

Issue 9	Burghead, Cummingston, Duffus and Hopeman – Elgin Housing Market Area	
Development plan reference:	<p>Volume 2: Settlement Statements</p> <p>Burghead</p> <p>R2 Clarkly Hill page 52</p> <p>LONG Clarklyhill page 53</p> <p>OPP 1 West Foreshore page 55</p> <p>T2 Caravan Park Extension page 56</p> <p>Cummingston</p> <p>R1 Seaview page 76</p> <p>Duffus</p> <p>Sites Not Taken Forward East and West Duffus</p> <p>Hopeman</p> <p>R1 Manse Road page 234</p> <p>R2 Hopeman Golf Club page 235</p> <p>T1 Hopeman Caravan Park page 237</p> <p>Hopeman Settlement Statement</p> <p>Site Not Taken Forward</p>	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Burghead</p> <p>R2 Clarkly Hill</p> <p>Strathdee Properties (1798)</p> <p>Arquiva (1809)</p> <p>Sheila Munro (2007)</p> <p>LONG Clarklyhill</p> <p>Scottish Environment Protection Agency (569)</p>		

Strathdee Properties (1798)

OPP 1 West Foreshore

Spencer Murray (1971)

T2 Caravan Park Extension

Scottish Forestry (1136)

Cummingston

R1 Seaview

Jerome Lestienne (1972)

Duffus

Not Taken Forward

Duffus Estate (1437)

Dean Anderson (2204)

Hopeman

R1 Manse Road

Melissa and Peter Richardson (1046)

Elizabeth Haddow (2205)

R2 Hopeman Golf Club

Tullochs of Cummingston (1426)

Springfield Properties plc (10)

Antony Gabb (1973)

T1 Hopeman Caravan Park

Dr Carey Nash (2121)

Mark Nash (2160)

Hopeman Settlement Statement

Carmen Gillies (1666)

Not Taken Forward

Springfield Properties Plc (10)	
Provision of the development plan to which the issue relates:	Housing, employment and other designations within the, Burghead, Cummingston, Duffus and Hopeman Settlement Statements.
Planning authority's summary of the representation(s):	
<p>Burghead</p> <p>R2 Clarkly Hill</p> <p><u>Strathdee Properties (1798/2/1)</u></p> <p>The landowner supports the inclusion of the site in the Proposed Plan and is committed to ensuring delivery of housing on the allocated site.</p> <p><u>Arquiva (1809/2/1)</u></p> <p>Seek similar wording to adjacent LONG designation "Land constraints relating to the operational radio masts must be incorporated into the layout."</p> <p><u>Sheila Munro (2007/1/1)</u></p> <p>The sewage system at Burghead cannot cope. The medical practice is full. The plan suggests an extra doctor, where would this doctor come from when Moray cannot attract enough professionals. The school is full where would extra teachers come from. The development would increase the population of Burghead by 10% and upset the social balance. Most incomers to the area are OAPs attracted by cheaper housing. If this site were not developed they would not come. In 10 years' time there will be extra care requirements on clinics, doctors and social care and Moray cannot attract the professionals to address this. There will be an increase in traffic on roads that cannot cope as it is, in particular past the cemetery and from Elgin.</p> <p>LONG Clarklyhill</p> <p><u>Scottish Environment Protection Agency (569/12/3)</u></p> <p>Object to this site unless the supporting designation text highlights the requirement for a Phase 1 Habitat Survey.</p> <p><u>Strathdee Properties (1798/2/2)</u></p> <p>The landowner supports the inclusion of the site in the Proposed Plan and is committed to ensuring delivery of housing on the allocated site.</p> <p>OPP 1 West Foreshore</p> <p><u>Spencer Murray (1971/1/1)</u></p> <p>Any development would spoil natural beauty. The poor access is unable to</p>	

accommodate increased traffic. Improved sea defences and infrastructure would be required for new buildings and this would affect the aesthetics of the old village.

T2 Caravan Park Extension

Scottish Forestry (1136/6/2)

Object to inclusion of site designated for extension of caravan park. The Scottish Governments Control of Woodland Removal Policy has a presumption against development in woodland.

Cummingston

R1 Seaview

Jerome Lestienne (1972/1/1)

Four houses on this site will not respect the layout of Cummingston which is a historical feature that makes Cummingston unique. Farmer's paths are a feature on both sides of the main road and separate every 2-3 houses with a small lane. This is respected in the current houses on Seaview Road but does not feature in the Local Development Plan (LDP).

Duffus

Sites Not Taken Forward (East of Duffus)

Dean Anderson (2204/2/1)

Accessibility

Duffus benefits from a range of facilities including an inn, shop, village hall, associated playing field, playpark, church and Gordonstoun School nearby to the east. All existing facilities within the village are considered to be within easy walking distance of the proposed site. The village also enjoys good connectivity to the wider area via the Core Path network linking to Hopeman and Burghead to the west and Lossiemouth to the east. There is scope to improve the Core Path to the east which is in the same ownership as the proposed site. The development of land on the east of Duffus would be the first step in upgrading this route. Offering the opportunity to create a safe and useable route for pupils from Gordonstoun School into the village. At the moment pupils require to walk along the public road. Improved surfacing would dramatically improve usability to a range of users and offers a significant opportunity to improve sustainable links which would be to the benefit of the local community.

The development will reflect the existing grid pattern layout of Duffus and the existing urban grain of the village to ensure character is protected. The layout provided to accompany the submission offers high levels of permeability for both vehicular and pedestrian connections.

Deliverability

The current school roll forecasts show that there is ample projected capacity within both

Lossiemouth High School and Hopeman Primary School. This is particularly the case in the early years of the new plan from 2020 onwards, and therefore there are no education capacity constraints which apply to the site.

There is ample capacity within the treatment works in relation to water supply and no shortage of capacity at Moray West Waste Water Treatment Works. To address requirement for extension for 1 additional GP and support staff it would be expected that all development within the catchment would contribute via developer obligations toward this.

The proposed extension to the village will be planned to connect into the existing grid pattern with vehicular access linked into the 4 routes which lie on the eastern edge of the settlement. The availability of choice of routes will spread traffic across the network, avoiding the requirement for significant upgrades on any individual route.

There is an available electricity connection for the development.

Sites Not Taken Forward (West of Duffus)

Duffus Estate (1437/4/1)

The time has come for small scale release of land to accommodate further residential development. The proposed development of land to the west is not considered to constitute an obtrusive or unsympathetic extension to the village and nor would it compromise the open character of its countryside setting particularly where appropriate landscaping is delivered alongside (or in advance of) the housing. This extension of the settlement boundary to meet the boundary of the cemetery would consolidate the existing orthogonal grid pattern of Duffus.

The sensitive expansion of Duffus can be seen as a way of alleviating development pressure in the countryside around Elgin whilst providing good quality private market and affordable housing in close proximity to the main population centre. The additional housing will help to support local businesses, facilities as well as providing much needed accommodation for staff of the nearby Gordonstoun School.

No objections to the principle of the site were forthcoming at Main Issues Report (MIR) stage from Transportation, the Flood Risk Management Team, SEPA, Environmental Health and the Contaminated Land Team. Responses of Scottish Water and landscape requirements set out do not preclude development of this site.

The landowner is willing to undertake all of the required assessment work to support a proposal on this site as well as engage in the implementation of a long term landscaping scheme to help integrate the development further into its surroundings.

Hopeman

R1 Manse Road

Melissa and Peter Richardson (1046/2/1) Elizabeth Haddow (2205/1/1)

Impact on Adjacent Properties

This development will have an impact on the value of existing properties. Adjacent properties privacy will be impacted by the development.

Infrastructure

There does not appear to be any plans to improve Hopeman Primary School which is already sharing a Head Teacher with a neighbouring school. What measures have been put in place to accommodate an increase in pupil numbers, what about child safety in the playground?

The identification of one additional GP and support staff does not seem nearly enough for the already stretched medical staff in this area.

Environmental Impact

What will the impact on the environment be when 105 new homes are built in Hopeman bringing a potential of at least 105 extra cars?

How will all these new houses be heated? Hopeman is currently supplied by oil/electric with very few homes using renewable sources of heating. Will there be a building requirement in the new building standards to support ambitions to promote low carbon and sustainable development? Will buyers be able to afford these extra costs?

It is not possible to enhance the natural environment when you are replacing it with buildings. Is promoting development in this location improving the resilience of the natural and built environment in keeping with climate change when there are risks of coastal erosion?

Impact on Village

Hopeman is a small village and any development will adversely affect the quality of life and environment.

Proximity to Old Landfill Site

There are concerns for those living in new homes so close to the old landfill site.

Transportation

Drivers continue to exceed speed limits through the village. A continued concern placed with the Council. Will this development be designed to improve traffic flow through the village especially given there will be more cars on our roads? The main entrance to the site is from Forsyth Street. What steps are being taken to avoid road safety threats especially in respect of speeding through Hopeman?

Flooding

Adjacent properties were flooded in 2018. What measures are being put in place to ensure that drains on the public highway are not blocked as a result of mud from construction vehicles?

Noise

What steps will be in place to keep noise to a minimum to accommodate shift working?

R2 Hopeman Golf Club

Tulloch of Cummingston (1426/2/1)

Object to capacity of 8 units. Current discussions on development of the site are based on provision of 10/12 flats and 6 holiday lets. Revising the designation text to give assurance to interested parties on the capacity.

Springfield Properties plc (10/13/14)

Object to the allocation of 8 dwellings. It is unclear why the limited growth previously proposed due to capacity or character issues has been disregarded bringing forward sites on both the west and east edges of the village that increase the risk of coalescence with neighbouring coastal communities. It would appear that any alternatives to southward expansion of Hopeman is preferred, all of which would add to the linear sprawl of the village.

Antony Gabb (1973/1/1)

Concerned as this development extends the boundary of Hopeman further east. The village already extends eastwards to the golf club which forms a natural boundary. Allowing it to extend into the grounds of the golf club seems entirely unnecessary given that there is considerable development planned to extend the village southwards across the B9040. The village should not be allowed to sprawl further eastwards as well.

T1 Hopeman Caravan Park

Dr Carey Nash (2121/1/1) Mark Nash (2160/1/1)

Impact on Adjacent Properties

Object to the plan to extend the boundary of the caravan site to the east and the west. In particular the eastward extension of the caravan park to include Platform Cottage and its garden and the land running toward the south boundary of 54 Harbour Street.

Object on the grounds of safety due to the stability of the land upfilled to 2.0m above the gardens of adjacent properties at 52 and 54 Harbour Street, undertaken without planning permission, engineering or structural design. The stability of this land is crucial if vehicles, heavy plant vehicles, caravans and double decker buses are planned for the sites. There is a risk to the safety of people, particularly children who are now able to gain easy access to the top of the boundary wall of 54 Harbour Street

There is a loss of privacy to the back garden of 54 Harbour Street. The elevation of the land to the south to 2.0m means there are views from the garden of the underside of vehicles and caravans placed there, currently there is a double decker bus intruding onto our privacy. At other times vehicles, heavy vehicles, mobile homes and a static caravan have been placed there. If this area is designated for business use there will be an exponential increase in land use and loss of privacy.

Planning History

Seek assurances from the Council about the rigour with which the Council will apply and enforce planning policies and regulations on Hopeman Caravan Park.

Previously the site to the west of the caravan has been developed without prior planning permission. The caravan park now extends into rough scrub land and has had an overbearing effect on the meandering coastal path. The foreshore path should be available to be enjoyed by all not just caravans.

Adjacent dwelling known as “Platform Cottage” has been converted to a public venue without prior planning permission. The land to the north of Platform Cottage has been raised without planning process and may not be safe to support the decking. It is inappropriate to site venues for social gatherings within the village with potential disturbance to surrounding homes.

A caravan was positioned on unlawfully raised land overlooking the rear garden.

Parking and Traffic

It would be inappropriate to site a social venue (Platform Cottage or on elevated land south of 54 Harbour Street) without dedicated parking. Harbour Street is particularly narrow in sections and there is little capacity for increased safe pedestrian passage. There is no room for additional street parking. The road seems unlikely to be able to take increased traffic and it would seem inappropriate to inconvenience local residents and businesses by using yellow lines to prioritise traffic to the caravan site.

The transport impact on Harbour Street will be further increased with additional pitches. The bridge near the Ice House is at significant loading risk in the future. There is also a risk to road safety as the number of tourism related and other vehicles increases.

Ancillary Facilities

Concerns regarding the reference in the designation text to “ancillary facilities appropriate to tourist development such as a shop, café, laundry and shower facilities will be supported within this area.” There has been mention of converting a double decker bus into a bistro for the caravan park. This bus is currently parked on unlawfully raised land overlooking the rear garden and dominating the private rear quarters, breaching amenity and privacy. Previously a static caravan was removed under enforcement action.

Environmental Impact

The potential adverse impact on the environment and community amenity of permitting yet more development in this location needs to be considered.

Hopeman Settlement Statement

Carmen Gillies (1666/3/1)

Petition with 150 signatures supporting the LDP and specifically the plans for Hopeman.

Site Not Taken Forward

Springfield Properties plc (10/13/22)

Springfield properties are seeking a designation for 25 houses to be effective during the Local Development Plan 2020 and a LONG designation to accommodate a further 50 houses. These designations are to be within the highlighted areas A/B, immediately to the south of Hopeman as shown in Fig 19 of the Landscape Character Study (LCS) (RD02).

The requirement for a masterplan to be prepared for the designations based on the Development Framework Plan shown in the LCS is identified by Springfield Properties Plc. There is also reference to development beyond the designations being determined during subsequent LDP reviews and within the context of the Development Framework Plan shown in the LCS.

Planning History

The site's previous history should not in itself be an overriding constraint on future development, especially as there have been significant changes in the intervening period. Planning permission has been granted for affordable housing to the south of the B9040. A key strand of the appeal was the assertion that the Council's staunch attitude to blocking development to the south of the B9040 has resulted in development, which has unnecessarily encroached into the (former) Coastal Protection Zone. Creating substantial visual intrusion into an area of attractive coastal scenery and added significantly to the linear sprawl of Hopeman. The growth strategy for Hopeman should be re-evaluated in light of these changed circumstances. Clearly the Reporter did not see the B9040 as a limit on development to the South of Hopeman.

Accessibility

A Hopeman Accessibility Review (RD01) has been prepared to support this representation. It highlights there are no transportation reasons as to why the site cannot be zoned for residential development, community facilities and other ancillary land uses, subject to the identification and implementation of a range of appropriate transport interventions. Any possible development proposals could easily satisfy all local and national required transportation policies. With a strong emphasis on pedestrian and cycle accessibility, particularly between the site and the existing village, the site is well located to meet the transportation requirements of a rural community within Moray. The site is also strategically well located with direct access onto the B9040, Moray Coastal Road, as well as the regional road network where there are direct links to Elgin and the other major settlements across Morayshire.

Infrastructure

There is capacity within the Primary School at Hopeman which has a functional capacity of 273 pupils with a roll of 160 in 2018. A new High School for 800 pupils is under construction at Lossiemouth, up from the current capacity of 500. The checklist prepared during the Call for Sites phase of the plan review did not identify any significant infrastructure constraints.

Deliverability

Springfield has a proven track record of successfully delivering housing led developments, large and small, in Moray and elsewhere in Scotland.

Landscape

A Landscape Capacity Study (LCS) (RD02) has been prepared to support this representation. To avoid the “unfettered sprawl” referenced in the Reporters recent decision and allow housing on land immediately to the south of the B9040, this objection is supported by a masterplanned approach informed by the LCS including a Development Framework Plan which sets out a long term vision for the site.

The study highlights that the existing village is framed by recreational open space to the north and east whilst to the west the existing farm leading down to the coastline forms a key feature reinforcing the sense of separation between Hopeman and Cummingston. To the south and across the proposed site, there are no such restrictions to development and therefore, it is considered that this land holding offers the opportunity for a high quality development form to come forward which could be designed to fit into the landscape setting and make a positive contribution to settlement planning in Moray. New development will not impact on the distinctive settlement pattern that has established along the North West Moray Coastline. Rather any new development would be seen as a logical extension to the existing village taking reference from historic, successfully planned settlements in the area, including Hopeman.

Modifications sought by those submitting representations:

Burghead

R2 Clarkly Hill

Strathdee Properties (1798/2/01)

No change sought.

Arquiva (1809/2/1)

Amend designation text to identify land constraints relating to the operational radio masts.

Sheila Munro (2007/1/1)

Party not specific regarding change sought.

LONG Clarklyhill

Scottish Environment Protection Agency (569/12/3)

Amend designation text to require Phase 1 Habitat Survey.

Strathdee Properties (1798/2/2)

No change sought.

OPP 1 West Foreshore

Spencer Murray (1971/1/1)

Removal of site implied.

T2 Caravan Park Extension

Scottish Forestry (1136/6/2)

Delete designation.

Cummingston

R1 Seaview

Jerome Lestienne (1972/1/1)

Removal of site implied.

Duffus

Not Taken Forward (East Duffus)

Dean Anderson (2204/2/1)

Designate site for residential development of 45 houses.

Not Taken Forward (West Duffus)

Duffus Estate (1437/4/1)

Designate site for small scale residential development.

Hopeman

R1 Manse Road

Melissa and Peter Richardson (1046/2/1)

Party not specific regarding change sought.

Elizabeth Haddow (2205/1/1)

Party not specific regarding change.

R2 Hopeman Golf Club

Tulloch of Cummingston (1426/2/1)

Reword designation text as follows "Density will be dependent upon the nature of proposals with a higher number acceptable for a flatted development.

Springfield Properties plc (10/13/14)

Delete designation.

Antony Gabb (1973/1/1)

Delete designation.

T1 Hopeman Caravan Park

Dr Carey Nash (2121/1/1) Mark Nash (2160/1/1)

Amend Hopeman Caravan Park boundary to remove Platform Cottage and its garden and the land running toward the south boundary of 54 Harbour Street.

Hopeman Settlement Statement

Carmen Gillies (1666/3/1)

No change sought.

Site Not Taken Forward

Springfield Properties plc (10/13/22)

Designate site for 25 houses to be effective during the LDP 2020 and a LONG designation to accommodate a further 50 houses.

Designations to be within the highlighted areas A/B, immediately to the south of Hopeman as shown in Fig 19 of the LCS.

Include requirement for a masterplan to be prepared for the designations based on the Development Framework Plan shown in the LCS.

Development beyond the designations requested to be determined during subsequent LDP reviews and within the context of the Development Framework Plan shown in the LCS.

Summary of responses (including reasons) by planning authority:

Burghead

R2 Clarkly Hill

Strathdee Properties (1798/2/1)

Supportive comments noted.

Arquiva (1809/2/1)

There is merit in highlighting the potential impact of the radio masts on the R2 Clarkly Hill designation.

If the Reporter is so minded, the Council would not object to additional text highlighting the implications of the operational radio mast. The Council supports the following wording "*Land constraints relating to the operational radio masts must be incorporated into the layout.*"

Sheila Munro (2007/1/1)

The Council has an infrastructure first approach to plan for growth and has proactively identified infrastructure requirements for each designated site. No waste water treatment issues have been identified which would constrain Burghead. It has been identified within the Proposed Plan that developers must pay a financial contribution to an extension to the Moray Coast Medical Practice. At present, Burghead Primary School has the capacity to accommodate pupils associated with the identified development sites. The Council regularly monitors school rolls and capacities.

In terms of transportation, the designation text highlights requirements for a Transport Assessment and provision of road improvements. Transportation issues will be considered in detail at planning application stage.

In terms of attracting people to Moray, the Council is already actively working to achieve the vision set out within the Moray LDP 2020 Proposed Plan (CD01). "People want to live, work and invest in Moray because of the outstanding quality of life and environment." It is intended to implement the vision through the delivery of high quality housing and employment land sites and enhancement of the environment.

No modification is proposed.

LONG Clarklyhill

Scottish Environment Protection Agency (569/12/3)

The requirement for a Phase 1 Habitat Survey has been omitted in error.

If the Reporter is so minded, the Council would not object to additional text requiring a Phase 1 Habitat Survey being added to the designation text. The Council supports the following wording. "*Phase 1 Habitat Survey required.*"

Strathdee Properties (1798/2/2)

Supportive comments are noted.

OPP 1 West Foreshore

This is a long standing designation to redevelop a former chemical works and brownfield site. Ownership issues have constrained development from coming forward to date however, these are being resolved and preparatory work to develop the site is actively being progressed.

Spencer Murray (1971/1/1)

Development of this site will require planning permission and as part of this transportation

issues will be assessed. The designation text states buildings must not be sited within 10m of the top of the sea defence embankment and a Flood Risk Assessment is required. A comprehensive layout for the whole of the site is required. Development in keeping with the character of the area that continues the esplanade and provides improved connectivity to the caravan park alongside street furniture and lighting will greatly enhance this area and make it more attractive.

No modification is proposed.

T2 Caravan Park Extension

Scottish Forestry (1136/6/2)

The Council has sought, where possible, to delete designated sites from the Proposed Plan where development would necessitate woodland removal. This has led to the removal of a number of historic sites. The Council is committed to implementing the Scottish Government's Control of Woodland Removal Policy as set out in Policy EP7 Forestry, Woodlands and Trees.

The Council considers development of the T2 Caravan Park Extension to meet the Control of Woodland Removal Policy. The Council is committed to developing Moray's tourism offer and supporting its growth and believes that the potential for expansion at Burghead Caravan Park would assist in supporting this aim. There are clear significant benefits to the local economy from such an expansion in addition to the provision of improved tourism infrastructure. The Scottish Government's Policy on Control of Woodland Removal: Implementation Guidance (CD58, pg. 14) supports this approach, as it identifies woodland removal with compensatory planting as being acceptable where there are significant direct and indirect benefits to an important existing tourism facility. It should be noted that this woodland is not one where there is a strong presumption against woodland removal as set out in Annexe 2 of the Implementation Guidance (CD58, pg. 12). This approach is also consistent with Policy EP7 Forestry, Woodland and Trees in the Proposed Plan.

Furthermore the designation text is explicit in setting out that the site can only be developed for tourism uses, so it is clear that other uses will not be permitted in this location. To offer additional protection, text could be added to strengthen reference to minimising woodland removal and low density development. Policy EP7 Forestry, Woodlands and Trees will require the provision of compensatory planting to mitigate woodland removal. A commuted sum for compensatory planting will be required if planting cannot be undertaken on land in Moray within the developer's ownership.

On the basis of the above, the Council supports the retention of the T2 Caravan Extension.

If the Reporter is so minded, the Council would support the inclusion of the following text as a minor amendment to the T2 Caravan Park Extension designation text.

"Proposals must be lower density than the existing caravan park to retain a woodland setting for any chalets/caravans/camping."

Proposals must minimise woodland removal by locating development in natural clearings where physically possible and maximising woodland retention.

Proposals must not negatively impact on the Moray Coastal Trail that runs through the site.”

Amendment of first bullet point to read “*Extension of Caravan Park including chalets and camping provision.*”

Cummingston

R1 Seaview

Jerome Lestienne (1972/1/1)

This is a long standing designation that already has planning consent and development has commenced on site.

No modification is proposed.

Duffus

Sites Not Taken Forward (East and West)

Spatial Strategy

The Spatial Strategy for housing land set out within the Proposed Plan seeks to;

Reinforce and strengthen the primary role of Elgin in the settlement hierarchy, followed by Forres and Buckie, with growth areas at Aberlour and Fochabers promoted through the Plan period. Aberlour and Fochabers are viable local centres with a range of services and facilities, including secondary schools and while growth to date has been slow, the Plan will aim to deliver development in these centres.

The smaller settlements are expected to grow in proportion to their current size and land designations have been made at smaller, proportionate level and in accordance with existing supply, previous development rates etc. However, some towns and villages have been proposed for no, or very limited growth, due to capacity or character issues.”

East of Duffus

This objection from Dean Anderson should be read in conjunction with his objection to the Spatial Strategy (Schedule 4 Issue 1).

Dean Anderson (2204/2/1)

Duffus is identified as one of the smaller towns and villages in the Spatial Strategy and no development has been designated in Duffus in successive local plans in order to protect the character of the village. The village has limited services and limited public transport links and the Council is not looking to expand Duffus but instead seeking to curtail any further growth. It is considered the compact form and distinctiveness of the village would be eroded by development to either the east or west. A very generous supply of effective housing land is proposed which will meet demand in the Elgin Housing Market Area (LHMA) without compromising town and village character or breaching longstanding

planning principles.

Planning History

In 2005 Scotia Homes submitted a planning application for 45 houses (planning reference 05/01519/FUL) which was subsequently withdrawn. In 2012 a site for 35 houses was submitted as a bid at Main Issues Report stage for inclusion in the Moray Local Development Plan 2015 and subsequently withdrawn.

Accessibility

The site is constrained for vehicular access and this issue has not been adequately addressed by the submission. A vehicular access is still indicated on Gordonstoun Road, which is not suitable for accommodating additional development traffic, due to its narrow width and the fact that visibility would be restricted by trees and the level of the verge. This issue has previously been identified at Main Issues Report stage by the Council to the developer but has not been addressed. In addition to this, the representation proposes connections (pedestrian and vehicular) to Hall Place, Dunbar Lane and St Peters Lane. These existing roads are of restricted width and suffer from poor visibility at the junction with Well Lane. It is therefore unlikely that these roads can accommodate additional development generated traffic.

The Council notes it is proposed to re-direct and provide new sections of core path creating a pedestrian/cycle link between the site and Gordonstoun School. Whilst this may provide an improved link between the site and Gordonstoun school. It is highlighted that the most direct routes to village facilities and public transport links from the site would still require walking on road on the section of Gordonstoun Road between the site boundary and the B9012 (or on other sections of road with limited pedestrian provisions). For these reasons, school transport would still be required to the nearest public primary school/secondary school.

The Council is of the view that no housing designations should be supported in Duffus due to the impact on the character and appearance of the village and in the case of development to the east, additional issues in relation to access constraints.

No modification is proposed.

West of Duffus

Duffus Estate (1437/4/1)

Duffus is identified as one of the smaller towns and villages in the Spatial Strategy and no development has been designated in Duffus in successive local plans in order to protect the character of the village. The village has limited services and limited public transport links and the Council is not looking to expand Duffus but instead seeking to curtail any further growth. It is considered the compact form and distinctiveness of the village would be eroded by development to either the east or west. A very generous supply of effective housing land is proposed which will meet demand in the Elgin Housing Market Area (LHMA) without compromising town and village character or breaching longstanding planning principles.

In terms of supporting the approach to rural housing, additional rural groupings have

been identified in areas of high demand for housing in the countryside. A new developer-led rural grouping has been identified in close proximity to Duffus at Mains of Inverugie.

The Council is of the view that no housing designations should be supported in Duffus due to the impact on the character and appearance of the village.

No modification is proposed.

Hopeman

R1 Manse Road

Background to designation

During preparation of the Moray Local Plan 2008, due to landfill gas emissions at Greenbrae to the west of Hopeman and limited other opportunities, the Council proposed to designate a small site for 12 houses at Forsyth Street.

The Reporter disagreed with allocating development (of any size) to the south of Forsyth Street, with growth to the west being the preferred option. The Reporter considered the allocation of the 12 houses proposed “would demonstrate acceptance of a limited breaching of the B9040 road – and trigger longer term risks associated with that “precedent” (CD34 pg. 2.141).

In accordance with these findings and following resolution of the landfill gas issues, officers identified a site to the west of Hopeman at R1 Manse Road to meet housing land requirements within the plan period and an adjacent site as LONG to provide a longer term indication of growth under the provision of Policy H2.

In terms of establishing the effectiveness of the R1 Manse Road site, Tulloch of Cummingston has provided confirmation (CD13) that a planning application will be submitted in the summer 2019 and the Council has provided initial comments to an early draft layout.

Melissa and Peter Richardson (1046/2/1) Elizabeth Haddow (2205/1/1)

Impact on Adjacent Properties

The impact on the value of adjacent properties is not a material planning consideration. The impact on privacy and any potential noise issues affecting neighbouring properties will be considered as part of the planning application process.

No modification is proposed.

Infrastructure

Moray Council has an infrastructure first approach to proactively plan for growth. The Proposed Plan has sought to identify infrastructure requirements. At present, Hopeman Primary School has the capacity to accommodate pupils associated with the identified development sites. The Council regularly monitors school rolls and capacities.

The identification of the requirements in relation to the extension of the Moray Coast

Medical Practice has come from a robust evidence base prepared by NHS Grampian.

No modification is proposed.

Environmental Impact

No significant environmental impact was identified in the Strategic Environmental Assessment (SEA) prepared to support the Proposed Plan or from detailed consultation with statutory agencies including SEPA and SNH. There is no policy requirement within the Proposed Plan that requires new housing to install renewable technologies. Developers will be required to meet the Building Standards requirements in place when proposals are being assessed which set standards for energy efficiency. There is no evidence of coastal erosion being an issue in this location.

No modification is proposed.

Impact on Village

The Council does not agree that R1 Manse Road will have a significant adverse impact on the quality of life in Hopeman. The site will deliver high quality new housing, meet affordable housing needs and help sustain services in the village.

The long term strategy for Hopeman is for expansion to the west at R1 Manse Road, a small residential/tourism development at R2 Hopeman Golf Course and a small expansion at R3 Forsyth Street as set out in the Proposed Plan. Thereafter for no further expansion of the village is proposed reflecting the character of this coastal village, the limited services available, Special Landscape Area (SLA) and Hopeman's position in the Spatial Strategy.

No modification is proposed.

Transportation

The Council's Transportation Section has contributed to the preparation of the Proposed Plan and identified no significant transportation issues constraining development at Manse Road. Any planning application submitted for developing the site must be supported by a Transport Assessment and various other requirements relating to connectivity and access are set out in the designation text.

No modification is proposed.

Flooding

The developer is expected to meet all responsibilities in terms of site management practises to ensure there are no offsite issues arising from the construction phase/s of the development.

No modification is proposed.

Proximity to Old Landfill Site

Within the R1 Manse Road designation text there is a requirement for a landfill gas

assessment to support any planning application; this has been omitted in error. The Council's Contaminated Land section has been consulted and raised no objection to the principle of development in this location. It is also noted that the developer has already commissioned the required assessment.

If the Reporter is so minded the Council would support inclusion of this requirement. The Council suggests the following wording "*Landfill gas assessment required.*"

R2 Hopeman Golf Club

Tullochs of Cummingston (1426/2/1)

The Council accepts the site has potential for a variety of proposals and the density will vary depending on the nature of these proposals. Policy DP2 Housing states that capacity figures indicated in the Proposed Plan are indicative only and capacities will be considered through the Quality Auditing process, characteristics of the site and surrounding area, conformity with all policies and the requirements of good placemaking set out in PP1 Placemaking and DP1 Development Principles. On this basis the Council does not support increasing the capacity figure.

No modification is proposed.

Springfield Properties plc (10/13/14) Antony Gabb (1973/1/1)

The eastern settlement boundary of Hopeman has been amended to include the golf club and golf course. This allows the identification of an area of land for a small scale residential/tourism development adjacent to the golf clubhouse and existing housing to replace existing storage buildings. Given the proximity of neighbouring buildings and existing buildings on site, it is not considered development in this location would constitute an eastwards sprawl of the village. This site is not directly comparable with the scale of development proposed south of the B9040. The Council remains unsupportive of development south of the B9040.

The golf course itself is identified as an environmental designation and is not being promoted for development and instead is safeguarded from development to define this edge of Hopeman.

No modification is proposed.

T1 Hopeman Caravan Park

Dr Carey Nash (2121/1/1) Mark Nash (2160/1/1)

Impact on Adjacent Properties

There has been no extension of the caravan site to the east and the boundary remains the same as the Moray LDP 2015. There are no current planning applications on this part of the site and, as part of the determination process an assessment would be made on the impact on adjoining residential properties including loss of amenity and safety.

No modification is proposed.

Traffic and Parking

The highlighted parking and traffic implications would be considered as part of any planning application deemed to increase vehicle movements.

No modification is proposed.

Planning History

There is an extensive history on this site as set out within the representations. Both representations have been passed to the Council's Enforcement Officer to ensure that all the issues raised have been fully investigated.

No modification is proposed.

Environmental Impact

Scottish Natural Heritage has been consulted regarding the extension to the boundary of the caravan park and identified no issues. The extension to the west takes account of the approval of 19 tourist pitches which followed a decision of the Local Review Body (LRB) to allow an extension of the caravan park to relocate 12 pitches in May 2016. In addition to this there is also the opportunity for further modest expansion to the south. The consented proposals and additional land are not considered to impede access to the coastal path and other informal path networks or impact adversely on the enjoyment of this area.

No modification is proposed.

Hopeman Settlement Statement

Carmen Gillies (1666/3/1)

Supportive comments are noted.

Site Not Taken Forward

Springfield Properties plc (10/13/22)

Planning History

There is an extensive planning history on this site. The large scale expansion of the village (in excess of 600 houses) has twice been rejected through the Local Plan Public Inquiry in 2007 and LDP Examination in 2014. In 2008 the Reporter stated (CD34, pg. 2.137) that "One of Hopeman's distinguishing characteristics is that, broadly speaking, the B9040 road forms an effective southern boundary. This principle has been reinforced by local plans allocating new housing development exclusively on sites to the north of this road. This has safeguarded this characteristic feature of the village and its setting, with its generally open rural outlook to the south of the B9040 road."

The Council remains unsupportive of development south of the B9040 and the long term strategy for Hopeman is for expansion to the west at R1 Manse Road, a small residential/tourism development at R2 Hopeman Golf Course and a small expansion to

R3 Forsyth Street as set out in the Proposed Plan. Thereafter for no further expansion of the village reflecting the character of this coastal village, the limited services available, Special Landscape Area (SLA) and Hopeman's position in the Spatial Strategy.

The recent appeal decision (CD68) to allow 22 houses to the south of the B9040 is not considered to be a significant change requiring reassessment of the Council's position. In his appeal decision, the Reporter stated "My decision in this case cannot legitimately be used as a precedent for allowing unfettered urban sprawl. The unique circumstances of this case include the contribution that the proposal would make towards addressing an urgent unmet need for affordable housing across the Elgin Housing Market Area." Furthermore, within the appeal decision there is no reference to the Reporter supporting the assertion that existing and identified development sites in Hopeman encroach into the Coastal Protection Zone, are visually intrusive or contribute to the linear sprawl of Hopeman.

As part of the Moray LDP 2008, the Council sought to allocate a small part of this site as at the time there were no other development opportunities available. Ultimately the site was not supported for inclusion by the Reporter. The Council contends the characteristics and impact of a 22 house development infilling a gap between existing housing is considerably different from 25 houses and a LONG site for 50 houses covering a significantly larger area stretching up onto the slopes south of Hopeman.

Designation of Sites A and B

Springfield Properties Plc has requested the allocation of 75 houses within Site A and Site B identified on Figure 19 of the Landscape Capacity Study (RD02). The potential capacity of these sites is considered to be significantly more than the 75 houses referenced. Site A is approximately 9 ha and Site B is approximately 16 ha even discounting space requirements for green infrastructure and SUDs and applying a low density figure, a capacity of 75 is unrealistic for the areas identified, with in excess of 300 houses more likely.

It is also very apparent from the submission this is only an initial phase of a wider large scale expansion, similar to that previously rejected at Local Public Inquiry and LDP Examination. It is contended that release of this land will create capacity for a development considerably in excess of 75 houses. This is completely at odds with Hopeman's place in the Spatial Strategy. This objection should be read in conjunction with Springfield Properties Plc's objection to Hopeman's position in the Spatial Strategy (Schedule 4 Issue 1).

Accessibility

The Council has previously raised concerns that this proposal to designate a significant housing site does not reduce the need to travel and therefore is not in compliance with Scottish Planning Policy Para 270 (CD53). The Accessibility Review (RD01) submitted to support inclusion of the site fails to adequately address this concern. A more detailed response to the Accessibility Report by the Council's Transportation section is set out in (CD12)

Whilst the initial designations (75 houses total) being requested are of a smaller scale than what has been proposed previously, the Council are of the view that there is not an adequate level of employment and services within the locality of Hopeman to support an

increase in residential development at this time, particularly without the inclusion of significant employment opportunities in nearby designations. There is also a concern that this will lead to an incremental increase in housing over time in Hopeman at a location where residents would need to commute to the main settlements for employment. Therefore, whilst an initial designation of 25 houses could be seen as acceptable in transportation terms, as already highlighted the site clearly has capacity for further development and Springfield Properties Plc has an aspiration for significant growth of Hopeman. A precedent could be set allowing further residential development without the provision of services and significant employment opportunities to support it.

The Accessibility Report highlights that a high percentage of existing work trips originating from Hopeman are made by the private car (69%) and that 37% of these trips are destined for Elgin where the main employment opportunities exist. It is demonstrated that the majority of trips originating from Hopeman are around 10km in length which is not a realistic distance that would allow modal shift away from the private car for existing trips. Therefore, the likelihood is that residents of any future residential development would be reliant on the private car to reach employment opportunities in Elgin and other settlements (i.e. Lossiemouth, Kinloss, Forres) which are beyond a reasonable distance for sustainable travel.

As demonstrated by the Accessibility Report, 84% of Hopeman residents have access to 1 or more cars and therefore are unlikely to utilise public transport. This will likely be true of any future residents given the location of Hopeman. Given the fact that the majority of future residents would be making trips by car, both to work and for other purposes, there will be an effect on the local road network through the additional generated trips

The Report has highlighted in Table 3 that there are a number of community facilities within Hopeman itself within reasonable walking/cycling distances. However, these services are not considered sufficient to support a larger settlement and it is likely that many services are located beyond a reasonable distance for sustainable travel, as previously discussed. Without any significant employment opportunities and further community facilities being incorporated into the proposed designation, the proposal does not support the need to reduce travel particularly by the private car.

The Report suggests that the proposal would incorporate improvements and changes to the road infrastructure, particularly along Forsyth Street B9040 with the aim of reducing vehicle speeds and providing greater levels of connectivity. It is recognised that such proposals would help to improve the road network in the immediate vicinity of the site in terms of accessibility and safety for all road users, however the wider concerns over the need to travel beyond the settlement to reach a variety of trip attractors by private car remain.

As per Scottish Planning Policy para 270, the planning system should support patterns of development that reduce the need to travel. Following consideration of the information provided, the Council are of the view that this proposal still fails to meet this requirement. The Spatial Strategy for the Moray LDP has been developed focusing growth on Elgin, and to a lesser extent, Forres and Buckie, taking cognisance of the existing, and future, employment opportunities that enable a reduction in travel distances and are within a reasonable distance to encourage sustainable forms of travel.

Infrastructure

It is accepted that both Hopeman Primary School and Lossiemouth High School have capacity to accommodate the requested 75 houses. As already identified, the Council considers Sites A and B to be of a scale to accommodate significantly more development which could have an impact on infrastructure requirements.

Deliverability

The Council accepts that Springfield Properties Plc have delivered a number of developments across Moray and elsewhere. However, the Proposed Plan aims to deliver housing to meet identified need in the most sustainable way in conformity with the Spatial Strategy.

Housing Land

The designated sites within the Proposed Plan are considered to meet housing need within the plan period and beyond. There is an effective housing land supply in Hopeman of 47 units identified in the housing land audit 2019, consisting of 22 units at Forsyth Street and 25 units at R1 Manse Road. This will be added to through the “release” of the current LONG site at Manse Road in the new Plan for 50 units and the new site R2 at Hopeman Golf Club for a further 8 units, bringing the total housing land supply for Hopeman for the period of the Plan to 47 units plus 58, giving a total effective supply of 105 units. This is considered to meet needs within the plan period and beyond. Once these sites are developed, the Council considers that Hopeman will have reached the limits of its “physical” growth. In terms of the effectiveness of the R1 Manse Road site evidence has been provided by the developer that a planning application is expected in the summer (CD13).

This objection from Springfield Properties Plc should be read in conjunction with their objection to the Spatial Strategy (Schedule 4 Issue 1).

Landscape

The Council has sought to safeguard the characteristic features of the village and its setting by retaining the open rural outlook to the south of the B9040 road which is an attractive feature of Hopeman. Development of the scale proposed and potential larger scale expansion is completely out of keeping with Hopeman’s status as one of the smaller towns and villages in the Spatial Strategy

A review of local landscape designations has recently been undertaken, where cultural heritage, recreational and nature conservation value are considered together with scenic qualities in a more holistic approach as to what comprises landscape (CD37). As part of the review, the Burghead to Lossiemouth Special Landscape Area (SLA) was identified, an extensive designation stretching along the coast and covering the site.

In the context of Hopeman, this open area provides immediate backdrop to the coast and allows the distinct pattern of coastal settlements to be appreciated and is considered to make an important contribution to the setting of Hopeman. This objection by Springfield Properties Plc should also be read in conjunction with their objection to the boundaries of the Burghead to Lossiemouth SLA. (Schedule 4 Issue 6)

The Council does not agree the site is a logical extension to the village. It is considered once the sites in the Proposed Plan are developed Hopeman will have reached the limits

of its “physical” growth. There is no scope to extend the village beyond the sites identified in the Proposed Plan due to the impact on the character of the fishing village and SLA, the limited services available and the impact on the local road network. The designation of land for 25 houses and a LONG allocation for 50 houses is not supported.

No modification is proposed.

Reporter’s conclusions:
Reporter’s recommendations: