quality greenspaces and

EP5 Open Space which aims to ensure new development incorporates accessible multifunctional open space. Therefore impacts on wildlife and trees will be taken into account at the planning application stage.

Impact on property value is not a material planning consideration.

No modification is proposed.

Road Safety, Layout and Design and Contamination

Gillian Mackay (2187/1/1)

A Transport Assessment is required by the designation text and this will address access and visibility requirements. Policy DP1 Development Principles section ii) Transportation requires proposals to have safe entry and exit from the development site including ensuring appropriate visibility at junctions and to address any impact on road safety and the local road network. The Transport Assessment and policy requirements will be considered in detail at the application stage. It is noted that the two existing access points to the site are within the 30mph limit. Speed limits are set in accordance with Scottish Government guidance and should be self-enforcing. The guidelines would not support an extension of the 30 mph further to the north. Parking will be provided in line with the Parking Standards in Appendix 2 of Volume 1 and therefore will not add to any existing on street parking problems.

In addition to consideration of the policy requirements the proposal will be subject to a Quality Audit to assess design and placemaking. There is a requirement within Policy DP2 Housing part f) for 10% of private sector housing to be single storey accessible units. Requiring this across the whole site would not create a mix of house types and would unreasonably constrain the design and layout of the site. It is noted that the Care Home has not made a representation to the Proposed Plan.

Given the demolition on site and former uses if the Reporter is so minded the Council would support a requirement for a Contamination Assessment. The following wording is recommended "Given the site's former use a Contamination Assessment is required."

Site Capacity

NHS Grampian (300/6/4)

There is some scope to increase the site capacity; however the capacity proposed by NHS Grampian is not reflective of the site constraints and policy requirements. If greater than 50 units are proposed 20% of the site must be open space in line with Policy EP5 Open Space. Consideration also needs to be given to maintaining the woodland character and providing buffers to existing trees within and on the site boundary. Addressing surface water sustainably and above ground as required by Policy EP12 Management and Enhancement of the Water Environment also needs to be taken into account. Maintaining access to the Care Home and dentists also restricts the layout of the site. Taking the site size of 2.85 ha, reducing this by 20% for open space and 5% for the other constraints this gives an estimated developable area of 2.14ha. Applying a medium density of 30 houses per hectares would give an indicative capacity of 65 units.

If the Reporter is so minded the Council would not object to increasing the site capacity

from 50 units to 65 units.

LONG 2 Elgin South

Woodland Trust Scotland (1818/2/5)

Where mature trees exist bordering a site it is a policy requirement within EP7 Forestry, Woodland, and Trees part c) for a tree survey, and tree protection and mitigation plan to be submitted with the planning application, if the trees (or their roots) have the potential to be affected by development or construction activity. This requirement does not require to be written into the designation as this is covered within policy.

No modification is proposed.

Not Taken Forward – EL4 Hattonhill

Oldmills Farm Partnership (2214/2/2)

The site at Hattonhill was identified for residential development in the 2008 Local Plan and the 2015 Local Development Plan. The site was historically constrained by the Western Link Road proposal, which crossed through the site. Access to the Western Link Road was considered to be the most feasible way of achieving a satisfactory access to the site due to the visibility constraints of access onto Bruceland Road and the suitability of roads in the vicinity for increased traffic. The primary purpose of the Western Link Road was a distributor road for traffic travelling around and through Elgin but the proposal would also have assisted in creating access to the Hattonhill site. At the Moray Council meeting on 30 March 2016 the funding for the Western Link Road was removed from the Capital Plan thereby cancelling the project.

The site is particularly steeply sloping to the north east with gentler gradients to the west and is highly visible from the A96. Landscape studies considered the site to only be appropriate for limited development provided landscape mitigation measures were undertaken. The landscape study (CD35 page 22) recommended that development is concentrated in the more gently sloping and less visible western part of the site. On the more steeply sloping eastern part of the site development should be widely spaced with woodland planted to filter views from the A96. It is noted that the more westerly part of the site is within the middle consultation zone for a major hazardous installation which may restrict the densities that could be achieved in this area. The landscape requirements and other constraints mean development density requires to be low to achieve this character and avoid obtrusive cuttings/embankments. This character would not be achieved by developing 28 units and the indicative layout proposed does not reflect the landscape study.

The information submitted does not confirm the suitability and deliverability of access to the site. The deliverability of adequate junction spacing (when taking account of the distillery junction and HGV traffic), visibility onto Bruceland Road (taking into account larger spacing from the distillery third party land may be required), and provision of adequate footways and crossing opportunities has not been established.

Whilst the principle of development has been established in previous Local Development Plans the deliverability of access and a low density development which enhances the landscape is unlikely to be achievable. The site is considered to be constrained for

development and it is considered unlikely that these issues will be overcome in the foreseeable future. The Proposed Plan does not designate the site and this is “whiteland” with the potential for development to come forward and be considered through the planning application process. Any development proposals would be assessed against Policy DP1 Development Principles and other plan policies.

There is no requirement for the identification of additional land for housing within the Elgin Market Area. Sufficient land has been identified to meet requirements; this includes 30% generosity built into the housing land requirements. There are also significant areas of LONG that form a reserve that is reviewed annually through the Housing Land Audit.

No modification is proposed.

Not Taken Forward - EL5 Oldmills Road (ENV6 in Proposed Plan)

Oldmills Farm Partnership (2214/2/1)

The site and reduced site forms part of the core green corridor which connects through central Elgin from west to east. This corridor contributes greatly to the character and amenity of Elgin and supports biodiversity. This core corridor is made up of different elements and functions (e.g. farmland, woodland, cycleway, pitches) and these combine to provide an important green core to Elgin that is designated ENV. The proposal is not supported as it would detract and have adverse impacts on the character and setting of the central green corridor through Elgin. Development, even smaller proposals, are not supported as they would start to erode the core green corridor in a potentially piecemeal fashion.

The deliverability of access has not been established. The deliverability of visibility splays (with regard to third party land) and required road upgrades (passing places/road widening, footway provision and junction improvements) has not been established. It is also noted that existing pedestrian/cycle provision is not a continuous network with significant missing links to provide routes to schools and local services. The ability to deliver a continuous network has not been established.

There is no requirement for the identification of additional land for housing within the Elgin Market Area. Sufficient land has been identified to meet requirements; this includes 30% generosity built into the housing land requirements. There are also significant areas of LONG that form a reserve that is reviewed annually through the Housing Land Audit.

No modification is proposed.

Not Taken Forward – EL16 Bain Avenue (ENV2 and 3 in Proposed Plan)

Springfield Properties plc (10/13/10), Fiona Duncan (1826/2/2), Gillian Mackay (2187/1/2)

This area of open space, identified as ENV 2 and 3 in the Proposed Plan, was to provide a high quality village green that would provide a key open space for the wider area. However, due to the poor condition and functionality of the open space this fails to provide the neighbourhood with a high quality open space. Whilst the issues of quality and functionality of the open space have been brought to the attention of the developer the only solution tabled has been a further reduction of the quantity of open space.

It is noted that the site was not “preferred” at the MIR stage, however it was indicated that a reduced site compared to that submitted by Springfield Properties plc would be explored but that this would be conditional on delivery of a higher quality open space that has a clear function. In response to the MIR Springfield Properties plc submitted a proposal for 26 units (CD32) that would result in a significant area of open space being lost without any meaningful improvement to the open space being proposed. The only new elements appeared to be some additional tree planting. It is noted that compensatory planting due to the loss of woodland from consented development at Waulkmill has been planted at Bain Avenue. It is noted that the development of affordable housing at Waulkmill has also led to a reduction in open space within the area which makes the role of the site at Bain Avenue more important. It is not considered that the improvements to the open space justify the loss of open space and additional housing. The number of units proposed is considered to be excessive and would result in a significant loss of open space which is not justified.

SEPA raised flood risk concerns at the MIR stage noting that the site is affected by surface water and there was potential for development to increase flood risk elsewhere. SEPA advised that proposals for development would require to be accompanied by a Flood Risk Assessment. SNH noted that given the ENV status development of the site would be unlikely to be compatible with policy due to the loss of green space.

The original designation for the wider development at Bain Avenue was for 390 houses in the Moray Local Plan 2000 as site R12 Linkwood East (CD33 extract of Moray Local Plan 2000). To date 451 units have been built on this site plus 37 units on the consented R18 Linkwood Steading (Proposed Plan reference) which originally formed part of the 2000 R12 Linkwood East designation. Therefore, the area has been developed well beyond the original envisaged capacity. Whilst not applicable in the 2000 Local Plan the current LDP and Proposed Plan policy on open space would seek 30% of the designation to be open space. This standard would not be achieved within the original Local Plan 2000 R12 Linkwood East designation. The proposed area to be developed would further erode what open space is available. Taking into account the guidance on page 10 of the Moray Open Space Strategy 2018 (CD24) it is considered that development of the ENV would be an unacceptable loss of open space. Whilst there is potential for the quality of the remaining open space to be improved as a requirement of any development the proposals put forward at the MIR stage by the developer did not show any meaningful improvement to justify the loss of open space or the level of housing being sought. Whilst there are other areas of open space in the locality these are not of high quality and in some cases are less accessible being the other side of Reiket Lane or the railway. It is also noted that no play area was provided as part of the consent at R18 Linkwood Steading as access to the play area on Bain Avenue was provided. Therefore, the area is an important open space within the locality performing a function for the wider neighbourhood. The site should perform the role of a Neighbourhood Park and a reduction in size with no meaningful improvements in quality and function would diminish this role and reduce recreational opportunities. The surface water issues identified not only have the potential to impact on any housing proposed but could also limit the functionality of the open space.

Within the Proposed Plan there are significant areas of land for housing designated that the need for affordable housing can be met upon those sites and there is no justification for the loss of open space. It is also noted that the site is not included within the Council's Strategic Housing Investment Plan. There is no requirement for the identification of

additional land for housing within the Elgin Market Area. Sufficient land has been identified to meet requirements; this includes 30% generosity built into the housing land requirements. There are also significant areas of LONG that form a reserve that is reviewed annually through the Housing Land Audit.

There is currently a planning application under consideration on this site.

No modification is proposed.

I5 Pinefield Industrial Estate /ENV4 Pinefield

New Elgin JFC (2124/1/1)

The Proposed Plan identifies a small extension to the I5 Pinefield Industrial Estate which results in a reduction of ENV open space compared to the current Local Development Plan. The proposal does not include the pitch area but part of the amenity land around the pitches. The proposal would not impact on the primary function of the open space for sports. Removal of this area would have limited impact on the quality of the site and boundary landscaping and planting could potentially enhance quality. Access to open space and pitches would not be impacted on and the I5 extension would not impact on access from Ashgrove Road. The proposal would reduce the quantity of open space by 0.18ha; a reduction of this scale would not impact on the quantity guidelines within the Moray Open Space Strategy Supplementary Guidance (CD24 page 8) or reduce the number of playing fields. It is considered that the economic benefits of supporting the expansion of a well-established business outweigh the small loss of open space.

It is noted that there is currently a planning application for allotments being considered on the ENV adjacent to the pitches. The respondent has submitted comments to this application which will be considered through the Development Management process.

No modification is proposed.

I6 Linkwood East

Jack Brown (1012/2/2)

Whilst a mix of uses has been encouraged on part of Barmuckity, this has been to support the viability of the site and the majority of the site is safeguarded for uses classes 4, 5 and 6 only. The site at I6 Linkwood East is not of the same scale and to date has not delivered any class 4, 5 or 6 development which was the purpose of this site designation. As stated the only development that has been delivered is drive through units, a furniture showroom and there is now consent for a car show room. It is reasonable that the remaining land is reserved for the intended use of the site i.e. employment creating activities. No justification has been provided in terms of site viability that a greater mix of uses is required in order to deliver employment land.

There is a history of poor access to industrial sites in Elgin (single access) with subsequent problems for businesses and road users. Connection to I1 is required in order to satisfy policy compliance with Policy DP1 Development Principles part (ii) Transportation (maximise connections) and Designing Streets (CD54 page 21/22). This approach is also consistent with (SCOTS) National Road Development Guide which considers connections to wider networks and connections within places on page 32/33

(CD75). The requirement is for proposals to address/safeguard the potential to achieve access between sites I1 and I6 rather than deliver this. The requirement to connect to the cycle path takes cognisance of new infrastructure that has been provided since adoption of the current Local Development Plan. Connection to this will maximise connections for all users to the site in line with the policies above. Providing access to the cycle path will enhance opportunities for active travel and is not considered to be an unreasonable cost given the types of development proposed and permitted (i.e. for visiting members of the public). The requirement to safeguard the potential to create access between sites and for access to be created to the cycle path should be retained.

It is noted that whilst the site will be protected by the Elgin Flood Alleviation Scheme there remains a residual flood risk to the site from the Tyock and Linkwood burns. It is therefore still appropriate to request a Flood Risk Assessment.

The Council's Flood Team have advised that they do not have a written record of any agreement regarding construction within 6m of the flood embankment however it is acknowledged that discussions may have taken place during the construction of the Flood Alleviation Scheme. Any development of structures including buildings and walls would not be permitted within 6m of the flood embankment as they would restrict access. Whilst car parking or roads may be compatible with the embankment the design of these would have to be supported by evidence that the embankments stability was not compromised by development. Therefore, they could only ever be supported as a departure from the designation requirement.

No modification is proposed.

I16 and LONG 3 Burnside of Birnie

David Mackay (1549/2/1), Alex and Rachel McClure (1747/2/2), Strathdee Properties Ltd (1798/3/5), Elgin Community Council (1832/3/2), Charles William Hill (2192/1/1)

The support for business and industrial uses on the site from the landowner, Strathdee Properties Ltd, of site I16 is noted, as is the commitment to delivery of the Key Design Principles.

Need for Industrial Land

There is a need to identify additional employment land within the Elgin Market Area. The greatest demand is likely to be within Elgin itself. Opportunities to identify additional land in and around Elgin are restricted due to flood risk, environmental designations and landscape constraints. This has led to the identification of the area at Burnside of Birnie as the main opportunity for new employment use in Elgin.

A topic paper in respect of employment land was prepared at the MIR stage (CD29). This outlined the demand for employment uses, set out how the employment land requirements were calculated and discussed some of the issues surrounding delivery of employment land.

From historic demand studies, build out rates recorded in the Employment Land Audit and the general rule of thumb discussed with Highlands Islands Enterprise, Moray Council Estates and Business Gateway the annual requirement for employment land is considered to be 10-12 acres per year. This is split by Market Area with the Elgin Market

Area likely to experience the greatest demand. Within the Elgin Market Area the annual requirement is identified as 7acres/2.8 ha. Considering the existing supply (based on 2017 Employment Land Audit CD43), it was projected that in the Elgin Market Area there would be 12.7 years supply in 2020 of Use Class 4 Business, Class 5 Industrial and Class 6 Storage and Distribution. However, it was projected that of this there would only be 6.8 years supply of Use Class 5 General Industrial. The employment land requirement is calculated to allow 10 years beyond adoption of the Plan. However, as the Scottish planning system moves towards a 10 year replacement period for Local Development Plans, it is proposed to ensure that a 5 year effective land supply is available at 2030, or can be brought forward from an identified strategic reserve through appropriate phasing or triggers. This also provides greater certainty to landowners and developers. This means a minimum of 23ha of additional general industrial land (some of which could be LONG) would need to be identified in the Elgin Market Area.

Given the greatest demand is likely to be in Elgin various sites were explored to meet this requirement. This included land to the east of I7 Barmuckity, however this was not taken forward due to the extent of flood risk which severely limited the developable area. To the north of Elgin land to the north of I8 Newfield was considered but this was not considered appropriate for extensive industrial use due to the sloping landscape, proximity to Spynie Loch SPA/RAMSAR/SSSI and access restrictions. An area has however been identified for Class 4 Business (MU2 Lossiemouth Road). Land to the west of Elgin is restricted due to the extensive woodland, parts of which are Quarry Wood SSSI and flood risk from the River Lossie. To the east of Elgin land is constrained by flood risk from the River Lossie but also the topography on the Calcots Road east of Lesmurdie is not appropriate in landscape terms.

At Burnside of Birnie the LONG 2 Elgin South designation bounds the I16 site to the south with potential for vehicle and pedestrian access. Therefore, whilst at present the site appears remote from Elgin, through the Development Plan development is proposed up to the site edge. In terms of landscape the site is enclosed by woodland. The site is also accessible to and from the A941 - a key transport route.

Within the Elgin Market Area new sites were identified in the Proposed Plan as follows

Site Reference	General Industrial (Ha)	Class 4/Mixed use (ha)	LONG (ha)	Comments
I16 Burnside of Birnie	15 ha general industrial	5.5ha mixed use		
LONG 3 Burnside of Birnie			15ha LONG	
MU2 Lossiemouth Road (NE)		5ha Class 4		
MULONG 1 South of A96 Bypass Mosstodloch			8ha LONG	
I3 West of Mosstodloch	2ha general industrial			Site is 10ha but 8ha of this has been

				reallocated from the MU LONG1 site which is designated I3 in the 2015 Local Development Plan.
LONG 2 West of Mosstodloch			20ha LONG	Extension to I3 West of Mosstodloch
I1 Forsyth Street Hopeman	0.23ha general industrial			

Therefore, in the Elgin Market Area the Proposed Plan identifies a total of 17.23ha of general industrial land, 5ha restricted to Class 4 and a further 5.5ha for a greater mix of uses (Class 4,5,6,7 and 11). 43ha has been identified as LONG with the potential for parts of this being brought forward if required. The large areas of LONG were partly identified in recognition that some sites may be impacted by the preferred A96 dualling route and there was a potential need to draw land down.

Given the constraints identified around Elgin and the difficulty identifying new sites the site at Burnside of Birnie is considered critical to the supply of employment land in the future. Whilst the LONG area could be removed, with reliance then placed on LONG 2 West of Mosstodloch, it is extremely likely that in future local development plans the land at Burnside of Birnie will require to be considered as the greatest demand will be in Elgin itself. Therefore, continuing to identify the area as LONG is more transparent and provides greater certainty.

Preferred A96 Dualling Route

The timing of the publication of the Preferred A96 Dualling Route (CD74 map 4 of 6) on the 4th December did not allow for the full implications of the route to be considered in the Proposed Plan which was agreed for consultation by the Planning and Regulatory Services Committee on the 18th December 2018.

The Preferred A96 Dualling Route will sever the I16 designation and impact on the very eastern parts of LONG3. It is therefore recognised that this has implications for the designations as set out in the Proposed Plan.

Whilst the A96 dualling could be used to define the settlement edge with no development beyond it, this would significantly restrict the availability of employment land in Elgin. Additional land would require to be released at Mosstodloch to meet requirements but it is recognised that the greatest demand will be in Elgin itself. Analysis of the potential impacts of the A96 dualling and other constraints (flood risk and high pressure gas main) suggest that around 9ha could be developed to the north of the A96 dualling and 24ha to the south. Therefore, the sites continue to have the potential to contribute significantly to the employment land supply in Elgin. It is unrealistic to constrain development to the north of the A96 dualling only as in the longer term land to the south of the A96 is likely to be required given the constraints around Elgin. It is also anticipated that the new A96 junction and access to the A941 will make the land at Burnside of Birnie more desirable for employment use.

It is accepted however that redefining the I16 and LONG3 boundaries to take account of

the preferred A96 dualling route is appropriate.

The Main Issues Report was published in January 2018 which identified the sites as a potential location for employment uses. The Council has had discussions with Transport Scotland about the implications of the various route options on sites being considered at the MIR stage. Therefore, the position at Burnside of Birnie was known by Transport Scotland prior to the publication of the preferred A96 dualling route. It is also noted that whilst a preferred route for the A96 has been identified the design of this has not been finalised. There is therefore potential for changes to aspects such as junction layout, SUDS position etc.

If the Reporter is so minded the Council would support amending the designation so land to the north of the A96 dualling is identified as I16 and land to the south of the A96 dualling is identified as LONG3. This effectively moves some of I16 into the LONG 3. Revised design principles have been prepared (CD08) to reflect the A96 dualling route. To account for the loss of 6 ha from the I16 site due to the A96 routing land currently designated LONG 2 at West Mosstodloch will be added to the I3 site West of Mosstodloch to account for the shortfall in supply.

Site Constraints

The site constraints are acknowledged within the designation text and Key Design Principles for the site. Despite these constraints as noted above it is considered that the site has significant potential to contribute to the employment land supply. When considering the implications of the gas pipeline the outer consultation zone of 70 -85m has been used when considering the developable area. Although some development or parking may be acceptable in the outer and middle consultation zone depending on the use and levels of occupation proposed.

Due to the flood risk and high pressure gas main that crosses the site there is a requirement for significant areas of the site to remain undeveloped. The Key Design Principles require the watercourse corridor and gas pipeline corridor to be managed positively for flood risk, biodiversity, recreation and access. These areas will connect to the green corridors within the Elgin South Masterplan area (CD19) to ensure that a well-connected system of green infrastructure is provided for both people and nature. In addition to this there will be a requirement for a green corridor along the edge of the A941 to filter views to the industrial uses and reinforcement of the woodland edges to ensure the woodland provides a backdrop to development.

The requirement for a Flood Risk Assessment is detailed within the site designation. Areas at risk from flooding require to tie into the natural surroundings and be made a feature of development. This will be explored in more detail through the preparation of a Development Framework for the site. A fundamental principle of policy EP12 Management and Enhancement of the Water Environment is that new development will not be supported if it would be at significant risk of flooding from any source or would materially increase the possibility of flooding elsewhere.

A Development Framework is required for the sites to ensure a placemaking approach to the overall area is taken. This will include a framework for the range of site uses, site landscaping and open space details and high level design requirements. There will be a requirement for a green corridor along the edge of the A941 to filter views to the industrial uses. Creation of a “gateway” into Elgin will also be required. Mitigation will be required

adjacent to existing housing to minimise impacts on residential amenity. This will likely be in the form of planted landscape buffers. Whilst the overall site is large this does not represent the developable area and significant areas of the site will be managed positively for flood risk, biodiversity, recreation and access.

Revised Key Design Principles have been prepared to reflect the A96 dualling route (CD74 map 4 of 6). If the Reporter was so minded the Council would support updating these within the Plan.

Impact on Residential Properties

There are three residential properties surrounded by/adjacent to I16/LONG3, Burnside of Birnie, Blossombank and Brackairlie. It is recognised in the Key Design Principles that impacts on the amenity of existing residential properties must be considered and where necessary mitigated. Planted buffers to residential development must be provided. The depth of these has not been specified as this will be dependent on the type of use proposed adjacent to the housing i.e. greater depth for uses likely to have greater impacts on amenity. This issue will be explored through the Development Framework which will consider the range of uses, landscaping and open space requirement and design requirements. Noise and air quality emissions would require further detailed assessment at planning application stage. Policy EP14 Pollution, Contamination and Hazards would apply. The Development Framework would consider the range of potential uses across this site and this would explore if a restriction on the type of uses is required adjacent to housing. Any claims for compensation with Transport Scotland are a separate matter and not relevant for planning purposes.

Impacts on property value and view are not material planning considerations.

The A96 dualling will impact on the eastern portion of the sites which combined with other constraints such as flood risk and buffers to residential property limits the developable area where a greater mix of uses is currently proposed at LONG3. Taking this into account the Revised Key Design Principles no longer show a mix of uses in this area of LONG3 with this area predominantly reserved for landscaping and access with the potential for a small area of Class 4 Business. This will also minimise impacts on residential property including from 24hr operation and also help to create a green corridor between Birkenhill Wood, Wood of Level and the landscaping/open space within the development. The A96 dualling and the area reserved for Class 4 Business only mean the designation text for I16 regarding a greater mix of uses being supported across 5.5ha will require to be amended to 5 ha.

If the Reporter is so minded the Council would support updating the Key Design Principles with the revised version submitted (CD08).

Access

It is acknowledged that part of I16 will be severed and if the Reporter is so minded the Council would support the area to the south of the A96 dualling being added to the LONG 3 designation as discussed above. Also the wording within bullet point 9 of I16 and bullet point 11 of LONG 3 will require to be amended to remove the requirement for vehicular connections between the sites. As the amendment proposed would mean I16 will solely be to the north of the A96 dualling, the wording in bullet point 9 of I16 would also require to remove reference to using the existing access to Burnside of Birnie.

Access to LONG 3 would potentially be taken from the A941. Until the design of the junction for the A96 dualling is finalised it is difficult to specify if this will be a shared or access solely to LONG 3. Therefore, the implications for road safety would require to be considered when finalised drawings are available. As a LONG site development is likely to be constrained until the next Local Development Plan when the finalised A96 dualling design can be taken into account within designation wording. Revised Key Design Principles have therefore shown an indicative access.

The Council has had discussions with Transport Scotland about the implications of the preferred route and therefore the designations at Burnside of Birnie are known to Transport Scotland.

Landscaping Quality

The quality and quantity of planting on existing development sites has been very varied with some areas taking a very long time to establish. Within the Introduction to the Settlement Statements landscaping definitions are provided to provide clearer guidance on the requirements however this does not specify the standard of trees that will be sought. As part c) of PP1 Placemaking does not apply to industrial/employment sites it is considered that the designation text could be clearer on the standard of trees that will be sought, particularly along the A941 where heavy standard trees would help to establish landscaping early on and create a distinct gateway to Elgin. It would be anticipated that the woodland planting around the edge, would be structure planting of a woodland type destiny reflecting the woodland pattern in the area. This woodland planting is to reinforce the backdrop to development to ensure that when commercial woodland is felled that development will continue to have an appropriate setting.

If the Reporter was so minded the Council would not object to additional wording to provide greater clarity on standard of trees to be used in landscaping. Revised wording is shown within the updated Key Design Principles (CD08).

Settlement Boundary

The comment regarding the settlement boundary is noted. Normally the settlement boundary does not include LONG designations, although in Elgin in order to protect key woodlands as ENV the LONG 2 is included within the settlement boundary. If the Reporter is so minded the Council would support including the properties at Burnside of Birnie and Blossombank within the Settlement Boundary (i.e. the buildings and curtilage currently outwith the I13 and LONG 2 site boundaries).

Summary Burnside of Birnie (I16/LONG3)

In summary if the Reporter is so minded the Council would support the following changes to the I16 and LONG 3 designations at Burnside of Birnie

- Amendment to the designation boundaries so land to the north of the A96 dualling is identified as I16 and land to the south of the A96 dualling is identified as LONG3.
- Amend text for I16 bullet point 4 to "A greater mix of uses is supported across **5ha**

of the site:..."

- The wording within bullet point 9 of I16 amended to "New junction on A941 required, see TSP23. Links through to the Elgin South Masterplan area to be provided. To create a second access onto the A941 careful consideration must be given to junction spacing."
- Text within Revised Key Design Principles updated to "A landscaped corridor of minimum 15m **width planted with heavy standard trees**, must be..." and "Woodland **structure** planting..."
- Remove area for a mix of uses in the eastern part of LONG3 and reserve this for Class 4 Business only, along with showing enhanced landscape buffering around residential properties (see Revised Key Design Principles CD08).
- Amend bullet point 11 of LONG 3 to "New junction on A941 required (TSP24)."
- Text for LONG3 amended bullet point 2 to "A landscaped corridor of **minimum** 15m **width planted with heavy standard trees**, must be provided along the A941 to filter views" and bullet point 3 amended to "Woodland **structure** planting..."
- Revised Key Design Principles have been prepared to reflect the A96 dualling route and the changes above (CD08).
- Include the properties at Burnside of Birnie and Blossombank within the Elgin Settlement Boundary.
- To account for the loss of 6 ha from the I16 due to the A96 routing land currently designated LONG 2 at West Mosstodloch will be added to the I3 site West of Mosstodloch.

MU1 Riverview

Woodland Trust Scotland (1818/2/8)

Where mature trees exist bordering a site it is a policy requirement within policy EP7 Forestry, Woodland and Trees part c) for a tree survey, and tree protection and mitigation plan to be submitted with a planning application if the trees (or their roots) have the potential to be affected by development or construction activity. This requirement does not require to be written into the designation as this is covered within policy.

No modification is proposed.

OPP5 Elgin Auction Mart

Suitable Uses

ANM Group Ltd (868/4/1)

The Suitable Uses listed are considered to be those most compatible in terms of the surrounding area and historic use. The preferred location for retail and leisure uses is in

the town centre in line with town centre first policy in Scottish Planning Policy (CD53 para 60 page 18). It is not considered appropriate to include leisure and retail uses within the suitable uses as the site would only be considered suitable for these uses if they were sequentially preferable and did not have an unacceptable impact on the network of town centre in terms of policy DP7 Retail/Town Centres. However, OPP sites are flexible in terms of the uses that are supported and policy DP6 Mixed Use (MU) and Opportunity Sites (OPP) states that proposals will be considered favourably where they are compatible with surrounding uses.

No modification is proposed.

Open Space and Landscaping Requirements

ANM Group Ltd (868/4/1)

The open space and landscaping requirements are not considered to be unduly restrictive and the landscaping requirements are to ensure the amenity of residential neighbours. It is noted the landscaping and public access requirements were issues raised previously by neighbours through examination and are requirements within the current designation.

No modification is proposed.

Traffic, Roads and Connections

ANM Group Ltd (868/4/1), David Bailey (885/2/1)

Improvements to pedestrian and cycle access on Linkwood Road are a requirement set out in the designation text. Traffic impacts and required mitigation will be assessed at the planning application stage and as noted in the allocation text a Transport Assessment will be required. The assessment will consider impact on the safety and efficiency of the transport network and identify any appropriate mitigation/modification required. Proposals will also be assessed against policy PP1 Placemaking and DP1 Development Principles part iii) Transportation.

Permeability is a key requirement for the design and layout of proposals. This is in line with policy PP1 Placemaking and Scottish Government policy (Designing Streets (CD54 page 21/22) and Creating Places). Well connected or permeable street networks encourage walking and cycling and can help avoid segregation of neighbourhoods. Connections to existing street networks provide better connectivity for all users, and provide more route choice. Connections through Market Drive would help maximise connectivity and permeability. Street patterns should be fully integrated with surrounding networks to provide flexibility and accommodate change in built and social environments. The requirement to connect to Market Drive should be retained.

Developer Obligations would be considered at the time of a planning application and any discount for land take would be considered at that point in line with policy PP3 Infrastructure and Services and Developer Obligations Supplementary Guidance. This does not require to be written into the site designation.

No modification is proposed.

Flooding and Drainage

ANM Group Ltd (868/4/1), David Bailey (885/2/1), Jenny Main (1979/1/1)

The issues regarding flood risk and drainage are well known and acknowledged by SEPA and the Council's Flood Risk Management Team. The designation text requires a Level 2 Flood Risk Assessment and Drainage Impact to assess this. A fundamental principle of policy EP12 Management and Enhancement of the Water Environment is that development should not take place if it would materially increase the possibility of flooding elsewhere.

Large areas of the site are currently at risk of surface water flooding and are not considered suitable for development. The Council is developing a Surface Water Management Plan and this area of Elgin is being considered as a hotspot. Actions identified in the Water Management Plan will be developed and taken forward for inclusion in the Council's Flood Risk Management Plan, which will be published in 2022. The development of a flood protection scheme in this area not only depends on the proposed scheme being included in this plan but also on the availability of grant funding from Scottish Government. Should a scheme go forward in this area the options considered will be to protect existing properties and not to facilitate proposed development. While the Council has discretionary powers to develop flood protection schemes, it is under no obligation to do so. The primary responsibility for protecting property lies with the property owner.

No modification is proposed.

Other Issues

ANM Group Ltd (868/4/1), David Bailey (885/2/1), Jenny Main (1979/1/1)

It is noted that an auction mart has been located on the site since at least the early 1900s, as the mart is identified on the Ordnance Survey map published in 1906. Reflecting the historic use in the buildings and public art is considered to be important to giving the site a character and identity that is reflective of its past as an agricultural auction mart. This is included as a requirement as it is considered to be a key opportunity to help create a distinctive character and identity as required by policy PP1 Placemaking. However, it is accepted that it may be unreasonable to expect this to be applied to all buildings and a distinctive character could be created by ensuring key buildings reflect the historic use.

If the Reporter is so minded the Council would have no objection to amending the text to state that "Proposals must look to reflect the historic use of the site as an agricultural auction mart in the character of key buildings and public art."

Given the range of suitable uses proposed the impact on schools and health care will vary depending on what is proposed. In line with policy PP3 Infrastructure and Services applications will be assessed and Developer Obligations will be sought to mitigate against adverse impacts on local infrastructure including education and health care.

Based on the quantity of LPG storage, the site of Gleaner Oils Ltd is identified, in HSE terms, as a notifiable hazardous substance installation. Proximity to such an installation does not preclude development although for public safety reasons, the presence of the

installation may inform the layout and amount of new development that can be accommodated. Policy EP14 Pollution, Contamination and Hazards requires proposals to avoid areas in the vicinity of hazardous sites where there may be public safety concerns. No modification is proposed.

Proposals for recreational uses such as a touring caravan site are best considered through the planning application process. No modification is proposed.

OPP8 Lossie Green

Elgin Community Council (1832/3/4)

The area Elgin Community Council wish to be removed from the OPP8 is annotated on the site plan. It is noted that the area that Elgin Community Council seeks to be removed from OPP8 at Lesser Borough Briggs is currently “whiteland” in LDP2015 and has no specific designation. The “whiteland” status of the land means various proposals could be explored providing these meet other policies within the plan. It is noted that within the Central Elgin Regeneration Public Design Charrette (CD38 page 52-55, site reference LG04) proposals for this area include housing, or hotel uses. Given the range of potential uses that have been considered on this area, including for sports facilities, it is more appropriate to identify this as an Opportunity Site suitable for leisure, office or retail use. This gives the greatest flexibility for the future development of the site and would not preclude use as a sports facility as sought by the Elgin Sports Community Trust Asset Transfer. However, there would be merit in creating a separate OPP for the Lesser Borough Briggs site. This would allow the area referred to be delivered separately without the wider OPP8 site. Similarly the larger OPP8 could move forward without the Lesser Borough Briggs area.

If the Reporter is so minded the Council would have no objection to the Lesser Borough Briggs area, as annotated on the site map, being made a new OPP site. The following text is considered suitable.

“OPP Lesser Borough Briggs 1.1 ha Suitable Uses**

Leisure, Office, Retail

Site Specific Requirements

- Transport Assessment required, the scope of which must be agreed with Transport Scotland and Moray Council Transportation.
- Connectivity through the site, to the town centre and river for pedestrian and cyclists required.
- Level 2 Flood Risk Assessment (FRA) required.
- Drainage Impact Assessment (DIA) required.
- No development within 6m of existing flood alleviation measures will be permitted.
- The site lies within the defended flood plain and is therefore not suitable for vulnerable uses, including housing.”

The change set out above would have consequential changes for OPP8 Lossie Green, where the site area would reduce to 2.6 ha and the requirement for “No development within 6m of existing flood alleviation measures will be permitted” would be removed.

OPP9 Town Hall

Bill Hope (1248/1/1)

Elgin Town Hall is Category B Listed, and therefore demolition and replacement of the existing building is not considered to be a viable option for built heritage reasons. Opportunities to improve the functionality of the building are being explored through the Moray Growth Deal as part of the Cultural Quarter proposals.

No modification is proposed.

OPP11 Walled Garden

Stephen Duff (319/4/1), Ken Kennedy (326/1/1), James Richardson (610/3/1), Anonymous (1229/8/1), Bill Hope (1248/2/1), Juliet Govier (1577/2/1), Alison Walton (1735/2/1), Elgin Community Council (1832/3/5), Anne Rodda (1963/1/1), Sheona Davidson (1964/1/1), Pamela Napolitano (1965/1/1), John Sherry(1966/1/1), Tim Aspden (1967/1/1), Nicholas Chambers (1968/1/1), Daniel Stuart (1969/1/ 1), Jennifer Reidford (1994/1/1), Lorraine Campbell (2000/1/1), Edwin Parkin (2013/1/1), Caitlin McCormack (2026/1/1), Grant Croudace (2027/1/1), Evelyn Lawson (2028/1/1), Hazel Croudace (2029/1/1), Kathryn Darley (2030/1/1), Gillian Bain (2031/1/1), Alanna Magee (2032/1/1), Andy Brown (2033/1/1), Peter Carvell (2034/1/1), Yvonne Alexander (2035/1/1), Charlene Marshall (2036/1/1), Raymond Aitken (2037/1/1), Mrs L Robertson (2038/1/1), Ben Moore (2039/1/1), Joseph Souter (2040/1/1), Michele Smith (2041/1/1), Stephanie Sparkes (2042/1/1), Jacqui Melrose (2043/1/1), Eleanor Melton (2044/1/1), Toni McIlwraith (2045/1/1), Kristine Duffus (2046/1/1), Cindy Gee (2047/1/1), Margaret Sammon (2048/1/1), Janice Mackenzie (2049/1/1), Elizabeth Boyall (2050/1/1), Laura Mawson (2051/1/1), Nigel Kirby (2052/1/1), Judith Spark (2053/1/1), Joan Scott (2054/1/1), Rebecca Adams (2055/1/1), Elise Cox (2056/1/1), Joshua Willis (2057/1/1), Fiona Cumming (2058/1/1), Anna Campbell (2059/1/1), Heather Hagen (2060/1/1), Charlotte Friston (2061/1/1), AM (2062/1/1), Charlotte Smith (2063/1/1), Kirsten Steele (2064/1/1), Kenneth Kennedy (2065/1/1), Nikki Yoxall (2066/1/1), Michaela Munro (2067/1/1), Jolene Young (2068/1/1), Lynne Minion (2069/1/1), Jennifer Mackean (2070/1/1), Maggie Brown (2071/1/1), Siobhan Mainland (2072/1/1), Ms S Jeffrey (2073/1/1), Anna Mcpherson (2074/1/1), Esther Dale (2075/1/1), Lara Beach (2076/1/1), Ian Taylor (2077/1/1), Kaye McIntosh (2078/1/1), Dr Tom McCallum (2080/1/1), Cameron Smith (2081/1/1), Dagmar Gross (2082/1/1), Sheila Cochrane (2083/1/1), Beatrice Dobney (2084/1/1), Ellice Walker (2085/1/1), Ian Bremner (2086/1/1), Una Gault (2087/1/1), Lesley Williamson (2090/1/1), Charlotte Coxon (2091/1/1), Monika Jakiel (2092/1/1), Jennifer Upson (2093/1/1), Elizabeth Duncan (2094/1/1), Frances Wardhaugh (2095/1/1), Julie Ann Henderson (2096/1/1), Cleo Hart (2097/1/1), Natalie Campbell (2098/1/1), Gordon Forsyth (2099/1/1), Isabel MacColl (2101/1/1), Stuart James (2102/1/1), Helen Dixon (2103/1/1), JE Allan (2104/1/4), Valerie Weston (2107/1/1), Dawn Mylchreest (2108/1/1), Gillian Karpa (2109/1/1), Sarah Macpherson (2110/1/1), Jane Charles (2118/1/1), Mr R Craib (2119/1/1), David Sharp (2123/1/1), Scottish Rock Garden Club (2125/1/1), Alan Souter (2126/1/1), Margaret Sharp (2127/1/1), Leon Lumsden (2128/1/1), Morag McCloy (2129/1/1), Angela Innes (2135/1/1), Duncan Alexander (2136/1/1), Carol Casburn (2137/1/1), James MacDonald (2138/1/1), Stephen R Scott (2139/1/1), Emma Ritchie (2140/1/1), Anna Pearson (2141/1/1), Leah Horner (2142/1/1), Tracey Willetts (2143/1/1), Iain Ritchie (2144/1/1), Susan Ritchie (2145/1/1), Rebecca Ritchie (2146/1/1), Louisa Thain (2148/1/1), Rev Anne Attenburrow (2149/1/1), June Harris (2150/1/1), Mrs R Cruickshank (2151/1/1), George and Isobel Esson (2155/1/1), James Topping (2156/1/1), David Southcombe (2157/1/1), Menita Roberts (2161/1/1), John and Susan Hammond (2163/1/1), Ross Grant (2166/1/1), Janet E Milne (2170/1/1), Anne Chadwick (2173/1/1).

Dr Miriam Brown (2174/1/1), RR Cook (2179/1/1), Martin Keith (2182/1/1), Jim Walton (2183/1/1), Michelle Slater (2185/1/1), Scotland's Garden and Landscape Heritage (2193/1/1), Mike Rodda (2194/1/1), Pamela Sutherland (2195/1/1), David Chadwick (2196/1/1), David A Stewart (2197/1/1), Anne Wibberley (2198/1/1), Amanda Willox (2199/1/1), Allysha Stewart (2200/1/1), Karen Mcarthur (2202/1/1), Shelagh M Scott (2216/1/1), Penelope Roberts (2218/1/1)

The OPP11 site is identified in the Proposed Plan for a variety of uses to support the arts, cultural and community/visitor facilities as part of developing a Cultural Quarter. A hotel is just one of several uses considered appropriate if the site became available for development. The site designation did not seek the closure of the adjacent Biblical Garden (ENV1) or the closure of existing training services operating from the site (Greenfingers/Moray College). The OPP11 site was identified as a potential location for a high quality hotel through work developing the Cultural Quarter proposal for Moray's Growth Deal bid. The objective of the Cultural Quarter is to increase tourism in Moray by providing a focal point of national significance, to draw in additional visitors and signpost attractions across Moray. The Cultural Quarter proposal is set within a reimagined Lossie Green and Cooper Park with a focus on the Town Hall and Grant Lodge. The lack of hotel accommodation has been identified as resulting in visitors staying out with Moray. A confidential report/study prepared for the Council/Growth Deal confirmed the need for an additional hotel accommodation to support a growing tourism sector. Including a high quality centrally located hotel within the Cultural Quarter is seen as helping to create world class attractions and facilities that will meet a gap in provision and prolong visitors stay in Moray. As a Community Planning Partner Moray College UHI has been involved in developing the Growth Deal bid from the outset and have therefore been aware of proposals.

However, since publication of the Proposed Plan developer interest for a high quality hotel on an alternative site within Elgin has progressed. This is considered to be a strong and viable proposition that will add to the existing hotel offer and the consented hotel at Barmuckity (site I7). Commercial feedback also suggested that the access provision and lack of road frontage are seen as constraints by the hotel industry. It is therefore now considered there is no need to identify a potential hotel opportunity within the Walled Garden area. There continues to be interest for a centrally located hotel and alternative locations within the centre of Elgin are being explored.

From the responses received it is clear the existing users of OPP11 have the potential to contribute to the Cultural Quarter proposal by contributing to the continued expansion and enhancement of the Biblical Garden and Cooper Park and also the formation of an educational hub for horticulture and gardening.

Opportunity sites are generally identified where specific development opportunities exist. Opportunity sites are often vacant and derelict (brownfield) sites or buildings that may become surplus to requirements. Given the specific need for a hotel is likely to be accommodated elsewhere in Elgin and a clearer picture of the existing educational uses on the site provided by objectors it is no longer considered that an OPP designation is the most appropriate for the Walled Garden site. Following useful discussions between the Council Planning Service and Greenfingers joint working between the services on the Moray Food Growing Strategy and compensatory tree planting programme are now progressing.

If the Reporter is so minded, the Council would support changing the site to a Community

Facility (CF) designation to safeguard existing uses, similar to the sites identified on page 150 of the Elgin Settlement Statement. The Council would support designation text as follows

“CF6 Walled Garden

- Site safeguarded for educational and training facilities primarily related to horticulture, gardening and outdoor education.
- Opportunities for the expansion of existing facilities will be supported.
- Given the listed buildings on the site and proximity to the Scheduled Monuments of Bishop’s House and Elgin Cathedral, any development must be informed by a detailed assessment of potential heritage impacts. Consideration must be given to the scale and height of proposals and impacts on views to and from the Cathedral, and detrimental impacts must be avoided.
- A Standing Building Survey may be required depending on the scale and type of any expansion proposals.
- Any development proposals will require a Level 2 Flood Risk Assessment (FRA), and Drainage Impact Assessment (DIA) required. A Transport Statement may be required depending on the scale of development proposed. No development within 6m of existing flood alleviation measures. ”

In addition to the change above, if the Reporter is so minded the Council would support changes to the site boundaries and expansion of the Biblical Garden ENV1 to reflect the areas managed by Moray College UHI. This would pull the OPP11 Walled Garden boundary further west to exclude the classrooms, glasshouses, and sheds used by Moray College UHI. The Biblical Garden ENV1 would be extended to include this area and land to the east where students are currently developing an extension to the Biblical Garden. CD09 provides an overview of these suggested changes in plan form.

If the Reporter is minded to support the changes outlined above this would result in consequential changes to Figure 1.7 on page 140, Figure 1.8 on page 145, the Settlement Statement Map on page 161 and the Green Network Map on page 163.

It is considered the amendments and designation wording outlined above address the objections raised.

Reporter’s conclusions:

Reporter’s recommendations: