

Issue 10	Forres Housing Market Area (HMA) Forres Dallas, Dyke, Findhorn, Kinloss and Rafford	
Development plan reference:	<p>Volume 2: Settlement Statements</p> <p>Forres</p> <p>General</p> <p>R1 Knockomie page 198</p> <p>R2 Ferrylea page 199</p> <p>R3 Lochyhill page 200</p> <p>R7 Pilmuir Road West page 204</p> <p>LONG1 Lochyhill page 205</p> <p>I4 Waterford North page 207</p> <p>OPP1 Caroline Street page 208</p> <p>OPP5 Edgehill Road page 210</p> <p>OPP7 Whiterow page 211</p> <p>TSP14 page 219</p> <p>Dallas</p> <p>R3 Former Filling Station (page 80)</p> <p>Dyke</p> <p>R2 South Darklass Road (page 96)</p> <p>R3 Fir Park Road (page 97)</p> <p>Findhorn</p> <p>R2 Dunelands (page 174)</p> <p>Settlement Boundary (page 179)</p> <p>Kinloss</p> <p>R1 West of Seapark House (page 264)</p> <p>R2 Findhorn Road West (page 264)</p>	Reporter:

	R3 Damhead (page 265) OPP2 Land at Former Abbeylands School (page 266) Rafford R1 Brochloch (page 314)	
Body or person(s) submitting a representation raising the issue (including reference number):		
Forres General Robert McEntee (1976) R1 Knockomie Stephanie Anderson (1974) Paul Anderson (2012) R2 Ferrylea Springfield Properties Plc (10) Woodland Trust Scotland (1818) R3 Lochyhill Paul Hudson (1011) Leiths (Scotland) Ltd (1817) Andrew Moore (1975) Michael Miller (2100) R7 Pilmuir Road West Frank Thomson (2024) Andrew Laing (2113) LONG1 Lochyhill Leiths (Scotland) Ltd (1817) Woodland Trust Scotland (1818)		

I4 Waterford North

Johnstone Macpherson-Stewart (1812)

OPP1 Caroline Street

Dominic Jordan (1978)

OPP5 Edgehill Road

Sandy Aird (1977)

OPP7 Whiterow

Altyre Estate (72)

Raymond Webber (352)

Woodland Trust Scotland (1818)

James Findlay (2105)

TSP14

Lyn and David Main (1856)

Dallas**R3 Former Filling Station**

Anthony Boyle (729)

Dyke**R2 South Darklass Road**

Amanda Clark (2114)

Erin Fraser (2152)

Douglas Graham (2210)

R3 Fir Park Road

Mr and Mrs Soutter (2120)

Alan Doughty (2171)

Robert Hunt (2211)

Ros Davidson (2219)

Findhorn**R2 Dunelands**

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Settlement Boundary

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Kinloss**R1 West of Seapark House**

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R2 Findhorn Road West

Michael and Sheila Thompson (2010)

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Peter Bales (2089)

OPP2 Land at Former Abbeylands School

Lenita van Hoff (1980)

J. Duncan (2003)

Carl Coghill (2005)

Steven Gasgrath (2009)

Rafford**R1 Brochloch**

Alistair and Dawn Smith (718)

Howard and Christine Davenport (1049)

Dallas Estate (1319)

Finderne Community Council (1398)

Woodland Trust Scotland (1818)

Robert McEntee (1976)

Provision of the

Housing, employment and other designations within the Forres

development plan to which the issue relates:	Housing Market Area Settlement Statements.
Planning authority's summary of the representation(s):	
<p>Forres</p> <p>General</p> <p><u>Robert McEntee (1976/1/1)</u></p> <p>Where is the "infrastructure" to be located to support all the new housing locations around the Forres area?</p> <p>R1 Knockomie</p> <p><u>Stephanie Anderson (1974/1/1)</u></p> <p>There is no room for houses in the field.</p> <p><u>Paul Anderson (2012/1/1)</u></p> <p>Will struggle to get satellite tv signal due to new houses. Believe that a path should be provided between the new houses and Brander Gardens/Whiterow Drive. A number of properties along these roads have gates on the back fences which they would be unable to use.</p> <p>R2 Ferrylea</p> <p><u>Springfield Properties Plc (10/13/15)</u></p> <p>Currently have a live planning application for the remaining parts of the site. The proposed text would prejudice the determination of this application. Object to the level of prescriptive requirements as onerous and simply unviable.</p> <p><u>Woodland Trust Scotland (1818/2/12)</u></p> <p>The southern part of this site is adjacent to an area identified as Long Establish Plantation Origin (LEPO) on the Ancient Woodland Inventory. Recommend a site-specific requirement of a significant buffer to protect the woodland. 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.</p> <p>R3 Lochyhill</p> <p><u>Paul Hudson (1011/2/1)</u></p> <p>The Proposed Plan is entirely inconsistent with extensive plans for Eastern Forres drawn up by Moray Council only a matter of a few years ago. This indicates a waste of significant time, effort and goodwill. Query what is the running total of costs incurred by local taxpayers of planning U-turns by the Moray Council since publication of the Moray Local</p>	

Plan 2008? Question why planning in the eastern half of R3 given the uncertainty over the A96 dualling route in this area.

Leiths (Scotland) Ltd (1817/2/1)

Object to the indicative masterplan which shows vehicular and pedestrian linkages from R3 through LONG1 and on to the C27E and Forres Enterprise Park due to conflict between residential and quarry traffic which may have an impact on the ability to fully exploit the economically recoverable mineral resources at the quarry. Failing this, access to R3 and LONG1 should only be taken from the A96 and not from the C27E.

Andrew Moore (1975/1/1)

Inappropriate Scale of Development

Believe that a development of the proposed size and scale will change the very nature of the area. The small rural town of Forres will become a bland urban conglomeration of matchbox houses similar to the other developments recently erected in Forres. Question whether Forres needs anymore housing as properties are now difficult to sell due to the number of houses built in recent years. Believe that a development of this size will damage the local tourist industry, particularly in Forres and Findhorn, as well as affecting local businesses in the town centre. This ill-conceived grotesque development will introduce around 2000 people to the area and bring increases in traffic, pollution and noise all concentrated in Forres.

New Town

Believe that a development of this size, with schools and shops, should be placed outside of Forres as a standalone new small town with its own name and identity.

Michael Miller (21001/1)

Impact on Property

The combination of the A96 dualling and the proposed R3 development has blighted the property making it unsellable for a number of years.

The area to the south of Tarras Farmhouse was built as a privacy barrier as part of the agreement for the Enterprise Park and this should be respected.

Transportation

The A96 dualling will hugely affect the R3 development and the current road conditions would not be able to deal with additional traffic. Suggests that the Sandy Road by the mound be used as the exit point for the middle section of R3. The road from the A96 to our property should remain private as a suitable access cannot be created without removing screening, the dry-stone dyke is considered a safety hazard to cars and pedestrians and the road will become littered with dog dirt.

R7 Pilmuir Road West

Frank Thomson (2024/1/1)

Transportation

The proposed site suffers from restricted access, single carriage roadways and little or no scope for improved footpath/cycle routes allowing access to Pilmuir school. Pilmuir Road West already has several blind bends and increased traffic is already becoming an issue.

Flooding

The site sits on ground adjacent to the Forres Flood Alleviation Scheme, which has not yet had a significant test to establish effect of displaced water.

Contamination and Archaeology

Site was previously used as an airfield with some Asbestos roofs visible on standing buildings and archaeological digs have shown possible Roman remains.

Design

Query whether proposed building types will be similar to existing residential buildings.

Andrew Laing (2113/1/1)

Transportation

The road infrastructure and dimensions cannot adequately support the development. Increase in traffic flow would pose an increased risk of vehicle collision with pedestrians due to the proximity to a Children's Nursery and poor layout of a junction. The dimensions of the Ferry Road/Pilmuir Road West junction do not lend itself to the safe movement of an increased volume of vehicles.

Flooding

The site is in the run off area for a flood alleviation scheme and the water table is high in this area, as such additional development would increase the risk of flooding.

Contamination

An assessment of Asbestos and contamination hazard should be carried out as the site is a disused RAF Airfield and Buildings.

Bats

The buildings have a resident bat population.

Healthcare

An assessment on the ability of Forres to cater for the health and education needs of an increased population is required.

LONG1 Lochyhill

Leiths (Scotland) Ltd (1817/2/1)

Object to allocation if access is to be taken via the C27E road due to conflict between residential and quarry traffic which may have an impact on the ability to fully exploit the economically recoverable mineral resources at the quarry. Propose that LONG1 site remains within the Countryside Around Town (CAT) designation. Failing this, access to LONG1 should only be taken from the A96 via R3 and not from the C27E.

Woodland Trust Scotland (1818/210)

Identified woodland area on this site on the 1st Edition OS 1874 maps, and recommend that it is assessed for its ancient woodland value. It is known that the Ancient Woodland Inventory is incomplete and that smaller woodlands were left off the Inventory altogether, therefore it is worth surveying this area with a view to ensure its retention and appropriate management.

I4 Waterford North

Johnstone Macpherson-Stewart (1812/2/1)

The preferred route of A96 dualling route sees the future dual carriageway carve its way straight through the middle of the proposed site, with little or no pockets of land remaining available.

Propose inclusion of Greshop House and its paddocks for industrial land given the terminal blighting of the Grade II listed property due to the dual carriageway and industrial development. The proposed inclusion of Greshop House, along with the pocket of land likely to be left to the west of the dual carriageway, would provide a total usable space of around 7ha which would go a long way towards satisfying the ongoing need for suitable industrial or business land in and around Forres. A map of the site proposed for inclusion is included within this representation.

OPP1 Caroline Street

Dominic Jordan ()

Forres High Street should be a focus for retail units and not another location. Local roads would become congested and likely cause safety issues.

OPP5 Edgehill Road

Sandy Aird (1977/1/1)

This site is situated behind and very adjacent to the first green of Forres Golf Course. Residential buildings may be susceptible to stray golf balls flying through windows. A very high fence would need to be erected to prevent damage or injury.

OPP7 Whiterow

Altyre Estate (72/3/1)

Support allocation of site providing potential for reuse and repurposing of a former poultry

shed and brown field site, improvements to the settlement edge and scope for other uses, including housing.

Wider proposals for a more extensive development here have been under consideration but are not being brought forward at this time. Preliminary work has been undertaken to review access options to serve new development here and address transportation concerns. Ongoing work will be undertaken with Scottish Gas Network, the Council and others to appraise options.

Raymond Webber (352/7/1)

Transportation

Object on the basis of the lack of road infrastructure and the effect it will have on local drainage. Forres South has been saturated with new developments in recent years and the last thing the area needs is another new development on the southern edge of the town with no plan to link the area with the A96.

Flooding

The current agricultural fields around Whiterow have drainage into the stream which flows along the roadside through the grounds of Plantation Cottage to the Mundole Road. Any increase in water drainage will impose a flood risk to the area.

Woodland

Woodland Trust Scotland (1818/2/11)

Long Establish Plantation Origin (LEPO) woodland identified on this site. The indicative drawing for this site at p 212 appears to show a complete loss of the woodland. Introduce change in site drawing (figure 1.5) in the Proposed Plan to recognise the importance of this remaining woodland and request retention and appropriate buffers in site requirements.

James Findlay (2105/1/1)

Support the principle of opportunity designation. Note the high pressure pipeline is identified as requiring to be addressed.

Planning History

Designation should be amended to better reflect that the 2 consented houses will take access across the pipeline with appropriate protection measures before connecting to a new access to the A940 and any link road from the A940 to Mundole Road will also require a further crossing of the pipeline as it is unavoidable.

Transportation

Support the closure of the U83E to through traffic but would object to existing residents having their access rights removed. In the case of own property, changing the access would alter the character of the house as access would be restricted to the north. The U83E has poor visibility, a lack of passing places and is prone to landslip from the north.

Re use of Chicken Sheds

As the site will be a gateway entrance to Forres from the south on the A940, considers the re-use of the large chicken shed at Whiterow is unlikely to enhance the approach to Forres and this building should be demolished and replaced with better purpose designed units in a different location in OPP7 either to the south or north of the site.

TSP14

Lyn and David Main (1856/2/1)

Concerned at the increased amount of vehicular traffic using the U83E as a short cut to access the A96 as it is single track with no passing places and poses a threat to non-vehicular users and wildlife.

Dallas

R3 Former Filling Station

Anthony Boyle (729/2/1)

Does not object to the proposal but houses should be restricted to a maximum of 1.5 storeys in order to reflect the rural character of the village.

Dyke

R2 South Darklass Road

Character

Amanda Clark (2114/1/1)

Very high development rate will change the size and character of the village dramatically, as well as negatively impacting on the landscape of the rural area. Buildings would not integrate sensitively into the landscape and would not be in keeping with the character of the village and rural area.

Erin Fraser (2152/1/1)

Concerned that the proposed site will compromise privacy and that property will become overlooked and affected by noise issues. The character of the village is being compromised by too many houses in such a small space.

Access / Transportation

Amanda Clark (2114/1/1)

The road structure from the A96 to the village cannot cope with the impact of heavy lorries and building vehicles and potholes are appearing on the road. Further development at R2 would have a significant effect on local people as there are no foot/cycle paths into the village and pedestrians are constantly required to step out of the way when large lorries

are coming in and out of the village. Darklass Road is unable to cope with heavy vehicles and cars are often parked haphazardly on the street, whilst children also use this road to catch the school bus. The increase of traffic would enhance the risk to pedestrians and children.

Erin Fraser (2152/1/4)

Darklass Road is already very congested due to the number of households using it. As most houses using the road have 2 cars, it is not fit to accommodate more, particularly considering the development at R1 and Darklass which will add 19 large houses (potentially nearly 40 extra cars) to the existing route. Due to cars parking on the road it is often reduced to single track, which is extremely treacherous in the winter. The junction with the Main Street has poor visibility and is frequently blocked.

Douglas Graham (2210/1/1)

The junction of Darklass Road and Main Street is very dangerous due to poor visibility, parked cars and speeding. Any additional traffic will only increase the problem and the number of dwellings served by this junction will be in excess of 50.

Other Issues

Amanda Clark (2114/1/1)

Development is being promoted in areas where service provision is significantly lacking, with constraints at the local health centre and Forres Academy.

Douglas Graham (2210/1/1)

Surface water will feed into the ditch to the west of the site which will increase the flood risk to the lower properties adjacent to 'Small Burn'. The existing sewage treatment plant is already at capacity and any additional effluent may pollute the "Muckle Burn".

R3 Fir Park Road

Character and Amenity

Mr and Mrs Soutter (2120/1/1)

Concerned with the loss of prime agricultural land, impact on amenity and the promotion of 'ribbon development'.

The view from properties across the road, such as Old Mason Lodge, Ardenair, Glenavon and Crowhall Bungalow, would be completely obscured and solar panels present would be shaded for part of the day as a result of houses on the proposed site. Should the site be designated, houses should be restricted in height to a single storey (bungalow) to adhere to the aesthetic look of the village.

Alan Doughty (2171/1/1)

There is no need for this site with two sites under construction within village, resulting in 19 new houses, and this is not sustainable for current and future economic growth.

Inclusion of site would lessen and detract from the amenity of the village, detrimentally changing the open nature and character of the neighbourhood. Residential development would alter the existing character and feel of current village life detrimentally. The proposed site is long and undefined with no defensible boundaries and new development would contrast and clash with the feel of the area.

Site is significantly higher than existing properties and proximity of designated site causes concern for loss of sunlight to own property and reduction to the current quality of life experienced. The location of the proposed site raises privacy issues due to the proximity of existing houses opposite, with only the narrow road through the village separating the boundaries of existing properties and the proposed site.

Robert Hunt (2211/1/1)

Concerned that development would cause overshadowing as houses opposite lie below the proposed site. Proposed development would not fit into and would take away from the feel of the village.

Infrastructure and Services

Mr and Mrs Soutter (2120/1/1)

The sewer system is at capacity. The road is very narrow and would require to be widened to accommodate access to the proposed site. New facilities aren't being provided as a result of the construction of houses at the opposite end of the village.

Alan Doughty (2171/1/1)

The proposed designated site would necessitate considerable changes to the road, which is very narrow and currently causes traffic problems, resulting in damage to properties and vehicles. Entrance to property's drive is currently used as an unofficial passing place.

Robert Hunt (2211/1/1)

There are currently parking issues due to the single lane road and any development on this site would create more traffic. There are no pavements to walk children to the school. The walled boundaries of neighbouring properties are regularly hit by speeding cars.

The field has drainage issues and the sewer system does not function properly with the properties that exist presently.

Other Matters

Mr and Mrs Soutter (2120/1/1)

Worried that a very large oak tree in the corner of our property would cause considerable damage to any property built on the proposed sites should it blow down.

Ros Davidson (2219/1/1)

Support the allocation of site. Early tree planting has been undertaken to ensure any development in this location integrates as sensitively as possible into its surrounds.

Findhorn

R2 Dunelands

Mrs Frances Knight (2134/4/2)

Mapping is incorrect as shows an area of open space between R2 and the neighbouring property, Tor Avon. Development – not houses – on R2 has extended to take land up to the fence line of Tor Avon.

Settlement Boundary

Mrs Frances Knight (2134/1/1)

The settlement boundary at the north end of The Park (shown as white land and with an asterisk) should be returned to its layout in 2007 in order to respect the integrity of the coastal dunes landscape and the environmental value of the land, as well as underlining the unsuitability of the land for housing development, now or in the future. This area is unsuitable and inappropriate for development for a number of reasons including access, environmental sensitivity and recreational protection.

Kinloss

R1 West of Seapark House

Woodland Trust Scotland (1818/2/13)

This site contains mature trees protected by a Tree Preservation Order (TPO) since 2009 for their biodiversity value. Designation text recognises that development must be located in clearings with tree removal avoided. Best protection for trees on site would be to avoid development on this site altogether. If unavoidable, map on page 264 should be amended to clearly show where the housing would be appropriate, taking into account root protection areas.

R2 Findhorn Road West

Michael and Sheila Thompson (2010/1/1)

Proposal for 6 houses on the site is a departure from the Local Development Plan (LDP) 2008 where the capacity was for 4 houses. The building of 6 houses would be over-development and an intensification of the housing density in this part of Kinloss village. The close proximity of the houses would give an appearance of a terrace, which is totally out of keeping with the surrounding detached, single-storey properties along Findhorn Road. Up to 4 single-storey houses would not have such an impact and would retain a consistent roof line and height with adjacent properties. Development should be completed within a set timescale to minimise the impact on the amenity and residents.

With no screening on the bay side of the site, development would adversely impact on the wildlife in the area and would not be “integrated into the surrounding landscape”. The area currently is a natural “buffer” between the village and the Bay and acts as a safe haven for a diverse range of birds, animals and flora.

Development at this site would result in doubling the number of junctions within 150m of each other, causing a major road safety hazard for both pedestrians and road users. Due to increasing volumes of traffic and excessive speeds, development should require that the 30mph speed restriction be relocated further north on the B9011. Should development be approved, no construction traffic, workers or visitors to the site should be permitted to use Manse Road, Glebe Road or Findhorn Road for parking for the duration of the building phase and beyond.

The site will not provide adequate parking spaces for 6 houses as this does not consider additional or visiting vehicles. The lack of adequate parking would inevitably cause an overflow of cars onto Findhorn Road or into Manse Road, causing severe traffic safety issues and major problems for residents.

SEPA have previously objected to planning applications due to the possibility of flooding. Photographic evidence provided that shows the site flooding, which occurs at least 3 times a year.

R3 Damhead

Peter Bales (2089/1/1)

Right of way, used for over 20 years, exists through the site.

OPP2 Land at Former Abbeylands School

Lenita van Hoff (1980/1/1)

There is no demand for housing as there is a lot of empty housing in Kinloss, owned by the MOD, which should be looked at first.

The proposed development is located in a SEPA identified high flood risk area and this should be addressed in the flood risk document. There is a problematically high water table and, despite the site having a drainage pipe, the area continues to be very boggy. Concerned about the consequence of a further rise in water table and management of the watercourse.

The adjacent housing development is a privately owned estate which manages its own roads, street lighting, common areas and waste. The access to the development and proposed site is a private road which is not fit for purpose and would require engineering works to improve it. It is doubtful that residents would agree to the road being used as access to the site. The waste system is also privately-owned by the estate and therefore access and services would likely have to enter the proposed development from the road connecting the A96 to Kinloss.

J. Duncan (2003/1/1)

Access road is private and residents pay an annual fee to cover maintenance etc. The volume of traffic currently using the road to access Morayvia is high, reducing the condition of road, and concerned that the expansion will increase the amount of traffic and impact on the drains and structure of houses on North Road.

Carl Coghill (2005/1/1)

Object to access via North Road which is a private road deteriorating with current usage. Road is restricted to 20mph speed limit, is unsuitable for large vehicles to navigate due to double parking and is used by many pedestrians crossing to the adjacent sports field.

Steven Gasgrath (2009/1/1)

Query the contribution from Morayvia towards repairs and upkeep of North Road, which is already subject to significant traffic to Morayvia including heavy vehicles.

Traffic study should be carried out which measures the amount of traffic using North Road to access Morayvia over the past 12 months.

Rafford

R1 Brochloch

Alistair and Dawn Smith (718/2/1), Howard and Christine Davenport (1049/3/1) and Finnerne Community Council (1398/3/1)

Two site requirements have been removed from the LDP 2015 regarding the retention of the area to the rear of the existing houses as open space / landscaping and consideration of safe routes to school, these should be re-included.

All septic tanks in the area serve individual houses and are privately owned and maintained. To add sufficient septic tanks to service 12 houses in such a confined area would seriously raise and pollute the local water table and impact on the existing properties in that area.

Dallas Estate (1319/4/1)

Support allocation of site and underline commitment to the development of the site.

Woodland Trust Scotland (1818/2/14)

The site abuts 48ha Long-established Woodlands of Plantation Origin (LEPO) to the west. Uncertain of the nature conservation value and would recommend assessment of any ancient woodland features which may be present to determine any further management required.

Robert McEntee (1976/1/2)

Development will exacerbate ongoing problems in Rafford with septic tank soakaways.

Modifications sought by those submitting representations:

Forres

General

Robert McEntee (1976/1/1)

No change sought.

R1 Knockomie

Stephanie Anderson (1974/1/1)

Delete designation

Paul Anderson (2012/1/1)

Amend designation text to require path between existing housing and new development.

R2 Ferrylea

Springfield Properties Plc (10/13/15)

Party not specific regarding change.

Woodland Trust Scotland (1818/2/12)

Amend designation text to require significant buffer to protect woodland.

R3 Lochyhill

Paul Hudson (10112/1)

Party not specific regarding change.

Leiths (Scotland) Ltd (1817/2/2)

Amend designation text to state access to R3 must be via the A96 only with no access onto the C27E.

Andrew Moore (1975/1/1)

Delete designation and identify new town to accommodate growth.

Michael Miller (2100/1/1)

Amend designation text to delete link through BP1 Enterprise Park Forres to R3 Lochyhill.

Amend Fig 1.2 design principles for the site to exclude Sunny Road as an access onto the A96.

R7 Pilmuir Road West

Frank Thomson (2024/1/1)

Party not specific regarding change.

Andrew Laing (2113/1/1)

Party not specific regarding change.

LONG1 Lochyhill

Leiths (Scotland) Ltd (1817/2/1)

Delete LONG designation or amend designation text to state access to LONG 1 must be via the A96 only with no access onto the C27E.

Woodland Trust Scotland (1818/2/10)

Amend designation text to require tree survey(s) to identify if there is ancient woodland on site.

I4 Waterford North

Johnstone Macpherson-Stewart (1812/2/1)

Amend the boundary of I4 Waterford North designation to include Greshop House and paddocks.

OPP1 Caroline Street

Dominic Jordan (1978/1/1)

Party not specific regarding change.

OPP5 Edgehill Road

Sandy Aird (1977/1/1)

Party not specific regarding change.

OPP7 Whiterow

Altyre Estate (72/3/1)

No change sought.

Raymond Webber (352/7/1)

Delete designation.

Woodland Trust Scotland (1818/2/11)

Amend key design principles to reference retaining woodlands.

James Findlay (2105/1/1)

Amend designation text to reflect planning consents for individual houses on the site.

Amend designation text to require the demolition and replacement of the chicken sheds.

TSP14

Lyn and David Main (1856/2/1)

Party not specific regarding change.

Dallas

R3 Former Filling Station

Anthony Boyle (729/2/1)

Restrict house heights to a maximum of 1.5 storeys.

Dyke

R2 South Darklass Road

Amanda Clark (2114/1/1), Erin Fraser (2152/1/1) and Douglas Graham (2210/1/1)

Remove Site R2 South Darklass Road. (Modification is implied based on the objection wording rather than specified).

R3 Fir Park Road

Mr and Mrs Soutter (2120/1/1), Alan Doughty (2171/1/1) and Robert Hunt (2211/1/1)

Remove Site R3 Fir Park Road. (In some cases, modification is implied based on the objection wording rather than specified).

Mr and Mrs Soutter (2120/1/1)

If site is retained, restrict house heights to a maximum of one storey (bungalows).

Ros Davidson (2219/1/1)

No change sought.

Findhorn

R2 Dunelands

Frances Knight (2134/1/2)

Amend mapping to reflect the realities of what is on the ground.

Settlement Boundary

Frances Knight (2134/1/1)

Amend settlement boundary to exclude area to the north of The Park (shown as white land and marked with an asterisk).

Kinloss

R1 West of Seapark House

Woodland Trust Scotland (1818/2/13)

Remove Site R1 West of Seapark House.

If site is retained, amend site boundary to clearly show where the housing would be appropriate, taking into account root protection areas.

R2 Findhorn Road West

Michael and Sheila Thompson (2010/1/1)

Remove Site R2 Findhorn Road West.

If site is retained, restrict house heights to a maximum of one storey (bungalows) and require the relocation of 30mph speed limit further north on the B9011.

R3 Damhead

Peter Bales (2089/1/1)

Require right of way path(s) to be retained.

OPP2 Land at Former Abbeylands School

Lenita van Hoff (1980/1/1), J. Duncan (2003/1/1), Carl Coghill (2005/1/1) and Steven Gasgrath (2009/1/1)

Remove Site OPP2 Land at Former Abbeylands School. (In some cases, modification is implied based on the objection wording rather than specified).

Rafford

R1 Brochloch

Alistair and Dawn Smith (718/2/1), Howard and Christine Davenport (1049/3/1) and Finnerne Community Council (1398/3/1)

Require the retention of area behind existing houses for open space / landscaping and consideration to be given to safe routes to school.

Dallas Estate (1319/4/1)

No change sought.

Woodland Trust Scotland (1818/2/14)

Require tree survey/s to identify if there are ancient woodland features on site.

Robert McEntee (1976/1/2)

Party not specific regarding change.

Summary of responses (including reasons) by planning authority:

Forres

General

Robert McEntee (1976/1/1)

The Council is committed to an infrastructure first approach as advocated through the emerging Planning (Scotland) Act.

The Council works closely with NHS Grampian, other Council Services (Education, Housing and Transportation) and key agencies such as Scottish Water to plan and co-ordinate development and infrastructure through their Delivery Group which meets on a regular basis. Where necessary, the Council seeks developer obligations towards infrastructure (Education, Healthcare, Transportation, Sports and Recreation) to mitigate the impact of new development on existing residents.

In Forres the following infrastructure requirements have been identified in the Proposed Plan.

Education -New Primary School and 2.5ha serviced site at Lochyhill, extension to Pilmuir Primary School and extension to Forres Academy.

Healthcare -Extension to Forres Health Centre and Care Centre, 2 additional dentist chairs and reconfiguration of pharmacy outlet/s.

Sports and Recreation - Enclosed, floodlit 4G pitch at Roysvale, enclosed sports pitch at Lochyhill LONG 1 and floodlit multi-use games area (MUGA) at Lochyhill.

Transport Proposals - 31 transport proposals are identified to mitigate the impact of development on existing infrastructure.

No modification is proposed.

R1 Knockomie

Stephanie Anderson (1974/1/1) and Paul Anderson (2012/1/1)

The R1 Knockomie designation is approximately 6.7ha in size and is capable of accommodating residential development. This site was originally designated in the Moray Local Plan 2008 and went through the Examination process for the Moray Local Development Plan (MLDP) 2015. A planning application (19/00293/APP) for 112 housing units and associated infrastructure has been submitted for this site and is currently under consideration. The site is considered effective and makes a key contribution to the

housing land supply in Forres over the plan period.

The potential negative impact on satellite signals is not a material consideration in the determination of any planning application. It is highly unlikely that the Council will accept a path between the existing development and any new housing as this will create a route with 6ft fencing on each side that would be unattractive and have poor natural surveillance.

No modification is proposed.

R2 Ferrylea

Springfield Properties Plc (10/13/15)

The requirements identified in the designation text have been identified in consultation with key consultees and the Council considers these to be proportionate to the size and constraints of the site. The “placemaking” agenda has progressed significantly as a national priority since the site was first consented in 2013 and this is reflected in the designation text.

The Council recognises that there is a live planning application for the third phase which would mean a total of 565 units on a site identified for 275 units originally in the Moray Local Plan 2008.

The developer obligations and infrastructure requirements should be reflected in land value and given the significant increase in houses proposed the Council does not consider there to be a viability issue in meeting the requirements set out in the Proposed Plan.

No modification is proposed.

Woodland Trust Scotland (1818/2/12)

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 any planning application. The requirement for a significant buffer does not require to be written into the designation as this is covered within Policy EP7 and supporting guidance. The gas pipeline effectively means there will be a large buffer between most of the development and the existing woodland and connections into the woodland are being progressed through the current planning application (18/01142/APP).

No modification is proposed.

R3 Lochyhill

Paul Hudson (1011/2/1), Andrew Moore (1975/1/1) and Michael Miller (2100/1/1)

This site was originally designated in the Moray Local Plan 2008 and was subject to Public Local Inquiry. In the Moray Local Development Plan 2015 the site was enlarged and went through the Examination process. This identified growth area is considered to represent the next large scale expansion of Forres following development in the south along the Grantown Road.

The preparation of a new LDP offers the opportunity to review designations and take account of current circumstances and address constraints to development coming forward. The planning consent (09/02364/APP) for 229 houses on the northern portion of the site has lapsed. Discussions are currently being held with developers and landowners to take forward a Masterplan for R3 Lochyhill and LONG 1.

The eastern half of the R3 site is currently designated in the MLDP 2015 as a Business Park; however a decision was made to change this to a residential designation in the Proposed Plan in order to consolidate housing development on the southern side of the A96 and overcome issues with crossing the A96 and proximity to facilities and services.

Consideration of issues such as noise, pollution and traffic will be considered as part of any detailed planning application. The designation text requires submission of a Noise Impact Assessment and Transport Assessment to support proposals and consider these issues in detail.

No modification is proposed.

Transportation

It is accepted that part of the R3 site will be impacted by the preferred A96 dualling route. This is acknowledged in the designation text which requires development proposals to take into account the preferred option for the A96 dualling route.

Key design principles have been developed to provide a framework to highlight access and connectivity across the site as an important consideration in development of the site. No detailed assessments or surveys have been undertaken at this time. The required Masterplan will have to address connectivity across the various parcels of land within the growth area and determine the appropriateness of using existing roads. As acknowledged above the Masterplan will also have to take account of the preferred dualling route and any implications arising.

Leiths (Scotland) Ltd (1817/2/2)

Development at Lochyhill is not considered to have a detrimental impact on the operations of the quarry and would not result in the sterilisation of mineral resources in this location. A Transport Assessment is required to support development proposals and this will allow transport implications to be more fully considered. The LONG site will not be developed in isolation with access being provided both through R3 and onto the C27E to form a well-connected permeable development. Quarry traffic would need to avoid using roads through residential sites to access the A96 and the preferred route for quarry traffic would be via the C27E through the Forres Enterprise Park. Further comment in terms of the preferred junction for A96 access by the quarry HGV traffic would be a matter for Transport Scotland to consider as the trunk roads authority.

The route via the C27E through Forres Enterprise Park would also provide a more direct access to the Forres East junction of the proposed A96 dualling than via the network of roads which may be proposed as part of the Lochyhill Masterplan.

No modification is proposed.

Inappropriate Scale of Development

Andrew Moore (1975/1/1)

The Spatial Strategy approach set out in the Proposed Plan is considered the most sustainable, directing development to the main service centres with the best public and active travel connections. The east of Forres is an identified growth area and there is a requirement to prepare a Masterplan to support development in this location. A development of this scale is considered proportionate to Forres' size and place in the Spatial Strategy. Development of the site will be in phases over a number of years and not all at once.

The required Masterplan will seek to support the delivery of a high quality new neighbourhood in Forres where infrastructure has been considered at the outset. The Masterplan will also focus upon delivering advanced planting providing significant new woodland creation required to integrate the new development sensitively and create an attractive gateway into Forres. The development will have to reflect the character and identity of Forres and not be an "anywhere development." It is accepted that there are parts of the Forres where there is a lack of character and identity and the Council has sought to address this in future developments through the adoption of Placemaking as a primary policy in the MLDP 2015 and primary policy (PP1) in the Proposed Plan.

It is not considered development of the eastern edge of Forres would damage local tourism or impact negatively upon Forres High Street.

No modification is proposed.

New Town

Andrew Moore (1975/1/1)

The Council is committed to the Spatial Strategy and directing development to Forres as a secondary growth area. A new town is not required to meet housing land requirements at this time. The Proposed Plan states "...taking a longer term view of future development, a longer term action to undertake preliminary investigations into suitable locations for new town has been included in the Action/Delivery Programme."

No modification is proposed.

Impact on Property

Michael Miller (2100/1/1)

The impact on property values and saleability is not a material planning consideration. As part of the Masterplan and any detailed planning application, impact on the amenity of existing properties will be considered. The creation of an access through the Enterprise Park Forres landscaped area is only indicative at this time and will require further investigation as part of the Masterplan. There will be an opportunity to comment upon any detail during consultation on the Masterplan and subsequent planning application submitted.

No modification is proposed.

R7 Pilmuir Road West

Frank Thomson (2024/1/1) and Andrew Laing (2113/1/1)

This brownfield site was originally identified in the Moray Local Plan 2000. The site was not formally designated in the Moray Local Plan 2008 due to flooding issues. It was subsequently embargoed from development in the current MLDP 2015 until the flood alleviation scheme was completed. The sites inclusion in the MLDP 2015 was subject to Examination. The flood alleviation works have now been completed and the Council has prepared a detailed development brief to promote development of the site (CD27). The brief was subject to public consultation and was approved by the Council as a material consideration on 30 May 2017.

Transportation

The Council's Transportation section was consulted and raised no significant issues in terms of access constraints or road safety issues.

No modification is proposed.

Flooding

This is an existing site in the MLDP 2015. Both SEPA and the Council's Flood Risk Management team have been consulted on continued inclusion of the site and raised no issues in terms of potential impact on the Flood Alleviation Scheme or increased flood risk elsewhere. The designation text supporting the allocation requires the submission of a FRA and Drainage Impact Assessment (DIA) to ensure these issues are adequately addressed.

No modification is proposed.

Contamination and Archaeology

The designation text supporting the allocation requires the submission of a contamination assessment and archaeological evaluation of the site which will address the issues raised. The Regional Archaeologist and Council's Contaminated Land section were consulted in the preparation of the Proposed Plan and raised no objections to the principle of development in this location.

No modification is proposed.

Bats

Andrew Laing (2113/1/1)

The presence of bats and appropriate mitigation will be dealt with at planning application stage. Policy EP1 Natural Heritage Designations requires the submission of a species survey where a protected species may be present or affected by development.

No modification is proposed.

Design

Frank Thomson (2024/1/1)

A development brief has been prepared for the site that sets out requirements for buildings which should reflect and complement existing buildings (CD27). The development brief identifies the opportunity to reflect the farming and traditional heritage of Forres by introducing steading/terraced/courtyard buildings in the southern part of the site. It is also stated that buildings fronting Pilmuir Road West must be of a high quality as they will overlook the entrance into the development. Furthermore, higher standards of design and materials will be sought for buildings in proximity to the listed building to avoid any adverse impact on its setting.

No modification is proposed.

Healthcare

Andrew Laing (2113/1/1)

The Council works closely with NHS Grampian, other Council Services (Education, Housing and Transportation) and key agencies such as Scottish Water to plan and co-ordinate development and infrastructure through their Delivery Group which meets on a regular basis. Where necessary, the Council seeks developer obligations towards infrastructure (Education, Healthcare, Transportation, Sports and Recreation) to mitigate the impact of new development on existing residents. The specific requirements for Forres are set out in the Proposed Plan (CD02, pg. 216 and 218).

No modification is proposed.

LONG1 Lochyhill

Leiths (Scotland) Ltd (1817/2/1)

Development at Lochyhill is not considered to have a detrimental impact on the operations of the quarry and would not result in the sterilisation of mineral resources in this location. A Transport Assessment is required to support development proposals and this will allow transport implications to be more fully considered. The LONG site will not be developed in isolation with access being provided both through R3 and onto the C27E to form a well-connected permeable development. Quarry traffic would need to avoid using roads through residential sites to access the A96 and the preferred route for quarry traffic would be via the C27E through the Forres Enterprise Park. Further comment in terms of the preferred junction for A96 access by the quarry HGV traffic would be a matter for Transport Scotland to consider as the trunk roads authority.

The route via the C27E through Forres Enterprise Park would also provide a more direct access to the Forres East junction of the proposed A96 dualling than via the network of roads which may be proposed as part of the Lochyhill Masterplan.

No modification is proposed.

Woodland Trust Scotland (1818/2/10)

It is a requirement of this designation that a Masterplan is prepared for this growth area

which includes R3 Lochyhill, LONG 1 and I5 Easter Newforres. There is explicit reference within the supporting design principles to the retention of existing trees and hedgerows and the provision of advanced woodland planting including along the A96 frontage and steep slopes, knolls and elevated ridges.

Detailed tree surveys will be required to support any planning application submitted. If it is established there is ancient woodland on site Policy EP7 Forestry, Woodlands and Trees would not support its removal. On this basis it is not considered necessary to include explicit reference to the need for tree surveys and identification of the presence of ancient woodland.

No modification is proposed.

I4 Waterford North

Johnstone Macpherson-Stewart (1812/2/1)

A96 dualling route

The preferred route of the A96 dualling (CD74) passes through the Waterford North site. The preferred route would be on an embankment at this location, which renders much of this site undevelopable. The available frontage on Waterford Road to provide an access into the site is reduced, such that it would become difficult to provide a safe and suitable access to serve the development.

The additional land proposed in the representation would not ameliorate the lack of a suitable location for an access onto Waterford Road. Opportunities to connect the site to the Greshop Industrial Estate to the south are limited by both the existing railway line and the proposed A96 dualling.

Greshop House Listed Building

As Greshop House and Rear Range is a Category B Listed Building, this effects consideration of the suitability of the building/s and surrounding land as an industrial designation.

Following a high level appraisal and site visit by the Council's Planning Officer (Listed Buildings & Conservation Areas), it is considered that Greshop House stills meet the requirements for listing and it is unlikely that a review of listing would change the category and certainly unlikely that it would be delisted.

Works within the surrounding landscape for the bypass and potential for industrial land would impact on the setting of the listed building only and would not physically alter the listed building.

Both the A96 dualling route and industrial development would have to ensure that the established setting around Greshop House is retained and protected as much as possible. The impact on the market value of the property is not a material consideration.

On the basis of a lack of justification to delist the building and identified access constraints the Council does not support inclusion of the identified land and buildings within the I4 Waterford North designation.

The identified transportation constraints associated with the A96 dualling route do however mean that the Council no longer considers the I4 Waterford North site effective in terms of actively promoting it for industrial use.

If the Reporter is so minded the Council would support the deletion of the 14 Waterford North designation and supporting Key Design Principles. The Council however supports the retention of the site within the Forres settlement boundary. This approach offers the opportunity for a small scale development to be investigated following more detailed information in respect of the A96 dualling route.

OPP1 Caroline Street

Dominic Jordan (1978/1/1)

This site was originally designated in the Moray Local Plan 2008. The former Tesco site and gas works had planning permission for retail uses including a petrol filling station that consent has now lapsed. Early design discussions have been held regarding a housing development on the site which is identified within the Council's Strategic Housing Investment Plan (SHIP) 2019.

Proposals to redevelop derelict sites will be favourably considered by the Council subject to compatibility with surrounding uses and other policy requirements. The site is located within the Forres Town Centre boundary in the MLDP 2015 (CD15, pg. 207). This has been amended in the Proposed Plan and OPP1 is now located immediately outwith the town centre (CD02, pg. 221). Outwith town centres any retail proposals have to demonstrate that there are no sequentially preferable sites in the town centre and no unacceptable individual or cumulative impact on the vitality and viability of the town centre. This approach seeks to support Forres town centre. Transportation issues would be considered as part of any planning application.

No modification is proposed.

OPP5 Edgehill Road

Sandy Aird (1977/1/1)

The suitability of this site and relationship to surrounding uses including proximity to the golf course will be considered as part of the detailed planning application process. There are examples in Elgin of residential development adjacent to golf courses where such impacts have been satisfactorily mitigated. The requirement for ball stop fencing is a matter which would be considered at the development management stage.

No modification is proposed.

OPP7 Whiterow

This site was originally designated in the Moray Local Development Plan 2015 to promote redevelopment of the redundant chicken sheds. A larger site is now proposed to facilitate local road network improvements and design discussions with the landowner are ongoing.

Altyre Estate (72/3/1) and James Findlay (2105/1/1)

Supportive comments are noted.

Transportation

James Findlay (2105/1/1) and Raymond Webber (352/7/1)

The proposed alignment for the A96 dualling to the north of Forres (CD74) has now been announced, whilst this will have a bearing on the future routes likely to be used by traffic, the effect of this on traffic associated with sites to the south of Forres and the U83E is likely to be minimal given the current A96 and proposed junction locations.

The need or otherwise for, and the nature of any future improvements, would be considered as part of Transport Assessments for any planning applications where there is a significant impact on that part of the network.

The Proposed Plan text states “Provision of new public road through the site to replace the U83E Whiterow which could be closed to vehicular traffic at the A940 Junction.” It does not state that it ‘must’ be closed or ‘how’ it would be closed. Consultation on any proposals to change the existing U83E road would be undertaken most likely in relation to any planning application providing a future link through the OPP7 designation. There will be an opportunity to make representations to the planning application. The detailed design of any link would need to take account of the crossing or diversion of any services; this would be considered through the Roads Construction Consent process.

No modification is proposed.

Flooding

Raymond Webber (352/7/1)

The designation text requires a Flood Risk Assessment (FRA) and Drainage Impact Assessment (DIA) to support any planning application to ensure drainage and surface water issues are appropriately addressed.

No modification is proposed.

Woodland

Woodland Trust Scotland (1818/2/11)

The Council recognises the merit in requiring retention of existing trees. There is no need to add reference to appropriate buffers as this is adequately addressed in Policy EP 7 – Forestry, Woodlands and Trees. It should be noted that planning consents for individual houses on the southern portion of the site, if constructed will result in loss of part of this woodland.

If the Reporter is so minded the Council would support the following wording to be added to Figure 1.5 Key Design Principles OPP7 Whiterow “Existing trees and hedgerows within the site must be retained.”

Planning History

James Findlay (2105/1/1)

On the basis that none of the consented houses have been constructed it is not considered necessary to reference them with the designation text or denote them on the key design principles. The required development framework would however have to take account of these consents.

No modification is proposed.

Re use of Chicken Sheds

James Findlay (2105/1/1)

It is not necessary to specify the demolition of the existing chicken sheds, it is considered that there is scope to redevelop and enhance the appearance of these buildings. The designation text requires the provision of a 10m wide wooded edge along the southern edge of the site to assist the development to integrate sensitively. This will also create a new wooded edge to Forres and help mitigate the impact of development at Whiterow.

No modification is proposed.

TSP14

Lyn and David Main (1856/2/1)

The proposed alignment for the A96 dualling to the north of Forres has now been announced (CD74), whilst this will have a bearing on the future routes likely to be used by traffic, the effect of this on traffic associated with sites to the south of Forres and the U83E is likely to be minimal given the current A96 and proposed junction locations.

No modification is proposed.

Dallas

R3 Former Filling Station

Anthony Boyle (729/2/1)

The designation text for the site requires development to reflect the character of the village (CD02, pg. 80). Dallas has a variety of house heights within the settlement, from bungalows to 2 storeys. Any future proposals for development on the site will be judged on its own merits through the development management process.

No modification is proposed.

Dyke

R2 South Darklass Road

Context

Site R2 South Darklass Road was proposed for inclusion in the MLDP 2015. Following Examination of the MLDP 2015, the designation was supported by the Reporter (CD14, pg. 457)

Character

Amanda Clark (2114/1/1) and Erin Fraser (2152/1/1)

There are three proposed housing sites in Dyke with a combined indicative capacity of 20 units. These small scale allocations are considered in keeping with and proportionate to the size of Dyke. Sites R1 and R2 are already allocated within the MLDP 2015 and the sensitive development of these sites will not have a detrimental impact on the village.

No modification is proposed.

Access / Transportation

Amanda Clark (2114/1/1), Erin Fraser (2152/1/1) and Douglas Graham (2210/1/1)

The Council's Transportation Section has advised the any planning application(s) will be required to contribute towards localised widening / passing place provision on the C7E road leading to Dyke. The scale of improvements required will be determined via a detailed review of any planning application(s). The site will also be required to provide parking in accordance with Moray Council Parking Standards and therefore should not add to any pre-existing parking issue(s).

Visibility at the Darklass Rd/Fir Park Road junction is acknowledged as being restricted, however it is within the built up area with a 30mph speed limit and therefore speeds of vehicles approaching and passing the junction are expected to be low. In particular, the reduced forward visibility around the bend on Fir Park Road due to the presence of large mature trees should reduce vehicle speeds. At this time, the junction is considered adequate to serve the proposals as they stand however there is a requirement for a second or emergency access to be provided when the number of houses exceeds 50. The suitability of the surrounding road network will be considered in further detail when assessing any planning application(s).

The condition of the access track from Darklass Road and the need for any improvements (e.g. surfacing) will be considered as part of any planning application(s).

It is recognised there is limited provision for pedestrian and cyclists, however Dyke is subject to a 30mph speed limit and the layout and design of surrounding road network/ houses (frontages close to the road) contributes to an environment conducive to low vehicle speeds and therefore aids pedestrian/cycle movement.

No modification is proposed.

Other Issues

Amanda Clark (2114/1/1) and Douglas Graham (2210/1/1)

The Council works closely with NHS Grampian, other Council Services (Education, Housing and Transportation) and key agencies such as Scottish Water to plan and co-

ordinate development and infrastructure through their Delivery Group which meets on a regular basis. Where necessary, the Council seeks developer obligations towards infrastructure (Education, Healthcare, Transportation, Sports and Recreation) to mitigate the impact of new development on existing residents. Infrastructure requirements are detailed in the settlement statement (CD02, pg. 98).

Consultation has been carried out with key consultees including the Council's Flood Risk Management Team and Scottish Environment Protection Agency (SEPA). As a result, a DIA is required for the site, the outcomes of which may affect the developable area (CD02, pg. 96).

No modification is proposed.

R3 Fir Park Road

Character and Amenity

Mr and Mrs Soutter (2120/1/1), Alan Doughty (2171/1/1) and Robert Hunt (2211/1/1)

There are three proposed housing sites in Dyke with a combined indicative capacity of 20 units. These small scale allocations are considered in keeping with and proportionate to the size of Dyke. Sites R1 and R2 are already allocated within the MLDP 2015 and the sensitive development of these sites will not have a detrimental impact on the village.

The site was not supported by the Reporter following Examination of the MLDP 2015 (CD14, pg. 457-458). Since then, construction has begun on Site *R1 North Darklass Road* and within the nearby Darklass Rural Grouping. More importantly, the landowner has implemented advanced planting on the proposed site. This provides containment and integration of the site as well as defining the long-term settlement edge of the village, something that Officers had previously expressed concern about.

There are limited opportunities in Moray to provide development on brownfield sites. In order to meet the requirements of the Moray Housing Land Audit and Employment Land Audit, this requires the Council to consider greenfield sites which are identified as being prime agricultural land. Whilst the Council considers this loss to be unfortunate, the requirement to identify sufficient land to meet demand outweighs the benefits of the quality agricultural land.

No modification is proposed.

Whilst the Council notes that the right to a view is not a material planning consideration, the Council considers that there is merit in the proposal that houses should be restricted in height to a single storey. This would further ensure that the development was in keeping with the character of the surrounding area, as well as mitigating the impact of shading on adjacent properties.

If the Reporter is so minded, the Council would not object to additional wording being added to the second bullet point of the designation text in this regard. The following wording is considered suitable:

"Houses must be one storey in height, front onto the C7E and create a gateway into the village."

Infrastructure and Services

Mr and Mrs Soutter (2120/1/1), Alan Doughty (2171/1/1) and Robert Hunt (2211/1/1)

The Council works closely with the NHS Grampian, other Council Services (Education, Housing and Transportation) and key agencies such as Scottish Water to plan and co-ordinate development and infrastructure through their Delivery Group which meets on a regular basis. Where necessary, the Council seeks developer obligations towards infrastructure (Education, Healthcare, Transportation, Sports and Recreation) to mitigate the impact of new development on existing residents. Infrastructure requirements are detailed in the settlement statement (CD02, pg. 98).

Consultation has been carried out with key consultees including the Council's Flood Risk Management Team and SEPA. As a result, a DIA is required for the site, the outcomes of which may affect the developable area (CD02, pg. 97).

The Council's Transportation Section has advised that the additional 3 plots are not considered to result in a significant increase in traffic that cannot be accommodated by the localised improvements (widening/passing places) as required by the designation text (CD02, pg. 97). An extension of the 30mph limit beyond the end of the site boundary is required, supported by additional street lighting and houses that front onto the public road. Any subsequent planning application(s) will be required to provide parking (and turning) within each plot in accordance with Moray Council Parking Standards (CD01, pg. 109-131).

Traffic speeds and any criminal damage to properties are matters for Police Scotland to consider and any immediate concerns should be raised with them directly.

No modification is proposed.

Other Matters

Mr and Mrs Soutter (2120/1/1)

The large oak tree lies out with the boundary of the designation. Responsibility for the management of trees rests with the owner of the land upon which they stand.

No modification is proposed.

Ros Davidson (2219/1/1)

The supportive comments and implementation of advanced planting are noted.

No modification is proposed.

Findhorn

R2 Dunelands

Frances Knight (2134/1/2)

Unauthorised development is a matter for the Council's Enforcement Officer to consider and any immediate concerns should be raised with them directly. The matter has been forwarded to the Council's Enforcement Officer to investigate further.

No modification is proposed.

Settlement Boundary

Frances Knight (2134/1/1)

This area is designated as "white land" within the Findhorn Settlement Boundary, with no specific allocation for the land (CD02, pg. 179). Identified with an asterisk, any development proposal(s) on this area will require to be supported by a detailed ecological study and will be considered against relevant policies (CD02, pg. 177). A planning application for planning permission in principle (19/00320/PPP) for 38 housing units, 3 craft units and a community facility has been submitted for this area and is under consideration. The application has been supported by a masterplan and supporting documentation, including a comprehensive Ecological Impact Assessment and Transport Assessment. Scottish Natural Heritage (SNH) has been consulted and considers the ecological assessment is comprehensive and covers all relevant natural heritage issues. The suitability of this site for development will be considered through the planning application process.

No modification is proposed.

Kinloss

R1 West of Seapark House

Woodland Trust Scotland (1818/2/13)

The principle of development on the site has been established through planning permission in principle (15/01605/PPP) for the development of 6 plots, with full planning permission approved on Plot 1 (17/00780/APP).

The Council considers adequate protection has been applied to the site by way of the TPO and designation text requires development to be located in clearings, avoid any tree removal and any planning application to be supported by a tree survey and tree protection plan (CD02, pg. 264).

No modification is proposed.

R2 Findhorn Road West

Michael and Sheila Thompson (2010/1/1)

The Proposed Plan is a review of the previous Plan and any proposals therefore cannot be considered as a departure from LDP 2008, which was replaced in 2015. Planning permission for six houses was approved for the site on 6 June 2019 (17/01906/APP).

Placemaking is Primary Policy 1 in the Proposed Plan Volume 1 – Policies (CD01, pg. 22-31) and aims to deliver development that creates sustainable, welcoming, well connected

and distinctive places that are safe, healthy and inclusive. Any planning application(s) must also comply with Policy DP1 to ensure that the scale, density and character of development are appropriate to the surrounding area (CD01, pg. 35-37).

The Council's Transportation Section has advised that, as the site is located within the existing speed limit, the relocation of the 30mph speed limit is not considered to be essential for the development. The presence of new development at this location, fronting onto the public road, will assist in defining the built up area and thereby influence drivers to decide on a more appropriate speed. Any planning application(s) will be required to provide parking in accordance with Moray Council Parking Standards (Policy DP1) through the provision of communal parking within the site or private parking within the curtilage of each plot (or a combination of both) (CD01, 109-131). The risk of overspill parking on Findhorn Road or the surrounding side streets would therefore be minimal for the day-to-day parking requirements of the development. The matter of siting the parking provision within the development would be considered as part of any planning application.

Consultation has been carried out with key consultees including the Council's Flood Risk Management Team and SEPA. As a result, a FRA and DIA are required for the site, the outcomes of which may affect the developable area. The designation text also requires land-raising to elevate the ground above the floodplain (CD02, pg. 264). The Council considers that there is no evidence to suggest that the site is undevelopable as a result of flood risk.

No modification is proposed.

R3 Damhead

Peter Bales (2089/1/1)

There is no recognised Right of Way path through the site. However, development proposals, in accordance with Policy PP3 b) ii) (CD01, pg. 33), will not be supported where they adversely impact on active travel routes, core paths, rights of way, long distance and other access routes and cannot be adequately mitigated by an equivalent or better alternative provision in a location convenient for users .

No modification is proposed.

OPP2 Land at Former Abbeylands School

Lenita van Hoff (1980/1/1), J. Duncan (2003/1/1), Carl Coghill (2005/1/1) and Steven Gasgrath (2009/1/1)

Kinloss, and the site in question, forms part of the MLDP 2020 Proposed Plan - Strategic Flood Risk Assessment (CD06). Consultation has been carried out with key consultees including the Council's Flood Risk Management Team and SEPA. As a result, a FRA and DIA are required for the site, the outcomes of which may affect the developable area (CD02, pg. 266). The Council considers that there is no evidence to suggest that the site is undevelopable as a result of flood risk.

The Council's Transportation Section has advised that the existing access is a privately maintained road and maintenance of the road is a matter for the road owner(s). The suitability of the existing road in terms of road geometry can only be considered in detail

once the proposals of any development within OPP2 are known and the likely vehicle types and frequency have been determined. Access requirements by both vehicular and non-vehicular modes of transport will be considered as part of any planning application(s). In terms of the road condition, the Roads Authority would seek to ensure that the junction of the private road where it meets the public road is of a suitable design and construction for the safety of all road users and to protect the condition of the public road. The need for improvements or mitigation at any existing access, and the design of any new access to the designation from the public road would be considered in detail through any planning application(s).

No modification is proposed.

Rafford

R1 Brochloch

Context

The site has been designated for residential development since MLDP 2008 and has been subject to a Local Plan Inquiry in 2007 and Examination of the MLDP 2015. Drainage and flooding issues were comprehensively discussed at the Inquiry in 2007 and the Reporter supported the designation of the site, finding no basis for removing the designation for drainage reasons (CD14, pg. 455-456 and 462-463). This was a stance supported by the Reporter at the Examination of the MLDP 2015 (CD14, pg. 462-463). No objections to the designation have been received from SEPA, Scottish Water or the Council's Flood Team. Dallas Estate are now progressing proposals for the site, which is an important site to bring forward in the wider context of the revised approach to rural housing (See Schedule 4: Rural Housing).

Alistair and Dawn Smith (718/2/1), Howard and Christine Davenport (1049/3/1) and Finnerne Community Council (1398/3/1)

Designation text for the site acknowledges that a connection to the existing septic tanks requires Scottish Water to upgrade the facilities and this must be investigated by the developer (CD02, pg. 314).

No modification is proposed.

The Council acknowledges that the requirements for retaining the area to the rear of existing properties as open space and giving consideration to safe routes to school were omitted in error.

If the Reporter is so minded, the Council would not object to additional text being provided in the designation text for open space and safe routes to school. The following wording is considered suitable:

- *The area to the rear of the existing houses must be retained as open space / landscaping.*
- *Consideration must be given to safe routes to school, which may take the form of a bus bay for school buses.*

Dallas Estate (1319/4/1)

The supportive comment is noted.

No modification is proposed.

Woodland Trust Scotland (1818/2/14)

Detailed tree surveys will be required to support any planning application submitted. If it is established there is ancient woodland on site, Policy EP7 Forestry, Woodlands and Trees would not support its removal (CD01, pg. 88-92). On this basis, it is not considered necessary to include explicit reference to the need for tree surveys and identification of the presence of ancient woodland.

No modification is proposed.

Robert McEntee (1976/1/2)

Proposals for water and drainage provision are a matter that requires to be addressed by any planning application(s). The site requires a DIA, the outcomes of which may affect the developable area (CD02, pg. 314). Designation text for the site acknowledges that a connection to the existing septic tanks requires Scottish Water to upgrade the facilities and this must be investigated by the developer (CD02, pg. 314).

No modification is proposed.

Reporter's conclusions:

Reporter's recommendations: