

Issue 11	Buckie Cullen, Findochty, Portgordon and Portknockie – Buckie Housing Market Area	
Development plan reference:	<p>Volume 2: Settlement Statements</p> <p>Buckie</p> <p>R6 Barhill Road (s) page 25</p> <p>R9 Site at Ardach Health Centre page 28</p> <p>R10 Site at Station Road, Portessie page 28</p> <p>LONG1 Land to south west of Buckie page 29</p> <p>ENV5 Burn of Buckie page 39</p> <p>ENV6 Mill of Buckie page 39</p> <p>OPP2 Blairdaff Street page 34</p> <p>OPP3 Barron Street page 35</p> <p>OPP4 Bank Street page 35</p> <p>OPP5 Former Jones Shipyard page 36</p> <p>OPP6 Former Grampian Country Park page 36</p> <p>T1 Strathlene Caravan Site page 38</p> <p>T2 Coastal Strip, Strathlene page 38</p> <p>Cullen</p> <p>Site Not Taken Forward - R1 Seafield Place</p> <p>Findochty</p> <p>R2 West of Primary School page 182</p> <p>OPP1 North Beach page 183</p> <p>Portgordon</p> <p>R1 West of Reid Terrace page 300</p>	Reporter:

	R1 Seabraes Page 306	
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Buckie</p> <p>R6 Barhill Road (s)</p> <p>John Brady (1981)</p> <p>Murray Drummond (1982)</p> <p>George Young (1983)</p> <p>R9 Site at Ardach Health Centre</p> <p>Ann Johnstone (1587)</p> <p>R10 Site at Station Road, Portessie</p> <p>Charles Lachlan MacPherson (1993)</p> <p>LONG1 Land to south west of Buckie</p> <p>Scottish Environment Protection Agency (569)</p> <p>ENV5 Burn of Buckie</p> <p>Ronald Mair (1992)</p> <p>Douglas Ross MP(538)</p> <p>ENV 6 Mill of Buckie</p> <p>Frederick Basil Parkes (2014)</p> <p>OPP 2 Blairdaff Street</p> <p>Mrs T Campbell (735)</p> <p>OPP3 Barron Street</p> <p>Scottish Environment Protection Agency (569)</p> <p>Scottish Natural Heritage (1027)</p> <p>Sarah Shand (2015)</p> <p>William Dempster (2016)</p>		

OPP4 Bank Street

Scottish Environment Protection Agency (569)

Scottish Natural Heritage (1027)

Louie Paterson (1559)

OPP5 Former Jones Shipyard

Scottish Environment Protection Agency (569)

Scottish Natural Heritage (1027)

OPP6 Former Grampian Pork Site

Scottish Environment Protection Agency (569)

Scottish Natural Heritage (1027)

Graham Cormack (2004)

T1 Strathlene Caravan Site

Scottish Environment Protection Agency (569)

Scottish Natural Heritage (1027)

T2 Costal Strip, Strathlene

Scottish Environment Protection Agency (569)

Scottish Natural Heritage (1027)

Cullen**Site not taken forward - R1 Seafeld Place (Moray Local Development Plan 2015)**

Seafeld and Strathspey Estates (1329)

Findochty**R2 West of Primary School**

Jeffrey Tuckerman (1995)

Mr and Mrs Flett (945)

OPP1 North Beach

Ian Middleton (1985)

<p>Portgordon</p> <p>R1 West of Reid Terrace</p> <p>Charlene McDonnell (1984)</p> <p>R2 Crown Street - Site not taken forward</p> <p>Crown Estate Scotland (861)</p> <p>Portknockie</p> <p>R1 Seabraes</p> <p>Mr Wood (2088)</p> <p>Seafield and Strathspey Estates (1329/4/4)</p>	
<p>Provision of the development plan to which the issue relates:</p>	<p>Housing, employment and other designations within the Buckie and Buckie Local Housing Market Area Settlement Statements</p>
<p>Planning authority's summary of the representation(s):</p>	
<p>Buckie</p> <p>R6 Barhill Road (S)</p> <p>General</p> <p><u>John Brady (1981/1/1), Murray Drummond(1982/1/1), George Young (1983/1/1)</u></p> <p>Do not understand why a letter was sent out when building works are underway. The site already has planning permission for 112 houses. Query why the letter proposes 170. An increase in numbers on the site would be out of character with the surrounding area.</p> <p>Infrastructure</p> <p><u>George Young (1983/1/1)</u></p> <p>Queries what school provision will be provided in the local development plan to accommodate the proposed growth.</p> <p>R9 Site at Ardach Health Centre</p> <p><u>Ann Johnstone (1587/2/1)</u></p> <p>The site is unsuitable for development as there are safety issues due to the blocking of vision for young school children and other persons walking on the footpath from the school to Highfield Road. It is a busy footpath and cars presently speed down this road in both directions.</p>	

R10 Site at Station Road, Portessie

Charles Lachlan MacPherson (1993/1/1)

Access to the site from Station Road would require access over the sewage pipe which was fitted a few years ago which may be a problem.

The outline of the site includes the end of Station Road which is a longstanding right of way and gives access to houses to the north. Removal of this and the land required for the sewage pipe will reduce the size of the site.

The end of Station Road incorporates part of the pedestrian way which runs from Inverness to Aberdeen. The site incorporates the old railway bed from Elgin along the Moray Coast but also the railway bed that ran from Portessie to Aberdeen. Loss of access to these railway tracks is short sighted as in the future it could provide useful social and tourism use. It will also reduce the future possibility of future rail development.

The site incorporates part of the old railway platforms and approximately 100 yards to the east of the site are the remains of the cooling tower for Portessie Station and the turning circle for the Portessie to Aberdeen line. Both features could provide a site of considerable archaeological interest both for the people of Buckie and tourists.

LONG1 Land to south west of Buckie

Scottish Environment Protection Agency (569/12/4)

Object to the allocation unless the allocation text is amended to highlight that a Flood Risk Assessment may be required.

ENV5 Burn of Buckie

Ronald Mair (1992/1/1)

ENV policy should be changed or the four properties (Ferndale, Burnbank, Burnside, and Doonahree) in the Mains of Buckie area should be taken out of the ENV designation. No other properties in Buckie are within this designation. Other properties have their gardens cut out of the designation such as the nearby property Hemisgarth. Respondent queries why these four properties are different. The new plan should reflect this as it is unfair on these four householders and could be a disadvantage when a property is put up for sale.

Douglas Ross MP(538/1/1)

Support the suggestion to re-designate this area as white land. This would allow greater flexibility and sensibility for home owners wishing to undertake works through the planning system and a better understanding for those wishing to either buy or sell a property there. With most homes outwith the designation it would seem appropriate to move the remaining houses outside the ENV area.

ENV 6 Mill of Buckie

Frederick Basil Parkes (2014/1/1)

Objection to the land being designated as an ENV. The land is currently overgrown and the public footpath is unusable and is likely to deteriorate further over time. The site is not suitable for agricultural purposes due to access through housing estates.

Would like to build a few residential properties on the site and assist in providing the people of Buckie and Buckpool with a community woodland. This would include picnic areas and footpaths/cycletracks, and enhance the existing public footpaths along the top of the western bank of the Burn of Buckie. These improvements would provide a safe access for children to get from the existing housing developments to the south of Buckpool and the local school.

OPP2 Blairdaff Street

Mrs T Campbell (735/2/1)

The site is already used by a number of individuals.

OPP3 Barron Street, OPP4 Bank Street, OPP5 James Jones Shipyard, OPP6 Former Grampian Country Park, T1 Strathlene Caravan Site, T2 Coastal Strip, Strathlene

Drainage

Scottish Environment Protection Agency (569/12/5)

Previously advised that as Buckie has a population of 8,541, foul drainage from all proposed development should connect to a public sewer

Object to the wording in the settlement text as it is considered that it would support private drainage provided it is demonstrated that there will be no adverse impact on the SPA. Wording should be amended to state that development must be connected to mains sewage.

Scottish Natural Heritage (1027/9/7)

SEPA have advised that development in this site must be connected to mains sewerage. Recommend that the wording is amended to separate the two issues, by inclusion of two separate requirements.

OPP3 Barron Street

Sarah Shand (2015/1/1), William Dempster (2016/1/1)

Believe that the site is contaminated. Note that there is a 20ft retaining wall on the border of the site. Concern as to how site could be developed without causing damage to the neighbouring properties. Due to the contamination issues developers will have to dig deep which could make the wall unstable.

OPP4 Bank Street

Louie Paterson (1559/2/1)

Opposed to this area for residential use or have an access from or onto the Low Street

side. The site is not compatible as a neighbour to the respondent's commercial food processing site which borders Low Street. The commercial fish processing site also has day and night activities that could never be compatible with residential use.

OPP6 Former Grampian Country Park

Graham Cormack (2004/1/1)

Requests that the proposed designation should not exclude the future use of the site in whole or in part, for industrial use, as per "established use rights" referred to in the current Local Development Plan. Respondent would like to see a change in the site designation text so as not to impose any constraints on any future development on the site and include recreation and leisure uses as being suitable.

Cullen

Site Not Taken Forward - R1 Seafield Place

Seafield and Strathspey Estates (1329/4/5)

Object to the failure to allocate land at Seafield Place for residential development. The site has been in the Local Development Plan since 2008 and should be retained.

The site has been removed from the Proposed Plan on the grounds that it is a long standing designation with little developer interest and is said to be prominent in the skyline. Five buildings have been built out within the site boundary fronting Seafield Place and an access has been formed into the site.

The site is slightly elevated above the existing development and is not readily visible from any vantage point in the town.

There are a number of sites across Moray that have been in successive local plans that have not been developed. The site has been marketed but no developer has been in a position to take forward the site. Believe that the site will come forward when the market conditions allow it to.

Housing Land Audit 2018 has a requirement for 410 in the Buckie Housing Market Area (HMA) with 251 expected completions between 2018-2022. There are 10 other sites in Buckie HMA that are constrained due to marketability. Request that the site is reinstated to meet the housing requirements in the area.

Findochty

R2 West of Primary School

Jeffrey Tuckerman (1995/1/1)

Concern over access arrangements. The plan proposes a bottle neck going past the school into the site which will increase traffic on what is a quiet street and will destroy the scenic values of the area.

Mr and Mrs Flett ()

The field is frequently waterlogged and flooded, as is the adjoining playing field. The open and piped drainage ditches cause flooding.

Sewage pipe on Seafield Street already causes problems as there is not enough incline on the pipe and periodically backs up and overflows. It could not cope with twenty more houses.

Concern with road access into the site as it is a rough track. Track is only access to the respondent's property and the main pipe carrying water from the drainage ditches runs under it.

The track is not wide enough for two way traffic. Pavements would be needed as it runs in front of the school playing field.

The track joins Seafield and Burnside Street in front of the school gate and is busy during school times.

Existing visibility issues at junctions on Strathlene Road and Netherton Terrace. These roads could not accommodate more traffic.

OPP1 North Beach

Ian Middleton (1985/1/1)

The Hythe's history and unspoilt scenery is good for tourism and the respondents B&B business. The site should be preserved. Understand that the designation aims to improve the recreational amenity of the area however there is concern that future proposals may be detrimental to the area.

Portgordon

R1 West of Reid Terrace

Charlene McDonnell (1984/1/1)

Development on the site would spoil the views towards Lossiemouth. The land where the houses would be built on might collapse. Development on the site would increase noise levels.

Site Not Taken Forward - R2 Crown Street

Crown Estate Scotland (861/6/6)

Object to the deallocation of the site which is within the same housing market area as Mosstodloch. A separate objection has been submitted seeking the identified MU LONG1 site on Mosstodloch to be fully allocated as a mixed use site. The deficit in housing numbers from the de-allocation of the site in Portgordon can be mitigated by the full allocation of MU LONG1 in Mosstodloch.

Portknockie

R1 Seabraes

Mr Wood (2088/1/1)

The area marked R1 Seabraes will prevent lots of wildlife such as deer, pheasants and rabbits using the area. Skylarks nest in the area.

The additional houses will increase the number of pupils attending an already overcrowded primary school.

Queries if the roads can withstand the increased traffic.

Access from Wood Place is within close proximity to the playpark and would be dangerous.

The development would lead to antisocial behaviour due to limited facilities for teenagers and young adults.

Seafield and Strathspey Estates (1329/4/4)

Support the allocation of the site and the opportunity for phased development. Accept that three access points are required. There are no alternative sites available for development in Portknockie.

Modifications sought by those submitting representations:

Buckie

R6 Barhill Road

John Brady (1981/1/1), Murray Drummond (1982/1/1), George Young (1983/1/1)

Parties not specific regarding change sought.

R9 Site at Ardach Health Centre

Ann Johnstone (1587/2/1)

Party not specific regarding change sought. Deletion of Site R9 at Ardach Health Centre implied.

R10 Site at Station Road, Portessie

Charles Lachlan MacPherson (1993/1/1)

Party not specific regarding change sought.

LONG1 Land to south west of Buckie

Scottish Environment Protection Agency (569/12/4)

Include the requirement for a Flood Risk Assessment to be added to the site designation

text.

ENV5 Burn of Buckie

Ronald Mair (1992/1/1)

Suggest that the ENV boundary is amended so that 4 properties are removed from the designation.

Douglas Ross (538/1/1)

Delete ENV designation to leave area as “white land”.

ENV 6 Mill of Buckie

Frederick Basil Parkes (2014/1/1)

Objection to whole site being allocated as an ENV. Part of site should be developed for low density housing to allow the remainder of the site to be used for a community woodland.

OPP2 Blairdaff Street

Mrs T Campbell (735/2/1)

Party not specific regarding change sought.

OPP3 Barron Street, OPP4 Bank Street, OPP5 James Jones Shipyard, OPP6 Former Grampian Country Park, T1 Strathlene caravan Site, T2 Coastal Strip, Strathlene

Drainage

Scottish Environment Protection Agency (569/12/5)

Amend wording to state that a connection to the mains sewage must be provided.

Scottish Natural Heritage (1027/9/7)

Revise wording to create two separate points to address the Scottish Environment Protection Agency objection. The following wording was suggested;

- Development must be connected to mains water and sewerage (this requirement overrides the exception within EP13 Foul Drainage).
- Development must demonstrate that there will be no adverse effect on the integrity of the proposed Moray Firth Special Protection Area (pSPA), for example caused by changes in water quality affecting the habitats and prey species that the qualifying interests of the pSPA rely on.

OPP3 Barron Street

Sarah Shand (2015/1/1), William Dempster (2016/1/1)

Not specific regarding changes sought.

OPP4 Bank Street

Louie Paterson (1559/2/1)

Remove residential being listed as a suitable use for this site.

OPP6 Former Grampian Country Park

Graham Cormack (2004/1/1)

Change text to state “Whilst established use rights would allow continued industrial/business use...” The designation should not constrain any future development to “low impact/low activity”. The proposed designation should also include Recreation and Leisure use as suitable uses.

Cullen

R1 Seafield Place - Site not taken forward

Seafield and Strathspey Estates (1329/4/5)

Retain site at Seafield Place (Site R1 in the Moray Local Development Plan 2015).

Findochty

R2 West of Primary School

Jeffrey Tuckerman (1995/1/1)

Party not specific regarding change sought. Deletion of site implied.

Mr and Mrs Flett (945/2/1)

Delete designation.

OPP1 North Beach

Ian Middleton (1985/1/1)

Party not specific regarding change being sought.

Portgordon

R1 West of Reid Terrace

Charlene McDonnell (1984/1/1)

Party not specific regarding modification sought. Removal of designation implied.

Site not taken forward - R2 Crown Street

Crown Estate Scotland (861/6/6)

Site to be reallocated to Mosstodloch MU LONG1.

Portknockie**R1 Seabraes**

Mr Wood (2088/1/1)

Party not specific regarding change being sought.

Seafield and Strathspey Estates (1329/4/4)

No modification.

Summary of responses (including reasons) by planning authority:**Buckie****Site R6 Barhill Road (s)****General**

John Brady (1981/1/1), Murray Drummond(1982/1/1), George Young (1983/1/1)

Neighbour notification was carried out in line with the Town and Country Planning (Development Planning) (Scotland) Regulations 2008. Neighbouring properties that are within 20 metres of the site boundary were sent a neighbour notification letter. The site has an approved planning permission and at the time the notification was sent the site was still being developed. Under the regulations the Council is still required to notify on sites within the proposed plan. As this site is still under construction it was included.

A typographical error was made in relation to the indicative capacity that was sent in the neighbour notification letter. In the Proposed Plan site R6 Barhill Road (S) has been given an indicative capacity of 110 units to reflect the approved consent and not 170 as was stated in the respondent's letter.

Infrastructure

George Young (1983/1/1)

In line with Policy PP3 Infrastructure and Services, development must be planned and co-ordinated to ensure that places function properly and are adequately served by infrastructure and services. The policy states that Developer Obligations will be sought to mitigate any measurable adverse impacts of a development proposal on local infrastructure including education and transport. Should any future proposal be deemed to impact on the local infrastructure then Developer Obligations in line with the Supplementary Guidance will be sought to mitigate the impact.

A large growth area has been identified to the south west of Buckie (Sites R8 and

LONG1). A masterplan will be required for this area to ensure that all of the necessary infrastructure is planned from the outset to accommodate this growth. The settlement designation text reflects this and 2.5 ha has been identified within Site R8 for a potential future primary school should the requirement be needed.

No modification is proposed.

R9 Site at Ardach Health Centre

Ann Johnstone (1587/2/1)

The site has been designated to allow for a low density development with an indicative capacity of five. This is to reflect the surrounding residential neighbourhood which is characterised by bungalows.

The designation text states that any proposal must provide a 2m footpath along the frontage of the site as well as improving connections to the school along the west of the site. These measures will help to ensure and improve safe access to the school.

The requirement for a Transportation Statement has been included in the designation requirements. Details regarding parking requirements and any necessary road improvements will be dealt with at the planning application stage. Any proposal will have to comply with Policy DP1 (ii) which contains all of the relevant Transportation requirements which any proposal will have to adhere to.

No modification is proposed.

R10 Site at Station Road, Portessie

Charles Lachlan MacPherson (1993/1/1)

The site is located on the eastern side of Buckie and is currently covered by an ENV designation. The site was previously part of a larger housing designation for housing in the Moray Local Plan 2000. It was changed to an ENV designation in the Local Plan 2008 by the Reporter due to the high biodiversity and amenity value of the site. The site was retained in the Moray Local Development Plan 2015. In support of the allocation of the site in the Proposed Plan, a biodiversity report was provided at the Main Issues Report which demonstrated that there are no rare species of rare flora or fauna on the site.

Due to various constraints there are very limited options for development in the eastern side of Buckie. In order to try to facilitate development on the eastern side of Buckie there is scope to allocate a small area of land for low density development. An indicative capacity of five is given which reflects the existing development pattern/density along Station Road as well as respecting the location on top of the coastal cliffs.

The developer will be required to consider the potential impact of crossing any services/pipework including sewage pipes within their layout to ensure their proposals prevent adverse impacts. Impact on the existing foul drainage system and any necessary mitigation measures will be dealt with at the planning application stage through Policy EP 13 Foul Drainage. The designation text requires a Drainage Impact Assessment to be provided. Site capacities are indicative and the developable area may be affected by any constraints.

The Council acknowledges the importance of the existing cycle path which provides good east west connections across Buckie and the coast. This has been reflected in the site designation text which requires the cycle path to be retained and remain segregated from the road access. This will ensure that any development proposals will not have an adverse impact on this key connection.

There is no suggestion or plan to reopen the old railway line. The disused railway line runs through the settlement and other allocated sites in the Local Development Plan and therefore is not a valid planning reason not to allocate the site for development.

Issues relating to archaeological features are noted. The regional archaeologist was consulted and raised no objection to the site being included in the plan.

No modification is proposed.

LONG1 Land to south west of Buckie

Scottish Environment Protection Agency (569/12/4)

The requirement for a Flood Risk Assessment was omitted from site text in error.

If the Reporter is so minded, the Council would not object to the requirement for a Flood Risk Assessment being added into the site designation text. The following wording is considered suitable "Flood Risk Assessment (FRA) required."

ENV5 Burn of Buckie

Ronald Mair (1992/1/1), Douglas Ross MP (538/1/1)

The objections relate to four properties (Ferndale, Burnbank, Burnside and Doonharee) that are located within the ENV5 Burn of Buckie designation. The objection seeks to remove these properties and curtilages from the ENV5 designation.

The four properties have been located within the ENV designation from the Local Plan 2000 which reflects their location within the Burn of Buckie green corridor. At the time of this allocation there were no other properties built in this area.

A planning application (19/00126/APP) has been approved at Ferndale to change an area of this ENV to garden ground. On this basis the Council accepts that the boundary of the ENV designation should be redrawn to reflect this approval.

It is accepted that the area around the Burn of Buckie has become more developed with a number of houses being built outside of the ENV designation which are in close proximity to the four properties in the objection.

The garden ground of the properties Burnside and Doonahree are well established, small in size, and sit above the burn. The Council would not object to the ENV boundary being redrawn to exclude these properties and curtilages.

If the Reporter is so minded, the Council would not object to the following changes being made to the ENV5 Burn of Buckie designation;

- The ENV designation boundary being amended to reflect the planning approval at the property Ferndale;
- The ENV designation boundary at Burnbank being amended to be consistent with the approach taken at Ferndale; and
- The ENV designation boundary being amended to remove the properties and curtilages at Burnside and Doonahree;

ENV 6 Mill of Buckie

Frederick Basil Parkes (2014/1/1)

The site had no designation in the Moray Local Development Plan 2015 and was classed as “white land”. Through the Tesco development in Buckie the Council secured £20 000 from Developer Obligations to be spent on a community woodland. Although the site did not have a formal designation in the plan it was acknowledged as the preferred location for a community woodland.

The Open Space Strategy Supplementary Guidance (CD 24, page 47) reviewed all of Buckie’s open spaces which resulted in the recommendation that the site should be designated as an ENV which is reflected in the Proposed Plan.

During the Proposed Plan consultation period discussions between the landowner and Council Officers were held. These discussions were based on the potential for a strip of low density housing backing onto the existing development to the east with the remainder of the site being used for a community woodland which the landowner is agreeable to. The respondent has attached a draft layout with his objection to show how this could potentially look. This is seen as an acceptable compromise to allow the community woodland to be delivered. A planning application is anticipated in summer 2019.

If the Reporter is so minded, subject to a future planning application being approved, the Council would not object to part of the site being “white land” with small scale residential proposals to be determined against Local Development Plan policies and the remainder of the site identified as an ENV for a community woodland.

OPP2 Blairdaff Street

Mrs T Campbell (735/2/1)

Comments regarding the site in use are noted.

No modification is proposed.

OPP3 Barron Street, OPP4 Bank Street, OPP5 Former Jones Shipyard, OPP6 Former Grampian Country Park, T1 Strathlene Caravan Site, T2 Coastal Strip, Strathlene

Drainage

Scottish Environment Protection Agency (569/12/5), Scottish Natural Heritage (1027/9/7)

There is no requirement to include the first bullet point from SNH’s proposed wording as

Policy EP13 Foul Drainage requires all development within or close to settlements of more than 2,000 in population must connect to the public sewerage system unless connection is not permitted due to a lack of capacity. There is therefore no reason to duplicate this policy requirement in the settlement statement. This position has been agreed with SNH and SEPA.

If the Reporter is so minded, the Council would not object to rewording of the text to address Scottish Environment Protection Agencies' objection. The following wording is considered suitable;

“Development must demonstrate that there will be no adverse effect on the integrity of the proposed Moray Firth Special Protection Area (pSPA), for example caused by changes in water quality affecting the habitats and prey species that the qualifying interests of the pSPA rely on.”

OPP3 Barron Street

Sarah Shand (2015/1/1), William Dempster (2016/1/1)

It is acknowledged that there are potentially contamination issues due to previous uses on the site. The site requirements include any proposal to be supported by a contamination assessment. The issue relating to the boundary wall is an issue that would be dealt with at the planning application stage when detailed proposals would be assessed against all Local Development Plan policies.

No modification is proposed.

OPP4 Bank Street

Suitable Uses

Louie Paterson (1559/2/1)

It is accepted that there is the potential for adverse amenity issues with developing this site for residential uses due to its proximity to the harbour and neighbouring fish processing business.

The suitable uses given are the Council's preferred uses for the site. Opportunity sites are flexible in terms of the uses that are supported and Policy DP6 states that proposals will be considered favourably where they are compatible with surrounding uses.

Notwithstanding this, if the Reporter was so minded, the Council would not object to residential development being removed as a suitable use from the site designation text and additional wording being added to the site to reflect potential amenity issues relating to the existing uses that are within close proximity of the site. The following wording is considered suitable “Likely amenity issues given the adjacent commercial uses in the vicinity and in particular the extent of fish processing activities. These will be required to be addressed in proposals.”

OPP6 Former Grampian Country Park

Graham Cormack (2004/1/1)

The site is the site of the former Grampian Country Pork Factory and therefore benefits from “established use” rights for the continued industrial/business use. The site is currently designated as an opportunity site to reflect its brownfield status and it is proposed to retain this designation in the Local Development Plan 2020.

The suitable uses given are the Council's preferred uses for the site. Opportunity sites are flexible in terms of the uses that are supported and Policy DP6 states that proposals will be considered favourably where they are compatible with surrounding uses.

Although the site benefits from “established use” rights for the continued industrial/business uses, the designation text states that the preferred uses for the redevelopment of the site would be for low impact/low activity industrial/business use with residential development being the preferred use. Given the edge of settlement location and proximity to residential properties these are viewed as the most appropriate and preferred uses for the redevelopment of this site. There are more appropriate sites for heavier industrial or more intensive business uses and there is currently a large supply of employment land available at March Road which provides an adequate supply of land for these types of use. It is therefore the Council's view that having the preferred suitable uses as low impact/activity industrial/business with residential being the preferred use is justified.

The respondent seeks to add recreation and leisure uses as being suitable for this site. Given that there is an element of flexibility in Policy DP6 for proposals on Opportunity Sites, any proposals for leisure and recreation uses that are compatible with surrounding uses and meet all other relevant policy requirements could be considered. However, given the out of centre location of the site any leisure or recreation proposal would have to comply with Policy DP7 Retail/Town Centres if it were likely to generate significant footfall.

For this reason the site designation is not deemed to be overly restrictive or unreasonable and the request to add additional suitable uses into the designation is not necessary.

No modification is proposed.

Cullen

Site Not Taken Forward - Cullen R1 Seafield Place

Seafield and Strathspey Estates (1329/4/5)

In the Local Plan 2000 there was a small housing site which was identified at Seafield Place for 8 houses. A planning application for 5 houses was approved on this site in 2004 which have now been built. The larger now deallocated housing site (Seafield Place) was introduced in the Local Plan 2008 and carried over into the Moray Local Development Plan 2015. This larger designation incorporated the smaller site and 5 houses. The respondent states that development has commenced on the site due to the access being built. While this could be deemed to be the case on the older smaller site, no planning application was ever submitted on the larger site (R1 in LDP 2015) and therefore there is no approval on the larger site for development to have commenced.

There has been no developer interest in the site. The site sits high above Seafield Place making any future development proposals likely to be excessively prominent in Cullen's

skyline. Given the lack of developer interest and the overtly prominent nature of the site it was not included in the Proposed Plan.

The deallocated site is classed as being constrained in the Housing Land Audit 2019. The removal of the site would only leave one housing site remaining in Cullen (Site R1 Seafield Road which was previously R2 Seafield Road in the Moray Local Development Plan 2015). With an indicative capacity of 55 units the site is deemed to be a more appropriate and logical site for development. Cullen is classed as a Smaller Town and Village in the Proposed Plan settlement hierarchy and R1 Seafield Road (proposed plan reference) is deemed to provide sufficient development opportunities for a settlement the size of Cullen.

The respondent argues that the deallocated site is required to help meet the housing land requirement across the Buckie Housing Market Area and refers to a number of sites that are constrained. However, the proposed plan includes a number of new development sites in the Buckie Housing Market Area including the large south west growth area in Buckie. This is in line with the settlement hierarchy where Buckie is classed as a secondary growth area. These new sites along with the existing R1 Seafield Road (proposed plan reference) will ensure that there is an adequate supply of land available for housing development across the plan period without the requirement for this site in Cullen.

It is acknowledged that an access could be taken from this road into the larger part of the site. However, it does not outweigh the planning reasons given for removing the site from the Local Development Plan.

No modification is proposed.

Findochty

R2 West of Primary School

Drainage

Mr and Mrs Flett (945/2/1)

Policy EP12 Management and Enhancement of the Water Environment, ensures that the potential risk from flooding will be adequately considered through planning applications and adequate mitigation measures put in place where necessary. It is acknowledged that the site may be at risk from some flooding and as such, a Flood Risk Assessment and Drainage Impact Assessment are required within the designation. Impact on the existing foul drainage system and any necessary mitigation measures will be dealt with at the planning application stage through Policy EP 13 Foul Drainage.

No modification is proposed

Access

Mr and Mrs Flett (945/2/1), Jeffrey Tuckerman (1995/1/1)

The proposed designation text for the site states that the site can be accessed via Burnside Road which must be improved. Furthermore it states that this must include traffic calming measures where this passes the school. The constrained access is noted and is reflected in the designation text with a maximum of 20 houses being permitted on

the site. Any proposal will have to comply with Policy DP1 (ii) which contains all of the relevant Transportation requirements which will need to be addressed once a planning application has been submitted. This policy ensures that proposals provide a safe entry and exit from the site. Any impacts on road safety and the local road network will be required to be taken into account.

Details regarding parking requirements will be dealt with through the planning application process.

No modification is proposed.

Character

Mr and Mrs Flett (945/2/1), Jeffrey Tuckerman (1995/1/1)

Any future planning application must comply with Primary Policy PP1 Placemaking and DP1 Development Principles which ensure that the highest standards of urban design are met and that any proposal will not have a detrimental impact on the character on the surrounding area.

No modification is proposed

OPP1 North Beach

Ian Middleton (1985/1/1)

The site is currently designated as an Opportunity Site in the Moray Local Development Plan 2015. It is proposed to carry forward this designation into the Moray Local Development Plan 2020.

The site has been identified as an opportunity site in an attempt to promote its redevelopment for leisure and tourism uses. The designation includes the industrial building on the west of the site where the text states that proposals for housing could be seen as an acceptable alternative for this building. The text states that the eastern side of the site should be for leisure and tourism uses.

During the Examination of the Moray Local Development Plan 2015 (CD14, page 218) the Reporter agreed with the Council to this approach for the redevelopment of the area and that the text provided clarity in differentiating between the potential uses that would be acceptable on the eastern and western parts of the site.

The respondents concerns relating to the Hythe's history and unspoilt scenery are noted. However, the designation provides an element of control on the uses that would be acceptable which would not be there if the site were to be removed and it was left as "white land". It is proposed to retain the designation so that proposals that would support the regeneration of the area for tourism and leisure uses would be supported.

No modification is proposed.

Portgordon

R1 West of Reid Terrace

Charlene McDonnell (1984/1/1)

The site has been in successive local plans and provides the best opportunity for development in Portgordon. Although it is located on the coastal slope it is able to integrate and connect into the existing settlement without being detrimental to the overall character of Portgordon. It is therefore deemed the most appropriate site for a modest expansion for housing in Portgordon.

In planning terms the right to a view is not a material planning consideration. All development proposals must comply with Primary Policy PP1 Placemaking to ensure that the highest standards of urban design are met and that there are no adverse impacts on the character of Portgordon.

Issues relating to noise will be dealt with at the detailed planning application stage to ensure that there are no amenity issues to neighbouring properties as a result of the development.

No modification is proposed.

Site Not Taken Forward – R2 Crown Street

Crown Estate Scotland (861/6/6)

Portgordon has an existing housing designation (Site R1 West of Reid Terrace) which is located on the western edge of the settlement which allows for a modest expansion. Although it is located on the coastal slope, it is able to integrate and connect into the existing settlement without being detrimental to the overall character of Portgordon. It is therefore deemed the most appropriate site for a modest expansion for housing in Portgordon.

The site not taken forward at R2 Crown Street is relatively detached and isolated from the rest of the settlement with little connection opportunities. It is in a prominent open location with no visual containment. If the site were to be developed it would represent a southerly expansion which would be out of character from the existing settlement pattern. The deallocated site is also classed as being constrained in the Housing Land Audit 2019.

The respondent states that the site should be reallocated as through a separate objection they are seeking to have the identified MU LONG1 site in Mosstodloch to be fully allocated as a mixed use site. The respondent incorrectly argues that Mosstodloch is within the same housing market area as Portgordon. Portgordon is within the Buckie Housing Market Area while Mosstodloch is within the Elgin Housing Market Area. The objection states that the deficit as a result of the Portgordon sites deallocation can be accommodated in Mosstodloch. Issues relating to the MU LONG site in Mosstodloch are dealt with in Schedule 8.

Portgordon is within the Buckie Housing Market Area where a number of sites for development have been identified including the large south west growth area in Buckie. The Proposed Plan settlement hierarchy classes Portgordon as a Small Town and Village. Due to the large number of housing sites available across the Buckie Housing Market Area, there is no need to find another site either in Portgordon or in the wider Housing Market Area.

No modification is proposed.

Portknockie

R1 Seabraes

Mr Wood (2088/1/1), Seafield and Strathspey Estates (1329/4/4)

The site is a long standing designation and has been in successive local plans. It is the only available site for residential development available in Portknockie. Support from the landowner for the designation is noted.

Scottish Natural Heritage was consulted and has not objected to the sites inclusion in the plan. The requirement for a Phase 1 Habitat Survey has been included in the settlement designation text which must accompany any future planning application.

The Moray Council's Transportation Section was consulted and did not object to the proposal and is satisfied that the site can be accessed safely.

The issue of potential anti-social behaviour is not a valid material planning reason not to allocate the site for development.

No modification is proposed.

Reporter's conclusions:

Reporter's recommendations: