

Issue14	Rural Groupings	
<p><b>Development plan reference:</b></p>	<p>Volume 3: Rural Groupings</p> <p>Auchbreck Site A – volume 3, page 5</p> <p>Aultmore Sites A, B &amp; C – volume 3, pages 6-7</p> <p>Birnie Site A – volume 3, page 8</p> <p>Bridgend of Glenlivet – volume 3, page 10</p> <p>Buthill – volume 3, page 12-13</p> <p>Cardhu Site A – volume 3, page 14</p> <p>Clackmarras Site A –volume 3, page 15</p> <p>Clochan Sites A &amp; B – volume 3, page 16</p> <p>Cragganmore Sites A &amp; B – volume 3, page 17</p> <p>Craighead – volume 3, page 17</p> <p>Darklass – volume 3, page 19</p> <p>Glenfarclas Sites A &amp; B – volume 3, page 24</p> <p>Kellas Site B –volume 3, page 26</p> <p>Knock Site A – volume 3, page 27</p> <p>Knockando (Upper) Site A – volume 3, page 28</p> <p>Knockando (Lower) - volume 3, page 28</p> <p>Lintmill Site A – volume 3, page 29</p> <p>Logie Site A – volume 3, page 30</p> <p>Mains of Inverugie Sites A &amp; B - volume 3, page 32</p> <p>Maverston – volume 3, page 34</p> <p>Miltonduff North Site A – volume 3, page 35</p>	<p><b>Reporter:</b></p>

	<p>Site Not Taken Forward – MD01A Milntonduff</p> <p>Site Not Taken Forward – Milntonduff Site B</p> <p>Nether Dallachy Site A – volume 3, pages 38-39</p> <p>Rafford Station Site A – volume 3, pages 40-41</p> <p>Rathven Site A – volume 3, page 41</p> <p>Site Not Taken Forward – Roseisle RS1, volume 3, page 42</p> <p>Templestones –volume 3, page 43.</p> <p>Upper Dallachy Sites A &amp; B – volume 3, page 46</p> <p>Woodside of Ballintomb Site A – volume 3, page 47</p>	
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p><b>Auchbreck Site A</b></p> <p>Steven Durno (1998)</p> <p>Ian Rodgers (2130)</p> <p>David Naylor (2132)</p> <p><b>Aultmore Sites A, B &amp; C</b></p> <p>Deborah Murdoch and Antonio Guerreiro (2122)</p> <p>Niall Thomson (2222)</p> <p>Kelly Watt (2226)</p> <p><b>Birnie Site A</b></p> <p>Mike Woodcock (1275)</p> <p><b>Bridgend of Glenlivet</b></p> <p>J L Hope (2018)</p> <p><b>Buthill</b></p>		

Strathdee Properties (1798)

**Cardhu Site A**

Eve Montgomerie (2111)

Bob Spinner (2167)

**Clackmarras Site A**

Brenda Dyer (2106)

Stewart Ord (2168)

**Clochach Sites A & B**

Edward Aldwinkle (1997)

Angus Turner (2019)

**Cragganmore Sites A & B**

Peter Griffiths (2162)

Barry and Ellen Moore (1987)

Peter Murray (1991)

Iris Murray (2020)

Stuart Leiper (2112)

Julia Milovanovic (2169)

**Craighead**

Brenda Carnegie (2224)

**Darklass**

Andrew Stevens (2022)

**Glenfarclas Sites A & B**

John Grant (1989)

**Kellas Site B**

Angus Steven (2227)

**Knock Site A**

David Gordon (1728)

**Knockando (Upper) Site A**

Mr A Anderson (2021)

David Watt (2079)

Scottish Forestry (1136)

**Knockando (Lower)**

Scottish Forestry (1136)

**Lintmill Site A**

Joseph Maguire (2023)

Samantha Bennion (2212)

**Logie Site A**

Scottish Forestry (1136)

**Mains of Inverugie Sites A & B**

Tulloch of Cummingston (1426)

**Maverston**

Scottish Environment Protection Agency (569)

Maverston LLP (2220)

**Miltonduff North Site A**

Kenneth Milne (2175)

**Miltonduff - Sites not taken forward**

**Site Not Taken Forward – Miltonduff MD01A**

Elain Mathews (1828)

**Site Not Taken Forward – Miltonduff Site B**

James Yool (1829)

**Nether Dallachy Site A**

Jonathan Meighan (333)

**Rafford Station Site A**

Dr John Pullen (1990)

Howard Stollar (1612)

Susan Stollar (2131)

Scottish Environment Protection Agency (569)

Finderne Community Council (1398)

**Rathven Site A**

Elizabeth Reid (1996)

**Site Not Taken Forward – Roseisle RS1**

Strathdee Properties (1798)

**Templestones**

Angela Mitchell (163)

Finderne Community Council (1398)

Alan Hughes (1988)

Christine Lane (2177)

**Upper Dallachy Site A**

Patricia Cowie (1583)

Scottish Environment Protection Agency (569)

Janet Wilkinson (2184)

Crown Estate Scotland (861)

**Upper Dallachy Site B**

Graeme Jones (2133)

Dr R and Mrs P Pakenham (2225)

Tessa Green (2223)

Crown Estate Scotland (861)

**Woodside of Ballintomb Site A**

Patricia North (165)  Keith North (2158)  Dr Malcolm Newbould (632)  Mr and Mrs Critchley (2008)  Godfrey Leech (2011)	
<b>Provision of the development plan to which the issue relates:</b>	Rural Groupings
<b>Planning authority's summary of the representation(s):</b>	
<p><b>Auchbreck Site A</b></p> <p><u>Steven Durno (1998/1/1)</u></p> <p>There is no suitable access to the site from the road. The location of the three houses would impact on views and result in a loss of privacy and overlooking. How can developing Site A at Auchbreck be seen as positive.</p> <p><u>Ian Rodgers (2130/1/1)</u></p> <p>Development on this site would increase undesirable development sprawl into the countryside.</p> <p><b>Transportation</b></p> <p>The required visibility splays do not take cognisance of visibility available to a driver at or approaching a junction in all directions. The landowner has no control over the relevant adjacent land that would be required to create essential visibility splays and removal of visibility obstructions.</p> <p>There are also concerns in respect of satisfactory access, egress and visibility splays/obstruction provisions. Required visibility splays are restricted by fences, trees, and vegetation.</p> <p>The site appears too small to accommodate all of the required transportation requirements including parking and turning.</p> <p><b>Drainage</b></p> <p>There is no public drainage in Auchbreck, additional housing would produce further pollution delivered directly to the River Livet/River Spey.</p> <p><b>Flooding</b></p> <p>The lower part of Site A exhibits bog conditions and suffers periodic flooding from the adjacent agricultural fields.</p>	

David Naylor (2132/1/1)

This site has previously been rejected for development due to the land becoming waterlogged and subject to flooding. The proposed access is very close to a busy road junction. Septic tank drainage is virtually impossible due to the water logged nature of land.

### **Aultmore Sites A, B & C**

Deborah Murdoch and Antonio Guerreiro (2122/1/1)

Object to any housing on Aultmore Site B and Site C as there are major flooding issues. Site C is higher than existing property and surplus water runs into the property causing flooding. The site is full of water springs which are a major cause of flooding. A waterway has had to be created between the property and site C to stop water flooding of the garden, steading and house.

Site B is sloped and water runs in one of the gates and goes out the other like a river.

There are also major waste water issues due to broken pipework in the public road leading to water from the septic tank and the water from the verge causing flooding. Septic tanks often flood when it rains. The identified flooding and drainage problems will inevitably increase if new housing is developed on these two sites.

There is no mains sewerage and there are no soakaways in Aultmore due to clay, where will all the septic tanks for any new housing drain to?

There is reference to purchasing third party land to improve the C74H/B9016 junction. This land is in private ownership and the landowner is not supportive of allowing this to happen.

There are power cables which run through Site C which cannot be repositioned due to wayleaves being in place.

Niall Thomson (2222/1/3)

Object to development of additional housing in Aultmore on the basis of obstruction of view, impact on light, septic tank, parking and speed of traffic.

Kelly Watt (2226/1/1)

Developing housing on Site A or Site B will be detrimental the property due to flooding. The roadside edge of the garden floods significantly in bad weather with a river running down the road. Developing this field will make it worse. In addition to this there are no public transport links and further development will add pressure on schools. If granted houses must be in keeping with the area which is characterised by traditional distillery cottages.

### **Birnie Site A**

Mike Woodcock (1275/2/1)

Propose an amendment to Birnie Rural Grouping boundary to increase the size of Site A to accommodate 6 houses instead of the 4 houses identified in the Proposed Plan. All of the site sits outwith the identified flood extent. Two Flood Risk Assessments have been commissioned to support development of this land. The designation for only 4 houses means that development of these sites will be very expensive given the high costs to date and the works required to prepare the sites. On that basis the project is considered marginal.

### **Bridgend of Glenlivet**

#### J L Hope (2018/1/1)

Any residential development would represent a radical change in the character and identity of the land.

There are flooding, surface water and drainage run off from adjacent fields including Site A which would worsen if this site were developed.

The drainage system is currently operating at capacity and it is difficult to see how any proposals would demonstrate zero impact on the environmental infrastructure and be acceptable to SEPA's and Scottish Water.

There is limited spare capacity within the mains water supply, making further loading to support residential development questionable.

The site is a haven for wildlife with owls, herons, and frogs utilising the site. There are also pipistrelle and brown long eared bats and hedgehogs.

The archaeological remains on site should be protected.

There have been numerous accidents on this stretch of road, access onto the B9008 is hazardous due to restricted views. The visibility splay requirements cannot be met.

There are more appropriate sites in the local rural area that could be considered for good placemaking to match housing demand.

### **Buthill**

#### Strathdee Properties (1798/2/3)

The proposed amenity land allocations within the Buthill Rural Grouping are too onerous and leave no scope for future plot opportunities. There is no evidence to support this approach. This grouping is subject to high demand for housing and the proposals would not allow this to be delivered. The defensible boundaries created by existing roads, woodland and the cluster of buildings at Wester Buthill have created an ideal location for rural housing. The area is very well connected to both Elgin and Burghead. The success of house plots in the area has confirmed the suitability of this area for measured rural housing however, the proposed rural grouping will restrict this from being delivered.

Buthill can support large development plots for any future housing alongside high quality greenspace being provided. Given the backdrops of existing woodland it is not



considered that such large areas of amenity space need to be provided to the detriment of future plots. The current amenity space designations result in a disjointed and irregular settlement pattern that is not in keeping with other areas of the Moray countryside.

A less restrictive approach to development within the grouping should be considered allowing further limited plot development within the boundaries of the rural grouping.

### **Cardhu Site A**

#### Eve Montgomerie (2111/1/1)

Development of this site will not protect or enhance the environment but would fracture a small community. There are alternative sites within Cardhu that would fit better with the hamlet. Existing roads serve the distillery, school and housing. There are no pathways or cycle access and as such all of the children for their safety are bused to and from school. Having further housing on Site A would increase the roads problems further.

The older houses have back gardens to the front of houses forming an important part of our sociable community. Houses would be directly looking into housing on this site. The landscape view that is very much part of the community will be withdrawn as a result of development in this location. This would also impact on the privacy, daylight and have an overbearing loss of amenity to existing properties. There is an alternative area at the entrance to Cardhu that could easily accommodate five houses without detracting from its beautiful character with a better access without the roads problems.

The proposed building on the ridge of farmland would see the beautiful setting of the distillery wiped out.

#### Bob Spinner (2167/1/1)

Development in this location would have a disproportionate impact on the local community and local services. The already reduced medical provision in Aberlour will be adversely impacted. Education and care facilities will cost more simply due to the rural rather than urban location. Opportunities for employment locally are restricted so there will be more private transport as public transport is virtually non-existent giving rise to pollution.

Public drainage is not afforded to all in the area so an upgrade will be needed, each new house will have an impact on the Council's budget for roads repairs.

### **Clackmarras Site A**

#### Brenda Dyer (2106/1/1)

Previous planning applications on this site have been refused due to being on unsuitable marsh land. There is no further capacity for an increase in waste water and sewage. Don't understand if the land was previously considered inappropriate for single houses why it is now suitable for nine.

The development will result in increased traffic, noise and pollution from traffic. Increased noise pollution in this quiet peaceful area will impact on the ambience of the countryside. There is currently no street lighting and artificial lighting would have to be provided with so

many new houses being introduced. All these impacts would have a detrimental effect on wildlife in the area, in particular bats.

Stewart Ord (2106/1/1)

Development will increase noise levels and infringe upon privacy. There will be an increase in traffic on an already busy road that does not have speed restrictions. There is already access to the main road via existing driveways and providing parking to the rear of existing houses is pointless. Proposals will mean that there will be building on top of the existing drainage system, the current drainage and soakaway system was designed and specified for the current houses and would require significant upgrade to cope with additional housing numbers.

### **Clochan Sites A & B**

Edward Aldwinkle (1997/1/1), (1997/1/3),

Site A- Any work to develop this site would impact on the property and surround adjacent properties.

Site B - Development of this site will lead to the loss of farming land, impact on privacy and daylight of adjoining properties and loss property value.

Angus Turner (2019/1/1)

Object to arable land being used for residential development.

### **Cragganmore Sites A & B**

#### **Sites A & B**

Peter Griffiths (2162/1/2), (2162/1/1)

The private water supply has no supply volume capacity for additional consumers. Development on this land would require disturbance of the private infrastructure which part owners of the system are unwilling to allow. A new public water mains supply is 3 miles away which is unlikely to be sustainable.

#### **Site A**

Barry and Ellen Moore (1987/1/1)

There is insufficient private water supply for an extra five properties.

#### **Site A**

Peter Murray (1991/1/1), Iris Murray (2020/1/1)

Concerns regarding access to and from the site and drainage. Development in this location will further restrict tv/satellite signal. The overflow from adjoining properties septic tank runs through the site. The site has the potential to flood in the event of heavy rainfall. Water runs off the field above the site and floods the site. There is private water

supply pipe which runs through the site, the supply has been dwindling and existing properties are just getting by, any additional development will have impact upon this.

The gasline to Cragganmore Distillery runs through the site and across the potential access to the site.

New development would restrict any sunlight to the property.

### **Site A**

Stuart Leiper (2112/1/1)

Site A is totally reliant upon a private water supply which has previously become seriously low and the amount of water use restricted with residents using bottled water for drinking purposes. Any further demands would put this water supply at greater risk, the supply line of which runs directly beneath Site A

Additional development of 5 further houses would negatively compound access to existing properties. Who would be taking responsibility for the maintenance of the access road as currently the Council does not.

The proposed houses would be looking down on existing properties denying them seclusion. 5 new houses in this location is an issue as people choose to live in remote places so they can enjoy the views and wildlife nature provides.

### **Site A & B**

Julia Milovanovic (2169/1/1), (2169/1/2)

Object to the inclusion of Site A. The private water supply has previously failed as there was insufficient water which resulted in severe rationing. This year was an exceptionally dry summer however environmentalists are advising that this will be the norm. Any new development will put further strain on the water supply and there is no guarantee it would not affect the supply in the future. The supply pipe to properties runs through the proposed site.

Object on the grounds of sustainability which equally applies to Site B. The nearest shop, post office and petrol station have closed as they have become financially unviable. This has a significant effect on the proposed site and is contrary to planning policy which aims to achieve healthy, inclusive and safe places to support healthy lifestyles. There are no services within walking distance and no public transport and the local primary school has closed.

### **Craighead**

Brenda Carnegie (2224/1/1)

Object to housing at Craighead on the basis of septic tank, additional parking of cars, noise of building, access onto the B road, water to households and speed of traffic.

### **Darklass**

Andrew Stevens (2022/1/1)

Proposed amendment to the rural grouping boundary to include an additional area of rough, boggy unkept land of minimal agricultural value. The site is bounded on three sides and would be suitable for a single house, well screened from public view, provide privacy, in keeping with the existing two houses and the seven houses currently planned for the grouping. Access to all services is in close vicinity of the site.

### **Glenfarclas Sites A & B**

John Grant (1989/1/1), (1989/1/2)

Site A is not suitable for the construction of two houses, in addition to covering a track used for access to an area due to be replanted, there is no an adequate water supply. One of the primary reasons for the distillery cottages becoming derelict and eventually demolished was lack of water. In addition there is no mains sewerage and there is no extra capacity at the distillery.

Site B sits on top of or immediately beside the private water supply which is barely adequate for the needs of existing properties and alternative arrangements had to be made during the summer months for the visitor centre. Additionally this site is within the distillery water catchment area and there are concerns regarding the water supply being polluted.

### **Kellas Site B**

Angus Steven (2227/1/1)

Object to the development of the Kellas site B development as it appears to be partially on land in separate ownership. Seek clarification with the developer over the matter of the landownership.

### **Knock Site A**

David Gordon (1728/2/1)

Site A is used for the local community as amenity land, it is used by walkers, cyclists and horses, object to any change to the current free unhindered access to the site. No further development is required as it would alter the balance of the village and increase traffic and pressure of space. There are no facilities in Knock, scarcely any public transport. Do not understand why this site is chosen when there are numerous vacant properties in our town centres that could be converted and are close to facilities.

There are already empty properties in Knock, these could be renovated/subdivided saving building new houses. There is a high chance that the properties built would not fit in with the local architectural style and would be a blot on an otherwise pretty landscape, immutable and with no reversal. Unless houses are built in stone in character with surrounding buildings they would be an ugly blot on an otherwise scenic location popular with locals. The increase in people, traffic and other extra activity is totally unnecessary with many choosing to live here because it has a low population. There are much better locations to build affordable housing and plenty of more suitable sites that could be developed.

## **Knockando (Upper) Site A**

Mr A Anderson (2021/1/1)

Access to Site A is very restricted. There are major concerns over site drainage, the ground is unsuitable for soakaway drainage and existing properties have major issues.

David Watt (2079/1/1)

Concerns in respect of drainage and septic tanks. The existing track road Knockando School/Church Road is over used and in a poor state of repair.

Scottish Forestry (1136/6/4)

There is a high proportion of tree and woodland cover and not all of it has been identified as amenity land. Object unless a clear statement is included stating trees and woodland within the rural grouping designations should be protected and maintained in any development proposals. The Control of Woodland Removal Policy has a presumption against development in woodland.

## **Knockando (Lower)**

Scottish Forestry (1136/6/4)

There is a high proportion of tree and woodland cover and not all of it has been identified as amenity land. Object unless a clear statement is included stating trees and woodland within the rural grouping designations should be protected and maintained in any development proposals. The Control of Woodland Removal Policy has a presumption against development in woodland.

## **Lintmill Site A**

Joseph Maguire (2023/1/1)

Site A is wooded and home to red squirrel, woodpeckers, owls and heron and should be protected. The area is prone to flooding from the adjacent river and the removal of vegetation and trees would cause severe erosion to the river bank. Over time would put septic tanks and soakaways at risk and properties on Seafeld Road at risk of collapse.

Samantha Bennion (2212/1/1)

The outline for Site A actually meets Cullen Burn. The flood risk maps for Cullen, which show Lintmill on the periphery do not fully reflect the actual flooding which has previously occurred. Photos are appended to the response from when Lintmill was previously flooded. A large proportion of Site A acts as a buffer strip when there are raised water levels.

There is varied vegetation which supports wildlife including mice, rabbits, birds and bats which are regularly seen in or over Site A. The site is also the location for invasive plant species and digging up the area for building works is likely to disperse rhizomes, potentially to existing homes.

The adjacent road to Site A is private and in a poor condition. Part of the site suggested as suitable now was previously deemed to be amenity land. There must be other sites in Lintmill which would be much more suitable for housing.

### **Logie Site A**

#### Scottish Forestry (1136/6/3)

Object to Site A as it is entirely within a woodland which is shown on the Ancient Woodland Inventory (AWI) as being of Long Established Plantation. The Control of Woodland Removal Policy has a presumption against development in woodland.

### **Mains of Inverugie Sites A & B**

#### Tulloch of Cummingston (1426/2/3), (1426/2/4)

#### **Site A**

Object to capacity of 12 units for Site A. 15 units on this site is more realistic. By designing the site in a traditional courtyard layout, the buildings will be grouped closer, thereby providing scope for further units. A generous central green amenity space and generous plot sizes will enhance the surrounding area.

#### **Site B**

Amend rural grouping boundary to include additional housing and land and consider revising text to state "Site B is for sympathetic conversion of derelict steading, existing farm cottages, outbuildings and adjacent land.

### **Maverston**

#### Maverston LLP (2220/1/1)

Note the approach being taken at Miltonhill (former Kinloss Golf Club). Land here is identified for mixed use housing and tourism development in line with an agreed Masterplan. There are similarities with Miltonhill and Maverston and request that a similar approach be taken at Maverston to provide certainty for both the Council and the landowner and developer.

No other trees than those already consented to be removed through the extant 40 house planning permission are proposed to be removed. This contrasts with Miltonhill where trees are to be removed to permit proposed development and a consistent approach should be taken by the Council.

The following amendments to the Rural Grouping text are suggested.

Maverston has an extant planning consent for 40 houses, two golf courses, and leisure facilities. Part of the site includes woodland some of which is listed on the Ancient Woodland Inventory. Development proposals **should seek** to retain existing mature trees **where possible** along with **appropriate compensatory planting** in line with Policy EP7 Forestry, Woodlands and Trees.

There is an opportunity to redevelop **the site of** the existing steading buildings. No more than 16 houses will be permitted. **The layout, siting and design of any new development should be in keeping with the character of the area.** Proposals **should** be supported by a Flood Risk Assessment and Drainage Impact Assessment **where appropriate.**

**Proposals should be accompanied by a Phase 1 Habitat Survey** where appropriate. The innovative use of greenspace could assist with surface water drainage and accommodating **natural heritage.**

The requested changes are on the basis that the original development concept of large housing plots set within the commercial woodland remains unchanged. Much of the eastern part of what would have originally been woodland is now open scrubland and gorse. Any new development can provide new planting in order to assist in the integration of new housing into the area.

The steading building benefitted from detailed planning permission for its replacement with 16 new build houses as an appropriate redevelopment of a rural brownfield site. Redevelopment of the site should not be limited to the conversion of the existing buildings. There is insufficient justification for restricting any new development opportunities at Maverston. There may be scope for additional future development providing compliance with the relevant LDP policies can be demonstrated.

Scottish Environment Protection Agency (569/12/13)

Object to this rural grouping unless the wording "all development must be connected to the public sewer" is added to the allocation text.

### **Miltonduff North Site A**

Kenneth Milne (2175/1/1)

Do not object to the designation of Site A, but wish to ensure that appropriate screening is included between Miltonduff Hall and the new development, appropriate noise mitigation and/or sound attenuation is undertaken. These measures are required to ensure the viability of the community public hall which is utilised for events by preventing bad neighbour issues should this land be developed in the future.

### **Site Not Taken Forward – Miltonduff MD01A**

Elain Matthews (1828/2/1)

Disappointed the identified site has not been included for small scale housing, particularly given the direction of the Moray Local Development Plan to allow rural groupings to expand. This is a popular area with good transport connectivity to Elgin so it would seem to be an ideal opportunity.

The Main Issues Report cited road safety concerns, however any such limitations can be overcome on land under ownership of the developer and that the land is effective. In 2018, the access arrangements for planning application ref 18/00185/APP for a house plot within Area A were confirmed as being acceptable by Moray Council transportation department

The planning application was subsequently refused for cumulative build up/ribbon development reasons. Strongly contend that these reasons for refusal should not be the case going forward to a rural housing policy focusing on development within rural groupings.

### **Site not taken forward – Miltonduff Site B**

James Yool (1829/2/1)

Disappointed the identified site has not been included for small scale housing. Object to its exclusion from the LDP and underline the landowner's commitment to the development of the proposed site and to reassure that the land is effective and that it can be realised in line with the Council's aspirations.

### **Nether Dallachy Site A**

Jonathan Meighan (333/5/2)

There is already a natural boundary to the settlement and no reason to extend it further. While 5 houses is much better than the earlier proposal, the site is still problematic, especially being so close to the gravel pit and timber yard.

Nether Dallachy has already reached the limit of its capacity and its character as a small settlement of randomly placed houses would be impaired by adding an estate outwith the natural, well defined, boundary. These houses would have a detrimental impact on its character and damage the quality of the surrounding area which relies on the wide open spaces for its appeal.

Not only are there no social facilities to support an expansion of the settlement, but there is limited infrastructure. From the main Spey Bay road it is served only by a minor narrow road with a poor road around the site (into a road overcrowded with HGVs), a non-existent bus service, schooling reliant on a bus service, no mains gas, no drainage and a risk of damage to the high water table.

The area simply cannot support extra houses and traffic and further development can only damage the rural character of existing houses in the open countryside setting. This still goes too far beyond the odd infill site which has been accepted in the past. The Local Plan should be designed to bring housing, employment, schools, shops, etc. together.

There are more appropriate areas already of a suitable size and infrastructure, and there is a serious risk that no extra infrastructure would be put in (argued unnecessary), to the detriment of the settlement and the whole Spey Bay area.

### **Rafford Station Site A**

Dr John Pullen (1990/1/1), Finnerne Community Council (1398/3/2)

### **Supporting Mapping**

The mapping accompanying online documentation is inaccurate and does not show existing developments of Southview, Oakside, Taigh Fiodha and Rowan Cottage or the



approved development of three properties adjacent to The Willows.

### **Transportation**

There is currently no access from Site A to the public road. All access between site A and the C14E (Dallas Dhu to Rafford) passes through existing properties. The only other access is onto the Newtyle Forest road which is in an exceptionally poor state of repair and has a blind access onto the C14E. To add further traffic onto this road without upgrading would cause significant damage to the current road and create an even greater traffic hazard onto a school bus route.

The C14E is already suffering increased traffic as a result of existing development, timber extraction and the new pig farms, there are insufficient inter-visible passing places and there is already a high likelihood of traffic accidents.

### **Services**

Existing properties all have drainage systems which border Site A. Due to contours of the land, natural land drainage and all soakaways percolate through Site A towards natural watercourses. The site is not in close proximity to the Scottish Water main. There is no high speed internet connectivity. Proposals are misrepresentative of the ability of the Rural Grouping to contain any further housing.

Howard Stollar (1612/2/1)

### **Landscaping**

Support houses of a good quality with space around them. The low volume of housing proposed and environmental considerations seem well thought through. Council must be firm in requirements for housebuilders to plant trees and wildflowers. The unimaginative and sparse levels of planting elsewhere in Forres are disappointing.

Susan Stollar (2131/1/1)

Reassured that the proposed development will be in keeping with existing housing. There should be a requirement to plant good quality native trees and plants to enhance biodiversity of the area.

### **Carbon Rich Soils**

Scottish Environment Protection Agency (569/12/14)

GIS data indicates some peat on the site. Wording "Peat soils are present on site and proposals may need to be supported by a peat survey to establish peat depths" has been removed in the Proposed Plan. Object to the rural grouping unless this wording, or similar is reinstated or the rural grouping removed.

### **Rathven Site A**

Elizabeth Reid (1996/1/1)

The road leading on from Bede Road is barely wide enough for two vehicles to pass and

is not suitable for access for new houses. There are difficulties with drainage due to the age of the system and any increase would overload the existing set up. Similarly feeding into the existing sewer system could cause multiple issues. The site is also quite small.

### **Site Not Taken Forward – Roseisle RS1**

#### Strathdee Properties (1798/3/4)

Opportunities for infill housing development in Roseisle are limited. The area around Roseisle is subject to high demand for housing and the proposed grouping would not allow this to be delivered. The Settlement boundary should be extended to include land subject of development bid RS1. This site would be a sensible extension to Site A and the Roseisle settlement. The proposed site is bound by woodland and a road to the east, woodland to the south and Site A to the north which all form defensible boundaries. This would allow a modest extension of six houses to Site A which would be delivered in keeping with the characteristics of Roseisle and the wider Moray area.

The Main Issues Report suggested the site would be detrimental to the character of Roseisle and would be visually prominent. It is argued that the natural topography of the site allows any visual prominence to be minimised as the site slopes gently southwards away from the settlement and surrounding woodland provides a backdrop.

The principle of development to the west of the settlement has been established through the approval of application 16/01859/APP at Site A.

### **Templestones**

#### Angela Mitchell (163/3/1)

### **Cumulative Build Up Guidance**

Why has there been a change in position from the Landscape and Visual Impacts of Cumulative Build Up of Housing in the Countryside Guidance Note. The Guidance stated that in the wider area around Rafford, additional houses in this location would increase the incidence, density and prominence of housing and have a detrimental impact on the rural character of the area. On that basis no further development should be permitted in this area.

Angela Mitchell (163/3/1), Finnerne Community Council (1398/3/3), Alan Hughes (1988/1/1), Christine Lane (2177/1/1)

### **Transportation**

The existing road is barely adequate and large vehicles are unable to negotiate the turn at the war memorial. The road is narrow and new houses have to build passing places, how can the road possibly accommodate all the passing places required if more housing is built in the area. Improving visibility from the site will be difficult to achieve and also undesirable for people living in neighbouring houses. There is concern that acceptable visibility could not be achieved without significant removal of mature trees. The large trees bordering the road are beautiful and must be saved as much as possible.

### **Drainage**

Finderne Community Council (1398/3/3)

There are currently known and ongoing issues with septic tank drainage from existing residences. Additional development in this location would exacerbate this issue.

Alan Hughes (1988/1/1), Christine Lane (2177/1/1)

**Loss of agricultural land**

Destroying farmed land by developing housing is not good planning. There is already a loss of good agricultural land in the area with sporadic building across Califer Hill ruining the natural beauty of this very visible landmark in the area.

**Landscaping**

Vegetation on the south east boundary must be strictly limited in height to retain as much open outlook as possible.

Christine Lane (2177/1/1)

**Suburbanisation of the countryside**

More of this urbanisation of the countryside is not desirable and should be situated closer to Rafford or Forres where road access is more suitable.

**Upper Dallachy Site A**

Patricia Cowie (1583/2/1)

Site A impacts on access to Seaview as any removal of the bank will undermine the integrity of the lane and there is no alternative access. Seaview is 220 years old and there are serious concerns regarding the impact of workings required to develop Site A. The electrical supply to Seaview runs underground along the lane and any disturbance to the lane would endanger this supply.

Scottish Environment Protection Agency (569/12/15)

Object unless the wording to highlight the requirement for a Flood Risk Assessment for Site A is added to the designation text.

Janet Wilkinson (2184/2/1)

New properties may affect water pressure of existing properties. 3 to 4 properties are already using a small field for their soakaways so adding further housing could cause the field to be flooded and contaminate the burn. The trees along the banking which would need to remain and need maintaining. Who would be responsible for this and liable if any trees were to damage our property?

Crown Estate Scotland (861/6/12)

Support identified rural grouping and will take forward sites identified within the currency

of the LDP 2020.

### **Upper Dallachy Site B**

Graeme Jones (2133/1/1)

This site is unsuitable for development as it lacks mains sewage necessitating septic tank and soakaways. The site sits above existing dwellings and the lack of an existing access would require the creation of a new access with limited visibility.

The site is regularly used by foxes, deer, and badgers.

Dr R and Mrs P Pakenham (2225/1/1)

The site is uphill of the property and there is a significant difference in levels. There is no public drainage. Concerned that the proposed development of four houses may result in drainage products entering our garden and its surroundings. The road through Upper Dallachy is mostly single track and vehicles meeting on the road have to pull onto verges to allow vehicles to pass. There has been a distinct increase in level of traffic in recent years and speeding vehicles.

Tessa Green (2223/1/1)

There are many brownfield sites that would be more suitable than a greenfield site. The site is used by bats and badgers. The proposed properties could result in more than 8 vehicles and create an access onto an unclassified road with a blind summit. There are road safety concerns for school children, pedestrians and disabled users with mobility scooters using this road regularly without pavements.

Historically there has been flooding concerns that will be exacerbated by the development. The footprint of the development could affect ground water levels with associated problems.

Crown Estate Scotland (861/6/13)

Support identified rural grouping and will take forward sites identified within the currency of the LDP 2020.

### **Woodside of Ballintomb Site A**

Patricia North (165/2/1), Dr Malcolm Newbould (632/2/1), Keith North (2158/1/1), Mr and Mrs Critchley (2008/1/1), Godfrey Leech (2011/1/1)

### **Drainage**

The proposed development and siting of three new properties would drastically alter the nature of the community. The problems with both surface water and foul water are so severe that these sites are unsuitable for development. To risk increasing this is not acceptable. Previously planning applications have not had any convincing answer to this problem.

Patricia North(165/2/1), Dr Malcolm Newbould (632/2/1)

## **Access**

Access continues to be a problem with insufficient visibility splays but could be overcome although drainage is still going to be problematic.

## **Land Ownership**

Patricia North (165/2/1), Mr and Mrs Critchley (2008/1/1)

Site A includes land in the ownership of Ben View, documentation and mapping provided to evidence this. The rural grouping mapping is inaccurate as the garden ground of Forest Ridge extends into this area.

Keith North (2158/1/1)

Appropriate houses need to be built, although there are many empty sites in the area, but an additional property to the west end of our frontage would be less detrimental.

Mr and Mrs Critchley (2008/1/1)

Development would lead to a loss of trees. Recently purchased adjacent house and the development of Site A would impact on privacy.

## **Modifications sought by those submitting representations:**

### **Auchbreck Site A**

Steven Durno (1998/1/1)

Delete Site A.

Ian Rodgers (2130/1/1)

Delete Site A.

David Naylor (2132/1/1)

Delete Site A.

### **Aultmore Sites A, B & C**

Deborah Murdoch and Antonio Guerreiro (2122/1/1)

Delete Sites B and C.

Niall Thomson (2222/1/3)

Delete Sites A, B and C

Kelly Watt (2226/1/1)

Party not specific regarding changes sought.

### **Birnie Site A**

Mike Woodcock (1275/2/1)

Amend Birnie Rural Grouping boundary to increase capacity of Site A from 4 houses to 6 houses.

### **Bridgend of Glenlivet**

J L Hope (2018/1/1)

Delete site.

### **Buthill**

Strathdee Properties (1798/2/3)

Amend rural grouping designation to allow for further limited plot development beyond that identified.

### **Cardhu Site A**

Eve Montgomerie (2111/1/1)

Delete Site A and identify alternative at entrance to Cardhu.

Bob Spinner (2167/1/1)

Delete Site A.

### **Clackmarras Site A**

Brenda Dyer (2106/1/1)

Party not specific regarding change sought.

Stewart Ord (2106/1/1)

Party not specific regarding change sought.

### **Clochan Sites A & B**

Edward Aldwinkle (1997/1/1), (1997/1/3)

Party not specific regarding change sought. Site deletion is implied.

Angus Turner (2019/1/1)

Delete designation

## **Cragganmore Sites A & B**

Peter Griffiths (2162/1/2), (2162/1/1)

Deletion of Site A & B is implied.

Barry and Ellen Moore (1987/1/1)

Deletion of Site A is implied.

Peter Murray (1991/1/1)

Deletion of Site A.

Iris Murray (2020/1/1)

Deletion of Site A.

Stuart Leiper (2112/1/1)

Deletion of Site A.

Julia Milovanovic (2169/1/1), (2169/1/2)

Deletion of Site A & B is implied.

## **Craighead**

Brenda Carnegie (2224/1/1)

Party not specific regarding change sought.

## **Darklass**

Andrew Stevens (2022/1/1)

Identify site for a single house.

## **Glenfarclas Sites A & B**

John Grant (1989/1/1), (1989/1/2)

Delete Site A & B.

## **Kellas Site B**

Angus Steven (2227/1/1)

Party not specific regarding change sought.

## **Knock Site A**

David Gordon (1728/2/1)

Delete Site A and designate as amenity land. (Modification is implied based on the objection wording rather than specified).

### **Knockando (Upper) Site A**

Mr A Anderson (2021/1/1)

Party not specific regarding change sought.

David Watt (2079/1/1)

Party not specific regarding change sought.

Scottish Forestry (1136/6/4)

Identify tree and woodland cover as amenity land.

### **Knockando (Lower)**

Scottish Forestry (1136/6/4)

Identify tree and woodland cover as amenity land.

### **Lintmill Site A**

Joseph Maguire (2023/1/1)

Party not specific regarding change sought.

Samantha Bennion (2212/1/1)

Part not specific regarding change sought.

### **Logie Site A**

Scottish Forestry (1136/6/3)

Delete Site A.

### **Mains of Inverugie Sites A & B**

Tulloch of Cummingston (1426/2/3), (1426/2/4)

Increase site capacity of site A to 15 units. Revise Site B boundary to include additional land.

### **Maverston**

Maverston LLP (2220/1/1)



Amend wording to allow some tree removal, to remove requirement to retain traditional steading, and provide flexibility as to when Flood Risk Assessment, Drainage Impact Assessment and Phase 1 Habitat Survey is requested. See summary for proposed wording.

Scottish Environment Protection Agency (569/12/13)

Add requirement "All development must be connected to the public sewer".

### **Miltonduff North Site A**

Kenneth Milne (2175/1/1)

Additional text to include landscaping between the site and the community hall. Include appropriate noise mitigation measures.

### **Miltonduff Sites Not Taken Forward**

#### **Site Not Taken Forward – Miltonduff MD01A**

Elaine Matthews (1828/2/1)

Allocate site in the Proposed Plan

#### **Site Not Taken Forward – Miltonduff Site B**

James Yool (1829/2/1)

Reallocate site in the Proposed Plan

### **Nether Dallachy Site A**

Jonathan Meighan (333/5/2)

Party not specific regarding change sought. Deletion of designation is implied.

### **Rafford Station Site A**

Dr John Pullen (1990/1/1)

Party not specific regarding change sought. Deletion of designation is implied.

Howard Stollar (1612/2/1)

No change sought.

Susan Stollar (2131/1/1)

No change sought.

Scottish Environment Protection Agency (569/12/14)

Amend wording to add “Peat soils are present on site and proposals may need to be supported by a peat survey to establish peat depths.”

Finderne Community Council (1398/3/2)

Party not specific regarding change sought. Deletion of designation is implied.

### **Rathven Site A**

Elizabeth Reid (1996/1/1)

Party not specific regarding change sought.

### **Site Not Taken Forward – Roseisle RS1**

Strathdee Properties (1798/3/4)

Designate Site RS1 for residential development.

### **Templestones**

Angela Mitchell (163/3/1)

Party not specific regarding change sought. Deletion of designation is implied.

Finderne Community Council (1398/3/3)

Party not specific regarding change sought. Deletion of designation is implied.

Alan Hughes (1988/1/1)

Party not specific regarding change sought. Deletion of designation is implied.

Christine Lane (2177/1/1)

Party not specific regarding change sought. Deletion of designation is implied.

### **Upper Dallachy Site A**

Patricia Cowie (1583/2/1)

Party not specific regarding change sought. Deletion of the designation is implied.

Scottish Environment Protection Agency (569/12/15)

Include requirement for a Flood Risk Assessment.

Janet Wilkinson (2184/2/1)

Party not specific regarding change sought.

Crown Estate Scotland (861/6/12)

No change sought.

### **Upper Dallachy Site B**

Graeme Jones (2133/1/1)

Delete designation.

Dr R and Mrs P Pakenham (2225/1/1)

Party not specific regarding change sought. Deletion of designation is implied.

Tessa Green (2223/1/1)

Party not specific regarding change sought. Deletion of designation is implied.

Crown Estate Scotland (861/6/13)

No change sought.

### **Woodside of Ballintomb, Site A**

Patricia North (165/2/1)

Party not specific regarding change sought. Deletion of designation is implied.

Keith North (2158/1/1)

Party not specific regarding change sought.

Dr Malcolm Newbould (632/2/1)

Party not specific regarding change sought. Deletion of designation is implied.

Mr and Mrs Critchley (2008/1/1)

Party not specific regarding change sought. Deletion of designation is implied.

Godfrey Leech (2011/1/1)

Party not specific regarding change sought. Deletion of designation is implied.

### **Summary of responses (including reasons) by planning authority:**

#### **Context**

Scottish Planning Policy (SPP) (CD53, pg 21) seeks to promote a pattern of development that is appropriate to the character of an area, the challenges it faces and a policy approach tailored to local circumstances. Policies should protect against the growth of unsustainable car based commuting and the suburbanisation of the countryside and most new development should be guided to locations within or adjacent to settlements.

Rural Housing is identified as a key issue in the 2018 Main Issues Report (MIR). The Council prepared a Rural Housing Topic Paper (CD31) which highlights the issues with the current policy approach. The settlement hierarchy is not operating as intended, in particular in the rural context. In recent years the role of rural groupings in the development hierarchy has been undermined by a permissive housing in the countryside policy, where it has been easy to obtain planning permission for individual houses in the countryside.

The proposed policy approach seeks to reinforce the development hierarchy with rural groupings accommodating the majority of development. New rural groupings are identified at Birnie, Boat O Brig, Brodieshill, Buthill, Darklass, Mains of Inverugie, Miltonhill, Rafford Station and Templestones. These new groupings supplement the many longstanding designated rural groupings which have a significant role to play in creating a sustainable network of groupings with appropriate opportunities for housing in the countryside

The approach to rural housing is set out in more detail in Schedule 4 Issue 4.

### **Auchbreck Site A**

Steven Durno (1998/1/1), Ian Rodgers (2130/1/1), David Naylor (2132/1/1)

Auchbreck Site A is a longstanding designation carried over from previous plans. The spatial hierarchy and revised approach to rural housing in the Proposed Plan seeks to promote a more sustainable pattern of development and address the proliferation of individual houses in the open countryside (CD01, pg. 8-11).

### **Loss of Privacy/Overlooking**

Any planning application coming forward on this site will be considered against Policy DP1 *Development Principles* (i) (e) states that proposals must not adversely impact upon neighbouring properties in terms of privacy, daylight or overbearing loss of amenity (CD01, pg. 35). Views of the site from existing properties to the North are currently screened by woodland within garden grounds.

### **Transportation**

Whilst there is no direct frontage access available to serve the site, Moray Council's Transportation Section has advised that there may be potential to take access to the rear of the site either from an existing farm track on B9009 or by creating an access to the West of existing houses on the B9008. The matter of access requires to be determined by any future planning application(s) and, as set out in the designation text, this would be subject to the provision of a visibility splay in line with current standards (CD03, pg.5). Evidence will also be required to demonstrate control of the land required to form and maintain the splay and/or any relevant third party land owner agreements.

### **Drainage**

The lack of public drainage in Auchbreck is acknowledged in the designation text and any future planning application(s) will require the provision of an acceptable drainage system (CD03, pg.5).

## **Flooding**

The site is subject to surface water flood risk and this is acknowledged in the designation text which requires proposals to be supported by a Flood Risk Assessment (FRA), the outcomes of which may affect the developable area of the site (CD03, pg.5). SEPA and the Council's Flood Risk Management team have been consulted and raised no objections to the principle of development on this site.

No modification is proposed.

## **Aultmore**

### **Flooding and Drainage – Sites A, B and C**

Deborah Murdoch and Antonio Guerreiro (2122/1/1), Niall Thomson (2222/1/3), Kelly Watt (2226/1/1)

It is acknowledged that there is a spring located on Site C which is referenced in the site designation text.

The designation text acknowledges that parts of Aultmore are at risk from flooding and that any development proposals may require a Flood Risk Assessment. 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.

The lack of public drainage in Aultmore is acknowledged in the designation text and any future planning application(s) will require the provision of an acceptable drainage system.

No modification is proposed.

### **Loss of amenity – Sites A, B and C**

Niall Thomson (2222/1/3)

The loss of a view is not a material planning consideration. Any planning application coming forward on this site will be considered against Policy DP1 Development Principles which states that proposals must not adversely impact upon neighbouring properties in terms of privacy, daylight or overbearing loss of amenity.

No modification is proposed.

### **Infrastructure – Sites A and B**

Kelly Watt (2226/1/1)

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. 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.

No modification is proposed.

### **Character – Site A and B**

Kelly Watt (2226/1/1)

Any planning application coming forward on this site will be considered against Primary Policy PP1 Placemaking and DP1 Development Principles which ensures that proposals are designed to the highest standard and reflect the character of the surrounding area.

No modification is proposed.

### **Third Party Land – Site C**

Deborah Murdoch and Antonio Guerreiro (2122/1/1)

The site designation text reflects that road improvements will be required to access Site C which will require third party land. The landownership constraint raised is acknowledged, however the reference to the requirement for third party land will be retained in the site designation as over the plan period ownership could change or an agreement could be reached which would allow the necessary improvements to be made.

No modification is proposed.

### **Power Cables – Site C**

Deborah Murdoch and Antonio Guerreiro (2122/1/1)

The location of any power cables and the necessary wayleaves will be taken into consideration at the detailed planning application stage and may affect the developable area.

No modification is proposed.

### **Transportation**

Niall Thomson (2222/1/3)

The Moray Councils 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 impacts on road safety and the local road network will be required to be taken into account.

No modification is proposed.

### **Birnie Site A**

### Mike Woodcock (1275/2/1)

The proposed expansion of the rural grouping boundary to accommodate a further two house sites is not supported. The proposed extension along the roadside is considered to promote unacceptable ribbon development. The rural grouping boundary has been drawn tightly around existing housing and identified limited opportunities for development in order to create a cohesive cluster that does not impact on the rural character of the area. Sites A, B and C provide the opportunity for up to 7 houses which is considered to be in proportion with the amount of existing housing within the grouping. The costs associated with supporting the inclusion of Site A is acknowledged, but this should not be used as justification to promote development that would have a detrimental impact on the character and appearance of this area.

No modification is proposed.

### **Bridgend of Glenlivet**

### J L Hope (2018/1/1)

### **Character and Alternative Sites**

Bridgend of Glenlivet Site A is a longstanding designation carried over from previous plans. The spatial hierarchy and revised approach to rural housing in the Proposed Plan seeks to promote a more sustainable pattern of development and address the proliferation of individual houses in the open countryside (CD01, pg. 8 -11).

The importance of the existing character is recognised in the designation text and new development is required to be sensitively designed (CD03, pg. 10).

### **Transportation**

Moray Council's Transportation Section has advised that the matter of access requires to be determined by any future planning application(s) and, as set out in the designation text, this would be subject to the provision of a visibility splay of 4.5m by 215m in both directions (CD03, pg. 10). A speed survey and evidence to demonstrate control of the land required to form and maintain the splay and/or any relevant third party land owner agreements will also be required.

### **Flooding**

Parts of Bridgend of Glenlivet are at risk of flooding and this is acknowledged in the designation text which requires proposals to be supported by a Flood Risk Assessment (FRA), the outcomes of which may affect the developable area of the site (CD03, pg. 10).

### **Utilities**

A public water supply has been confirmed as being available for any further development. The existing public drainage system (septic tank) is currently operating at capacity however and any new development will depend on the suitability of ground conditions for drainage. This is a matter that requires to be addressed by any future planning application(s).

## **Archaeology**

Designation text acknowledges the existence of archaeological remains and states that this may restrict the extent of development possible within the site (CD03, pg. 10). This is a matter that requires to be addressed by any future planning application(s). The Regional Archaeologist has been consulted and raised no objection to the principle of development on this site.

No modification is proposed.

## **Buthill**

### Strathdee Properties (1798/2/3)

A less restrictive approach allowing more development opportunities within the Buthill rural grouping is not supported. The boundary has been tightly drawn around existing and consented house sites in order to control further development.

This area has been subject to a significant amount of new housing in recent times and is an identified housing in the countryside hotspot where cumulative build up is prevalent. The Council's Guidance Note on Landscape and Visual Impact of Cumulative Build Up of Houses in the Countryside 2018 (CD21, pg. 4) states that no further development should be consented within the existing woodland and accordingly this has been identified as amenity land. In terms of the area of young plantation to the east of Wester Buthill steading complex the Guidance Note identifies this as being an inappropriate landscape feature to associate new development with. It is further stated that no new development should be consented in this location as it will appear arbitrary, isolated and contrast with the settlement pattern prevalent in the wider landscape.

On this basis development opportunities within the grouping are limited to those already consented. There are opportunities for development in the nearby Roseisle Rural Grouping to meet local demand.

No modification is proposed.

## **Cardhu Site A**

### Eve Montgomerie (2111/1/1), Bob Spinner (2167/1/1)

## **Setting and Privacy**

Site A is a long standing designation. The designation text requires new development to be single storey and reflect Victorian (distillery) architecture and detailing which is a dominant feature of the grouping (CD03, pg. 14). This will help integrate the development into the setting of Cardhu.

Policy DP1 (i) (e) states that proposals must not adversely impact upon neighbouring properties in terms of privacy, daylight or overbearing loss of amenity (CD01, pg. 35).

## **Transportation**

Moray Council's Transportation Section has advised the scale of development will not



create a significant increase in traffic and this can be accommodated by localised improvements (e.g. road widening) as set out in designation text (CD03, pg. 14). Any development on Site A would need to incorporate adequate on-site parking facilities in line with Moray Council Parking Standards and it is unlikely, therefore, that development would affect existing residents parking arrangements (CD01, pg. 109-131).

A safe access with a visibility splay that accords with current standards will require to be addressed by any future planning application(s). Moray Council's Transportation Section has advised that it is expected, given the location of the 30mph gateway and the road layout, that road speeds are already fairly slow. However, there may be scope to relocate the 30mph limit boundary to a point past any proposed development access. Matters such as provision of appropriate visibility splays, access road design and off-site mitigation will be determined by any future planning application(s).

### **Drainage**

The existing public drainage system is currently operating at capacity and any new development will depend on the suitability of ground conditions for drainage. This is a matter that requires to be addressed by any future planning application(s).

### **Impact on Services**

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.

### **Alternative Site**

Reference is made to an alternative site that would be more suitable. No information has been provided to identify and assess the site. Notwithstanding this lack of information, Site A is a longstanding designation which has been assessed as being suitable for development.

No modification is proposed.

### **Clackmarras Site A**

Brenda Dyer , (2106/1/1) Stewart Ord (2106/1/1)

### **Transportation**

Development has not been promoted on Site A previously as evidence had not been provided to demonstrate that the required visibility splay for access was achievable. Following the submission of further information, Moray Council's Transportation Section confirmed that access proposals were acceptable in principle subject to the provision of evidence that demonstrates control of the land required to form and maintain the splay and/or any relevant third party land owner agreements. This is a matter that requires to be addressed by any future planning application(s).

The opportunity to provide parking to the rear for existing houses at Clackmarras Country Houses will increase safety for all road users/residents at this location.

### **Utilities**

A public water supply has been confirmed as being available for any further development. Proposals for water and drainage provision are a matter that requires to be addressed by any future planning application(s). Any new development will depend on the suitability of ground conditions for soakaways or the installation of an appropriate system to a watercourse with sufficient dilution.

### **Noise/Light Pollution**

Policy EP14 *Pollution, Contamination & Hazards* (a) requires any development proposals which may cause significant light or noise pollution, or exacerbates existing issues, to be accompanied by detailed assessment reports (CD01, pg. 101). No such issues have been identified at this time, however, these are matters that require to be addressed by any future planning application(s).

### **Privacy**

Notwithstanding that Site A is located at a lower level than existing properties, Policy DP1 (i) (e) states that proposals must not adversely impact upon neighbouring properties in terms of privacy, daylight or overbearing loss of amenity (CD01, pg. 35).

No modification is proposed.

### **Clochan Sites A & B**

Edward Aldwinkle (1997/1/1), (1997/1/3), Angus Turner (2019/1/1)

### **Amenity**

Policy DP1 (i) (e) states that proposals must not adversely impact upon neighbouring properties in terms of privacy, daylight or overbearing loss of amenity. Issues relating to loss of privacy and daylight will be dealt with at the Development Management stage once a planning application has been submitted.

No modification is proposed.

### **Property Value**

The impact on property value is not a material planning consideration.

No modification is proposed.

### **Loss of farmland**

The proposed development sites have been carried forward from the Moray Local Development Plan 2015 and allow for a small expansion to Clochan. The identification of development sites within rural groupings is in line with the rural development hierarchy which is set out in Policy DP4. While this will result in the loss of small areas of farmland,

allowing small development opportunities will help to reduce the pressure on the landscape particularly in the Buckie Housing Market Area where there are known pressures from the cumulative build-up of housing in the countryside.

No modification is proposed.

### **Cragganmore Sites A & B**

Peter Griffiths(2162/1/2), (2162/1/1), Barry and Ellen Moore (1987/1/1), Peter Murray (1991/1/1), Iris Murray (2020/1/1), Stuart Leiper (2112/1/1), Julia Milovanovic (2169/1/1), (2169/1/2)

### **Utilities (Site B)**

Proposals for water and drainage provision are a matter that requires to be addressed by any future planning application(s). Any new development will depend on the suitability of ground conditions for soakaways or the installation of an appropriate system to a watercourse with sufficient dilution.

### **Sustainability (Site A and B)**

Directing development to rural groupings promotes a sustainable pattern of development by clustering development as opposed to permitting multiple individual houses in the countryside which may potentially have a greater impact on provision of services.

The Council recognises the concerns raised by respondents in respect of Site A and the impact on private water supply pipes, loss of privacy/sunlight and overlooking due to the topography of the site. The removal of the site is implied based on the objection wording rather than specified.

If the Reporter is minded, the Council would not object to the removal of Site A. It is noted that a replacement site would not require to be found as sufficient housing land has been identified elsewhere within the local housing market area. It is suggested the land is retained within the rural grouping boundary as amenity land.

No modification is proposed in respect of Site B.

### **Craighead**

Brenda Carnegie (2224/1/1)

Craighead is an identified rural grouping and has no housing designation within it. Within the site boundary there are areas of “white land” which have the potential to accommodate development. This is reflected in the designation text which states that there is scope to consolidate the existing row of houses. The text states that proposals must reflect the existing settlement pattern with primary elevations fronting the public road. Furthermore, any proposal will have to comply with Policy DP1 Development Principles to ensure that proposals are appropriate to the surrounding area in terms of scale, character and identity.

No modification is proposed.

## **Transportation**

The designation text states that any proposals must take access from the access track to the east of the existing houses and not from the B9103. Proposals must 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.

No modification is proposed.

## **Drainage**

Any future planning application(s) will require the provision of an acceptable drainage system. This will be dealt with once a detailed planning application has been submitted.

No modification is proposed.

## **Darklass**

Andrew Stevens (2022/1/1)

The Council's Transportation section has no objections in principle to allowing an additional house in this location.

If the Reporter is so minded the Council would not object to the inclusion of this site within the Darklass Rural Grouping boundary as set out in Site Map 14-11.

## **Glenfarclas Sites A & B**

John Grant (1989/1/1), (1989/1/2)

## **Utilities**

Proposals for water and drainage provision are a matter that requires to be addressed by any future planning application(s). Any new development will depend on the suitability of ground conditions for soakaways or the installation of an appropriate system to a watercourse with sufficient dilution.

## **Water Pollution**

Policy EP14 (a) requires any development proposals which may cause significant water pollution, or exacerbates existing issues, to be accompanied by detailed assessment reports (CD01, pg. 101). No such issues have been identified at this time however; this is a matter that requires to be addressed by any future planning application(s).

No modification is proposed.

## **Kellas Site B**

Angus Steven (2227/1/1)

The Council recognises there are ownership issues on this site.

If the Reporter is so minded the Council would support amending the boundary of Site B to reflect the ownership map supporting the representation. This does not impact on the ability of Site B to accommodate the single house identified in the designation text.

No modification is proposed

### **Knock Site A**

David Gordon (1728/2/1)

Knock Site A is a longstanding designation carried over from previous plans. The spatial hierarchy and revised approach to rural housing in the Proposed Plan seeks to promote a more sustainable pattern of development and address the proliferation of individual houses in the open countryside (CD01, pg. 8-11).

The Council does not consider it necessary to provide detailed requirements regarding design for this site. Policy DP4 *Rural Housing* requires all proposals for new housing in Rural Groupings to be of a traditional design or a contemporary interpretation incorporating traditional form, proportion and symmetry (CD01, pg. 44-54).

The Council recognises that the path that passes through the site is popular with walkers, cyclists and horses.

If the Reporter is so minded, the Council would not object to additional wording being included in the designation text to retain the path. The following wording is considered suitable:

*“The layout of the development must retain and integrate the footpath which passes through the site.”*

### **Knockando (Upper) Site A**

Mr A Anderson (2021/1/1), David Watt (2079/1/1)

### **Transportation**

As set out in the designation text, Moray Council’s Transportation Section requires the provision of passing places on the single track road leading to the site (CD03, pg. 28).

### **Utilities**

A public water supply has been confirmed as being available for any further development. The existing public drainage system (septic tank) is currently operating at capacity however and any new development will depend on the suitability of ground conditions for drainage. This is a matter that requires to be addressed by any future planning application(s).

No modification is proposed.

Scottish Forestry (1136/6/4)

Policy EP7 *Forestry, Woodlands and Trees*, in support of the Scottish Government's Control of Woodland Removal Policy, recognises the important renewable and beneficial resource that is provided by forests and woodlands (CD01, pg. 88-92). The inclusion of this policy therefore negates the requirement to include a statement that trees and woodland should be protected and maintained in any development proposal.

No modification is proposed.

### **Knockando (Lower)**

Scottish Forestry (1136/6/4)

Policy EP7, in support of the Scottish Government's Control of Woodland Removal Policy, recognises the important renewable and beneficial resource that is provided by forests and woodlands (CD01, pg. 88-92). The inclusion of this policy therefore negates the requirement to include a statement that trees and woodland should be protected and maintained in any development proposals.

No modification is proposed.

### **Lintmill Site A**

Joseph Maguire (2023/1/1), Samantha Bennion (2212/1/1)

### **Wildlife**

Scottish Natural Heritage did not object to the inclusion of the site in the Proposed Plan. Policy EP1 Natural Heritage Designations provides protection for protected species and environments.

No modification is proposed.

Joseph Maguire (2023/1/1), Samantha Bennion (2212/1/1)

### **Flooding**

Any planning application coming forward on this site will be considered against Policy EP12 which states that new development will not be supported if it would be at significant risk from flooding from any source or would materially increase the possibility of flooding elsewhere.

It is acknowledged that there could be a flood risk due to known flooding issues in Lintmill. The designation text therefore states that a Flood Risk Assessment may be required in support of any planning application. The result of this assessment may affect the developable area of the site. SEPA and the Council's Flood Risk Management team have been consulted and raised no objection to the principle of development on this site.

The policy states that adequate buffer strips must be provided between any new development and watercourses.

No modification is proposed.

Samantha Bennion (2212/1/1)

### **Trees**

The surrounding area around Site A is classed as Amenity Land which is designated to protect the trees and hedging from development. Policy EP7 Part c) states that development proposals must retain existing healthy trees. Where mature trees border a site a tree survey and tree protection plan must be provided which must include a safeguarding distance to ensure that no roots are damaged.

No modification is proposed.

Samantha Bennion (2212/1/1)

### **Site Boundary**

The site has been carried forward from the Moray Local Development Plan 2015. The site boundary has not changed.

No modification is proposed.

Samantha Bennion (2212/1/1)

### **Access**

The Moray Councils Transportation Section has not objected to this site being included and 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 impacts on road safety and the local road network will be required to be taken into account.

No modification is proposed.

### **Logie Site A**

Scottish Forestry (1136/6/3)

The Council recognises the concerns raised by the Forestry Commission Scotland regarding the inclusion of Site A which is entirely within woodland which is shown on the Ancient Woodland Inventory (AWI).

If the Reporter is minded to remove Site A, it is noted that a replacement site would not require to be found as there is sufficient housing land identified to meet requirements and it is suggested the land is removed from the rural grouping boundary as set out in Site Map 14-18.

If the Reporter is so minded, the Council would not object to Site A being removed and the settlement boundary amended as set out in Site Map 14-18.

### **Mains of Inverugie Sites A & B**

## Tulloch of Cummingston (1426/2/3), (1426/2/4)

### **Site A**

Capacities set out within all the identified rural groupings are indicative. The Council however acknowledges that in creating a steading arrangement required in the designation text houses will be closer together and the site will be able to accommodate an increased density.

If the Reporter is so minded the Council would support increasing the capacity of Site A from 12 units to 15 units.

### **Site B**

The expansion of the rural grouping boundary to include additional land within site B is not supported. This is an entirely new rural grouping and there is an opportunity identified for 12 houses and support for increasing the capacity to 15 houses as set out above. In addition to this there is also reference to conversion of an existing steading. This is considered sufficient development to meet local demand within the plan period. Proposals for a further modest extension may be considered as part of future local development plan reviews.

No modification is proposed.

### **Maverston**

Through various historic planning consents, dating back to 1996, planning permission has been granted at Maverston for 2 golf courses, clubhouse/hotel and 40 houses. A Reserved Matters Application (06/01554/REM) in respect of the 40 houses was approved in 2007 and there is currently a planning application under consideration to remix the 2<sup>nd</sup> phase of this. In addition to the 40 houses approved under the historic consents above, in 2012 planning permission was also granted for the demolition of a steading and construction of 15 houses. Maverston was first included as a grouping in the Rural Groupings Supplementary Guidance in 2016. This was in recognition of the development taking place under the existing historic planning consents. To date the golf course, club house and 12 houses within phase 1 have been completed.

## Maverston LLP(2220/1/1)

### **Tree Removal**

At Miltonhill the Council worked collaboratively with the landowner in the preparation of a Masterplan and this was subject to consultation with the public and consultees (including Key Agencies). Development of a Masterplan was a positive planning intervention to manage piecemeal development of the site. The Miltonhill Masterplan seeks to promote a sensitively sited, high quality development that provides a framework for the long term maintenance of the existing woodland and assists in the delivery of the economic diversification of the golf course. It is noted that the woodland at Miltonhill is not Ancient Woodland. This is not reflective of the situation at Maverston where the rural grouping is solely a result of historic consents.



Further loss of woodland is not supported. The Scottish Government's Policy on Control of Woodland Removal has a strong presumption in favour of protecting Scotland's woodland resources and woodland removal should only be allowed where it would achieve significant and clearly defined additional public benefits. This has not been established in this case. Part of the proposed development site appears in the Ancient Woodland Inventory as being ancient woodland of Long Establish Plantation Origin (LEPO). Woodland and tree removal is not supported by policy EP7 Forestry, Woodland and Trees.

No modification is proposed.

### **Retention of Steading**

The requirement to retain and convert the existing buildings is reflective of DP4 Rural Housing where re-use of buildings is promoted. Retention and conversion of the buildings will also help to create a distinct identity and character to the development in line with policy PP1 Placemaking. Whilst it is accepted that there is consent to replace the steading it is considered that any revised proposals should reflect the change in direction of policy that seeks to more positively address placemaking. The developer has the opportunity to implement the existing consent.

No modification is proposed.

### **Additional Development**

Further increases beyond that consented are considered to be excessive. The Maverston rural grouping already promotes more new housing than in Urquhart and would be out of line with the Spatial Strategy which seeks to promote a sustainable pattern of development. This rural location has restricted access to public services and increases the need to travel. Scottish Planning Policy (CD53 para 76) states it is important to protect against an unsustainable growth in car-based commuting and the suburbanisation of the countryside. Further expansion at Maverston would increase the need to travel and lead to a large number of units in a countryside location which is in excess of growth in some of Morays towns and villages. Maverston was only included in the Rural Groupings Supplementary Guidance in 2016 to reflect the existing consents and the intention was that no further development would be supported. Therefore, the wording stating that no further development will be supported at Maverston should be retained.

No modification is proposed.

### **Flood Risk Assessment, Drainage Impact Assessment and Habitat Survey**

Requirements for Flood Risk Assessment, Drainage Impact Assessment, and Phase 1 Habitat Survey are included following consultation with SEPA and the wording within the rural grouping text does not require to be amended.

No modification is proposed.

Scottish Environment Protection Agency (569/12/13)

### **Sewer Connection**

If the Reporter is so minded the Council would support additional wording requiring connection to the public sewer at Maverston and it is noted this is a condition within the existing planning consent. The following wording is suggested "Connection to the public sewer is required."

### **Miltonduff North Site A**

Kenneth Milne (2175/1/1)

#### **Landscaping**

The designation text states that trees along the north east boundary must be retained and planting along and within the northern boundary must be provided.

The Council would not object to additional wording being added into the designation text to clarify that landscaping must be provided between the site and Hall. If the Reporter is so minded additional wording to the second paragraph is suggested. "The trees on Site A along its north east boundary must be retained and planting along and within the northern boundary must be provided, as part of a landscaping plan for the site which addresses its exposed and elevated position. This must also include screening between the Community Hall and the site."

#### **Noise**

The issue relating to the Hall being a potential bad neighbour is noted and the Council would not object to additional wording being added into the designation text to provide further screening which would help address noise impact as set out above. Any other measures to address any potential noise impacts will be addressed and mitigated at the detailed planning application stage.

No modification is proposed.

### **Site Not Taken Forward – Miltonduff MD01A**

Elain Matthews (1828/2/1)

The area around Miltonduff has been identified as an area that is under significant development pressure and through the Main Issues Report a number of potential officer identified sites were explored. Although draft rural housing policy seeks to guide development towards established rural groupings, identifying new sites must not be to the detriment of the character of existing groupings or the surrounding countryside.

During the Main Issues Report the Moray Council's Transportation section did not support the site due to the inability to achieve the required visibility splays to achieve a safe access. The respondent states that this can now be overcome and refers to a recent application within the site for a single house (18/00185/APP) where access arrangements were deemed to be acceptable.

Despite the access arrangements being deemed acceptable the application was refused on the grounds that it would be a form of ribbon development that would not integrate into the landscape and would contribute to a build-up of housing that would have a detrimental impact on the open rural setting.

The respondent's submission during the Main Issues Report was for four houses where the required visibility splay and access arrangements would be more onerous than for a single house. While this could potentially be achievable, these requirements would require the setting back of boundary fences and removal of trees, gorse and hedges which would be detrimental to the character of the area.

The area is characterised by sporadic housing situated along the road with gaps that provide views of the open countryside which adds to the character. The site consists of a large field on a prominent roadside location that lacks any visual containment or backdrop. The rural character of this area would be lost if the development on the site were to occur. Furthermore, the site is within close proximity to Milnorduff which is an established rural grouping with an available site for development. For these reasons the site is not supported.

No modification is proposed.

### **Site not taken forward – Milnorduff Site B**

James Yool (1829/2/1)

The Woodland Trust objected to the inclusion of the site at the Main Issues Report due to most of the site being categorised as Ancient Woodland. Allocating development sites in Woodland is contrary to the Scottish Government's Control of Woodland Removal Policy due to the unacceptable effects this can have on the amenity, biodiversity and recreational value of the woodland. The Council supports the Scottish Government's woodland removal policy which has been reflected in Policy EP7 Forestry, Woodlands and Trees, and Policy EP1 Natural Heritage Designations in the Proposed Plan.

While it is acknowledged that the area of Milnorduff is in an area of high demand for housing in the open countryside, allocating development sites must not be to the detriment of the environment or the character of the surrounding area. The respondent does not provide appropriate justification for doing so.

No modification is proposed

### **Nether Dallachy Site A**

Jonathan Meighan (333/5/2)

#### **Site Capacity**

The site is a long standing designation that has been in successive local plans with little developer interest. Following the Main Issues Report consultation the site capacity was reduced from 15 to 5. Reducing the numbers therefore represents a small expansion that would have no adverse impact on the character of the grouping.

Allowing a small expansion of this existing rural grouping is in line with the proposed Policy DP4 Rural Housing. This Policy identifies a rural development hierarchy whereby new rural housing is directed to rural groupings, followed by re-use and replacement of existing buildings in the countryside, and lastly to the open countryside. This approach creates a sustainable network of groupings across Moray. Identifying sites in existing rural groupings gives people the opportunity to live in rural areas and at the same time

reduce the pressure on the landscape as a result of the cumulative effects of housing in the open countryside.

No modification is proposed

### **Character and Identity**

The site is located on the edge of the existing settlement. Any future planning application must comply with Primary Policy DP1 Development Principles which ensures scale, density and character of proposals must be appropriate to the surrounding area. Policy DP4 states that all proposals for houses in rural groupings must be of a traditional design or a contemporary interpretation incorporating traditional form, proportion and symmetry. These policies will ensure that any proposal will not have a detrimental impact on the character of Nether Dallachy and the surrounding area.

No modification is proposed.

### **Infrastructure**

Issues regarding infrastructure are acknowledged and are reflected in the designation text which states that a Flood Risk Assessment and Drainage Impact Assessment will be required. 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. 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. SEPA and the Council's Flood Risk Management team have been consulted and raised no objection to the principle of development in this location.

No modification is proposed.

### **Rafford Station Site A**

Dr John Pullen (1990/1/1), Howard Stollar (1612/2/1), Susan Stollar (2131/1/1), Scottish Environment Protection Agency (569/12/14), Finderne Community Council (1398/3/2)

### **Supporting Mapping**

The mapping provided does not show all properties, detail is dependent on how up to date the ordnance survey mapping the Council holds is. Planning Officers visited all potential new groupings and are aware of the level of development and planning history of sites.

No modification is proposed.

### **Transportation**

The Council's Transportation section has been consulted and raised no objection to the principle of development in this location. In order to provide a safe and suitable access, in line with current standards, third party land will be required in particular for the provision of required visibility splays. It is for the applicant at the time of any subsequent planning application to demonstrate agreement with relevant third party land owners to the formation

and ongoing maintenance of the splay. This is recognised by the designation text.

The condition of the private tracks that could serve Site A is a private matter between residents, however further development may require additional surfacing and widening for the first 10 metres from the public road; a matter which would be assessed fully by Transportation at the time of any planning application.

### **Services**

The designation text states that options for waste drainage require to be thoroughly investigated as options to discharge into the water environment are limited and will depend upon the suitability of ground conditions for soakaways. Developers will have to undertake appropriate site surveys to identify any potential issues such as soakaways within and in close proximity to the site.

In terms of broadband connectivity there is a policy requirement within the Proposed Plan requiring fibre broadband in new developments unless technically unfeasible.

When considering new development owners/developers will have to liaise with utilities companies including Scottish Water to ensure adequate capacity to accommodate development.

### **Landscaping**

Supportive comments are noted. The designation text is explicit in setting out the landscaping requirements for the site, identifying a 5m band of native planting, planting density and requirements for native hedge planting.

### **Carbon Rich Soils**

The reference to requirements for peat survey has been omitted in error.

If the Reporter is so minded the Council would support the inclusion of reference to peat soils within the designation text. The following wording is suggested “Peat soils are present on site and proposals may need to be supported by a peat survey to establish peat depths.”

### **Rathven Site A**

Elizabeth Reid (1996/1/1)

### **Flooding**

The designation text states that a public water supply and drainage are available and all development must be connected to a public sewer. 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. 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.

### **Transportation**

The designation text identifies the visibility splay required to provide a safe access into the site as well as the requirement for a safe footway to be provided from No 11 Bede Road to the site to provide a safe access for pedestrians. 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.

### **Site Capacity**

The site offers a small extension to Rathven. No site capacity has been allocated to the site. The site capacity will be determined by Policies DP1 Development Principles and PP1 Placemaking which ensure that proposals are appropriate to the surrounding area in terms of scale, density, and character.

No modification is proposed.

### **Site Not Taken Forward – Roseisle RS1**

#### Strathdee Properties (1798/3/4)

The area around Roseisle has been identified as an area that is under significant development pressure in the Council's Guidance Note on Landscape and Visual Impacts of Cumulative Build Up of Houses in the Countryside (CD21). Although Policy DP4 seeks to guide development towards established rural groupings, identifying new sites must not be to the detriment of the character of existing groupings or the surrounding countryside (CD01, pg. 44-54). The Council considers that Site RS1 would be an inappropriate excessive extension that would be visually prominent and detrimental to the character of Roseisle. The current sites within Roseisle can accommodate 7 houses as well as the identification of a new rural grouping at Buthill provide opportunities for housing in the area within the plan period.

No modification is proposed.

### **Templestones**

Angela Mitchell (163/3/1), Finnerne Community Council (1398/3/3), Alan Hughes (1988/1/1), Christine Lane (2177/1/1)

### **Cumulative Build Up Guidance**

The Cumulative Build Up Guidance Note was prepared as an interim position until a new approach to housing in the countryside for the LDP 2020 was formulated. The new policy approach seeks to reinforce the settlement hierarchy by directing the majority of rural housing to identified appropriate sites within rural groupings. Templestones is a newly identified rural grouping within an identified area of high demand for housing in the countryside.

### **Drainage**

Issues regarding infrastructure are acknowledged and reflected in the designation text

which states that a Flood Risk Assessment and Drainage Impact Assessment will be required. Impact on the existing foul drainage system and any necessary mitigation measures will be dealt with at the planning application stage.

### **Loss of agricultural land**

By reinforcing a hierarchy in rural areas whereby the majority of development is directed to rural groupings, previously developed sites with stone and slate buildings and lastly to housing in the open countryside, the Council is seeking to reduce pressure on agricultural land.

### **Transportation**

The Council's Transportation section has been consulted in respect of designation of this rural grouping and does not consider that an additional 4 plots at this location would result in a significant increase in traffic that cannot be accommodated by the localised improvements identified in the designation text

### **Landscaping**

The landowner/developer will be responsible for the long term maintenance of landscaping which would be covered by conditions on any planning consents granted.

### **Suburbanisation of the countryside**

A sustainable network of rural groupings has been identified across Moray in an effort to create cohesive clusters of development. This approach seeks to address identified landscape and visual impacts associated with the cumulative build-up of individual houses in the countryside. The identification of Templestones as a rural grouping with capacity for a further 4 houses is not considered to create or contribute to the suburbanisation of the countryside. There are specific requirements within the designation text for extensive landscaping and design criteria that mean any development is required to reflect the character and appearance of the area and this will ensure development integrates sensitively into the landscape.

No modification is proposed.

### **Upper Dallachy Site A**

Patricia Cowie (1583/2/1), Scottish Environment Protection Agency (569/12/15), Janet Wilkinson (2184/2/1)

### **Flooding**

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."

### **Drainage**

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. Impact on the existing foul drainage system and any necessary mitigation measures will be dealt with at the planning application stage through Policy EP13 Foul Drainage.

No modification is proposed.

### **Access**

It is unclear how the site would affect the access to the property Seaview as they are separated. The Moray Councils Transportation Section has not objected to the designation and 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 any planning application will have to adhere to. This policy requires proposals to provide safe entry and exit into a site and identify any impacts on the road network.

No modification is proposed.

### **Trees**

Policy EP7 Part c) states that development proposals must retain existing healthy trees. Where mature trees border a site a tree survey and tree protection plan must be provided which must include a safeguarding distance to ensure that no roots are damaged.

No modification is proposed.

Crown Estate Scotland (861/6/12)

Supportive comments noted.

### **Upper Dallachy Site B**

Graeme Jones (2133/1/1), Dr R and Mrs P Pakenham (2225/1/1), Tessa Green (2223/1/1)

### **Drainage**

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. 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.

Crown Estate Scotland (861/6/13)

Supportive comments noted.

### **Wildlife**

Scottish Natural Heritage was consulted and did not object to the inclusion of the site in



the Proposed Plan.

No modification is proposed.

### **Access**

The Moray Councils Transportation Section has not objected to the designation and 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 any planning application will have to adhere to. This policy requires proposals to provide safe entry and exit into a site and identify any impacts on the road network.

No modification is proposed.

### **Woodside of Ballintomb Site A**

Patricia North (165/2/1), Keith North (2158/1/1), Dr Malcolm Newbould (632/2/1), Mr and Mrs Critchley (2008/1/1), Godfrey Leech (2011/1/1)

The Council recognises the concerns raised by respondents in respect of Site A and the impact on character and drainage. It is noted that the site is located entirely within woodland which is shown on the Ancient Woodland Inventory (AWI).

If the Reporter is minded the Council would not object to the removal of Site A. It is noted that a replacement site would not require to be found as sufficient land has been identified elsewhere within the local housing market area. It is suggested the land is retained within the rural grouping boundary as amenity land.

If the Reporter is so minded, the Council would not object to Site A being removed.

### **Reporter's conclusions:**

### **Reporter's recommendations:**