

Issue 12	Keith	
	Newmill – Keith Housing Market Area	
Development plan reference:	Volume 2: Settlement Statements Keith R2 Dunnyduff Road page 242 R4 Banff Road North page 243 R7 Jessieman's Brae page 244 Newmill R1 Isla Road page 296	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
Keith R2 Dunnyduff Road Keith and Catherine Bowie (620) Margaret and Brian Coull (624) Sally Coull (2017) R4 Banff Road North Springfield Properties plc (10) R7 Jessieman's Brae Mrs A Ross (2147) Jodi Best (2153) Scottish Environment Protection Agency (SEPA) (569) Newmill R1 Isla Road Sheila Nicoll (617)		
Provision of the development plan to which the issue relates:	Housing, employment and other designations within the Keith Local Housing Market Area Settlement Statements.	

Planning authority's summary of the representation(s):

Keith

R2 Dunnyduff Road

Keith and Catherine Bowie (620/2/1), Margaret and Brian Coull (624/2/1), Sally Coull (2017/1/1)

Flooding

Immediate area around the site is prone to high levels of water and there is potential for the flooding of nearby properties. Further housing development would escalate the drainage issues. The bottom end of Bridge Street floods on a regular basis and properties No. 1- 6 have been affected by flooding. The drainage is full to capacity and is not able to cope with such high demands and sewage boils onto the road during floods.

Transportation

A building merchant and lorry park is located at the corner of Bridge Street and a car business on Edindiach Road. This creates potentially high volumes of traffic on what is a side street and is dangerous. Noise and traffic already affects the quality of life in the area. The road is unsuitable for more development and vehicles park on both sides of the road and at the junctions at Bridge Street and Edindiach Road causing a hazard.

Infrastructure

Concern over providing the necessary infrastructure to support the expansion of Keith which needs to be in place before further housing development is permitted. Schools and nurseries are full to capacity due to the high demand. The site has electric cables running through it and a pylon making it unsuitable for development. There is no public provision for a bus service outwith the A96.

Environment/Amenity/Character

Development on this green belt land is significant affecting the quality of wildlife, local life, appearance of the area and loss of light and privacy.

R4 Banff Road

Springfield Properties plc (10/13/16)

Currently have a live planning application for 121 affordable houses on the site which is currently under consideration. The proposed text would prejudice the determination of this application. Object to the level of prescriptive requirements as onerous and unviable.

R7 Jessiemans Brae

Habitats

Scottish Environment Protection Agency (569/12/11)

The current plan allocation text states that “A walkover and photographic survey of habitats is required to assess the presence of wetlands and to identify any consequent requirement to address/mitigate the impact on groundwater dependent terrestrial ecosystems.” Object to the allocation unless the wording is added to the allocation text.

Amenity/Transportation

Mrs Ross (2147/1/1), Jodi Best (2153/1/1)

Privacy would be affected by any future development on the site. Light from the future development will impede light into existing properties.

Road infrastructure is not adequate or wide enough for the development on the site. The site has a steep slope and to level and stabilise the area for buildings will require heavy equipment to access the site. The road is a single track that narrows at a choke point and the stone wall gives very little room to manoeuvre. Concern that the property 2 Jessiemans Brae will be damaged by these vehicles.

Historic Interest/Character

Jodi Best (2153/1/1)

The site is situated in close proximity to the medieval Milton Castle and has great potential to be a site of archaeological significance. The area has been the location of a number of mills, tanneries, breweries, and distilleries that have been built along the river over the centuries. There is the potential for other archaeological finds to be found in the area. An in depth archaeological survey should be conducted before any activity takes place

Houses in the area are stone built and the character of the neighbourhood will be severely impacted by any new build.

Newmill

R1 Isla Road

Sheila Nicoll (617/3/1)

Isla Road is very narrow and would be unsuitable for increased traffic due to 6 – 10 houses being built. The road is already unsafe when refuse lorries drive down it and there is nowhere for them to turn. If more houses were to be built then it would become more dangerous.

Modifications sought by those submitting representations:

Keith

R2 Dunnyduff Road

Keith and Catherine Bowie (620/2/1), Margaret and Brian Coull (624/2/1), Sally Coull (2017/1/1)

Delete designation.

R7 Jessiemans Brae

SEPA (569/12/11)

Add additional text. "A walkover and photographic survey of habitats is required to assess the presence of wetlands and to identify any consequent requirement to address/mitigate the impact on groundwater dependent terrestrial ecosystems."

Mrs Ross (2147/1/1), Jodi Best (2153/1/1)

Not specific regarding change sought but site removal implied.

R4 Banff Road

Springfield Properties plc (10/13/16)

Suggest rewording of designation text to reduce site requirements. No revised wording provided.

Newmill

R1 Isla Road

Sheila Nicoll (617/3/1)

Party not specific regarding change sought.

Summary of responses (including reasons) by planning authority:

Keith

R2 Dunnyduff Road

Flooding

Keith and Catherine Bowie (620/2/1), Margaret and Brian Coull (624/2/1), Sally Coull (2017/1/1)

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 is required. 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.

Transportation

Moray Council's Transportation Section will be consulted on any detailed planning

application. 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 adverse impacts on road safety and the local road network will be required to be taken into account and mitigated.

The site designation text requires that any future proposal must provide a Transport Statement to assess the impact of the development at the junctions on the Trunk Road network. There is a requirement for footways to be provided on site boundaries where they do not exist to provide safe routes for pedestrians.

The designation text addresses issues with road safety by including the requirements for houses fronting Edindiach Road to be serviced internally to reduce vehicle movements and on street parking. This requirement will help to alleviate concerns relating to traffic and amenity.

No modification is proposed.

Infrastructure

In line with Policy PP3 Infrastructure and Services, development must be planned and co-ordinated with infrastructure to ensure that places function properly and that places 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. In line with the Developer Obligations Supplementary Guidance should any future proposal be deemed to impact on the local infrastructure then Developer Obligations will be sought to mitigate the impact.

It is acknowledged that the site has electrical cables and associated infrastructure on it. This has been reflected in the settlement designation which states that this may affect the developable area of the site. Any future planning will have to take this into consideration and meet all of the necessary safeguards.

No modification is proposed.

Environment

The site is an existing housing designation in the 2015 Local Development Plan and is located within the settlement boundary of Keith. Scottish Natural Heritage raised no objection and the requirement for a Phase 1 habitat Survey has been included in the settlement designation text.

No modification is proposed.

Character

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 there is no detrimental impact on the character of the surrounding area.

No modification is proposed.

Amenity

Policy DP1 ensures that proposals must not adversely impact on neighbouring properties in terms of privacy, daylight or overbearing loss of amenity.

No modification is proposed.

R4 Banff Road

Springfield Properties plc (10/13/16)

The respondents planning application is currently being assessed against the policies in the existing Moray Local Development Plan 2015. The text in the Proposed Plan will not prejudice the determination of that application.

The requirements in the site designation text reflect the requirements in the existing plan. In particular the requirement for significant structural landscaping on the upper slopes of the site. The proposed requirements are not deemed to be onerous and reflect Primary Policy PP1 Placemaking which seeks to achieve the highest standards of urban design. Several of the other site requirements have been added to the site designation text from key consultees who will have been consulted on the current planning application.

No modification is proposed.

R7 Jessiemans Brae

Habitat

Scottish Environment Protection Agency (569/12/11)

If the Reporter is so minded, the Council would not object to additional text requiring a walkover and photographic survey of habitats to assess the presence of wetlands being added to the designation text. In line with other settlement statements in the proposed plan the following wording is considered suitable "Phase 1 Habitat Survey required."

Amenity

Mrs Ross (2147/1/1), Jodi Best (2153/1/1)

It is acknowledged that the site will be difficult to develop due to the topography. Any future proposal will be required to be assessed against the Placemaking and Development Principles policies to ensure that the highest standards of design are met and that the amenity of neighbouring residents is not affected.

No modification is proposed.

Transportation

Mrs Ross (2147/1/1), Jodi Best (2153/1/1)

The respondents concerns are noted due to the nature of the access into the site. It will be the responsibility of the developer to ensure that no property is damaged during

construction. Any development 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.

Historic Interest/Character

Jodi Best (2153/1/1)

The respondent's comments regarding the historical features of the surrounding area are noted. The Regional Archaeologist was consulted on the site and did not object to the inclusion of the site. No modification is required in this respect.

The Council acknowledges the respondents comments regarding the existing character of this area and how it will be a challenging site to develop. The site has been in successive local plans with little developer interest. Development opportunities within Keith are limited and are generally restricted to larger sites and the site does offer the opportunity for a smaller scale development.

The site designation text acknowledges the sensitive nature of the site and its proximity to the ENV5 designation which states that it is a site that "could accommodate a small high quality housing development that reflects the ENV designation and surrounding area."

Development rates in Keith and the wider Housing Market Area are generally slow and the site is classed as being constrained in the Housing Land Audit 2018 (CD41). There are a number of large housing sites available for development including site R9 Edindiach Road which was previously designated as LONG. This along with other existing designations ensures that there is an adequate supply of land available for housing development over the plan period.

On this basis if the Reporter is so minded, the Council would not object to the site being deleted as a housing designation. As it is a constrained site it would have no impact on the overall housing supply in the Keith Local Housing Market Area and a replacement site would not be required to be found. If the Reporter was minded to do so, the Council would support it being designated as part of the adjoining ENV5 River Isla Corridor designation.

Newmill

R1 Isla Road

Sheila Nicoll (617/3/1)

The site has been carried forward from the Moray Local Development Plan 2015 and it is the only suitable site available for development in Newmill. The capacity of the site is indicative and is subject to any proposal complying with all of the relevant Local Development Plan policies. Any planning application will have to comply with Policy DP1 (ii) which contains all of the relevant Transportation requirements which will need to be addressed. This policy ensures that proposals provide a safe entry and exit from the site. Any impacts on road safety and the road network will be required to be taken into account and mitigated.

No modification is proposed.

Reporter's conclusions:

Reporter's recommendations: