

**From:** [eforms@moray.gov.uk](mailto:eforms@moray.gov.uk)  
**To:** [Localdevelopmentplan](#)  
**Subject:** EL\_OPP11 - 002059  
**Date:** 22 February 2019 12:01:33

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## Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

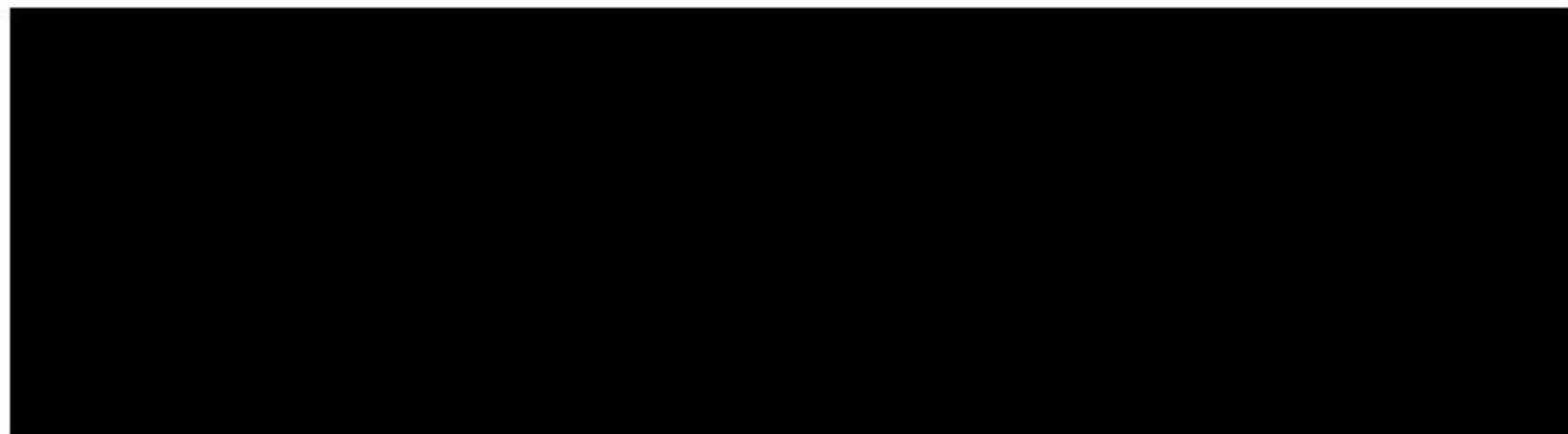
### Your Details

Title: **Miss**

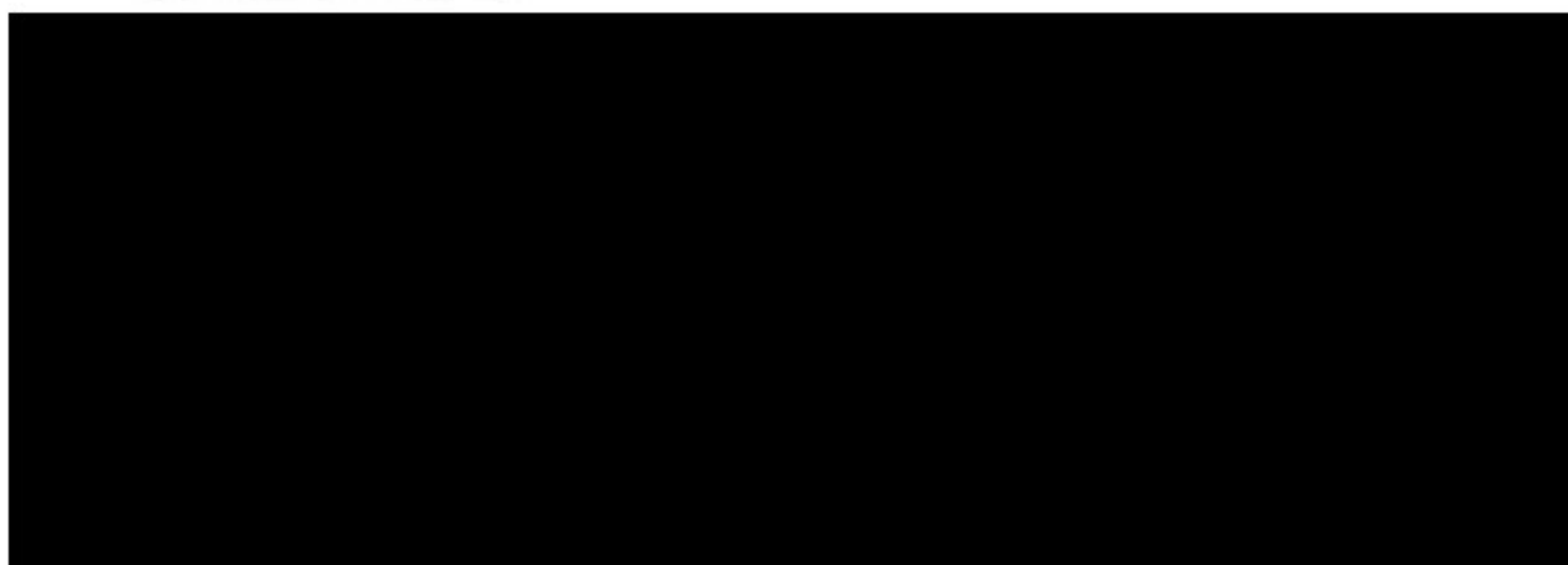
Forename(s): **Anna**

Surname: **Campbell**

### Your Address

A large black rectangular box redacting the address information.

### Contact Details

A large black rectangular box redacting the contact details.

### Agent Details

Do you have an agent: **No**

### Response

Do you want to object to a site?: **Yes**

Do you want to object to a policy, the vision or spatial strategy: **No**

Other: **No**

Supporting information: [Download supporting document](#) Available also via link at bottom of this email.

## Site Objections

Name of town, village or grouping: **Elgin Central**

Site reference: **OPP 11**

Site name: **Walled Garden**

Comments: **I am a horticultural student studying with Moray college and my classes take place in the biblical Gardens in Elgin. I think it is a disgrace that you think you can easily tear apart a loved and beautiful garden that is popular with the public, but is also a key learning facility for school students and mature students. You wouldn't think about tearing a school or other education facility down, so why a garden that is used for the purpose of education and enjoyment.**

Please use [this link](#) to view and retrieve the uploaded attachments.

**From:** [eforms@moray.gov.uk](mailto:eforms@moray.gov.uk)  
**To:** [Localdevelopmentplan](#)  
**Subject:** EL\_OPP11 Walled Garden - 002000  
**Date:** 11 February 2019 15:25:31

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## Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

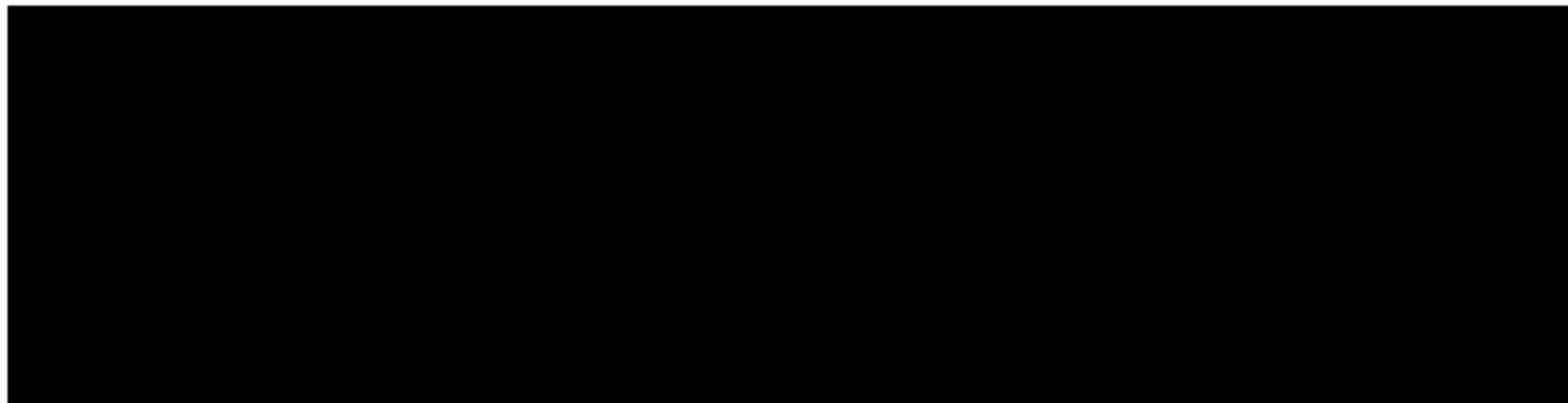
### Your Details

Title: **Mrs**

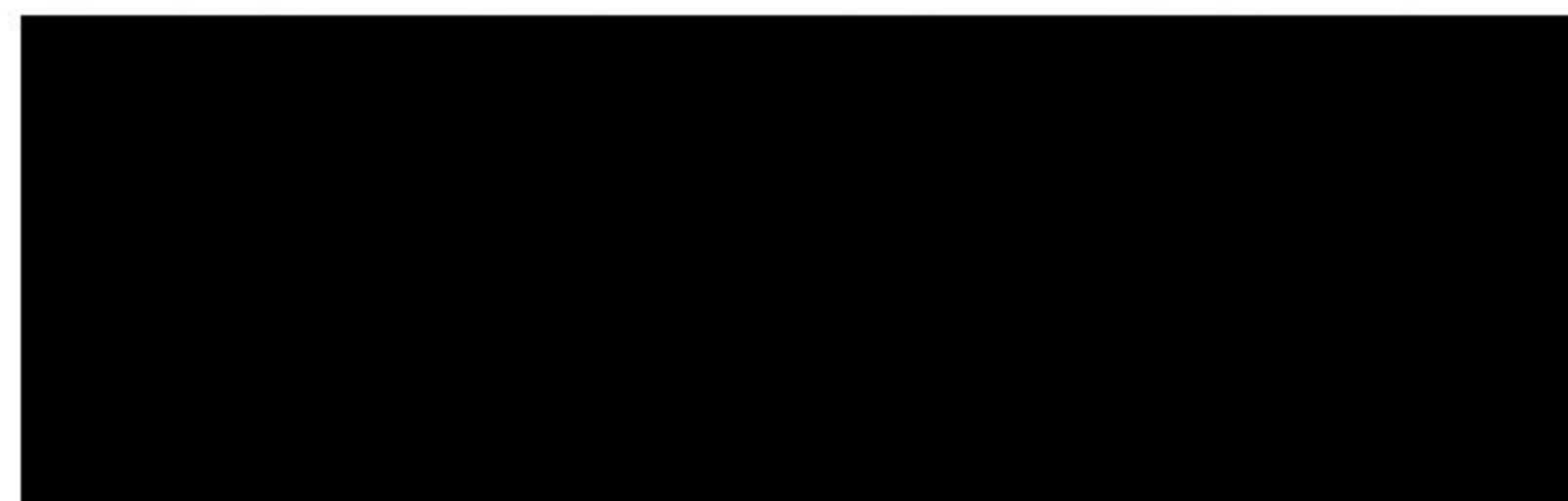
Forename(s): **Lorraine**

Surname: **Campbell**

### Your Address

A large black rectangular box redacting the address information.

### Contact Details

A large black rectangular box redacting the contact details information.

### Agent Details

Do you have an agent: **No**

### Response

Do you want to object to a site?: **Yes**

Do you want to object to a policy, the vision or spatial strategy: **No**

Other: **No**



Supporting information: [Download supporting document](#) Available also via link at bottom of this email.

## Site Objections

Name of town, village or grouping: **Elgin**

Site reference: **OPP11 'Walled Garden'**

Site name: **Walled Garden**

Comments: **The above development has not taken into consideration the fact that Moray College Horticultural department are based on the area that is being considered for redevelopment. From what I can see on the plans, I'm not even sure that the portacabins are actually even on the plans. As the council are fully aware, the students from Moray College keep the Biblical Gardens to an exceptionally high standard, resulting in a beautiful garden, one of the top attractions for tourists visiting Elgin. So how on earth does the council think that this level of maintenance can be maintained if there is no horticulture team on site' It is absolutely not feasible for them to be located somewhere else. As an employee of Moray College, I fully know that we do not have the vehicles or the money to transport the staff, students and required machinery between different sites. I believe that it will make it far more difficult for the gardens to be maintained, resulting in a loss of service and perhaps losing attraction for tourists. Moray College is the only college in the north of Scotland that offers the horticulture courses that we do. If we have to reduce/lose these courses due to lack of accommodation, what a loss to the local and wider community. This is an ever growing industry and so will effect employment and the local economy, so not very far sighted. I believe that the local community would not welcome a 5 star hotel in Cooper Park at the expense of students and Greenfingers, who offer a vital opportunity to adults with learning support needs. I would urge the council to reconsider this plan and to allow the college accommodation to remain and continue to allow the Horticulture students to continue to serve the community as they have done for many years.**

Please use [this link](#) to view and retrieve the uploaded attachments.



**From:** [Stuart MacGarvie](#)  
**To:** [Localdevelopmentplan](#)  
**Subject:** AB1 - 001764  
**Date:** 11 March 2019 15:53:41  
**Attachments:** [19029-TS-02 Tombain Farm.pdf](#)

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Dear Sir/madam,

I act for the owners of the site(s) (H+M Campbell) identified as AB1 in the previous MIR (Ref: MIR 001764/1). I have received instructions from the owners to OBJECT to the Moray Council Proposed Plan, as the site(s) is/are not recommended for residential development.

The site(s) were previously promoted in the Main Issues Report as suitable for residential development and acknowledged by Moray Council as 001764/1.

It is considered that land holding known as AB1 is an effective development site and is more appropriately linked and closer to the main facilities and services in Aberlour. (As opposed to site R2: Speyside). It is considered that the long term planned expansion of Aberlour should be in a southern direction, utilising adjacent land in the first instance.

The attached Transport Statement By Dougall Baillie Associates (DBA - dated March 2019), confirms that the site- AB1, can be appropriately accessed and serviced, including improving the Aberlour to Edenvillie Road.

The improvement of this road complements Moray Council's stated LDP planning objective of upgrading and widening this road - C59H (Aberlour to Edenvillie Road).

The total land ownership (AB1) extends to some 12.64 hectares and is effectively dissected by the Aberlour to Edenvillie Road (C59H). Importantly the land required to upgrade the road is in the ownership of H+M Campbell and is available for improvement as part of any development of AB1.

The land ownership is identified in Diagrams 1.1, 1.2 and 3.1 of the attached DBA Transportation Report. The land can effectively be classed as Tombain (east) and Tombain (west). The land is strategically located and adjacent to the Aberlour southern settlement boundary. The land is surplus to requirements and forms no part of any agricultural holding. The land is considered effective and can be developed for residential and employment uses.

AB 1-Tombain (East):

This part of the land ownership is situated to the east of the Aberlour to Edenvillie public road. The site extends to circa 9.27 hectares, however comprises 2/3 woodlands with the remaining land being rough grassland. It is considered that this land could accommodate some 30-40 houses as part of a phased Master Plan development, including 25% affordable housing. The woodlands would remain in situ and not be affected by any development. This would include the upgrading of the public road, which can be achieved within the ownership of H+M Campbell. It is noted that the widening of this road is a Council Transportation Improvement objective (C59H – Aberlour to Edenvillie Road).

The attached Transportation Report by DBA confirms that the site can be effectively developed. This land is within walking distance of local facilities including Aberlour Primary and Secondary Schools.

AB1 -Tombain (West):

This part of the land ownership lies immediately south of the Aberlour settlement boundary. The site can be effectively accessed as part of a phased Master Plan development as delineated in the attached DBA Transportation Report. (Diagrams 1.1, 1.2 and 3.1)

This part of the site extends to circa 3.38 hectares and could accommodate some 30-40 houses of mixed tenure, including 25% affordable housing and employment land. The site is considered effective for residential development.



It is proposed that the land ownership, known as AB1, is strategically situated and within walking distance to the local facilities in Aberlour. It is considered that this land is the optimum land to develop, in a planned southerly expansion. It is proposed that the site is subject to a Master Plan development, facilitating developer contributions and infrastructure improvements.

Reasons For Objection.

- The land identified as AB1 (west and east) in the MIR and detailed in Diagrams 1.1, 1.2 and 3.1 of the attached DBA Transportation Report (March 2019), is strategically situated, adjacent to the southern boundary of Aberlour.
- The land is effective and can be developed for mixed tenure residential development, including 25% affordable housing and employment land.
- This land should be released for development as part of a planned southerly expansion of Aberlour.
- The land is closer to local facilities than the proposed R2 Speyside site, earmarked for 60 houses and 1 Hectare of employment land.
- The release of this land for development will assist in the provision of improved infrastructure as required by Moray Council TSP project (C59H: Aberlour to Edenvillie Road Improvements).
- It is considered that this proposed development site would be deliverable in terms of pedestrian and vehicular access and that identified improvements to the pedestrian network would enable access to the development site by sustainable modes of transport.
- There is developer interest in the site and it is considered the site can be developed within the lifetime of the relevant LDP.

In conclusion, there is a requirement for new housing as part of Moray Council's spatial strategy. It is considered that Tombain Farm (west and east) is the optimum land for development, being strategically situated adjacent to the settlement boundary and within walking distance of schools and local facilities. It is considered that this site is better located for early development than the proposed site at R2 (Speyside). It is considered that AB1 Tombain (west and east) is effective and that it would benefit from a phased Master Plan.

It is therefore requested that Moray Council considers the information before them and recommends that the land owned by my clients H+M Campbell (as delineated in the DBA Transportation Report Diagrams 1.1, 1.2 and 3.1) is promoted for residential development (including 1 Ha of employment land).

Should Moray Council decide not to promote this land for development, then, without prejudice my clients retain the right to be heard at any forthcoming Examination in Public.

Please confirm receipt.

Yours Faithfully,

Stuart MacGarvie

For and on behalf of H+M Campbell.

Enclosure: DBA – Proposed Residential Development – Land at Tombain Farm: March 2019.

Sent from [Mail](#) for Windows 10



**From:** [Stuart MacGarvie](#)  
**To:** [Localdevelopmentplan](#)  
**Subject:** AB\_R2 - 001764  
**Date:** 11 March 2019 16:05:07  
**Attachments:** [aberlour speyside plan.pdf](#)

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Dear Sir/Madam,

I am instructed by my clients H+M Campbell to OBJECT to the site known as R2-Speyside.

It is noted that Moray Council has delineated Site R2 – Speyside as a mixed use site, comprising 60 houses and 1 Hectare of employment land, all subject to a Master Plan.

It is also noted that in order for this 'remote' site to connect to the settlement boundary, Moray Council requires that "Phase 1 must provide an active travel connection to Sellar Place."

In order for this to be achieved and as delineated on the proposed Aberlour settlement plan R2, (by way of an unusual shaped triangle to the NW of the R2 allocation) my clients land is required. (Please see previous OBJECTIONS regarding land owned by H+M Campbell).

Without prejudice, should Moray Council or indeed any future Reporters' recommendations subsequent to the Examination in Public, maintain the R2 – Speyside allocation, then without prejudice, my clients request that their land situated directly south of the settlement boundary is promoted for residential development. (see attached plan with hatched area)

This is a logical approach to land use planning and permits a planned and 'connected' approach to the expansion of Aberlour in a southerly direction, linking the site R2 with the settlement. It is considered that my clients' site could accommodate some 30-40 houses of mixed tenure, including affordable housing.

Should this objection not be accepted by Moray Council, then without prejudice, my clients reserve their right to be heard and any future Examination In Public.

Please confirm receipt.

Yours Faithfully

Stuart MacGarvie

For and on behalf of H+M Campbell.

Enclosure:

Settlement Plan

Sent from [Mail](#) for Windows 10



**From:** [Stuart MacGarvie](#)  
**To:** [Localdevelopmentplan](#)  
**Subject:** AB\_R2 - 001764  
**Date:** 11 March 2019 15:59:20  
**Attachments:** [19029-SK-05 R4 site visibility check.pdf](#)  
[19029-NT-01 R4 site.pdf](#)

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Dear Sir/Madam,

I act for the adjacent landowners H + M Campbell.

I am instructed to OBJECT to the inclusion of Site R2 Speyview for 60 residential units and 1 Ha of employment land, to the south of Aberlour. (The site was previously identified as R4 in the MIR).

It is considered that the site can not be delivered in terms of Scottish Planning Policy on sustainable development, as the majority of the site is out with walking distance to local amenities.

It is also noted that the Master Plan site is dependent on my client's land to create linkages between the 'remote' site, known as Speyside and the Aberlour settlement.

Whilst it is SUPPORTED that there is a requirement for additional houses in Aberlour ( In compliance with Moray Council's Spatial strategy), it is considered that there are more effective and suitably placed sites, closer to local amenities. In this regard, I attach a Traffic Assessment of the proposed site prepared by Dougall Baillie Associates (DBA), which confirms the difficulties in effectively developing this site (Speyside R2).

Reasons for Objection:

- The majority of the 'Speyview Site (R2) is out with the SPP recommended walking distance of 1600m to local amenities.
- Proposed pedestrian access to and from the proposed site is sub-standard.
- It is considered that vehicular access to the site requires a visibility splay of a minimum of 4.5m x 90m which can not be achieved within the available site frontage.
- There exists alternative suitable land for residential development nearer to Aberlour's local facilities, which should be developed before this proposed site.
- The land is challenging for development in terms of topography, with various elevated areas.
- The proposed site will require substantive landscaping to mitigate against landscape and visual impact
- The proposed site is remote from the existing settlement boundary.

In conclusion, it is supported that new additional houses of mixed tenure are required for Aberlour. It is considered that there exists more suitable located sites, nearer the settlement centre and that these areas should be developed before the Speyview site (R2).

Please confirm receipt of this Objection.

Should Moray Council not accept this objection, then without prejudice my client's reserve the right to be 'heard' at any forthcoming Examination in Public.

I look forward to your response,

Yours Faithfully,

Stuart MacGarvie

For and on behalf of H+M Campbell.

Enclosure:

DBA- Aberlour Traffic Assessment (05/03/19).

Sent from [Mail](#) for Windows 10



**From:** [eforms@moray.gov.uk](mailto:eforms@moray.gov.uk)  
**To:** [Localdevelopmentplan](#)  
**Subject:** BK\_OPP2 - 000735  
**Date:** 27 January 2019 12:43:17

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## Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

### Your Details

Title: **Mrs**

Forename(s): **T**

Surname: **Campbell**

### Your Address

House name/number: **36, WEST CATHCART STREET, MORAY**

City/Town: **Buckie**

Postcode: **AB56 1PP**

### Contact Details

Email address : **x2ejc@yahoo.co.uk**

Confirm email: **x2ejc@yahoo.co.uk**

Telephone: **07960412476**

Preferred contact method: **Email**

### Agent Details

Do you have an agent: **No**

### Response

Do you want to object to a site?: **Yes**

Do you want to object to a policy, the vision or spatial strategy: **Yes**

Other: **Yes**

Supporting information: [Download supporting document](#) Available also via link at bottom of this email.

### **Site Objections**

Name of town, village or grouping: **Buckie**

Site reference: **buckie - OPP2**

Site name: **OPP2 Blairdaff Street**

Comments: **This site is already fully used by a number of individuals.**

### **Policy Objection**

Policy:

Comments:

### **Other Objection**

Document commenting on: **Development plan 2020**

Comments:

Please use [this link](#) to view and retrieve the uploaded attachments.



**From:** [REDACTED]  
**To:** [Localdevelopmentplan](#)  
**Subject:** EL\_OPP11 - 002098  
**Date:** 26 February 2019 16:26:25

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Dear Sir/Madam

I wish to voice my opposition to the proposal to sell the plot beside the Biblical Gardens in Elgin.

The positive value of green spaces on people's mental and physical health has been well researched and documented, to lose this accessible space in our town centre would be a great loss. Cooper Park is nearby but as a result of council cut backs has already lost all its planted beds and therefore biodiversity, colour and interest.

The Biblical Gardens are a beautiful, peaceful place to visit, even if they weren't closed as a result of selling the adjacent land, the impact on the atmosphere of the place would be huge.

Can we look at some things as more than a financial asset - we need links to the natural world too.

I am familiar with the work of Greenfingers and this is a very valuable service to its users. To take this from them is to have a huge impact on the lives of already disadvantaged people.

I strongly hope you will not proceed with this proposal and put the interests of the people of Moray before those of developers.

Kind regards

Natalie Campbell



# PROPOSED PLAN 2019 MORAY LOCAL DEVELOPMENT PLAN 2020

## RESPONSE FORM

Please use this form to submit your response to the Proposed Plan 2019.  
The Council will consider your response to be a formal representation to the Proposed Plan and unresolved objections will be referred to an Examination conducted by a Scottish Government Reporter.

### \*Mandatory fields

#### YOUR DETAILS

Title*	<input type="text" value="MRS"/>	Forename*	<input type="text" value="BRENDA"/>	Surname*	<input type="text" value="CARNEGIE"/>
Address*	<div></div>				
Post code*					
Email					
Telephone*					

#### AGENT DETAILS (if applicable)

Title	<input type="text"/>	Forename	<input type="text"/>	Surname	<input type="text"/>
Address	<input type="text"/>				
Post code	<input type="text"/>				
Email	<input type="text"/>				
Telephone	<input type="text"/>				



Your place, Your plan, Your future



**Which section of the Proposed Plan does your comment relate to?**

**Volume\*:** Policies/Settlements/Rural Grouping/Delivery Programme/ Other (Delete as appropriate)

**Heading** \*(e.g. Housing, Keith)

HOUSING CRAIGHHEAD

**Page Number**

**Site/Policy Reference**

**Your comments**

Object to the Development of  
Any additional Housing at Craighhead  
Mulben Morayshire

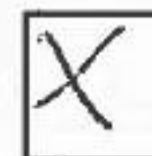
Reason.

- 1) Septic Tank.
- 2) Additional Parking of cars
- 3) Noise of Building
- 4) Access onto B road
- 5) WATER TO HOUSEHOLDS.
- 6) SPEED OF TRAFFIC

**Are you providing any supporting information?**

Yes

No



If yes, please advise what this is, and attach to this form e.g. maps/plans, supporting documents.

**All comments should be returned by 5:00pm on 15 March 2019**

**Post to:** Local Development Plan Team, Development Services, Moray Council, Council Offices,  
High Street, Elgin, IV30 1BX

**Or email:** [localdevelopmentplan@moray.gov.uk](mailto:localdevelopmentplan@moray.gov.uk)

Or you can use our online form at [www.moray.gov.uk/proposedplan2019](http://www.moray.gov.uk/proposedplan2019)



Your place, Your plan, Your future



**From:** [Carolyn Anderson](#)  
**To:** [Localdevelopmentplan](#)  
**Subject:** EL\_R1 - 001869  
**Date:** 14 March 2019 16:15:19

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Please find my objection to this development



Elgin Masterplan Consultation

14/03/2019

Dear Sir/Madam

On 20/02/2019 I attended the public consultation event at the town hall, for development proposals Elgin South including the Bilbo Hall area in Elgin. I was left very disappointed with the complete lack of detail given during that consultation with particular reference to:

**Traffic Management** and the impact on the railway bridge from Mayne Farm to Wittet Drive. No one could clarify exactly what is happening and the impact this will have. Is it a one way system, is it a two way system, is there going to be traffic lights? If a traffic management impact assessment has been carried out I am requesting a copy of that report. This bridge was not built for the volume of traffic that will according to your design and I quote from your Internal Traffic Hierarchy 4.4.6. Bullet point "Primary Street: the link road through the core of the site that connects the Wards Road and Edgar Road access points. The design of which is suitable for public transport and mixed use" It is not a link road and will just add to the traffic volume passing through this area increasing both noise and pollution, undoubtedly leading to traffic jams and back up on to Wittet Drive. The number of houses now being proposed has risen from 370 to 450 which will simply add to the problem.

In addition no one could confirm in detail how pedestrians will cross the railway line.

I formally object to this proposed plan and ask the council to look for an alternative route as you are simply resurrecting the Western Link Road by default.

We reside at No [REDACTED] and looking again at **your** preferred option we find no detail on the height and distance that the proposed build will impact on our property. All we have again is numbers and computer impressions of a development. We were led to believe that single storey bungalows will be built behind us, again no detail. You were at pains to point out how sympathetic the use of space was for the new development. I await the detail.

At the moment, the field is an amenity for all the residents but if the developments go ahead as they are then the residents of Fairfield will not be the



only stakeholders to lose out on this amenity. It has been used by dog walkers for as many years as I have been a resident and well before that. It should remain as such. Red deer also use this as a wildlife corridor, cognisance of this and preservation of wildlife need to be protected.

**The environmental impact on the Wetlands** which by your own admission is a natural reservoir for any drainage is dubious to say the least as this part of Edgar Road has a history of flooding already from the burn. Any increase in water flow can only increase that potential risk.

**Drainage and potential flooding** therefore remain a huge concern with your representative at the consultation claiming this was all in place. I would request a detailed report on that or access to it.

**The Development of the Firs.** Whilst I did not receive a letter with regard to this development it remains very much contentious as there is yet again no detail on what is being proposed and the number of houses and style. It sits surrounded by protected trees and on no account should they be interfered with.

I am flabbergasted that we are being asked to object to a plan with such little detail therefore my objections will more than likely remain unresolved until that detail is supplied and can be assessed.

In the interim I firmly object to the number of houses now being proposed and request a reduction to more manageable numbers.

You have a very long way to go to get this right

Lastly like my neighbours I extend an invitation to any and all of the consortium members to come to our house and view the proposal from our property.

Carolyn Anderson

**From:** [eforms@moray.gov.uk](mailto:eforms@moray.gov.uk)  
**To:** [Localdevelopmentplan](#)  
**Subject:** EL\_OPP11 - 002034  
**Date:** 22 February 2019 08:48:26

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## Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

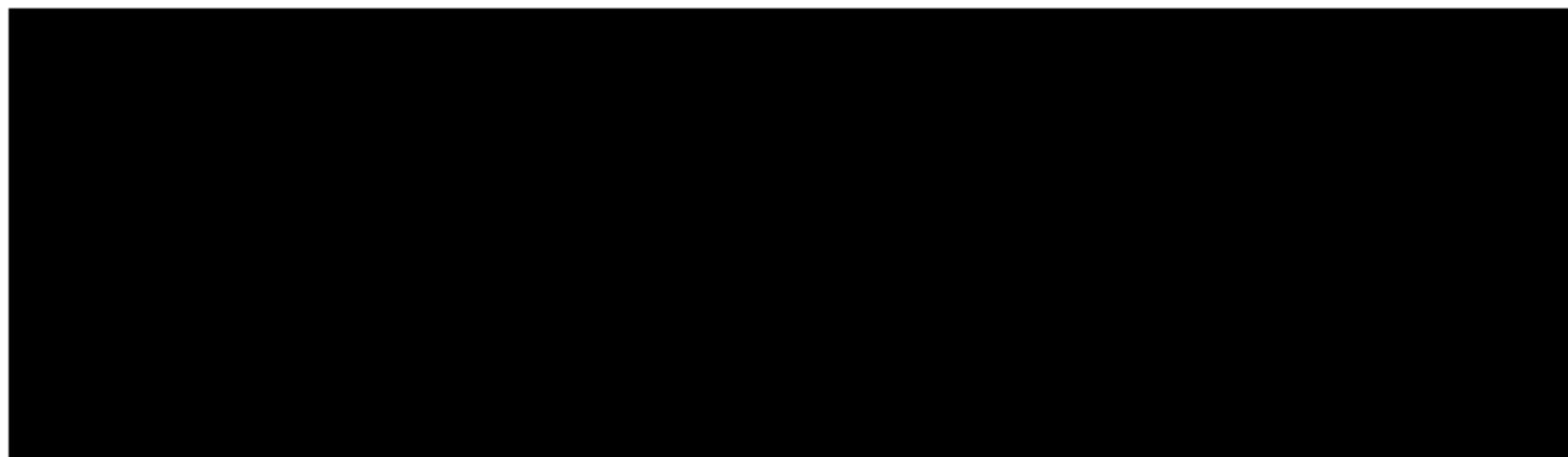
### Your Details

Title: **Mr**

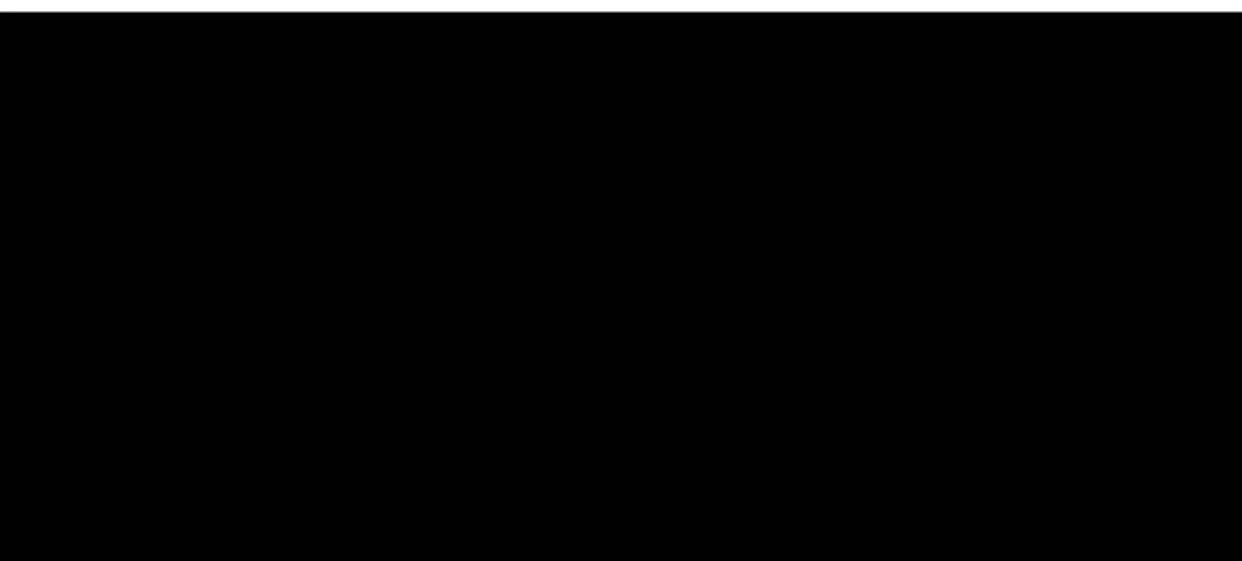
Forename(s): **Peter**

Surname: **Carvell**

### Your Address

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### Contact Details

A large black rectangular box redacting the contact details.

### Agent Details

Do you have an agent: **No**

### Response

Do you want to object to a site?: **Yes**

Do you want to object to a policy, the vision or spatial strategy: **Yes**

Other: **No**



Supporting information: [Download supporting document](#) Available also via link at bottom of this email.

## Site Objections

Name of town, village or grouping: **Elgin**

Site reference: **OPP 11**

Site name: **Walled Garden**

Comments: **The proposed plans will remove valuable teaching and learning spaces for students, who also provide a service to keep the biblical gardens in good condition**

## Policy Objection

Policy:

Comments:

Please use [this link](#) to view and retrieve the uploaded attachments.



**From:** [Carol Casburn](#)  
**To:** [Localdevelopmentplan](#)  
**Subject:** EL\_OPP11 - 002137  
**Date:** 09 March 2019 14:25:18

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Dear Sir or Madam

I would like to add my voice to the objections being made regarding the sale of the walled garden next to the Biblical Gardens.

Does Moray Council really want to be associated with the possible closure of Moray College's Horticultural Course, which I believe is the only one in the North of Scotland. Where-else will they and Greenfingers find land to grow plants economically. As all gardeners know it is cheaper to grow your own than buy from commercial nurseries.

This is a space for locals and visitors alike to enjoy. It is a place of calm and beauty.

As one of a three, Lossiemouth Health Walk Leaders, I know how enjoyable our group find a walk through Cooper Park via the Biblical Gardens.

I urge you to reconsider this plan.

Carol Casburn





**From:** [eforms@moray.gov.uk](mailto:eforms@moray.gov.uk)  
**To:** [Localdevelopmentplan](#)  
**Subject:** KN\_R2 - 002009  
**Date:** 15 February 2019 08:44:00

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## Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

### Your Details

Title:

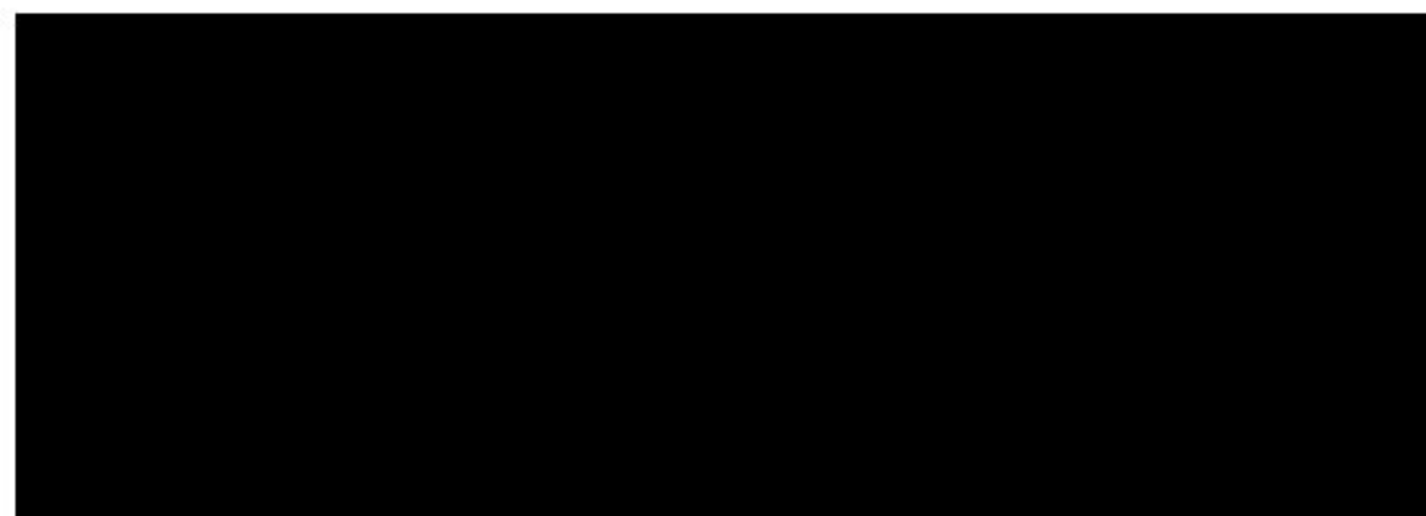
Forename(s): **Steven**

Surname: **Gasgarth**

### Your Address

A large black rectangular box redacting the address information.

### Contact Details

A large black rectangular box redacting the contact details information.

### Agent Details

Do you have an agent: **No**

### Response

Do you want to object to a site?: **Yes**

Do you want to object to a policy, the vision or spatial strategy: **No**

Other: **No**



Supporting information: [Download supporting document](#) Available also via link at bottom of this email.

## Site Objections

Name of town, village or grouping: **Kinloss**

Site reference: **OPP2**

Site name: **Land at former Abbeylands School**

Comments: I notice this is a big development using a lot of land. As far as I am aware Morayvia have not confirmed how much they are already going to contribute to the repairs and upkeep of North Road. There has already been significant traffic using North Road only for Morayvia, including of course all the heavy loads delivering planes and parts etc there. This is a private estate and we pay for the roads. As we pay for one household, and have 1-2 cars per house, Morayvia should pay based on the number of cars coming to their site - which will be a significantly large amount of money. Please send me the details of how much Morayvia has or will pay - first for the time it has already been there and been using North Road, and also an annual plan for how much they will contribute. I do not particularly want an aircraft museum next to my house, and I definitely do not want it if they are not paying their share to the upkeep of the roads and estate. In addition, could you send me the traffic study that has been carried out as part of this planning application, to measure the amount of traffic using North Road to get to Morayvia over the last 12 months' I look forward to getting all this information, and I object to this application until I have read and am satisfied that the points I raised are taken care of to my satisfaction. Steven Gasgarth

Please use [this link](#) to view and retrieve the uploaded attachments.

**From:**  
**To:**  
**Subject:**  
**Date:**

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## **Moray Local Development Plan 2020 (Bilbo Hall)**

Dear Sir / Madam Etc, Further to viewing the proposed development for Bilbohall, I should like to make the following observations :-

At the exhibition at the town hall on 20/02/2019, there was not really enough information to comment on. I still think some of the concerns which I raised on 23/04/2018 are still relevant.

Access across the railway bridge on Mayne Farm Road still remains the same and is still a choke point.

In the new document on your web site you refer to Mayne Farm Road as a "Link Road", this would suggest an inevitable increase of traffic including heavy vehicles with all the noise and pollution that would bring. I can find no information as to how future traffic flow has been assessed.

What measures are proposed for drainage for the development in R3 Bilbohall south?

Has the possibility of run off from this development causing drainage or flooding to the Fairfield development been considered and if so what conclusions were arrived at and how were they arrived at?

If flooding or drainage problems do occur to whom do we seek redress?

Where R3 adjoins the Fairfield Avenue development, at present there is a fence separating it from the 10 Metre shrub planted area. As the maintenance of this area is paid for by the residents of Fairfield Avenue, we would expect some kind of boundary fence to be erected in order that this strip does not become a public path.

I await detailed plans being submitted before commenting further, but hope my above points will be addressed and that the proposed development adheres to the amended masterplan.

Yours faithfully

Bernard Cassidy

Sent from Windows Mail



**From:** [REDACTED]  
**To:** [Localdevelopmentplan](#)  
**Subject:** EL\_R3 - 001872  
**Date:** 14 March 2019 12:39:58

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## **Moray Local Development Plan 2020 (Bilbo Hall)**

Dear Sir / Madam Etc, Further to viewing the proposed development for Bilbohall, I should like to make the following observations :-

At the exhibition at the town hall on 20/02/2019, there was not really enough information to comment on. I still think some of the concerns which I raised on 23/04/2018 are still relevant.

Access across the railway bridge on Mayne Farm Road still remains the same and is still a choke point.

In the new document on your web site you refer to Mayne Farm Road as a "Link Road", this would suggest an inevitable increase of traffic including heavy vehicles with all the noise and pollution that would bring. I can find no information as to how future traffic flow has been assessed.

What measures are proposed for drainage for the development in R3 Bilbohall south?

Has the possibility of run off from this development causing drainage or flooding to the Fairfield development been considered and if so what conclusions were arrived at and how were they arrived at?

If flooding or drainage problems do occur to whom do we seek redress?

Where R3 adjoins the Fairfield Avenue development, at present there is a fence separating it from the 10 Metre shrub planted area. As the maintenance of this area is paid for by the residents of Fairfield Avenue, we would expect some kind of boundary fence to be erected in order that this strip does not become a public path.

I await detailed plans being submitted before commenting further, but hope my above points will be addressed and that the proposed development adheres to the amended masterplan.

Yours faithfully

Sheila Cassidy

Sent from Windows Mail

**From:** [eforms@moray.gov.uk](mailto:eforms@moray.gov.uk)  
**To:** [Localdevelopmentplan](#)  
**Subject:** EL\_OPP11 - 002173  
**Date:** 13 March 2019 20:49:13

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## Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

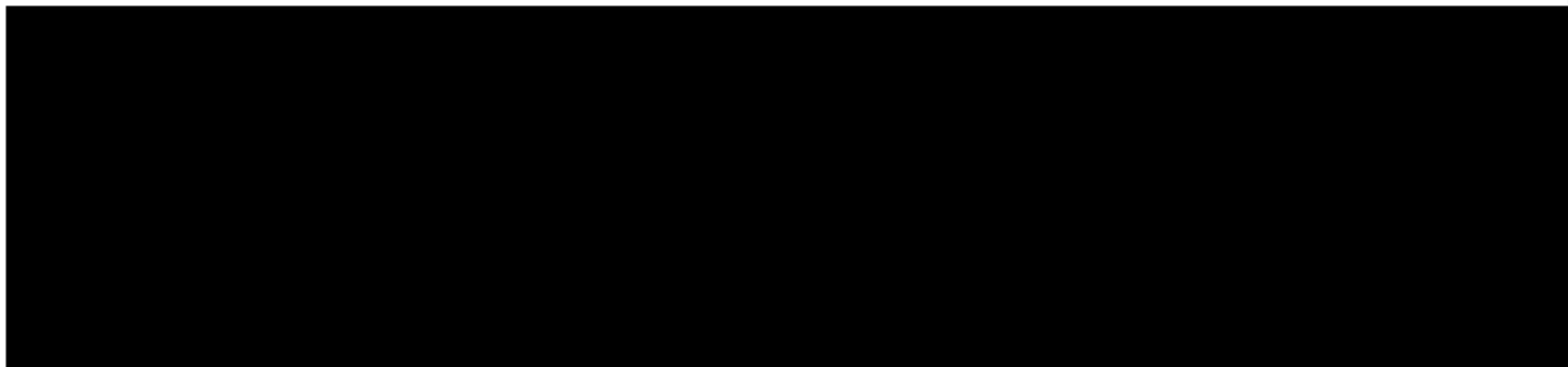
### Your Details

Title: **Mrs**

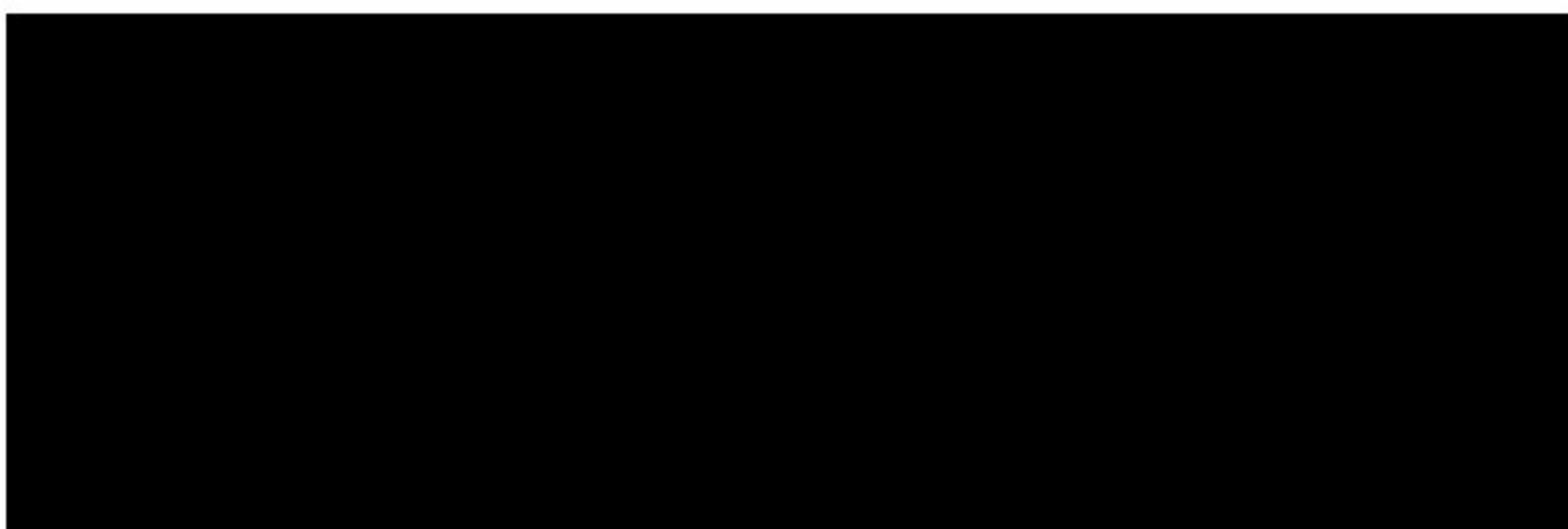
Forename(s): **Anne**

Surname: **Chadwick**

### Your Address

A large black rectangular box redacting the address information.

### Contact Details

A large black rectangular box redacting the contact details.

### Agent Details

Do you have an agent: **No**

### Response

Do you want to object to a site?: **Yes**

Do you want to object to a policy, the vision or spatial strategy: **Yes**

Other: **No**



Supporting information: [Download supporting document](#) Available also via link at bottom of this email.

## Site Objections

Name of town, village or grouping: **Elgin**

Site reference: **OP11**

Site name: **The Walled Garden**

Comments: **The proposed plan for the developement of a hotel within the Walled Garden would be of huge detriment not only to those currently using the site but to the wider community. The Walled Garden is at present the home of; Greenfingers Training Facility - Offering training and life skills to vulnerable members of our community who suffer from either Learning Difficulties or are recovering from mental health illnesses. These are individuals who have limited suitable opportunities and environments where they can finish healing, develop and improve their "Life Chances". The aim is to support individuals to develop life and employability skills whilst working and training in horticulture. The team here undertake a variety of gardening/horticultural projects within our community, they propagate and sell plants and grow and care for over 20 000 bedding plants which adorn our towns and villages during the summer tourist season each year. This is a tremendous task and educational experience carried out within the 4 large greenhouses, 5 polytunnels and extensive coldframes which during these months are all full to overflowing with plants. Individuals learn to be responsible, plan, and care for plants throughout the seasons. It also gives them organisational and teamworking skills whilst building self esteem and confidence. Greenfingers trainees have successfully moved forward into employment, volunteering and further education. Moray College Horticultural facilities - The only area in the north of Scotland to offer recognised training in horticulture. Lands and Parks Maintenance squad - The base for Lands and parks squad who maintain our green spaces. It would certainly be impossible to offer the the same educational opportunities provided by both Greenfingers and the college on an alternative site and feels extremely short sighted. The promotion and enhancement of our green spaces and the subsequent sense of well being provided by them for our communities, not to mention the attraction of a well presented environment for visitors to the area would be at risk. There would be no one local with the required experience skills and training to maintain our green spaces. The plan states in it's introduction that it covers a broad spectrum of issues including employment opportunities, connecting communities, good health and educational facilities, supporting health challenges by supporting physical activities and mental well being, helping reduce inequalities and improve life chances for everyone to enjoy a good quality of life. Surely this is what Greenfingers is already doing within the walled garden site and to a very high standard, it would be extremely difficult to undertake this on an alternative site and many vulnerable people would have reduced quality of life.**

## Policy Objection

Policy: **DP6 Mixed Use (MU) and Opportunity Sites (OPP)**

Comments: **The proposed plan for the developement of a hotel within the Walled Garden would be of huge detriment not only to those currently using the site but to**



the wider community. The Walled Garden is at present the home of; Greenfingers Training Facility - Offering training and life skills to vulnerable members of our community who suffer from either Learning Difficulties or are recovering from mental health illnesses. These are individuals who have limited suitable opportunities and environments where they can finish healing, develop and improve their "Life Chances". The aim is to support individuals to develop life and employability skills whilst working and training in horticulture. The team here undertake a variety of gardening/horticultural projects within our community, they propagate and sell plants and grow and care for over 20 000 bedding plants which adorn our towns and villages during the summer tourist season each year. This is a tremendous task and educational experience carried out within the 4 large greenhouses, 5 polytunnels and extensive coldframes which during these months are all full to overflowing with plants. Individuals learn to be responsible, plan, and care for plants throughout the seasons. It also gives them organisational and teamworking skills whilst building self esteem and confidence. Greenfingers trainees have successfully moved forward into employment, volunteering and further education. Moray College Horticultural facilities - The only area in the north of Scotland to offer recognised training in horticulture. Lands and Parks Maintenance squad - The base for Lands and parks squad who maintain our green spaces. It would certainly be impossible to offer the the same educational opportunities provided by both Greenfingers and the college on an alternative site and feels extremely short sighted. The promotion and enhancement of our green spaces and the subsequent sense of well being provided by them for our communities, not to mention the attraction of a well presented environment for visitors to the area would be at risk. There would be no one local with the required experience skills and training to maintain our green spaces. The plan states in it's introduction that it covers a broad spectrum of issues including employment opportunities, connecting communities, good health and educational facilities, supporting health challenges by supporting physical activities and mental well being, helping reduce inequalities and improve life chances for everyone to enjoy a good quality of life. Surely this is what Greenfingers is already doing within the walled garden site and to a very high standard, it would be extremely difficult to undertake this on an alternative site and many vulnerable people would have reduced quality of life.

policies\_list :

policy\_obj\_comments :

Please use [this link](#) to view and retrieve the uploaded attachments.



**From:** [eforms@moray.gov.uk](mailto:eforms@moray.gov.uk)  
**To:** [Localdevelopmentplan](#)  
**Subject:** EL\_OPP11 - 002196  
**Date:** 15 March 2019 16:48:29

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## Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

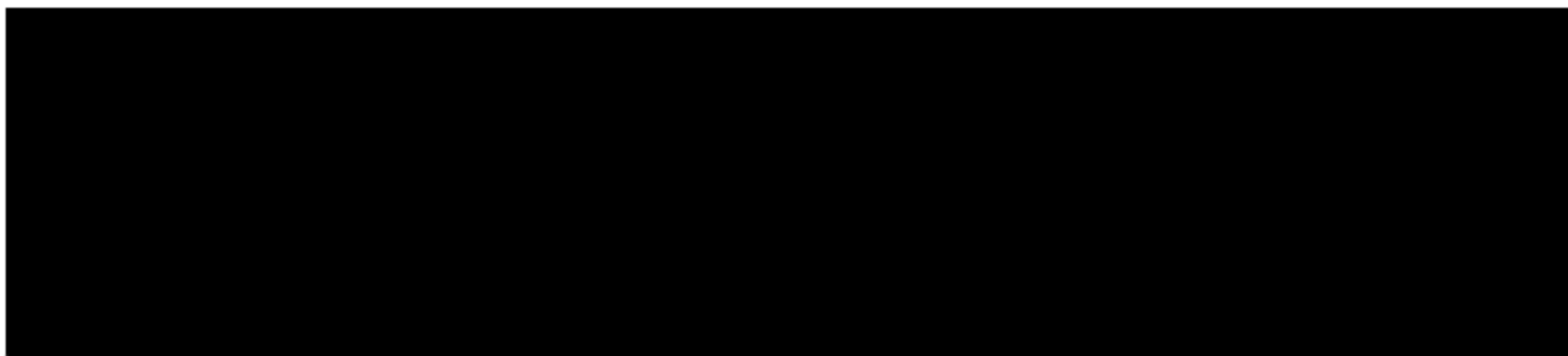
### Your Details

Title: **Mr**

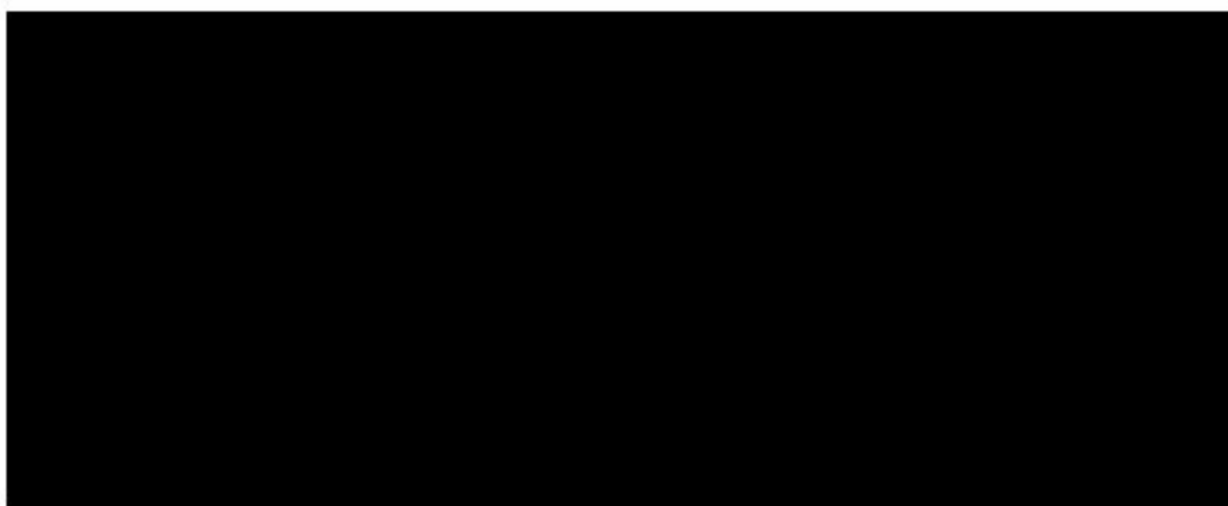
Forename(s): **David**

Surname: **Chadwick**

### Your Address

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### Contact Details

A large black rectangular box redacting the contact details.

### Agent Details

Do you have an agent: **No**

### Response

Do you want to object to a site?: **Yes**

Do you want to object to a policy, the vision or spatial strategy: **Yes**

Other: **No**

Supporting information: [Download supporting document](#) Available also via link at bottom of this email.

## Site Objections

Name of town, village or grouping: **Elgin**

Site reference: **Op 11**

Site name: **Walled Garden.**

Comments: **The walled garden currently contains greenhouses and other facilities used for growing plants used in local towns and villages to brighten the area and assist in the tourism vital to Moray. These plants are cared for by the excellent Greenfingers adult learning group, providing a vital service for local adults with learning difficulties or mental health issues. The site is also in an area with good transport links to assist the trainees attending the excellent service. What are the intentions in replicating the facilities' If the greenhouses and site are lost the council etc would have to buy in mature plants and also provide learning opportunities for the adults, so I do not understand the long term financial savings'**

## Policy Objection

Policy: **DP3 LONG Term Land Reserves**

Comments: **OP 11 is short sighted, Although we need good hotels we need to protect services and productive sites.**

Please use [this link](#) to view and retrieve the uploaded attachments.



**From:** [eforms@moray.gov.uk](mailto:eforms@moray.gov.uk)  
**To:** [Localdevelopmentplan](#)  
**Subject:** EL\_OPP11 - 001968  
**Date:** 24 January 2019 21:46:11

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## Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

### Your Details

Title: **Mr**

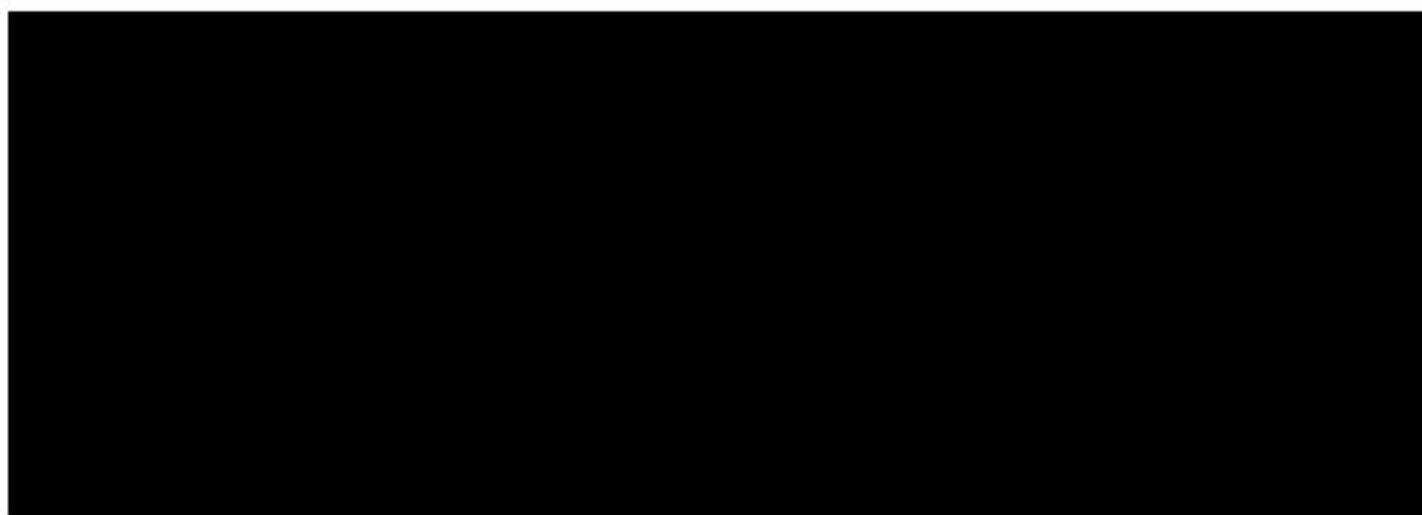
Forename(s): **Nicholas Stuart Dupen**

Surname: **Chambers**

### Your Address

A large black rectangular box redacting the address information.

### Contact Details

A large black rectangular box redacting the contact details information.

### Agent Details

Do you have an agent: **No**

### Response

Do you want to object to a site?: **Yes**

Do you want to object to a policy, the vision or spatial strategy: **No**

Other: **No**

Supporting information: [Download supporting document](#) Available also via link at bottom of this email.

## Site Objections

Name of town, village or grouping: **Elgin**

Site reference: **OPP11**

Site name: **Walled Garden**

Comments: **The Moray Local Development Plan states "Open space that contributes to the environmental amenity of Elgin will be safeguarded from development that is not related to its current use.." The Biblical Gardens (EL/OS/025) is part of the green infrastructure of Elgin, it is an Important tourism destination and a link in the award winning 'Castle to Cashmere' heritage experience. The proposed development of the Walled Garden will destroy the Biblical Gardens, contrary to the Moray Local Development Plan. Development of the Walled Garden removes the facilities, equipment and people who maintain the Biblical Gardens. Development of the Walled Garden MUST take into account the importance of the Biblical Garden. The Biblical Garden is home to the Only mainstream horticultural training facility North of Perth. It is the UK's most Northerly College of Horticulture Training. It has trained Horticulturalists that have gone on to work throughout every part of Moray and beyond. Any Development of the Walled Garden MUST take into account the training facility located next to the Biblical Gardens. Any Development AND Horticulture facilities linked to the Biblical Gardens could happily and very successfully co-exist with each other, be mutually beneficial, work together to attract greater numbers of tourists by offering improved facilities around the Cathedral. The wording in the Moray Local Development Plan should be modified to ensure that any development of the Walled Garden guarantees the future of the training facilities located at the Biblical Gardens.**

Please use [this link](#) to view and retrieve the uploaded attachments.



**From:** [eforms@moray.gov.uk](mailto:eforms@moray.gov.uk)  
**To:** [Localdevelopmentplan](#)  
**Subject:** 002165 - Moray Local Development Plan - Proposed Plan 2019: Z920BVX0  
**Date:** 13 March 2019 11:30:42

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## Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

### Your Details

Title: **Mr**

Forename(s): **Michael**

Surname: **Thomson**

### Your Address

House name/number: **CHAP Group (Aberdeen) Ltd, Enterprise Drive, Westhill Industrial Estate,**

City/Town: **Westhill**

Postcode: **AB32 6TQ**

### Contact Details

Email address : **mthomson@chap.co.uk**

Confirm email: **mthomson@chap.co.uk**

Telephone:

Preferred contact method: **Email**

### Agent Details

Do you have an agent: **No**

### Response

Do you want to object to a site?: **No**

Do you want to object to a policy, the vision or spatial strategy: **Yes**

Other: **Yes**

Supporting information: [Download supporting document](#) Available also via link at bottom of this email.

## Policy Objection

Policy: **PP1 Placemaking**

Comments: (i) **Character & Identity:** The second bullet point could be misinterpreted and it is suggested that further clarity is added. This requirement could be read to mean that for every 20 units, a different character area is required, when it is now understood that the intention of the policy is that for sites of 20 units and above, more than one different character area will be required. It is also considered that this threshold of 20 units is artificially low and could be amended to be increased to 50 units, in line with a major development which would be appropriate for larger sites, or perhaps on a scale of thresholds to ensure that the level is right for different sizes of sites. A patchwork of different character areas would not positively add to the design or placemaking aspirations of a new development which might happen with the threshold at 20, and it is understood and accepted that there is a need to differentiate between character areas. This policy could be reworded to be more flexible whilst also being proportionate.

policies\_list : **PP1 Placemaking**

policy\_obj\_comments : (vi) **Parking:** In Policy PP1 part vi on parking, it is considered that the requirement for 75% of car parking requirement to the side or rear of the property to be overly onerous. It reduces the flexibility in design at Development Management stage where an officer may stick rigidly to the wording of the policy, rather than taking a more pragmatic and proportionate approach. It is our view that this should be a matter of placemaking and should be taken on a case by case basis rather than exerting a rigid percentage. It is therefore suggested that the wording of this policy is amended to be more flexible.

policies\_list : **DP1 Development Principles**

policy\_obj\_comments : (ii) **Transportation** Under section (f), it is not clear from the text of this section of the policy whether the Council is stating that turning points will be preferred to hammerheads. It is requested that clarity is provided on this, and adequate justification provided. Policy PP1 Placemaking (vii) street layout and detail bullet 4 refers to cul-de-sacs in certain circumstances of no more than 10 units. If a hammerhead is not permitted for this style of street layout, there may be an impact on the density and plot size that can be achieved, which may then have an impact on the overall design of the site. Seemingly small policy decisions such as this can have a larger implication on a site's deliverability and viability. It is suggested that this policy is revised so that the justification and reasoning is more robust and easier to interpret.

policies\_list : **DP2 Housing**

policy\_obj\_comments : **Affordable Housing:** It is considered that there is an opportunity for the guidance section of the Plan in relation to affordable housing to be more flexible. Whilst the guidance does not explicitly restrict sites for 100% affordable housing development, it is not very supportive of this type of proposal. CHAP are generally supportive of the creation of mixed communities but considers that given the affordable need highlighted by the Council within the HNDA, and the market in Moray, any proposal for affordable housing which is acceptable in design terms,



should be viewed favourably. Private sector development makes an important contribution to the delivery of affordable housing through the 25% affordable policy requirement, and any proposal over and above this 25% threshold (up to 100%) should be encouraged, rather than dissuaded through the LDP policy and guidance. Officers have indicated that the intention of the policy is to ensure that there is a mix of affordable housing tenures (Social Rent, Mixed Market Rent, Low-Cost Home Ownership etc...) rather than deterring 100% affordable housing developments altogether. If that is indeed the case, the guidance should be revised/expanded to avoid any misinterpretation or confusion.

policies\_list : DP2 Housing

policy\_obj\_comments : Accessible Housing: We have significant concerns about the proposed Accessible Housing policy in DP2 Housing, part f, and the accompanying guidance text and question the reasoning behind the introduction of this as a policy requirement in the LDP. This policy is overly onerous and is not supported by compelling evidence to justify its inclusion in the LDP. There is no restriction on the buyer for a private home. Each home, whether it is a bungalow under this accessible housing policy, or any other home, will be sold to a buyer who may or may not have accessibility needs. As a home owner (and subject to planning consent etc) that buyer will then be entitled to adapt their property as they wish ? for example adding another storey or a multiple storey extension which would result in the home no longer being able to be classified as an accessible bungalow. Further, that buyer would then sell on the property to another buyer who may or may not have an accessible need. Therefore, there is no way, through the development of private homes for sale, that homes built under this accessible housing policies can be safeguarded to ensure that it is sold to someone who has an accessible need, nor is there any way of guaranteeing that these homes will remain accessible. Conversely, if a need for accessible housing can be evidenced in a robust way, this could be met through the delivery of affordable housing which can then be allocated specifically to someone or a family with accessibility needs, and the home can remain as an accessible property in perpetuity as an RSL or the Council will be in control of the occupancy and any alterations to the property. A further concern is the apparent restriction of accessible housing to bungalows only. Whilst Scottish Planning policy does refer to 'supporting delivery of accessible housing?', it does not specifically refer to single-storey bungalow development, therefore we question the justification to seemingly restrict the delivery of accessible housing units to bungalows. This is overly inflexible and does not allow for other potential solutions or options to come forward to adequately meet the accessible housing need. This may include the provision of ground floor flats and/or self-contained cottage flats. At a time where development finance is still an issue for many home builders, limiting house types to bungalows for a proportion of the site will have an undoubted effect on land value, and therefore the potential viability of a site. Bungalows require a larger plot size and are therefore more costly in terms of land value to develop, and that increase in cost tends not to be recouped through the sale of land, as bungalows tend not to command a price premium compared to alternative house configurations. In addition, with bungalows requiring more land, the overall development numbers on each site may be reduced, with a resulting knock-on effect in the number of affordable and accessible units if fewer homes are being delivered on the site. This would result in the overall reduction in homes that can be delivered on the site, adding to the deliverability issues that Moray currently faces. Very little evidence is provided by Moray Council to support the introduction of this LDP policy. Indeed, it appears that the evidence base is the same as that used in 2016 at the time of the introduction of an accessibility housing requirement (which was less onerous than this new requirement) through Supplementary Guidance. At that time, Homes for Scotland queried the evidence base used by the council as it relied on the type of property that people on the Council waiting list would prefer. No evidence was given as to whether these individuals

would be the customer of these private accessible homes for sale provided by the home builder, and whether these people were in a position to buy one of these properties. We acknowledge that the HNDA demonstrates an ageing population in Moray, but do not believe that this in itself is evidence to support the private sector delivery of accessible homes in the area. If there is an identified affordable need for accessible homes, these should be delivered through affordable housing. If there was an overwhelming market for bungalows in Moray, this would be reflected in developments through the provision of bungalows as part of the overall housing mix. Currently, this is not the case.

## Other Objection

Document commenting on: **General Comment**

Comments: At present, CHAP Homes have no ongoing or future housing projects in Moray. There is, however, an aspiration to invest in the area through the delivery of new housing but we have concerns relating to the new policies presented in the Moray Local Development Plan. A number of these policies are more onerous than those adopted by other Councils and could put Moray at a competitive disadvantage when developers and other businesses consider where their future resources should be allocated. Policies should be considered collectively in order to assess their potential commutative impact on the viability of new development sites to ensure that there is no impediment to the deliver of much needed housing. It is therefore suggested that cognisance is taken of the representations of CHAP, Homes for Scotland and the house building industry in general to ensure that Moray remains a region where companies want to invest and expand.

Please use [this link](#) to view and retrieve the uploaded attachments.



**From:** [Jane Charles](#)  
**To:** [Localdevelopmentplan](#)  
**Subject:** EL\_OPP11 - 002118  
**Date:** 05 March 2019 12:54:14

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March 5th 2019

Dear sir/ madam

I am writing to object to the proposals which I feel would badly effect the biblical garden. I myself studied horticulture many years ago and the gardens, greenhouses etc are an extremely valuable part of the courses moray college provides.

I'm also aware that green fingers make use of the greenhouses and land around which is such an important part of training and enjoyment for Adults with learning difficulties and their family's.

The biblical garden attracts all kinds of people including myself for a peaceful beautiful place to look around or just for some quiet reflection.

Most importantly it is a big tourist attraction and since the recent budget cuts our local parks which we used to take great pride and joy in have been neglected which is about to get even worse!

All the hard work and care from students to volunteers, schools, businesses and fund raising. Surely we should value and respect those people who have created and continue to maintain such a special area above the council selling parts of the land for another hotel?

I understand the moray council are in financial difficulties but feel this is a very short sighted plan and I really hope they will reconsider the implications and real cost to this beautiful part of the country. The monetary gain in the short term could never make up for our loss of such a loss!

Yours sincerely

Jane Charles



Moray Council  
Local Development Plan Team  
Development Services  
Moray Council  
Council Offices  
High Street  
Elgin IV30 9BX

Jones Lang LaSalle Ltd



**By Email**

14 March 2019

Dear Sirs,

**Moray Local Development Plan 2020: Proposed Plan - Consultation Response  
Christopher Moran Energy Limited**

On behalf of my client Christopher Moran Energy Limited ("CMEI") I am pleased to submit this representation / objection to the Moray Local Development Plan 2020 ("Proposed Plan"). This representation specifically addresses matters relevant to the delivery of onshore wind energy development.

**The Vision**

Page 7 of the Proposed Plan sets out a series of "plan aims and objectives". These generally include high level environmental, housing and infrastructure objectives. The end of the list contains reference to encouragement of the efficient use of land and promotion of low carbon and sustainable development and references the need to address resilience of the natural and built environment to climate change.

It is disappointing that there is no specific reference to the need to encourage renewable energy development, especially given the very significant policy support at the Scottish Government level for further renewable energy development and in particular with regard to onshore wind energy and indeed other renewable energy technologies.

It is helpful to look at some comparator LDP provisions of what is said in this regard. For example the Dumfries and Galloway adopted LDP (2015) vision sets out that in the future the expectation is that there will be a viable rural economy characterised by various attributes including "*a range of renewable energy developments*" – recognising that a significant part of the area's economy involves generation of renewable energy, and that the plan should take a positive and encouraging approach to this type of infrastructure, given the strong policy approach at the Scottish Government level.

In addition, the Scottish Borders adopted LDP (2016) is helpful which sets out that "*encouraging renewable energy is seen to be a key part of the Government response to climate change and this supports the emphasis towards a low carbon economy*". The Scottish Borders LDP identifies at the outset that a key outcome that the plan aspires to is "*the development of the area's full potential of electricity and heat from renewable sources, in line with national climate change targets....*"



It is therefore recommended that the vision in the Proposed Plan should be amended to properly reflect the current intensification of policy support for renewable energy development. This should be expressed within the vision and associated plan aims and objectives. This would be consistent with the approach taken by other rural local planning authorities throughout Scotland. The Proposed Plan is currently silent on this topic and that is an unacceptable position.

### **The Spatial Strategy**

The Spatial Strategy plan on page 11 of the Proposed Plan sets out a range of high level land use geographical indicators, including graphic icons for indicative potential for offshore renewable developments, tourism development opportunities as well as suggested new health centres. The rural area on the plan is entirely empty of any indication of opportunities.

Given the points made above with regard to the Government's strong approach to renewable energy development and how that matter is set out in national planning policy and associated renewable energy, electricity and climate change targets: it seems a missed opportunity not to identify the scope offered by the extensive rural area in Moray for renewable energy development, in particular onshore wind. If offshore wind potential is highlighted then why not onshore? This is particularly relevant given the existing supply of onshore wind developments within Moray and the opportunities in due course offered up by repowering and possibly extensions as well as potentially new greenfield development opportunities.

### **Draft Policy DP9 'Renewable Energy'**

Policy DP9 is a general policy that applies to all forms of renewable energy development. Part B of the policy is of specific relevance to onshore wind energy development.

#### Part a) Policy Tests

Part (a) of the policy sets out that all renewable energy proposals "*will be considered favourably where they meet the following criteria*" and included at criterion (iii) is where developments "*avoid or address any unacceptable significant adverse impacts*". This is then followed by a list of land use and environmental topics. This wording of the policy test is supported. It generally reflects the terminology used in assessing proposals where environmental impact assessments will be required.

However later in the policy, the focus of dealing with "*relevant unacceptable significant adverse effects*" is lost and becomes inconsistent with varying phrases and 'sub-tests' introduced. The approach needs to be rationalised. This is further explained below.

For example, in section b) of the policy, reference is made to "*without significant detrimental impact*" and in iv) reference is made to "*any detrimental impact*". The phrase "any detrimental impact" also appears with regard to impact on local communities and under the 'other' category.

Therefore, the policy test needs to be consistently expressed throughout the whole policy to avoid the contradictory expressions that it contains at the present time.

In addition, it may be helpful to set out a footnote (or include within the 'Justification / Notes' Box on page 62) on the word "unacceptable" along the lines of "*acceptability will be determined through an assessment of the details of a proposal including its benefits and the extent to which its environmental and cumulative impacts can be satisfactorily addressed*". This is the approach that is taken to the emerging new Dumfries and Galloway LDP Renewable Energy Policy IN2.



Part a) i) of the policy requires developments to be “*compliant with policies to safeguard and enhance the built and natural environment*”. This element of the policy is unnecessary as a draft policy DP9 is already very comprehensive in terms of the natural and built heritage topics that it contains. Furthermore, to state that a requirement for all commercial scale wind energy developments is that they must be “*compliant with all enhancement built and natural heritage policies*” is entirely unrealistic. It is inevitable that there will be, from such development, a range of significant and potentially adverse impacts which will be mitigated to a greater or lesser degree, but that particular policy criterion is a test that is set unattainably high.

Moreover, it is often the case that commercial scale onshore wind developments can result in some tensions amongst various policies within an LDP when considering overall “accordance” of a particular development with individual policies, and then with the development plan when read as a whole. That is a matter however that is already taken into account in the approach to considering the application of section 25 of the Town and Country Planning (Scotland) Act 1997 in a planning determination and indeed when considering development plan matters in the planning balance in a determination under the Electricity Act 1989. It is recommended therefore that part a) i) of Policy DP9 be struck out.

This proposed policy approach is also contrary to the case of City of Edinburgh Council v The Secretary of State for Scotland SLT 120, which advises careful identification and assessment of relevant development plan policies rather than requiring compliance with all.

In terms of Part a) ii) requiring no “*permanent loss or damage*” upon agricultural land of any quality, is also considered to be inappropriate. The Proposed Plan provides no definition of agricultural land and the approach within national planning policy (Paragraph 80 of Scottish Planning Policy (“SPP”)) applies either to prime agricultural land or land of lesser quality that is locally important: not to all agricultural land as the Proposed Plan currently states. Accordingly, the Proposed Plan is overly restrictive in this regard.

Part a) iii) of the policy requires developments to “avoid or address unacceptable significant adverse impacts” – and as stated, this is considered to be an acceptable and appropriate policy test to set out at the outset of the policy, with reference to various land use considerations.

Part b) of the policy is entitled ‘onshore wind turbines’ and applies only to onshore wind energy development. There are a number of aspects of this part of the policy that are inconsistent and contrary to the national policy position as well as inconsistent with the preceding Part a).

#### The Need for Deletion of the Landscape Capacity Maps

Under part i) entitled ‘The Spatial Framework’ it is recommended that the reference to the ‘Moray Onshore Wind Energy Landscape Capacity Study’ is removed from this part of the policy. It does not form part of the Spatial Framework and should not form part of it as this would be contrary to the policy position in SPP regarding the preparation of Spatial Frameworks. Furthermore, the document is referenced in a later part of the policy – namely section b) iii).

In terms of Part b) iii) ‘Landscape and Visual Impact’ the reference to consideration “*of the extent to which...the proposal address the guidance set out in the Moray Windfarm Landscape Capacity Study*” is appropriate – but the reference to “*see Maps 3-5*” should be struck out.

A fundamental issue and matter of strong objection to Policy DP9 is the inclusion of Maps 3-5 which the Council has lifted from the Landscape Capacity Study.



Scottish Planning Policy (2014) explains that Planning Authorities should set out in the Development Plan a Spatial Framework identifying those areas that are likely to be most appropriate for onshore wind farms, following the approach set out in table 1, and indicating the minimum scale of development that the framework is intended to apply to. Table 1 divides the Spatial Framework into three groupings: (1) areas where wind farms will not be acceptable (National Parks and National Scenic Areas); (2) areas of significant protection (national and international designations; other nationally important mapped environmental interests; and community separation (an area around cities, towns, and villages identified in the local development plan); and (3) areas with potential for wind farm development (beyond groups (1) and (2), wind farms are likely to be acceptable, subject to detailed consideration against identified policy criteria). This approach requires to be followed in order to deliver consistency nationally. Additional constraints should not be applied at this stage.

No provision is made in the Spatial Framework approach for dealing with landscape capacity (including turbine height banding) and cumulative impact. SPP is clear that additional constraints like these should not be applied at this stage in the interests of consistency nationally.

The current inclusion of selected maps from the Landscape Capacity Study, alongside the Spatial Framework Mapping is misleading and inappropriate. This approach has in the past been proposed by other Planning Authorities in the preparation of LDPs but has been rejected by Reporters at Examination stage. By way of an example, an almost identical approach was taken by Scottish Borders Council ("SBC") in their Proposed Plan in 2012 but was rejected in the Examination process.

The following is an extract from the SBC Report of Examination in relation to the LDP's renewable energy policy. The Reporter at page 125 of the Report of Examination ("RoE") stated:

*"The proposed plan contains landscape capacity maps (figures ED9b-9e) extracted from the landscape capacity study. Figure ED9b shows wind turbine development opportunities and constraints (overall landscape capacity), and is a summary of figures ED9c-9e (which show landscape capacity for different heights of turbines). The maps, along with the spatial strategy, are also referred to in policy ED9. There is no doubt that landscape capacity studies are relevant, can be helpful, and will help bridge the gap between the spatial framework and development management decisions. However, given the way they are presented in the proposed plan, I am concerned that they could be seen as an alternative framework, and this is misleading. I do not consider the planning authority's proposal to add to the title of figure ED9b the words landscape capacity would satisfactorily deal with this issue. I also consider that it is inappropriate to extract these figures from the context provided for them by the landscape capacity study as a whole, without a fuller explanation of the study and its terms. As such, I believe that figures 9b-e should be deleted from the proposed plan. I accept that the study should be mentioned in the plan, but it should be highlighted that it is identifying potential landscape capacity (as the study is a general, broad scale analysis, focussing on landscape character units, and is not site specific).*

*In light of the above conclusions on the spatial framework and the landscape capacity study, I consider that in the wind turbine proposals section of policy ED9 the references to figures 9a-e, i.e. landscape capacity maps, should be deleted." (underlining added)*

Furthermore, the Landscape Capacity Study is not the subject of consultation and would not be before the Examination process in due course. It can only be dealt with here to the extent that it is referred to in the Proposed Plan. Moreover, the Landscape Capacity Study has not had any form of independent scrutiny. This is unfortunate, and unhelpful to all parties, particularly given that SPP – 'frequently asked questions' highlights the need to encourage fuller public engagement in the preparation of such studies. To therefore include such a study's findings within the body of a statutory Development Plan policy is entirely inappropriate.



### Caveats to be included with regard to the Landscape Capacity Study References

An additional related point is that it should be explicitly stated that the Landscape Capacity Study is only an initial reference point. This is also a matter that was very well put by the Reporter in the SBC RoE where at page 127, the Reporter stated:

*“In the consideration relating to landscape and visual impacts, I believe that it is reasonable to mention that the landscape capacity study is only an initial reference point. As this study is just one of the elements to be used in the assessment of proposals, I also believe that it would be appropriate and helpful to refer to other important elements, particularly the landscape and visual impact assessment that would be prepared for a proposal” (underlining added).*

### Reference to Significant Detrimental Impact

The requirement at section b) iii) of the policy for onshore wind farms to be accommodated without “significant detrimental impact” on landscape character or visual amenity also sets to high a bar for the assessment of onshore wind energy development and as noted, differs from the policy test set out at the start of the policy in section a) iii).

The phrase “significant detrimental impact” should be struck out and the approach to the assessment of proposed developments currently set out at the start of the policy should be followed for consistency, namely reference should only made to proposals being approved provided that there are no relevant unacceptable significant adverse effects or impacts that cannot be satisfactorily mitigated.

In addition, in part b) iii) bullet 2, the need for developments to “*respect the main features of the site and wider environment*” is vague and unnecessary. Landscape and visual impacts are addressed elsewhere in the policy.

Part b) iv) to vi) deal with other onshore wind topics / considerations. Reference is made to a requirement for onshore wind energy development to address “any impact”. This requirement to address any impact is onerous. Again, the policy tests throughout the policy can be rationalised by relying on the introductory wording.

In addition, under section b) vi) there is reference to the need for proposals to “avoid or adequately resolve other impacts”. Again, there needs to be consistency in policy test wording, as explained above.

### **Integration of Spatial Framework within the Proposed Plan**

It is considered that the Council’s approach to mapping of Group 2 constraints around settlements is contrary to national planning policy.

Regarding settlements, the approach to Spatial Framework preparation is set out within SPP under the heading “*community separation for consideration of visual impact*”. SPP states that when preparing a Spatial Framework, Stage 2 areas can include “*an area not exceeding 2km around cities, towns and villages identified on the Local Development Plan with an identified settlement envelope or edge*”. The proposed Plan applies a blanket 2km zone around all settlements, but also applies this 2km zone to what is termed ‘Rural Groupings’, which do not have a defined settlement envelope or edge. This aspect of the Spatial Framework is contrary to SPP.

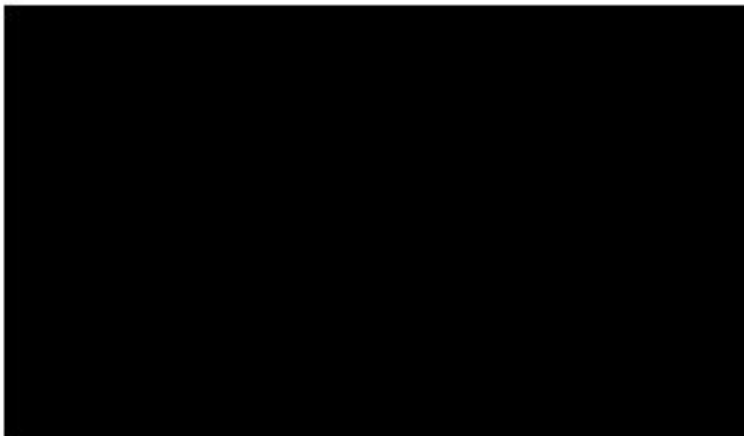
However, there are clear national planning policy implications arising from being identified as a ‘settlement’ under Group 2 areas of the Spatial Framework. The identification of dispersed rural groupings as settlements requires further consideration and they should be excluded from the Spatial Framework approach.



## Conclusions

It is recommended that the above matters should be fully taken into account and addressed in the next stage of the LDP preparation. The recommended amendments to the Proposed Plan and policy DP9 would in my client's view, bring the plan and policy in line with SPP. This would not only set a more positive policy framework for delivering renewable energy development within the Moray area, but also assist in meeting Moray Council's own aims and objectives for the promotion of low carbon and sustainable rural development in the LDP. This would tie in more consistently with the significant policy support at the Scottish Government level for the deployment of onshore wind energy development and indeed other renewable energy technologies as set out in the Onshore Wind Policy Statement and Scottish Energy Strategy. At present, the wording of policy DP9 and the approach to Landscape Capacity Study mapping and how the study is referenced is unacceptable and is fundamentally at odds with the provisions of SPP and the wider aims and objectives of the proposed LDP.

Yours faithfully  
For Jones Lang LaSalle



**David C Bell**  
**Director & Head of Planning**  
Direct line 0131 301 6720  
Mobile 07876 597494  
[david.bell@eu.jll.com](mailto:david.bell@eu.jll.com)



**From:** [eforms@moray.gov.uk](mailto:eforms@moray.gov.uk)  
**To:** [Localdevelopmentplan](#)  
**Subject:** DK\_R2 - 002114  
**Date:** 04 March 2019 07:34:01

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## Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

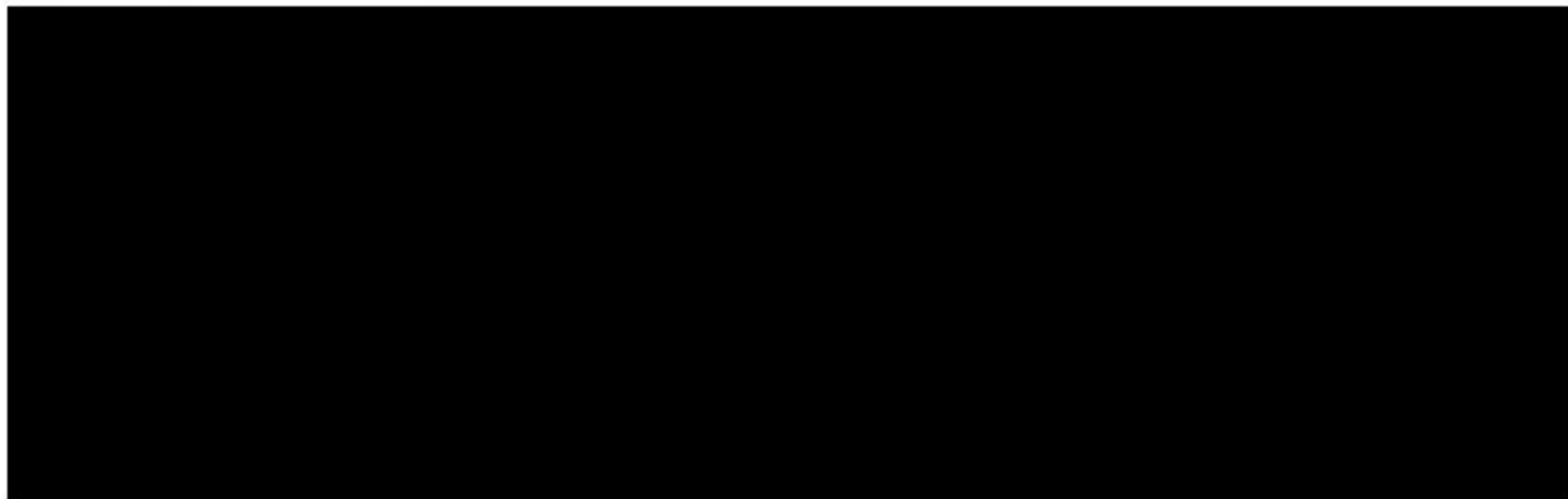
### Your Details

Title: **Mrs**

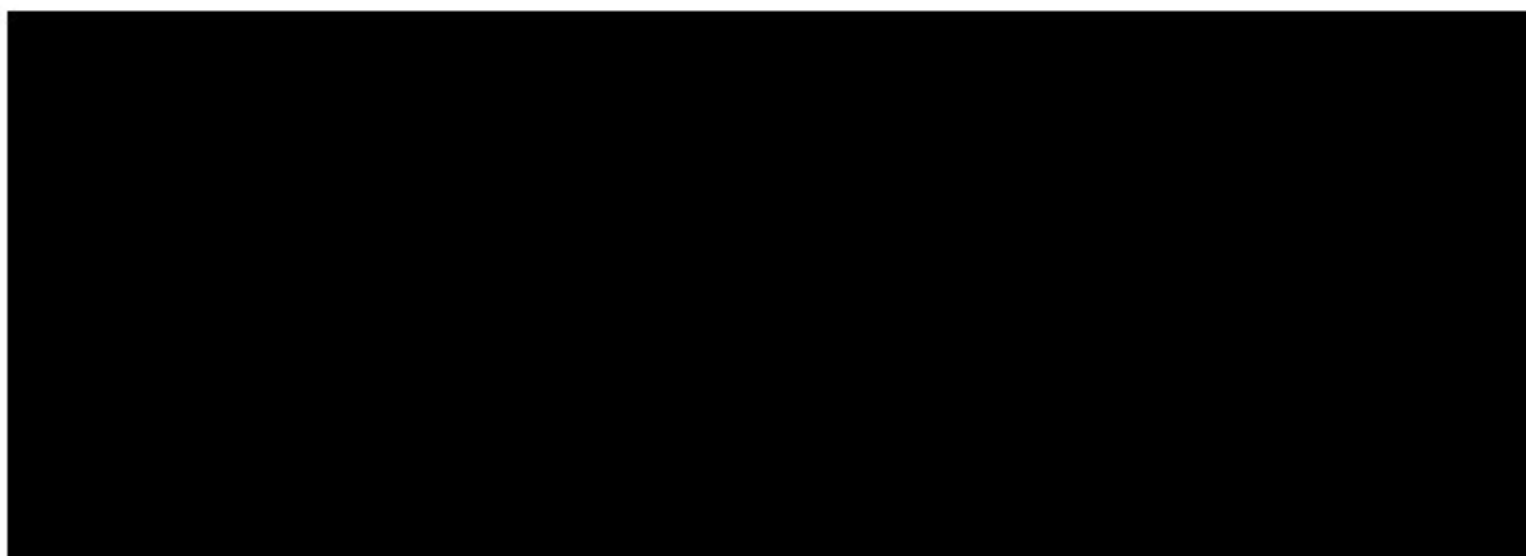
Forename(s): **Amanda**

Surname: **Clark**

### Your Address

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### Contact Details

A large black rectangular box redacting the contact details information.

### Agent Details

Do you have an agent: **No**

### Response

Do you want to object to a site?: **Yes**

Do you want to object to a policy, the vision or spatial strategy: **Yes**

Other: **Yes**



Supporting information: [Download supporting document](#) Available also via link at bottom of this email.

## Site Objections

Name of town, village or grouping: **Dyke, Forres**

Site reference: **R2**

Site name: **R2 South Darklass Road**

Comments: **Development in this small village is occurring at a very high rate. I believe this will change the size and character of the village dramatically. We already have the development of Excel housing and the impact such building has on the local environment of a small village. The road structure from the A96 leading into the village cannot cope with the impact of heavy lorries and building vehicles. The roadside is already feeling the impact of this with pot holes appearing along side the tarmac road. Further development would add to this situation. There are no footpaths into the village and pedestrians are constantly required to step out of the way when large lorries are coming in and out of the village. To continue this situation by further development of the R2 site is significant in its impact upon local people. The road leading to the development up Darklass road is unable to cope with heavy vehicles - often cars are parked haphazardly in the street and children are trying to catch the school bus in this location. Increase of traffic would enhance risk to pedestrians and children. The road/ track on which the Excel development is happening requires upgrading significantly. It is not of a safe standard for walking on let alone additional use by building equipment and vehicles. There are no cycle paths into or out of the village and neither is there any passing places on the road. The scale and density of development for a small village needs to be considered. The building of further houses will negatively impact on the landscape of this rural area. This would not allow the building to integrate sensitively into the landscape. New housing does not keep in line with the character of the village and rural area. The local Health centre cannot cope with additional services and the situation at the Forres Academy is such that insufficient teachers are a common occurrence with children having for example no maths teacher for several months. This must lead to the question of how we can develop areas where we are significantly lacking in service provision.**

## Policy Objection

Policy: **DP4 Rural Housing**

Comments: **Development in this small village is occurring at a very high rate. I believe this will change the size and character of the village dramatically. We already have the development of Excel housing and the impact such building has on the local environment of a small village. The road structure from the A96 leading into the village cannot cope with the impact of heavy lorries and building vehicles. The roadside is already feeling the impact of this with pot holes appearing along side the tarmac road. Further development would add to this situation. There are no footpaths into the village and pedestrians are constantly required to step out of the way when large lorries are coming in and out of the village. To continue this situation by further development of the R2 site is significant in its impact upon local people. The road leading to the development up Darklass road is unable to cope with heavy vehicles -**



often cars are parked haphazardly in the street and children are trying to catch the school bus in this location. Increase of traffic would enhance risk to pedestrians and children. The road/ track on which the Excel development is happening requires upgrading significantly. It is not of a safe standard for walking on let alone additional use by building equipment and vehicles. There are no cycle paths into or out of the village and neither is there any passing places on the road. The scale and density of development for a small village needs to be considered. The building of further houses will negatively impact on the landscape of this rural area. This would not allow the building to integrate sensitively into the landscape. New housing does not keep in line with the character of the village and rural area. The local Health centre cannot cope with additional services and the situation at the Forres Academy is such that insufficient teachers are a common occurrence with children having for example no maths teacher for several months. This must lead to the question of how we can develop areas where we are significantly lacking in service provision.

## Other Objection

Document commenting on: **R2 development**

Comments: Development in this small village is occurring at a very high rate. I believe this will change the size and character of the village dramatically. We already have the development of Excel housing and the impact such building has on the local environment of a small village. The road structure from the A96 leading into the village cannot cope with the impact of heavy lorries and building vehicles. The roadside is already feeling the impact of this with pot holes appearing along side the tarmac road. Further development would add to this situation. There are no footpaths into the village and pedestrians are constantly required to step out of the way when large lorries are coming in and out of the village. To continue this situation by further development of the R2 site is significant in its impact upon local people. The road leading to the development up Darklass road is unable to cope with heavy vehicles - often cars are parked haphazardly in the street and children are trying to catch the school bus in this location. Increase of traffic would enhance risk to pedestrians and children. The road/ track on which the Excel development is happening requires upgrading significantly. It is not of a safe standard for walking on let alone additional use by building equipment and vehicles. There are no cycle paths into or out of the village and neither is there any passing places on the road. The scale and density of development for a small village needs to be considered. The building of further houses will negatively impact on the landscape of this rural area. This would not allow the building to integrate sensitively into the landscape. New housing does not keep in line with the character of the village and rural area. The local Health centre cannot cope with additional services and the situation at the Forres Academy is such that insufficient teachers are a common occurrence with children having for example no maths teacher for several months. This must lead to the question of how we can develop areas where we are significantly lacking in service provision.

Please use [this link](#) to view and retrieve the uploaded attachments.



**From:** [eforms@moray.gov.uk](mailto:eforms@moray.gov.uk)  
**To:** [Localdevelopmentplan](#)  
**Subject:** EL\_OPP11 - 002083  
**Date:** 25 February 2019 14:10:39

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## Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

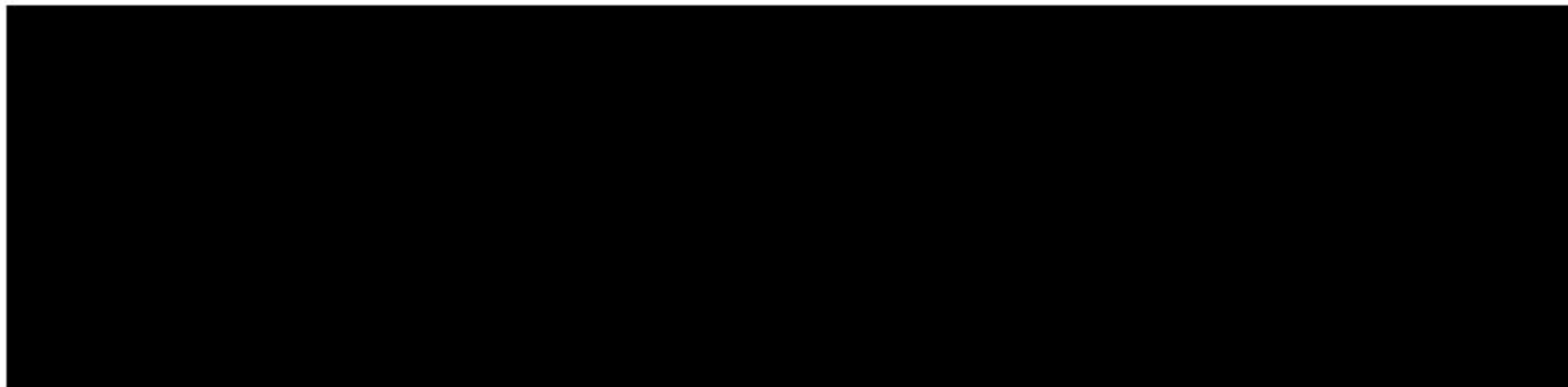
### Your Details

Title:

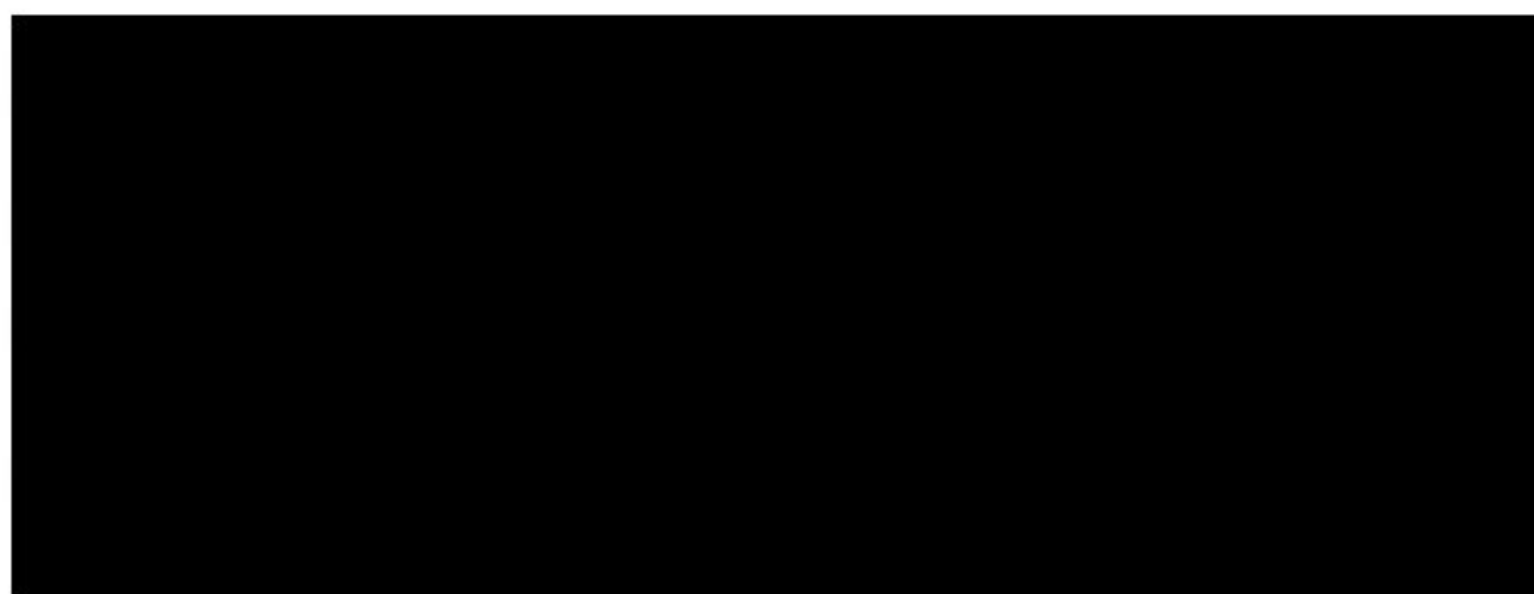
Forename(s): **Sheila**

Surname: **Cochrane**

### Your Address

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### Contact Details

A large black rectangular box redacting the contact details information.

### Agent Details

Do you have an agent: **No**

### Response

Do you want to object to a site?: **Yes**

Do you want to object to a policy, the vision or spatial strategy: **No**

Other: **No**



Supporting information: [Download supporting document](#) Available also via link at bottom of this email.

## **Site Objections**

Name of town, village or grouping: **Elgin**

Site reference: **OPP11**

Site name: **Biblical Gardens**

Comments: **I am against the proposal going ahead for the sale of the land next to the Biblical Gardens.**

Please use [this link](#) to view and retrieve the uploaded attachments.



**From:** [eforms@moray.gov.uk](mailto:eforms@moray.gov.uk)  
**To:** [Localdevelopmentplan](#)  
**Subject:** KN\_OPP2 - 002005  
**Date:** 08 February 2019 08:36:19

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## Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

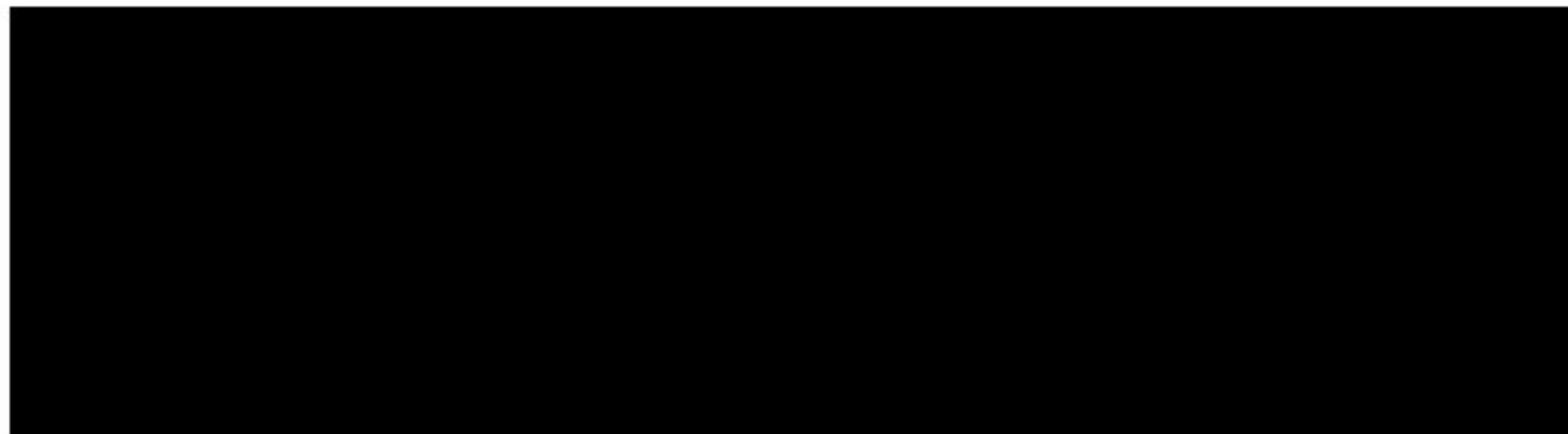
### Your Details

Title: **MR**

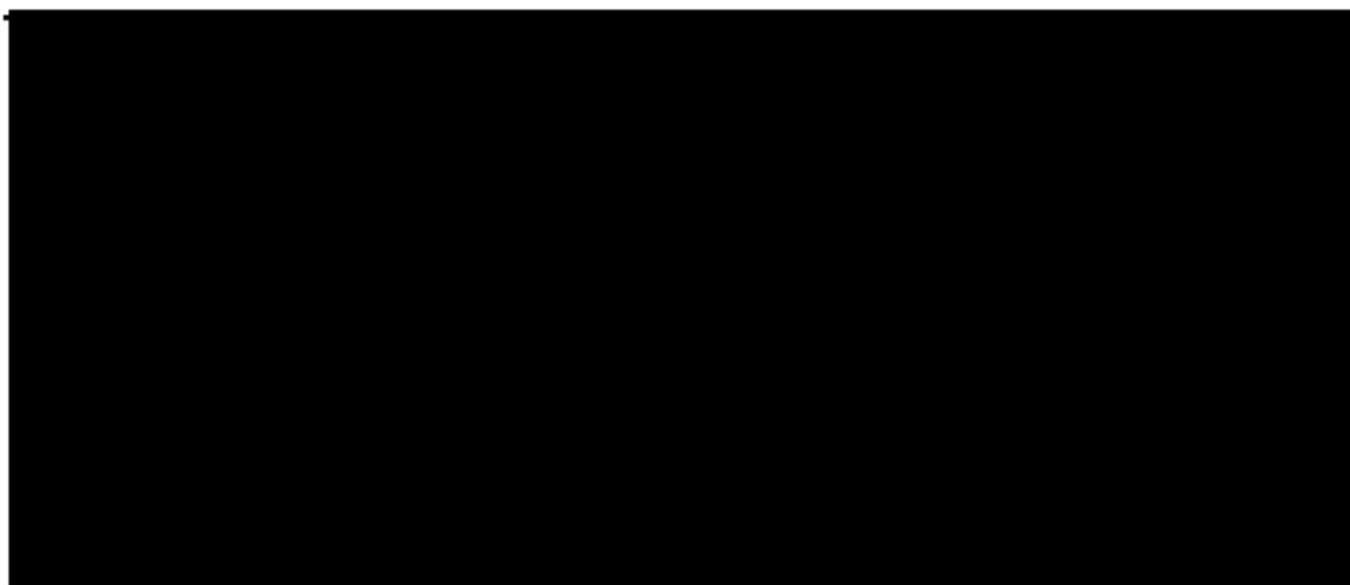
Forename(s): **Carl**

Surname: **Coghill**

### Your Address



### Contact Details



### Agent Details

Do you have an agent: **No**

### Response

Do you want to object to a site?: **Yes**

Do you want to object to a policy, the vision or spatial strategy: **No**

Other: **No**



Supporting information: [Download supporting document](#) Available also via link at bottom of this email.

## Site Objections

Name of town, village or grouping: **Kinloss**

Site reference: **OPP2**

Site name: **Land at former Abbeylands School**

Comments: **I would object to a development at this location if the access is to be along North Road. North Road is a private road which is currently deteriorating with the current usage. North Road has a 20mph speed limit and is difficult for larger vehicles (eg low loaders which transport planes and helicopters) to navigate due to the double parking which often occurs. North Road is crossed by many people who go to and from the adjacent sports field.**

Please use [this link](#) to view and retrieve the uploaded attachments.



**From:** [Christian Collett](#)  
**To:** [Localdevelopmentplan](#)  
**Subject:** UQ\_LONG1 - 002201  
**Date:** 15 March 2019 07:24:15

---

Dear Sir / Madam,

I am writing with regard to the proposed Site: Urquhart - LONG 1 which I understand has been designated as "long term housing".

Whilst I do not object in principle to the site being developed for housing, I do have concerns about the density of housing that may occur as a result of any development. In particular I am concerned about:

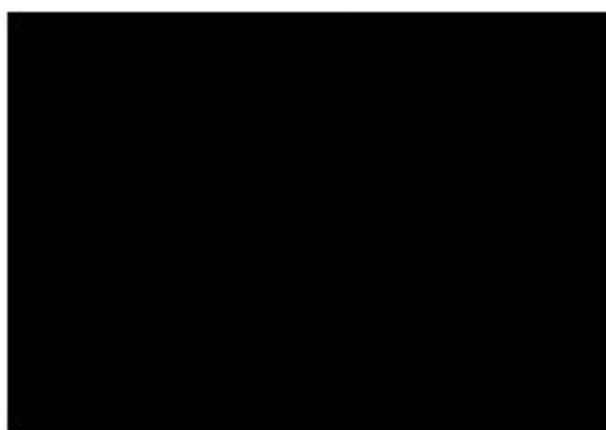
- How the site is to be accessed?
- Highway safety regarding above
- The effect on Urquhart village of increased traffic; in particular opposite the park where children play; congestion on main street (limited parking and road width already effectively renders the road single lane); and appropriateness of road access to the village (again roads are essentially single track).
- Disposal of waste water and sewage: the site falls away to marshland which has resident herons and snipe that feed off its waters.

If the above are not adequately addressed / mitigated, they have the potential to adversely impact the village and local environment. My hope is that the council might put in place conditions that would safeguard the village and local environment?

I look forward to hearing from you.

Yours faithfully,

Christian Collett  
Mr. C Collett





**From:** [REDACTED]  
**To:** [Localdevelopmentplan](#)  
**Subject:** EL\_OPP11 - 002179  
**Date:** 14 March 2019 15:39:49

---

Dear Sirs

Re Hotel Proposal

This proposed development would have a severe detrimental effect on the surrounding area, in particular the tranquillity of the Biblical Gardens and Cathedral precincts.

There would be a substantial increase in the traffic discharging onto Cooper Park/North College. Furthermore the additional heavy goods delivery vehicles will also create problems at the junctions of Pansport and Alexandra Road which are already problematic.

This area accommodates substantial foot traffic (school children, tourists, public and cycle way) over the River Lossie footbridge, alongside the Cathedral, through Cooper Park, past Grant Lodge, to the pedestrian flyover and/or to and past the Library.

This proposal would also create additional noise and light pollution to the surrounding area.

There must be other sites better suited to a development of this nature.

R.R Cook



**From:** [eforms@moray.gov.uk](mailto:eforms@moray.gov.uk)  
**To:** [Localdevelopmentplan](#)  
**Subject:** EL\_OPP11 - 002026  
**Date:** 22 February 2019 08:16:53

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## Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

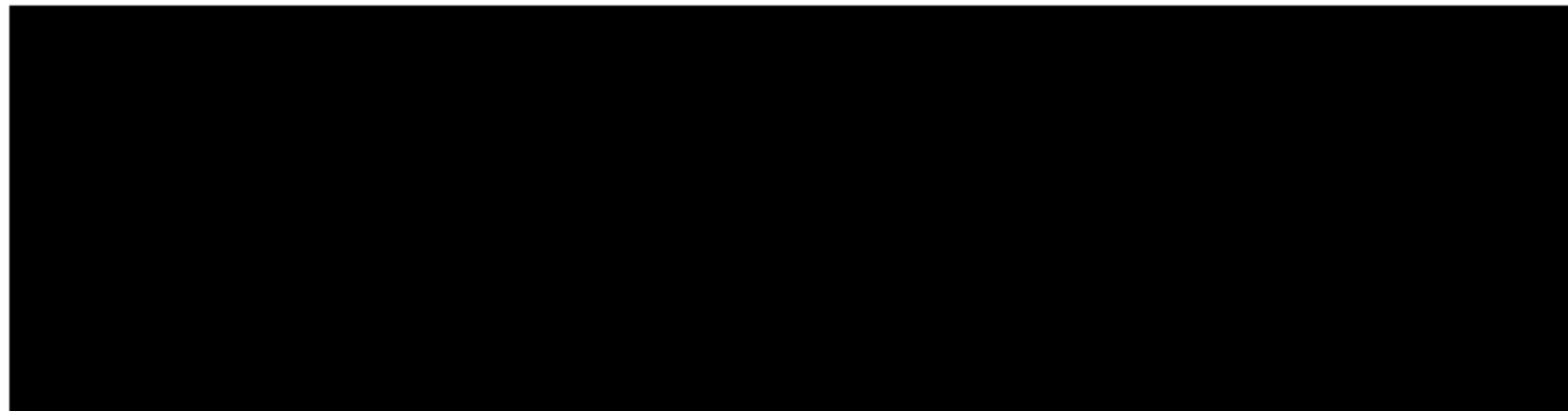
### Your Details

Title: **Miss**

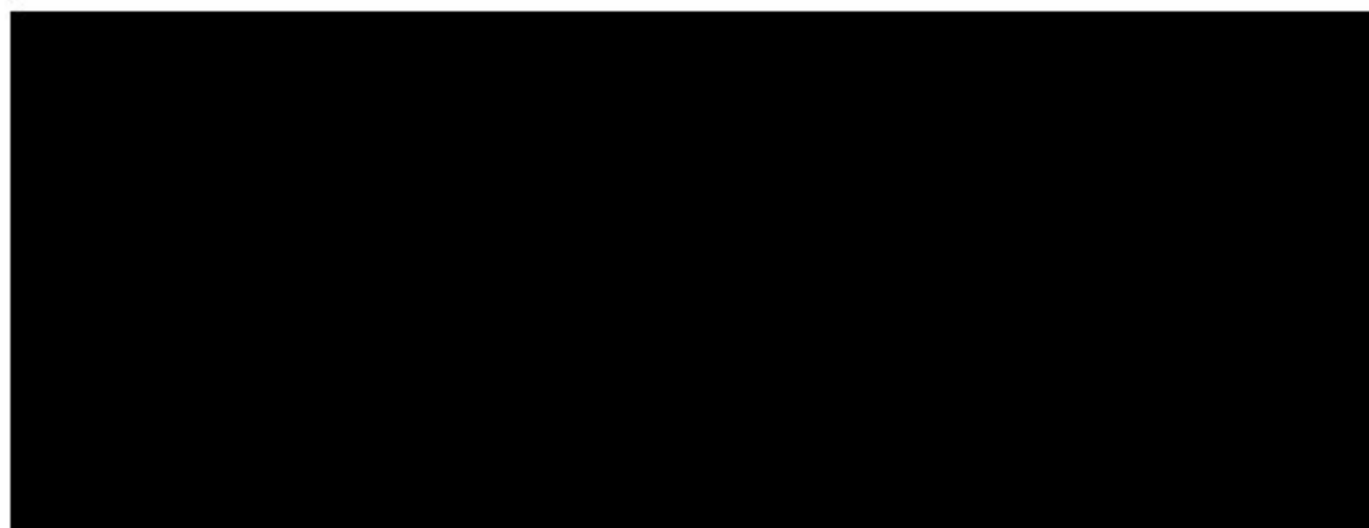
Forename(s): **Caitlin**

Surname: **McCormack**

### Your Address

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### Contact Details

A large black rectangular box redacting the contact details.

### Agent Details

Do you have an agent: **No**

### Response

Do you want to object to a site?: **Yes**

Do you want to object to a policy, the vision or spatial strategy: **No**

Other: **No**



Supporting information: [Download supporting document](#) Available also via link at bottom of this email.

## **Site Objections**

Name of town, village or grouping: **Elgin central**

Site reference: **OPP 11**

Site name: **Walled garden**

Comments: **Will deeply effect the entire horticultural program held at moray college.**

Please use [this link](#) to view and retrieve the uploaded attachments.



**From:** [eforms@moray.gov.uk](mailto:eforms@moray.gov.uk)  
**To:** [Localdevelopmentplan](#)  
**Subject:** BK\_OPP6 - 002004  
**Date:** 10 February 2019 12:34:00

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## Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

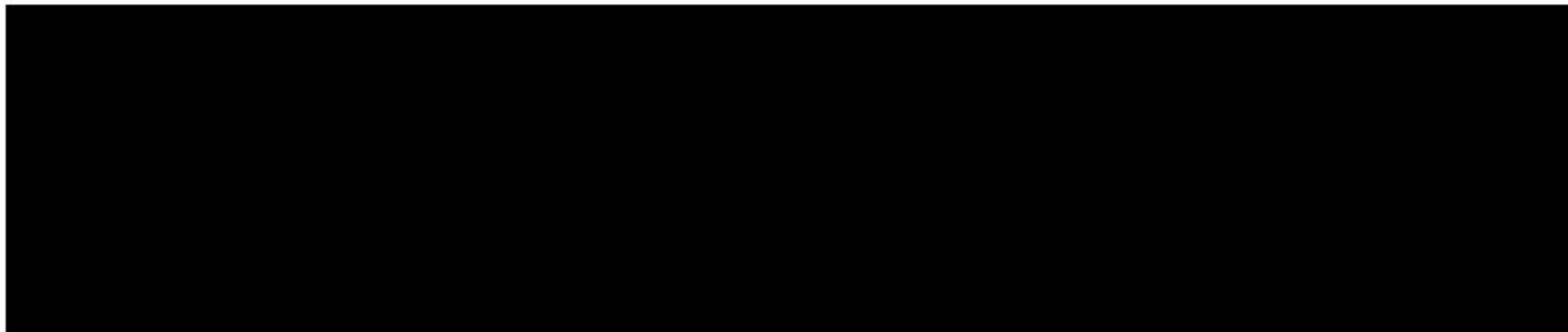
### Your Details

Title: **MR**

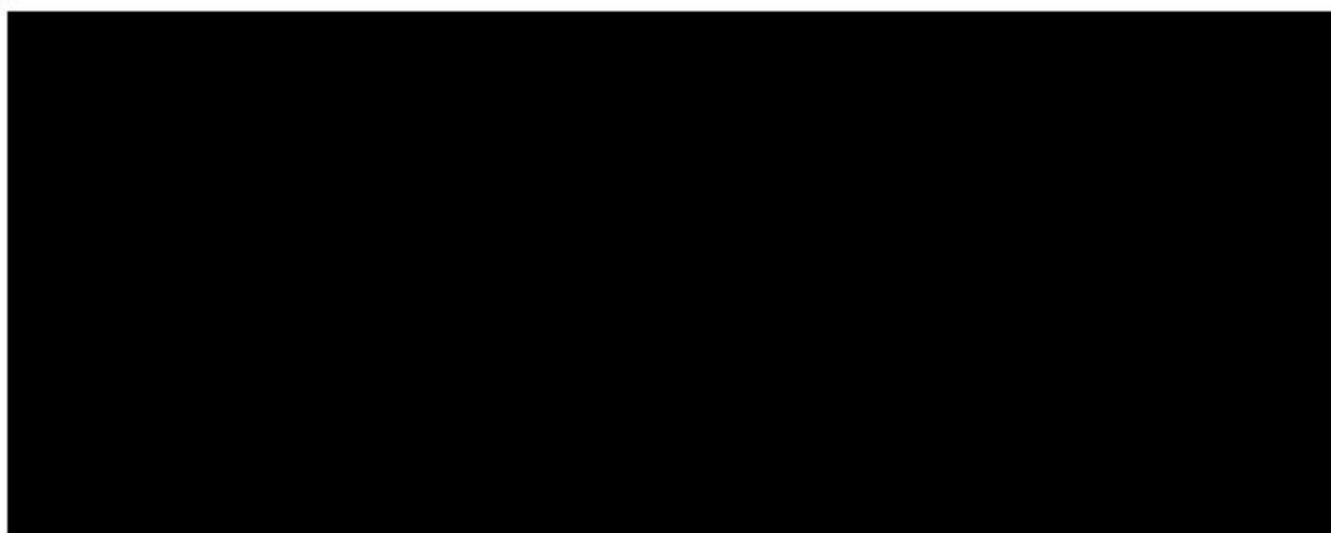
Forename(s): **GRAHAM**

Surname: **CORMACK**

### Your Address

A large black rectangular box redacting the address information.

### Contact Details

A large black rectangular box redacting the contact details.

### Agent Details

Do you have an agent: **No**

### Response

Do you want to object to a site?: **No**

Do you want to object to a policy, the vision or spatial strategy: **Yes**

Other: **No**



Supporting information: [Download supporting document](#) Available also via link at bottom of this email.

## Policy Objection

Policy: **DP6 Mixed Use (MU) and Opportunity Sites (OPP)**

Comments: **Site Reference: Buckie OPP6 Site Name: Former Grampian Country Park I refer to Moray Council notification letter dated 7th January 2019, which was sent to neighbours of the above mentioned site. Within the letter the proposed Site Designation is stated as: "for mixed uses including residential and/or low impact/low activity/business use" Within the previous LDP the designation states: "Whilst established use' rights would allow continued industrial/business use...."**

**I would request that the following points be considered: 1) That the proposed designation should not exclude future use of the site in whole or in part, for Industrial use, as per "established use' rights" referred to in the previous LDP. Accordingly, and so as not to imply any constraints on any future development of the site, the proposed designation should include the text: "Whilst established use' rights would allow continued industrial/business use...." 2) That the proposed designation should not constrain any future development to "low impact/low activity" 3) That the proposed designation should include for "Recreational/Leisure use"**

Please use [this link](#) to view and retrieve the uploaded attachments.



12 February 2019

The Moray Council  
Environmental Services  
Local Development Plan Team  
Council Offices  
High Street  
Elgin  
IV30 1BX

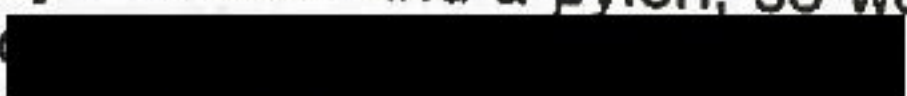

*[Handwritten signature]*


(5)

*Speyview.*

Dear Sir/ Madam

**Proposed Development Plan: R2 Dunnyduff Road, Keith**

We strongly disagree with the proposed development of 40 houses in the 2 fields as per subject heading above. The field at R2 which we belong has electric cables running through it which was completed last year by the SSE and a pylon, so would be unsuitable for development. Furthermore as  we have had no consultation regarding this development until I received a letter from yourselves regarding the Local Development Plan. 

 The infrastructure to build on said field is unacceptable as both fields flood into adjoining houses and sewage boils onto the roads as the drainage is full to capacity and not able to cope with such high demands.

The traffic flow on these roads is dangerous and the speed these vehicles drive are too fast. Due to the dangerous conditions on Bridge Street, vehicles parked on both sides of the road we have to lead our horses to the field at R2 for exercise and grazing. At all times we wear hi-viz workwear when taking our horses down Bridge Street. On numerous occasions careless and dangerous drivers have been reported to the Police in which there have been several near fatalities on this road.

Vehicles are parked at junctions, on the pavements and both sides of the road so where do these other vehicles park. The facilities in Keith are non-existent for local residents. Schools are full to capacity as are the nurseries due to the high demand.

Also /



Also with the high volume of traffic using Bridge Street, cars, lorries and tractors our house shakes and vibrates with the heavy flow of vehicles and constant speeding.

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

If you require any further information on the above, please do not hesitate to contact us.

Yours faithfully

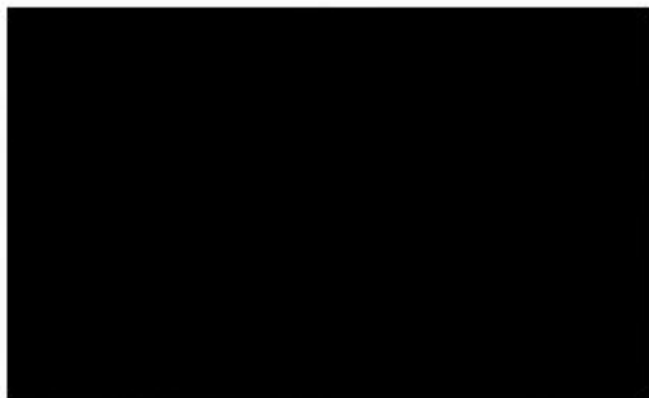


Margaret Coull



Brian Coull





20 February 2019

Local Development Plan Team  
Development Services  
The Moray Council  
Council Offices  
High Street  
Elgin  
IV30 1BX

Dear Sir/ Madam

**R2 Dunnyduff Road, Keith**

With regard to your letter dated 7 January 2019, regarding the Moray Local Development Plan 2020 and the above area.

I object that this green belt land be considered for development as there is a significant over provision of housing in this area already.

There is already stress on the infrastructure regarding waste disposal, roads, parking and drainage of the area. There are issues with surface water, where will this go and sewage already over spills onto the roads and into people's gardens.

This infrastructure will cause a loss of natural habitat for the wildlife in the area, loss of sunlight, privacy for the local Community and quality of local life.

Noise and traffic already affects the quality of life in the area due to the development of the new home for the elderly and an additional housing scheme with the volume of vehicles and speeding motorists.

The land at R2 Dunnyduff Road, Keith is the only land where our horses can graze and get exercised daily. So where do they go if this land is to be developed, they can't be stabled for 24 hours a day.

The Police are frequently contacted with regard to speeding and dangerous driving on Bridge Street, Keith even when wearing hi-viz vests daily.

The/



The village is already at capacity for the provision of schools, there are no facilities for nurseries and the community in general. There is no public provision for a bus service for villagers outwith the A96 route.

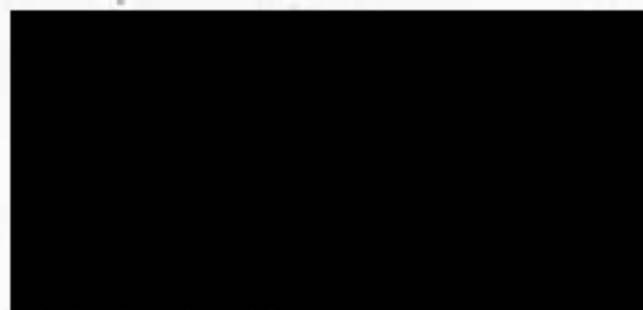
This development will have a detrimental effect on the appearance of the area as it is already over developed. Also noise and traffic in this area is already having an effect on the quality of life. With the heavy volume of traffic using the road at Bridge Street, Keith my house vibrates and moves due to this and will not be able to cope with a further surge of vehicles.

The road is already unsuitable for the provision of another development as more vehicles are already parked at both sides of the road and at the junctions at Bridge Street and Edindiach Road, Keith causing a health and safety hazard both to pedestrians and other vehicle users.

Also the lorry park at the bottom of Bridge Street, Keith is unsuitable for purpose as there are no facilities provided for lorry drivers and car users in general. This area is full of human excrement and waste, also made worse with the closure of the public toilets.

If you require further information, please do not hesitate to contact me.

Yours faithfully

A black rectangular box redacting the signature of Sally Coull.

Sally Coull



**From:** [eforms@moray.gov.uk](mailto:eforms@moray.gov.uk)  
**To:** [Localdevelopmentplan](#)  
**Subject:** 001583 - UD\_SITEA  
**Date:** 22 February 2019 11:14:38

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## Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

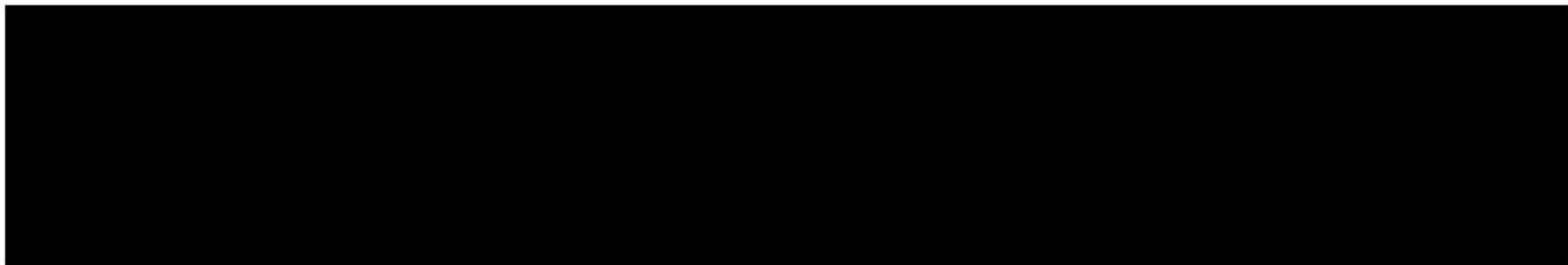
### Your Details

Title: **Mrs**

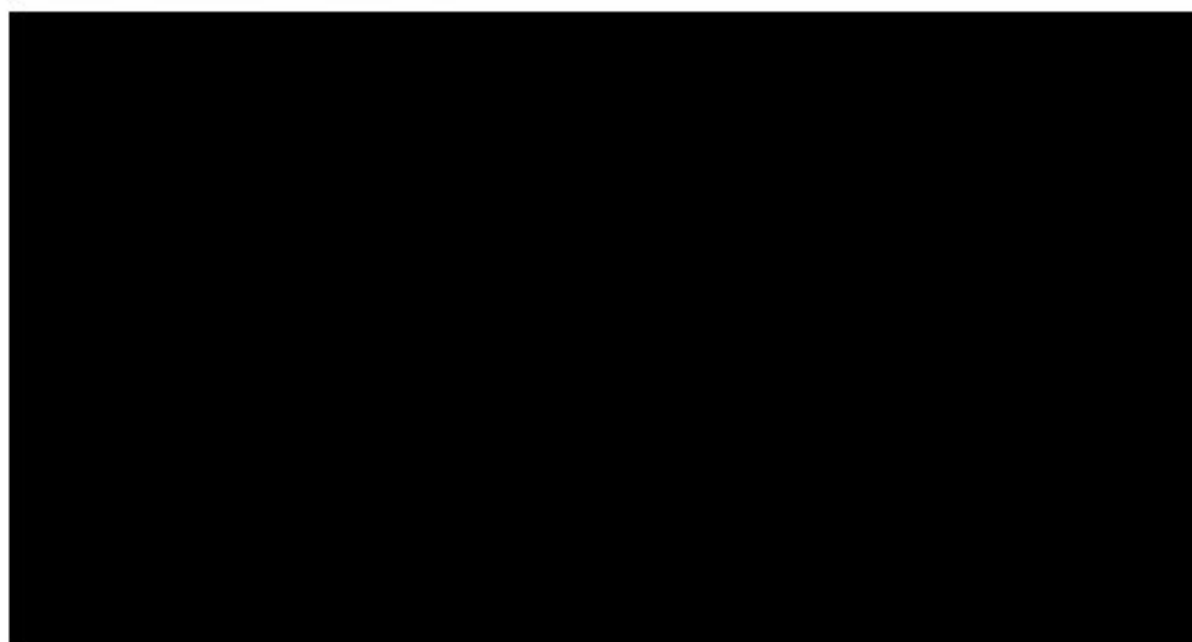
Forename(s): **Patricia**

Surname: **cowie**

### Your Address

A large black rectangular box redacting the address information.

### Contact Details

A large black rectangular box redacting the contact details information.

### Agent Details

Do you have an agent: **No**

### Response

Do you want to object to a site?: **Yes**

Do you want to object to a policy, the vision or spatial strategy: **Yes**

Other: **Yes**



Supporting information: [Download supporting document](#) Available also via link at bottom of this email.

## Site Objections

Name of town, village or grouping: **spey bay, upper dallachy**

Site reference: **site A**

Site name: **Upper Dallachy site A**

Comments: I write in response of your letter of 8 January 2019 regarding proposed site Upper Dallachy A in the proposed Moray Local Development Plan 2020. I am the owner of [REDACTED] which is a property lying to the east of the site, [REDACTED] and I have 3 objections about the development of site A

1. access to [REDACTED]
2. the integrity of the building at [REDACTED]
- 3 the electrical supply to [REDACTED]

Assess to [REDACTED] The sole access to [REDACTED] is via a lane running along the northwest of [REDACTED] site along the upper edge of the wooded bank. Over the years I have seen site A gradually encroach on the foot of the banked area. Removal of any the bank(trees or soil) in Site A is likely to undermine the integrity of the access lane at the area behind [REDACTED] Following development of [REDACTED] property there is no alternative access to [REDACTED] [REDACTED] is an approximately 220 year old property, built of boulder and clay. It is of unknown weight and integrity and I have serious concerns about the impact of workings required to undertake the development of Site A Electrical Supply to [REDACTED] The electrical supply to [REDACTED] runs underground along the lane along the northwest of [REDACTED] originating from pylon at the north of property. Any disturbance of lane would endanger this supply.

site\_obj\_name\_town\_village\_grouping : upper dallachy

site\_obj\_reference : Site A

site\_obj\_name : Upper Dallachy Site A

site\_obj\_comments :

## Policy Objection

Policy: **DP4 Rural Housing**

Comments: **as objections above**

## Other Objection

Document commenting on: **22.2.2019**

Comments:

Please use [this link](#) to view and retrieve the uploaded attachments.







**From:** [eforms@moray.gov.uk](mailto:eforms@moray.gov.uk)  
**To:** [Localdevelopmentplan](#)  
**Subject:** EL\_OPP11 - 002056  
**Date:** 22 February 2019 11:14:15

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## Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

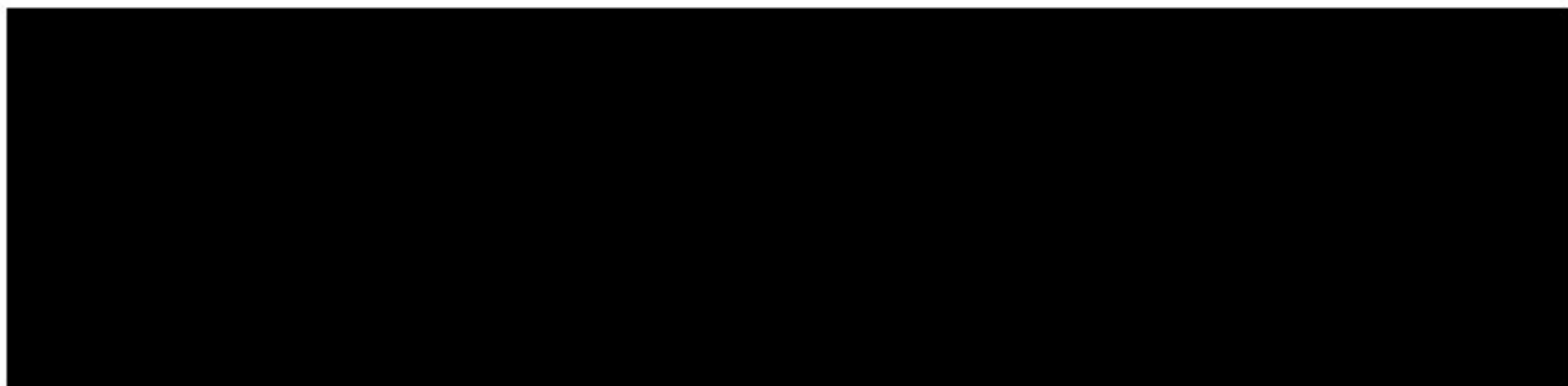
### Your Details

Title: **Miss**

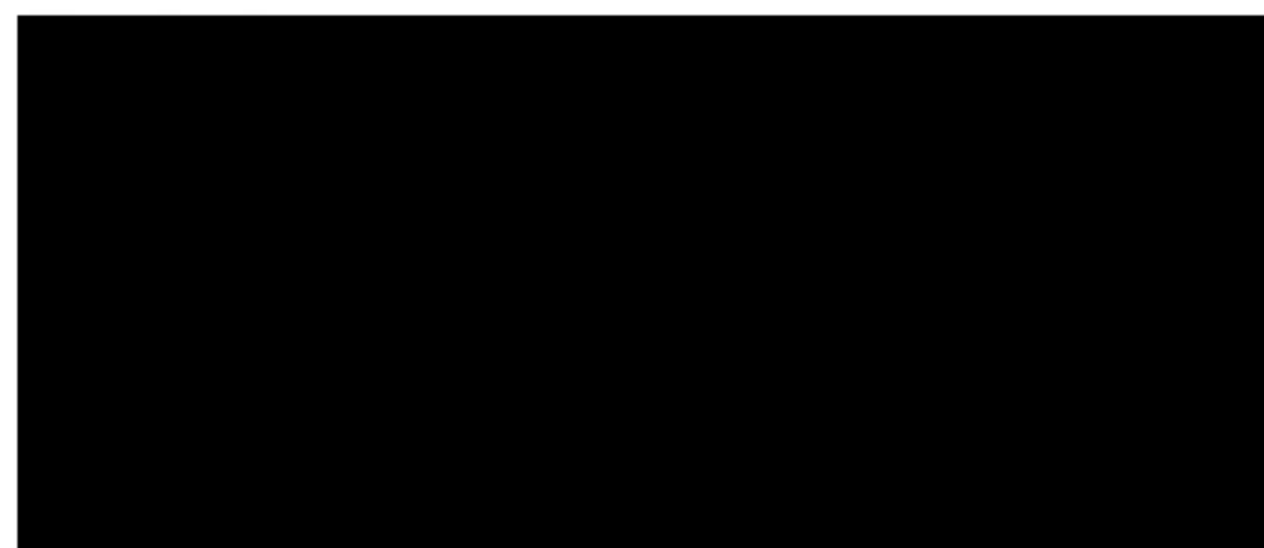
Forename(s): **Elise**

Surname: **Cox**

### Your Address



### Contact Details



### Agent Details

Do you have an agent: **No**

### Response

Do you want to object to a site?: **Yes**

Do you want to object to a policy, the vision or spatial strategy: **No**

Other: **No**



Supporting information: [Download supporting document](#) Available also via link at bottom of this email.

## Site Objections

Name of town, village or grouping: **Elgin Central**

Site reference: **OPP 11**

Site name: **Walled Garden**

Comments: **I believe the removal of the Biblical Garden and the teaching resource it provides is a gross oversight and that the building of a hotel in Cooper park would spoil the area**

Please use [this link](#) to view and retrieve the uploaded attachments.



**From:** [eforms@moray.gov.uk](mailto:eforms@moray.gov.uk)  
**To:** [Localdevelopmentplan](#)  
**Subject:** EL\_OPP11 - 002091  
**Date:** 26 February 2019 10:28:10

---

## Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

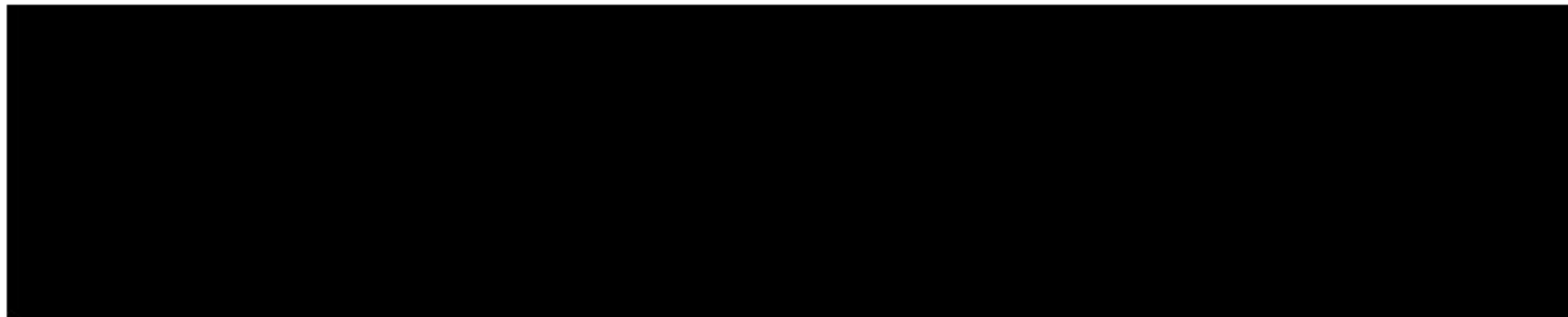
### Your Details

Title: **Mrs**

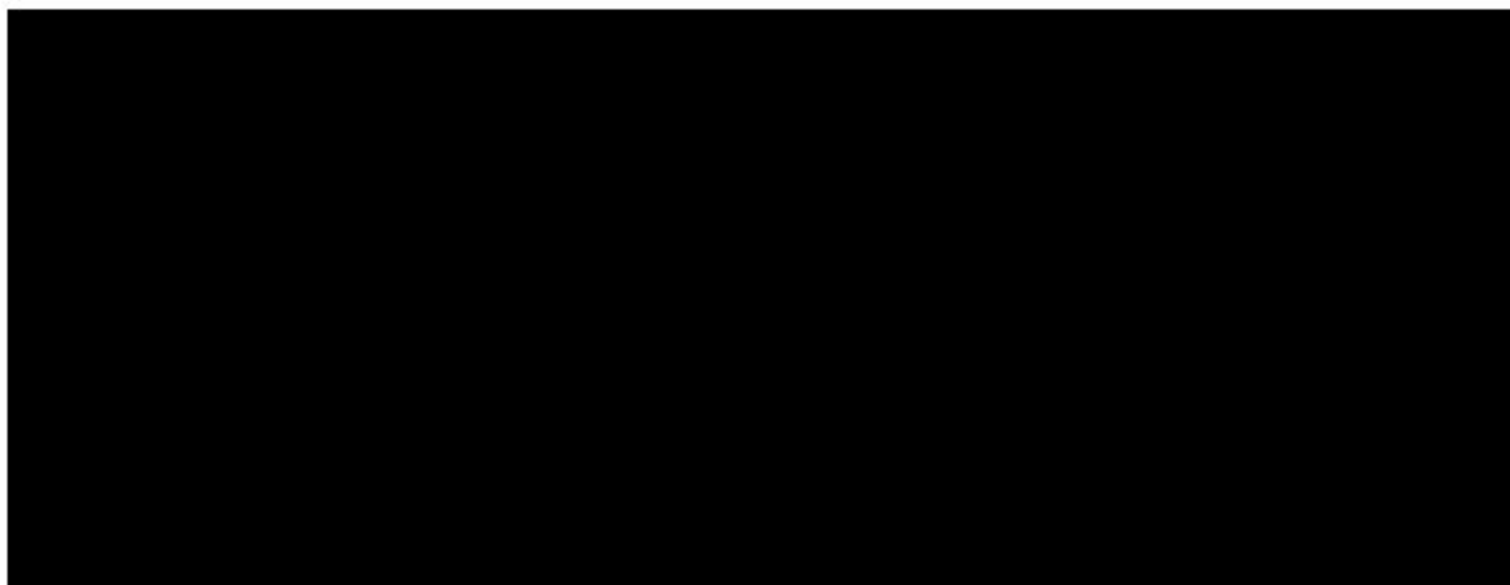
Forename(s): **Charlotte**

Surname: **Coxon**

### Your Address

A large black rectangular box redacting the address information.

### Contact Details

A large black rectangular box redacting the contact details.

### Agent Details

Do you have an agent: **No**

### Response

Do you want to object to a site?: **Yes**

Do you want to object to a policy, the vision or spatial strategy: **No**

Other: **No**



Supporting information: [Download supporting document](#) Available also via link at bottom of this email.

## Site Objections

Name of town, village or grouping: **Elgin**

Site reference: **Walled Garden, Cooper park**

Site name: **Opportunity 11**

Comments: **I am a horticulture student at Moray College, and we are based at the Biblical Gardens. I am currently doing a Level 2 in Horticulture and wish to continue to Level 3 and HNC. If our site was to be sold off, there would be no more horticulture colleges in the north of Scotland. The Biblical Gardens, Horticulture courses and Green Fingers are very important, and help alot of people. It would be a great, great loss and shame if it were all to go.**

Please use [this link](#) to view and retrieve the uploaded attachments.



[REDACTED]  
26 Feb 2019

MORAY COUNCIL  
(DEVELOPMENT PLANS)

REF: OPP11.

The loss of the Biblical Gardens would certainly be a savage blow to both the residents of Moray and also the tourist trade in the area.

The council must realise that the plot of land behind the Biblical Gardens is essential for the upkeep and maintenance of such a beautiful site.

It would be quite wrong if such a site was sold for the purpose of developers to build yet another hotel on the fringes of Elgin.

My vote would be to keep the land as it is.

Yours faithfully,  
[REDACTED]

MR R. CRAIG.





# PROPOSED PLAN 2019

## MORAY LOCAL DEVELOPMENT PLAN 2020

### RESPONSE FORM

Please use this form to submit your response to the Proposed Plan 2019.

The Council will consider your response to be a formal representation to the Proposed Plan and unresolved objections will be referred to an Examination conducted by a Scottish Government Reporter.

#### \*Mandatory fields

#### YOUR DETAILS

Title\*  Forename\*  Surname\*

Address\*

Post code\*

Email

Telephone\*

#### AGENT DETAILS (if applicable)

Title  Forename  Surname

Address

Post code

Email

Telephone



Your place, Your plan, Your future

Which section of the Proposed Plan does your comment relate to?

Volume\*: Policies/Settlements/Rural Grouping/Delivery Programme/ Other (Delete as appropriate)

Heading \*(e.g. Housing, Keith)

SITE 4. WOODSIDE BAILINTON

Page Number

47

Site/Policy Reference

na

Your comments

Dr. ...

1. Above details supplied by Darren Westmacott.  
1. Map showing through Benlue Land, please  
see other letter with attachments.  
2. Septic tank on proposed land site  
3. No drainage, loss of trees in wood,  
to alter natural drainage system.  
4. recent house purchased, because of  
proximity & privacy, development would  
change look of this.

Are you providing any supporting information?

Yes

attached & plan of septic tank.

No

If yes, please advise what this is, and attach to this form e.g. maps/plans, supporting documents.

**All comments should be returned by 5:00pm on 15 March 2019**

**Post to:** Local Development Plan Team, Development Services, Moray Council, Council Offices,  
High Street, Elgin, IV30 1BX

**Or email:** [localdevelopmentplan@moray.gov.uk](mailto:localdevelopmentplan@moray.gov.uk)

Or you can use our online form at [www.moray.gov.uk/proposedplan2019](http://www.moray.gov.uk/proposedplan2019)



Your place, Your plan, Your future



## AFFIDAVIT

In this affidavit:

"Access Route" means the route coloured purple on the Plan;  
"Drainage System" means the drainage system including pipes and septic tank and valves for sewerage drainage from the Property, the location of which septic tank is approximately through the area shown green on the Plan;  
"Plan" means the plan annexed and signed as relative to this affidavit;  
"Property" means Ben View, Carron, Aberlour, AB38 7QT shown coloured pink on the Plan;

I, Andrew Fraser Kelly residing at [REDACTED] DO SOLEMNLY SWEAR, AFFIRM and DECLARE as follows:

1. I have been the owner of the Property since 17 December 1997. I have personal knowledge of the matters set out in this affidavit.
- 1.1 Since at least 17 December 1997 and throughout the period of my ownership, I used the septic tank and have taken pedestrian access to and from the septic tank for the purposes of its inspection, maintenance, repair and upgrade over the area shown purple on the Plan.
- 1.2 Such pedestrian access has been exercised by me in my capacity as proprietor of [REDACTED] without seeking permission from any person, including the owner or owners of the ground over which the right has been possessed and exercised by me, and have done so continuously, openly and peaceably.
- 1.3 To the best of my knowledge and belief, there has been no challenge or claim, judicial or otherwise at any time, throughout the period of my ownership, during the period from 17 December 1997 to the present to the exercise of such pedestrian access.
2. I declare and warrant the truth and accuracy of the whole of the foregoing matters which I have sworn and affirmed to the best of my knowledge and belief.

Sworn by Andrew Fraser Kelly and together with the Plan subscribed by him:

At (place of signing) Edinburgh

On (date of signing) 11 April 2018

(Declarant) X

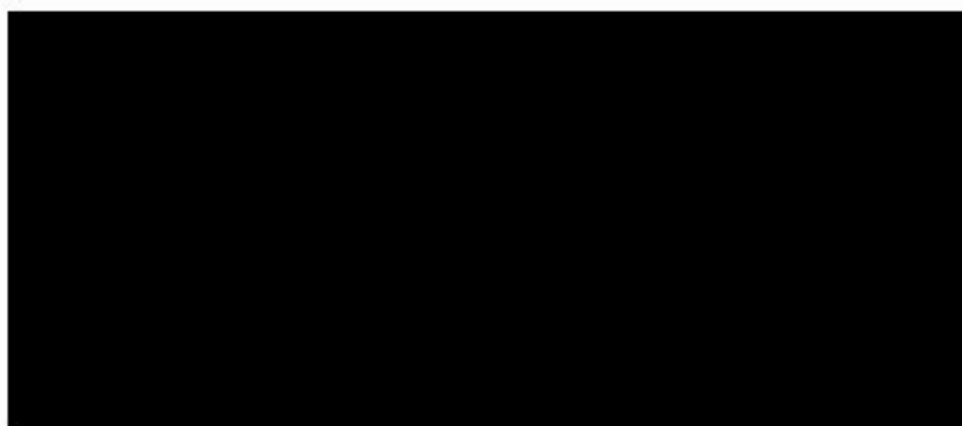
In the presence of

JANET HILARY TAYLOR

(Notary Public)

X Janet Hilary Taylor

(name of  
Notary Public)  
(address of  
Notary Public)







# LAND REGISTER OF SCOTLAND



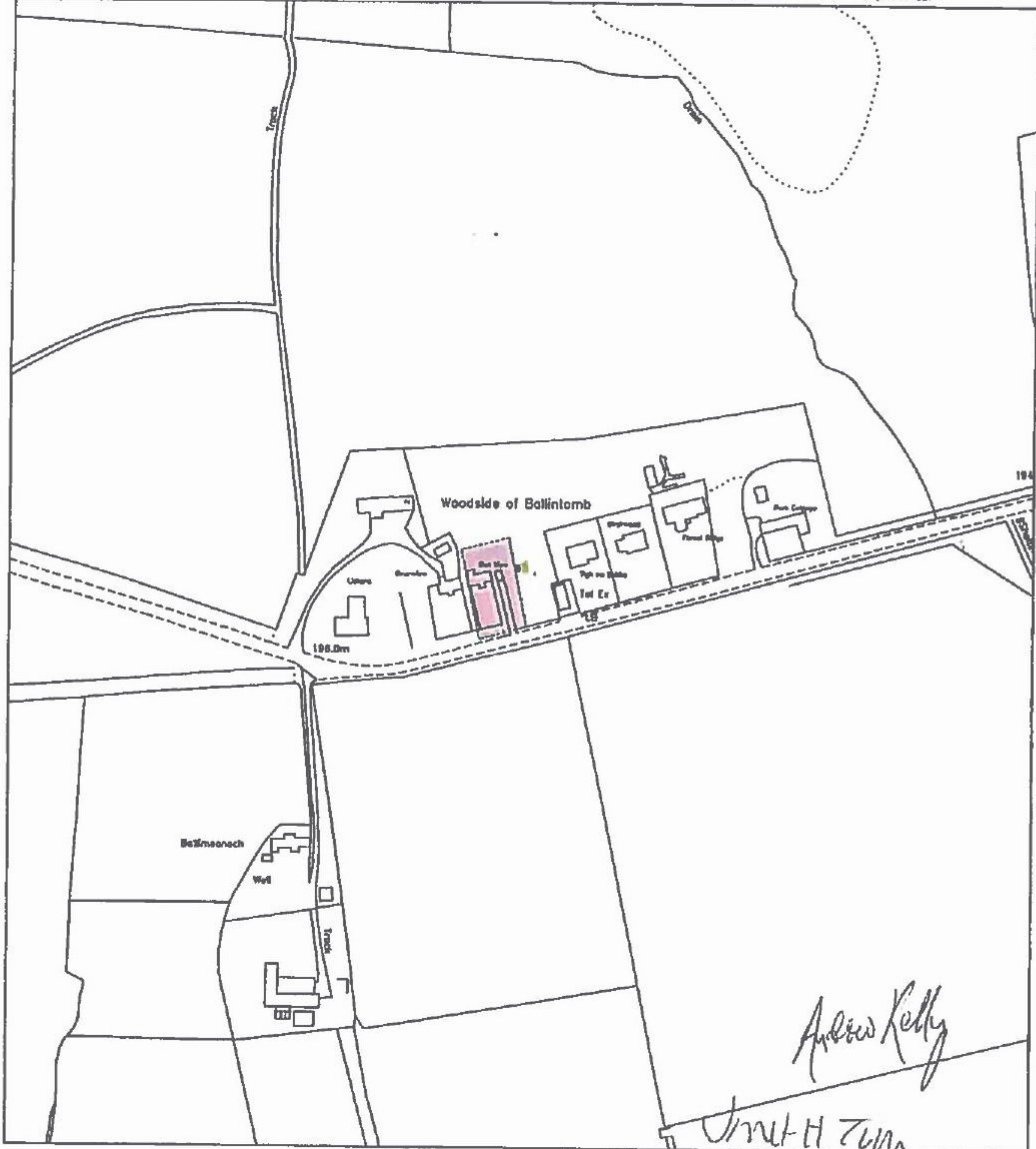
ORDNANCE SURVEY NATIONAL GRID REFERENCE

NJ2142 NJ2242 NJ24SW

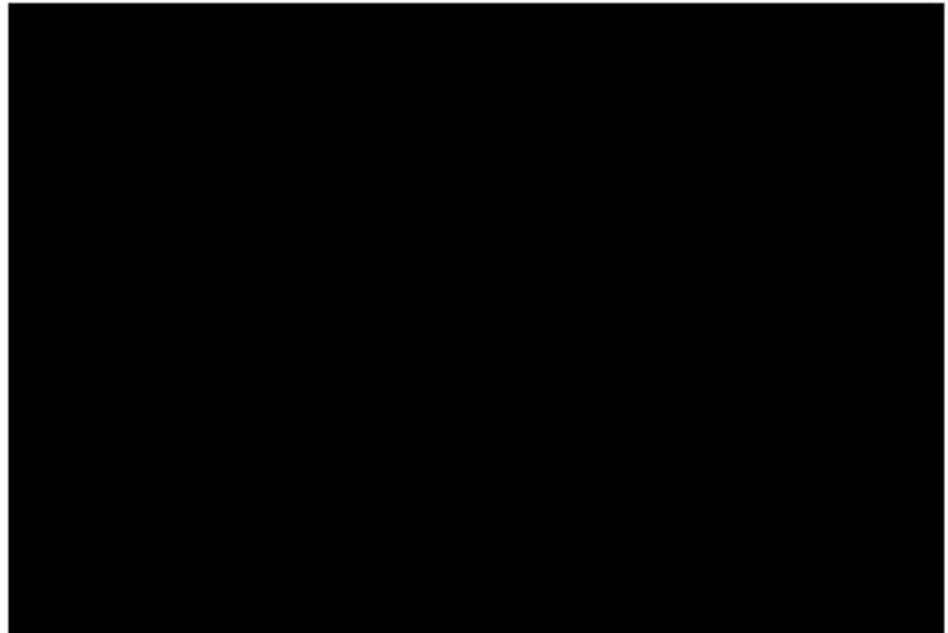
Scale  
1/2500

Survey Scale  
1/2500

CROWN COPYRIGHT © - This copy has been produced from the ROS Digital Mapping System on 22/11/2017 with the authority of Ordnance Survey under Section 47 of the Copyright, Designs and Patents Act 1988. Unless there is a relevant exception to copyright, the copy must not be copied without the prior permission of the copyright owner. OS Licence no 100041182.







7 Feb 2019

Ref Woodside of Ballintomb

To Local Development Plan Team  
Moray Council, High Street, Elgin.

Dear Sir(s)/Madam

Regarding the recent plan you sent to us for proposed local development, please note the measurements on your plan look like they are crossing our land.

I am asking you to please check and amend any discrepancy and distribute amended plan before any planning applications are applied for .

I enclose a copy of Land Registers Ordinance Survey Map. I also enclose copy of Disposition as our proof of purchase of this land.

From Mr Stephen Critchley & Susan Critchley





# REGISTERS OF SCOTLAND

PROPERTY REPORTS SERVICE

PRR05  
LEVEL 3

ros.gov.uk PRE-REGISTRATION PLANS REPORT

---

Request Number 5720714MOR  
Report Number PRR0501720714MOR  
Subjects Banview, Carron, Moray, AB38 7QT

---

## **Part 1 Suitability of Submitted Plan and/or Bounding Description for Registration**

A. The submitted plan and/or bounding description meets the Keepers requirements for registration

## **Part 2 Comparison with the Ordnance Survey (OS) Map**

C. The boundaries of the subjects coincide with those on the OS Map.

The subjects shown on your plan have been tinted pink on the attached extract from the OS map.

The boundaries depicted on your plan are not fully defined on the OS map. This may be as a result of a number of factors:

- No physical feature may exist for the boundaries in question.
- The OS map may not reflect the current position of features as they exist on the ground.
- Boundary features may fall out with the criteria for referencing on the OS map.

## **Part 3 Exclusive Registered Areas Which Compete with the Subjects**

A. The subjects are not affected by any existing exclusive registered Areas

## **Part 4 Shared Registered Areas Which Affect the Subjects**

A. The subjects are not affected by any existing shared registered Areas

## **Part 5 Additional Registered Interests Which Affect the Subjects**

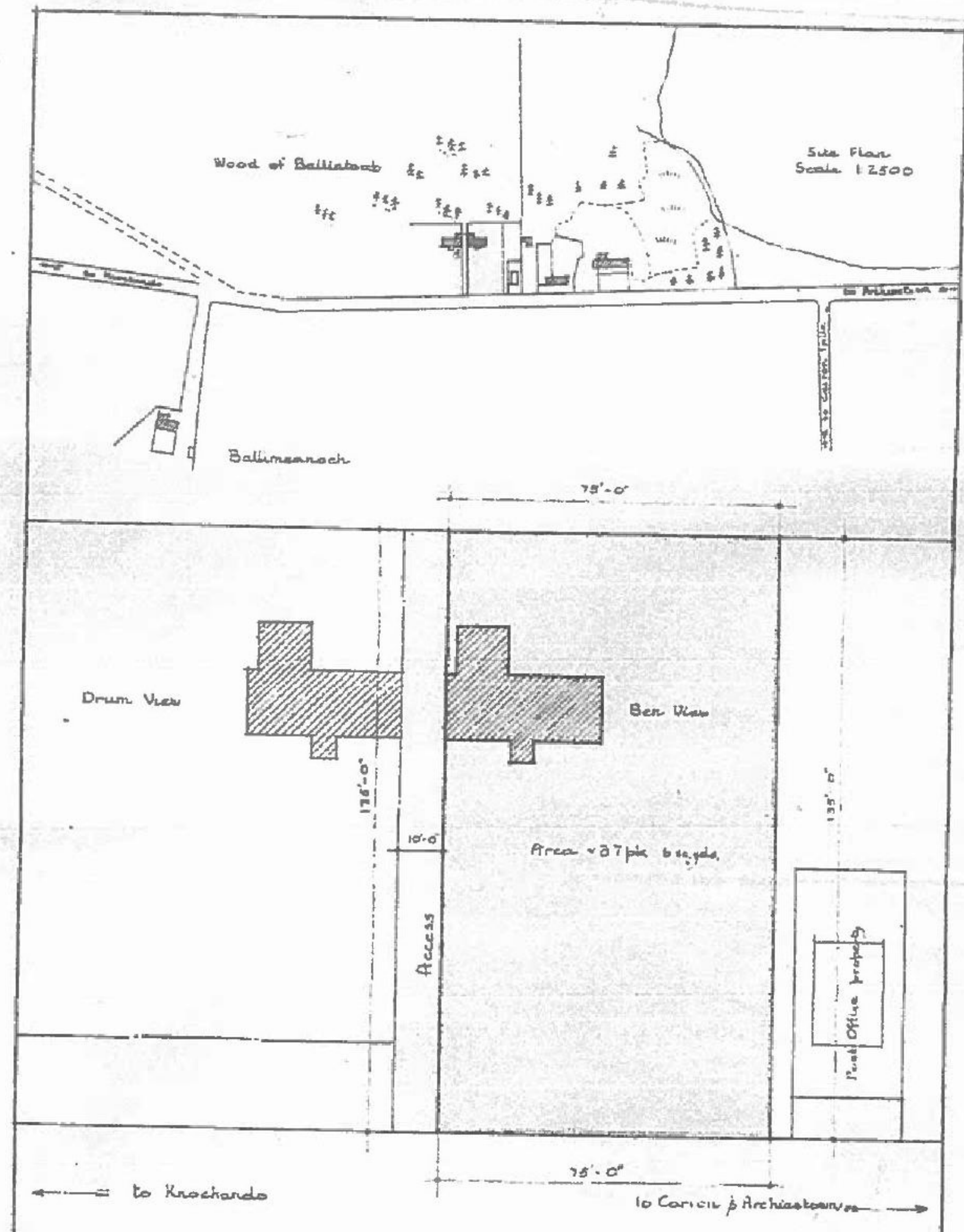
A. No additional registered interests affect the subjects.

---

Officer: Lyn Campbell

Date: 22 Nov 2017





This is the plan referred to in the foregoing Fee Disposition  
by Alben Timber Limited with consent in favour of Mrs. Jeannie  
Smith Mitchell.

*At Test*  
*James L. Fyfe Secretary*  
*Edgar P. Calder*



John P. B. Wright A.R.C.S. A.M. Surveyor  
Chartered Architect  
104, High Street Elgin June 1948

**DISPOSITION**

**by**

**Andrew Fraser Kelly**

**In favour of**

**Susan Critchley and Mr Stephan Critchley**

---

**2018**

**Subjects:-**



---

**Jones Whyte Law  
The Connect Building  
3<sup>rd</sup> Floor  
59 Bath Street  
Glasgow  
G2 2DH**

**Ref: CRIT0003/0001/RJ/VMCL**



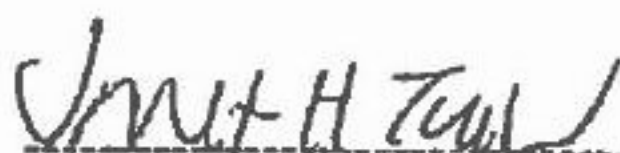
I, ANDREW FRASER KELLY, residing formerly at [REDACTED] and now at [REDACTED] Executrix Nominate in the estate of the late Isabella Kelly, latterly of [REDACTED] conform to Confirmation in my favour issued by the Commissariat of Grampian, Highlands and Islands at Elgin on Twenty eighth day of November Nineteen hundred and Ninety seven and as such Executrix uninfest Proprietrix of the subjects and others hereinafter disposed IN CONSIDERATION of the sum of SIXTY THOUSAND POUNDS (£60,000) STERLING paid to me by SUSAN CRITCHLEY AND MR STEPHAN CRITCHLEY, residing together at [REDACTED] hereinafter referred to as "my said Disponees") of which sum I hereby acknowledge the receipt Have Sold and Do Hereby DISPONE to and in favour of my said Disponees equally between them and to the survivor of them and to their executors and assignees whomsoever, heritably and irredeemably, ALL and WHOLE the dominium utile of the property known as [REDACTED] [REDACTED] and ground pertaining thereto more fully described in the Feu Disposition by Alban Timber Limited, with consent in favour of Jeannie Smith Mitchell dated Twenty eighth June and Eleventh July and recorded in the Division of the General Register of Sasines for the County of Moray on Twenty fifth July all dates of Nineteen hundred and sixty three as ALL and WHOLE that area or piece of ground lying in the Parish of Knockando and County of Moray consisting of Thirty Seven poles and six square yards Imperial Measure or thereby as the same is shown delineated red and coloured pink on the plan or sketch annexed to the said Feu Disposition in favour of Jennie Smith Mitchell recorded Twenty fifth July Nineteen hundred and Sixty three and is bounded as follows videlicet:- On the South side by the public road leading from Knockando to Carron and Archiestown along which it extends seventy five feet or thereby; on the West by an access lane separating the subjects hereby disposed from subjects known as [REDACTED] along which it extends one hundred and thirty five feet or thereby; on the North by subjects belonging to Alban Timber Limited along which it extends seventy five feet or thereby and finally on the East by subjects belonging to Alban Timber Limited along which it extends one hundred and thirty five feet or thereby; Together with the whole buildings and other erections on the subjects hereby disposed, the heritable fittings and fixtures therein and thereon, the parts, privileges and pertinents thereof and our whole right, title and interest present and future in and to the said subjects; BUT the subjects

hereby disposed are so disposed ALWAYS WITH AND UNDER in so far as still valid, subsisting and applicable thereto the reservations, conditions, and others contained in (First) Charter of Novodamus by Alban Timber Limited with consent in favour of Ella Kelly dated First day of April Nineteen hundred and Seventy two and recorded in the Division of the General Register of Sasines for the County of Moray on the Fourth day of September Nineteen hundred and Seventy two; Which subjects were last vest in the late Isabella Kelly aforesaid, who died on the Twenty second September Nineteen hundred and ninety seven; WITH ENTRY and vacant possession as at Thirteenth day of April Two thousand and Eighteen notwithstanding the date hereof; And I, by my execution hereof hereby declare that as at the date of execution hereof the subjects of sale implemented by this Disposition are neither (One) a matrimonial home in relation to which a spouse of mine has occupancy rights within the meaning of the Matrimonial Homes (Family Protection) (Scotland) Act 1981 as amended, nor (Two) a family home in relation to which a Civil Partner of mine has occupancy rights within the meaning of the Civil Partnership Act 2004; And I confirm that, until the registration of these presents in the Land Register of Scotland, I shall hold title for my said Disponees in trust for their benefit; And I grant warrandice; IN WITNESS WHEREOF these presents are subscribed by Andrew Fraser Kelly

At

On

Before the witness hereto subscribing



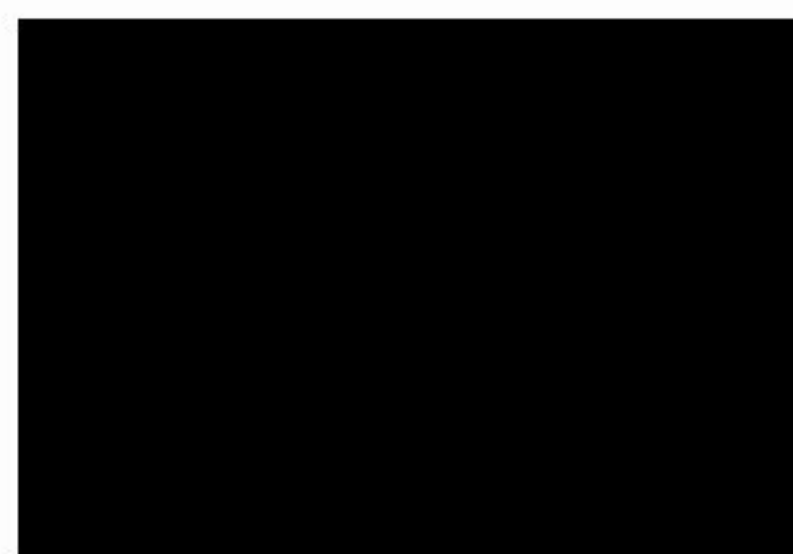
(Witness)

\_\_\_\_\_ (Full Name)

\_\_\_\_\_ (Address)

\_\_\_\_\_

\_\_\_\_\_ (Occupation)





**From:** [eforms@moray.gov.uk](mailto:eforms@moray.gov.uk)  
**To:** [Localdevelopmentplan](#)  
**Subject:** EL\_OPP11 - 002027  
**Date:** 22 February 2019 08:28:19

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## Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

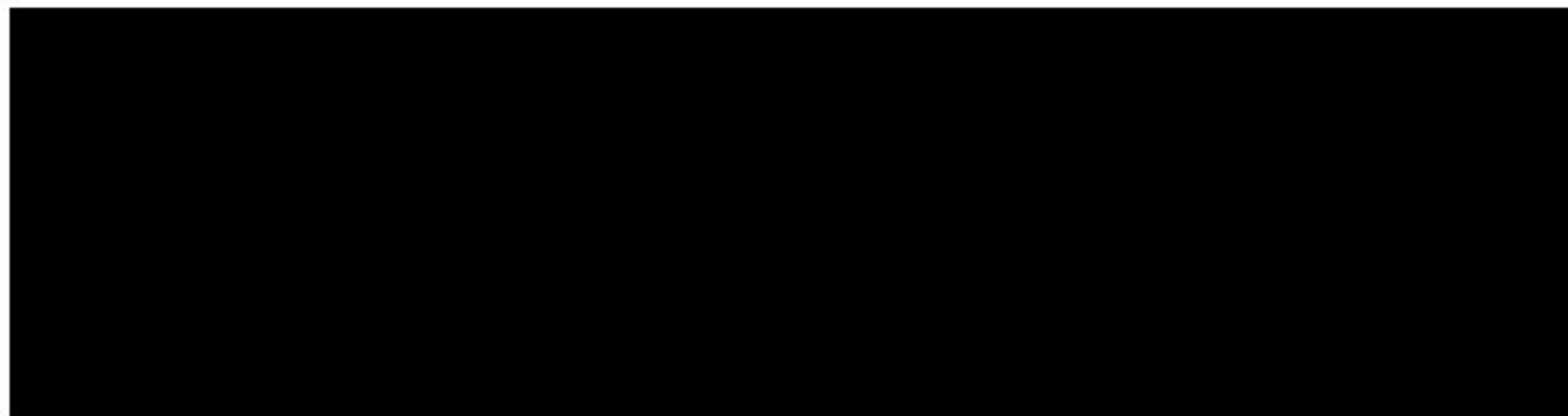
### Your Details

Title: **Mr**

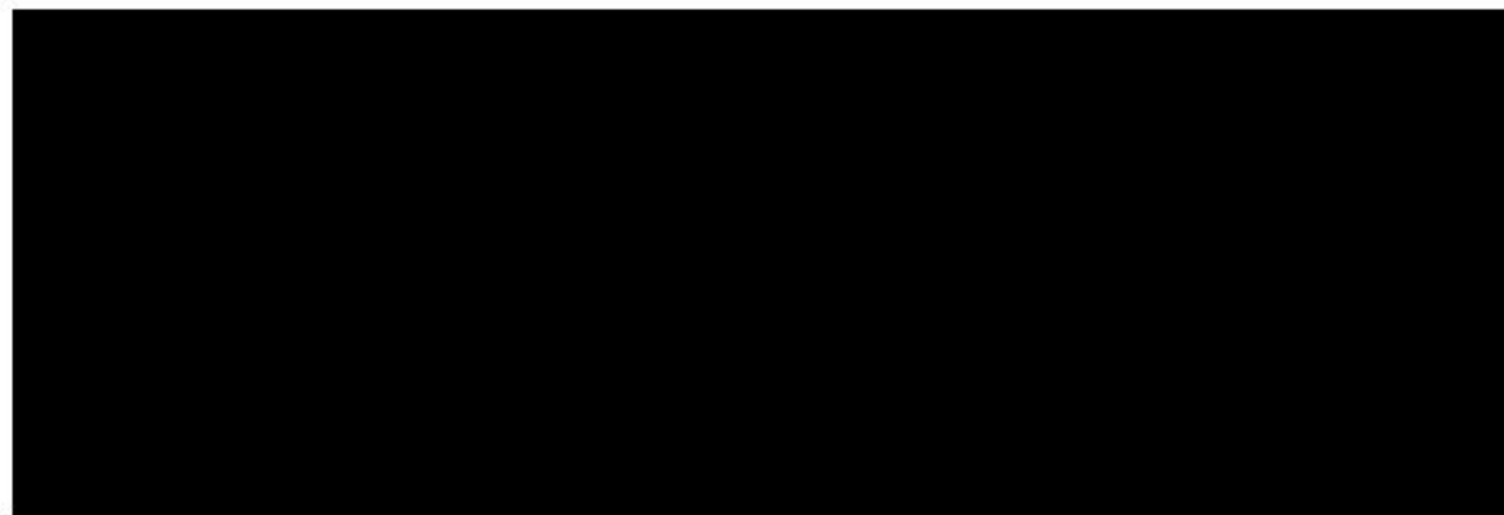
Forename(s): **Grant**

Surname: **Croudace**

### Your Address

A large black rectangular box redacting the address information.

### Contact Details

A large black rectangular box redacting the contact details.

### Agent Details

Do you have an agent: **No**

### Response

Do you want to object to a site?: **Yes**

Do you want to object to a policy, the vision or spatial strategy: **Yes**

Other: **No**

Supporting information: [Download supporting document](#) Available also via link at bottom of this email.

## **Site Objections**

Name of town, village or grouping: **Elgin Central**

Site reference: **OPP 11**

Site name: **Walled Garden**

Comments:

## **Policy Objection**

Policy: **EP3 Special Landscape Areas and Landscape Quality**

Comments:

Please use [this link](#) to view and retrieve the uploaded attachments.



**From:** [eforms@moray.gov.uk](mailto:eforms@moray.gov.uk)  
**To:** [Localdevelopmentplan](#)  
**Subject:** EL\_OPP11 - 002029  
**Date:** 22 February 2019 08:31:09

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## Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

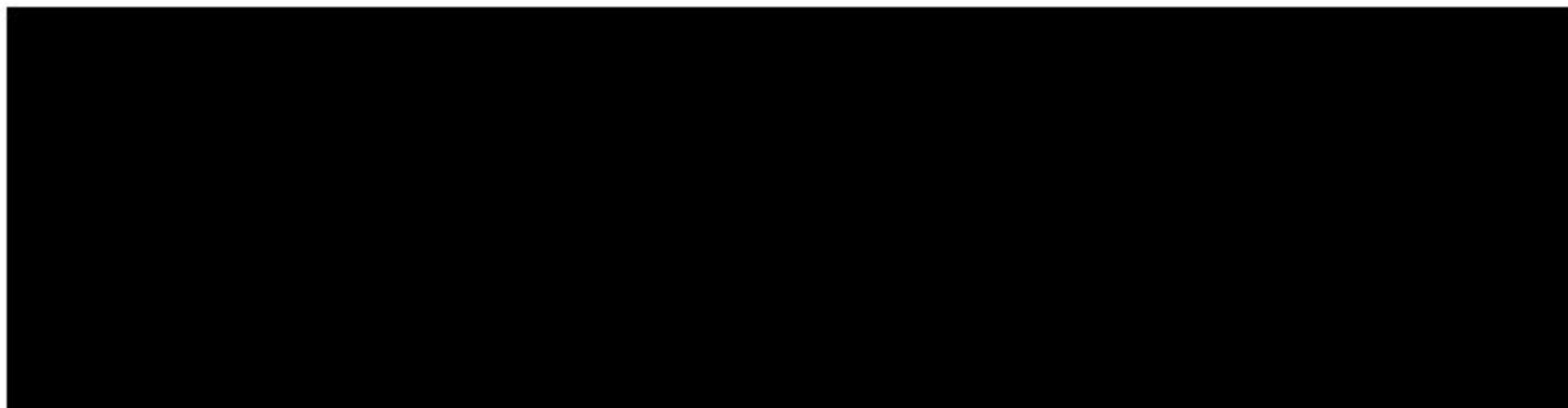
### Your Details

Title: **Mrs**

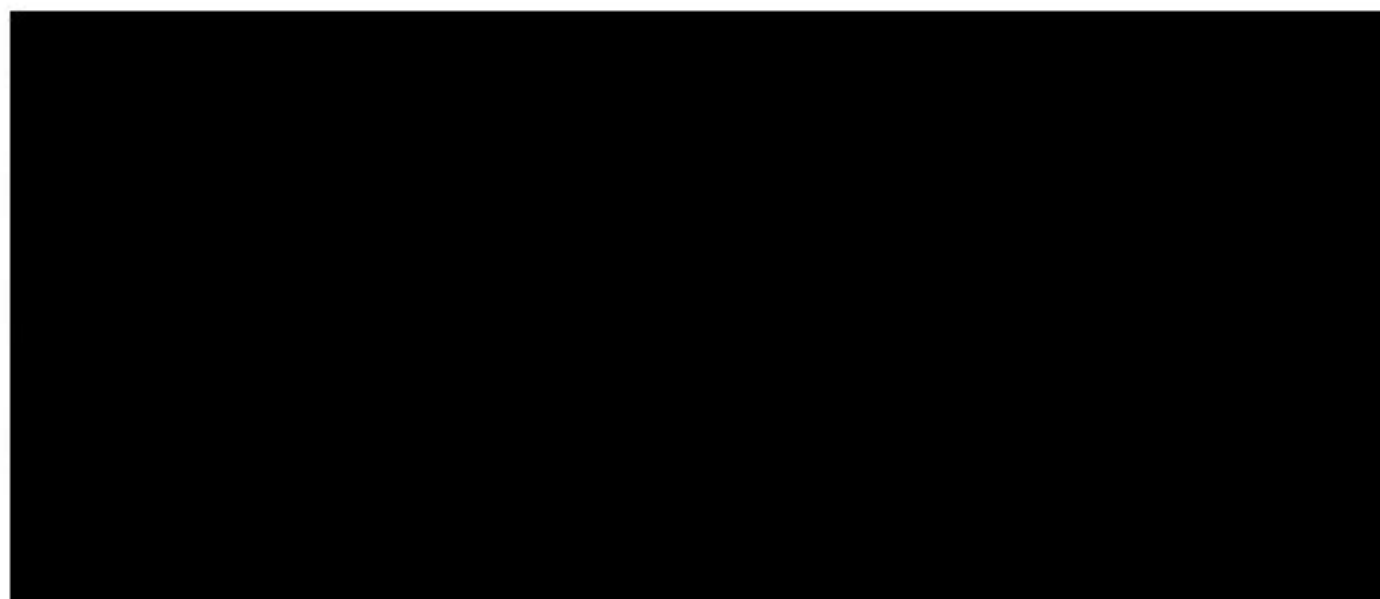
Forename(s): **Hazel**

Surname: **Croudace**

### Your Address

A large black rectangular box redacting the address information.

### Contact Details

A large black rectangular box redacting the contact details.

### Agent Details

Do you have an agent: **No**

### Response

Do you want to object to a site?: **Yes**

Do you want to object to a policy, the vision or spatial strategy: **No**

Other: **No**

Supporting information: [Download supporting document](#) Available also via link at bottom of this email.

## **Site Objections**

Name of town, village or grouping: **Elgin Central**

Site reference: **OPP11**

Site name: **Walled Garden**

Comments: **This site needs to continue as is for the community.**

Please use [this link](#) to view and retrieve the uploaded attachments.



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# Crown Estate Scotland Policies Representation

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Moray Proposed Local Development Plan 2020-  
Pitgaveny



Prepared by:

Signed PP. Philip Graham Philip Graham • MA MSc MRTPI For and on behalf of Savills	Dated 15/03/2019
--	------------------

Checked by:

Signed PP. Debbie Mackay Debbie Mackay • BSc MRTPI For and on behalf of Savills	Dated 15/03/2019
---	------------------

Savills - [Redacted Signature]





### 1. Introduction

- 1.1. This supporting statement is provided to give more details on Crown Estate Scotland (hereafter referred to as CES) considerations of the policy content of the Proposed Local Development Plan (PLDP) 2020 and its objections and representations.
- 1.2. CES is directed by the Scottish Government to manage land assets in Scotland. In managing this land the CES overall vision is to seek to innovate with land and property to create prosperity for Scotland and its communities. CES(IM) is committed to championing “integrated, multiple-use land management”. Fochabers showcases how farming, conservation, tourism and sporting can work side-by-side and help regenerate rural communities. CES also works towards generating prosperity for respective communities and Scotland as a whole.
- 1.3. The Proposed Local Development Plan is important in the context of CES’s work in Moray. The rural estates are diverse and there is a range of opportunities for growth. Policy direction evidently affects these opportunities and therefore CES is committed to actively engaging in the emerging Local Development Plan 2 due to be adopted in 2020.
- 1.4. This submission considers the respective policies and strategic policy direction as they are deemed to be relevant to CES interests.

### 2. Policies

- Objection: Proposed Growth Strategy, Mosstodloch and Fochabers as a Tertiary Growth Centre

- 2.1. We object to the non-inclusion of Mosstodloch (and/or the non-inclusion of Mosstodloch and Fochabers) as a tertiary (or joint tertiary) growth centre to deliver growth over the LDP2 period and beyond.
- 2.2. CES has put forward 75 ha. additional land for employment and mixed use at Mosstodloch, this is on top of existing allocations. CES also have development land at Fochabers. Our opinion is that these changes at Mosstodloch are potential “game-changers” for the settlement, and that as a result it should be listed as a tertiary growth centre (whether stand-alone or combined with Fochabers) in the Local Development Plan (LDP) 2020.



- Objection: Special Landscape Areas and Landscape Character

- 2.3. CES would like to object to Policy EP3 'Special Landscape Areas and Landscape Character' on the basis that the policy is very restrictive of new development which will have a stifling impact on communities and the local economy within Special Landscape Areas. We particularly would want to see the policy exceptions in section a) of the policy include scope for tourism facilities and accommodation and diversification projects as well as smaller scale renewables and ground-mounted solar schemes which can be readily integrated into the wider landscape. which help support the rural economy. This will be all the more necessary post BREXIT when farming support will become very uncertain.
- 2.4. CES manages land within the Lossiemouth to Portgordon Coast, the Portgordon to Cullen Coast, Lower Spey, The Spey Valley and Ben Rinnes. The preventive nature of this policy thus limits development in many areas on Fochabers Estate.
- 2.5. It is our concern that this policy is unnecessarily restrictive and will have a negative impact on the rural economy and respectfully requests the inclusion of the other items mentioned above. .

- Objection: Delivery Policies

- 2.5. CES consider that for policy DEL1 it is essential that the "Guidance" referred to is subject to public consultation.
- 2.6. As a result, the wording of the first paragraph should be altered to state "Supplementary Guidance and a template will be produced by the Council and this Guidance will be subject to public consultation".
- 2.7. It is understood that the development industry already liaises with Moray Council via the annual Housing Land Audit process, as well as through other means such as Homes for Scotland forums. The Moray Council should consider, in their development of the Supplementary Guidance, how to positively engage with landowners (and their agents) to ensure that their differing needs are also met.
- 2.8. Under policy DEL2 we consider that it must be recognised that there are circumstances outwith a landowner/developer's control which mean that site effectiveness can be adversely affected. These issues would also affect any prospective compulsory purchase and could well affect LONG land also. A positive and collaborative approach to mitigating site effectiveness issues (infrastructure provision etc.) should be employed before any compulsory purchase of land is considered. It is unclear whether the Council will take such an approach when assessing site effectiveness and this should be clearly stated.



- Support- Nether Dallachy and Upper Dallachy Rural Building Groups

2.9. CES support the identified rural building groups.

2.10. CES will take forward the sites during the currency of the final LDP 2020.



### 1. Introduction

- 1.1. This supporting statement is provided to give more details on Crown Estate Scotland (hereafter referred to as CES) considerations of the policy content of the Proposed Local Development Plan (PLDP) 2020 and its objections and representations.
- 1.2. CES is directed by the Scottish Government to manage land assets in Scotland. In managing this land the CES overall vision is to seek to innovate with land and property to create prosperity for Scotland and its communities. CES(IM) is committed to championing “integrated, multiple-use land management”. Fochabers showcases how farming, conservation, tourism and sporting can work side-by-side and help regenerate rural communities. CES also works towards generating prosperity for respective communities and Scotland as a whole.
- 1.3. The Proposed Local Development Plan is important in the context of CES’s work in Moray. The rural estates are diverse and there is a range of opportunities for growth. Policy direction evidently affects these opportunities and therefore CES is committed to actively engaging in the emerging Local Development Plan 2 due to be adopted in 2020.
- 1.4. This submission considers the respective policies and strategic policy direction as they are deemed to be relevant to CES interests.

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- 2.2. CES has put forward 75 ha. additional land for employment and mixed use at Mosstodloch, this is on top of existing allocations. CES also have development land at Fochabers. Our opinion is that these changes at Mosstodloch are potential “game-changers” for the settlement, and that as a result it should be listed as a tertiary growth centre (whether stand-alone or combined with Fochabers) in the Local Development Plan (LDP) 2020.



- Objection: Special Landscape Areas and Landscape Character

- 2.3. CES would like to object to Policy EP3 'Special Landscape Areas and Landscape Character' on the basis that the policy is very restrictive of new development which will have a stifling impact on communities and the local economy within Special Landscape Areas. We particularly would want to see the policy exceptions in section a) of the policy include scope for tourism facilities and accommodation and diversification projects as well as smaller scale renewables and ground-mounted solar schemes which can be readily integrated into the wider landscape. which help support the rural economy. This will be all the more necessary post BREXIT when farming support will become very uncertain.
- 2.4. CES manages land within the Lossiemouth to Portgordon Coast, the Portgordon to Cullen Coast, Lower Spey, The Spey Valley and Ben Rinnes. The preventive nature of this policy thus limits development in many areas on Fochabers Estate.
- 2.5. It is our concern that this policy is unnecessarily restrictive and will have a negative impact on the rural economy and respectfully requests the inclusion of the other items mentioned above. .

- Objection: Delivery Policies

- 2.5. CES consider that for policy DEL1 it is essential that the "Guidance" referred to is subject to public consultation.
- 2.6. As a result, the wording of the first paragraph should be altered to state "Supplementary Guidance and a template will be produced by the Council and this Guidance will be subject to public consultation".
- 2.7. It is understood that the development industry already liaises with Moray Council via the annual Housing Land Audit process, as well as through other means such as Homes for Scotland forums. The Moray Council should consider, in their development of the Supplementary Guidance, how to positively engage with landowners (and their agents) to ensure that their differing needs are also met.
- 2.8. Under policy DEL2 we consider that it must be recognised that there are circumstances outwith a landowner/developer's control which mean that site effectiveness can be adversely affected. These issues would also affect any prospective compulsory purchase and could well affect LONG land also. A positive and collaborative approach to mitigating site effectiveness issues (infrastructure provision etc.) should be employed before any compulsory purchase of land is considered. It is unclear whether the Council will take such an approach when assessing site effectiveness and this should be clearly stated.



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# **Mosstodloch North- Proposed Employment Land Site and objection to R2 Garmouth Road**

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Moray Proposed Local Development Plan 2020-  
Crown Estate Scotland



# Proposed LDP 2020- Moray

## Mosstodloch North Proposed Employment Land Site & R2 Garmouth Road objection



Prepared by:

Signed ..... PP. Philip Graham Philip Graham • MA MSc MRTPI For and on behalf of Savills	Dated ..... 15/03/2019
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Checked by:

Signed ..... PP. Debbie Mackay Debbie Mackay • BSc MRTPI For and on behalf of Savills	Dated ..... 15/03/2019
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Savills -





### 1. Summary

1.1. Crown Estate Scotland (CES) manages land surrounding much of Mosstodloch and its views on the PLDP allocation, site R2, and the desired allocation of land to the north of R2 are summarised as follows:

- CES objects to the non-inclusion of land to the north and west of R2 Mosstodloch as an Industrial site.
- CES objects to the allocation of site R2 as housing and recommends that this allocation is changed to industrial and the housing element is instead placed on MU LONG1 and the entire MU LONG1 allocation is removed from LONG and is fully allocated. MU LONG1 is the subject of a separate and complementary allocation.

1.2 The reasons for these objections are set out below. CES recognises that at this stage of the LDP this proposal has to be framed as an “objection” to be procedurally correct.

### 2. Introduction

2.1. This supporting statement is provided to give more detail on Crown Estate Scotland's (CES) proposed employment land site, Mosstodloch North.

2.2. CES readily acknowledges that this is a new site that has not previously been promoted through the LDP review. Promotion of the site has arisen recently in discussions between CES and James Jones Joinery (JJJ) where the desire of JJJ to expand their current operation over a larger area was raised.

2.3. Discussions have only taken place in recent months and so the timing is unfortunate in relation to the LDP review. However, it is hoped that the advantages of this potential expansion of a significant Moray employer can be considered favourably by both Moray Council and the Reporter on the Moray PLDP 2020. CES consider that this site should be considered as an additional employment allocation to serve Mosstodloch.

### 3. Site context

3.1. The Mosstodloch North site covers an area of 23ha. It is located to the west of the B9015 road, opposite the existing James Jones site. The site then extends to the commercial tree belt to the west and to the settlement edge to the south. To the north there are arable fields.

3.2. The site is currently arable agricultural land, it is relatively flat and has easy access potential onto the B9015. Longer views from the site are framed by the woodland to the north and north-west of Mosstodloch. The site marries with the northern boundary of the adjacent employment land site on its west side and the current JJJ site on its east side.



- 3.3. Allocation of the site would effectively create a large employment site to the north of the existing settlement, when the North of Mosstodloch site is combined with I3/LONG2 West of Mosstodloch. This brings the potential for all traffic to enter and egress the site via the roundabout on the A96 (and/or alternative access onto A96) thus removing heavy goods traffic from the residential environment of Mosstodloch and the roads surrounding the Primary school in particular..
- 3.4. SEPA flood risk maps do not show fluvial flood risk that affects the North Mosstodloch site. To the east of the site there is surface water flood risk and this could be investigated further and Sustainable urban drainage systems could be designed to deal with any surface level issues if necessary.
- 3.5. There is a possible archaeological feature on the western part of the site, Wood of Stynie. This is a ring ditch shown within a crop mark. This could be investigated through appropriate archaeological studies at the planning application stage.
- 3.6. There is no natural heritage designations that would be affected by development of the site. A Phase 1 Ecological Assessment could be undertaken at the planning application stage.
- 3.7. High level consideration of potential low and zero carbon technologies is also possible. This would ultimately be decided by the actual use(s) proposed

#### 4. JJJ Interest

- 4.1. JJJ are an important element of the Mosstodloch and Moray economy. They have 120 full time employees, the majority of whom live in or around Mosstodloch.
- 4.2. The company have now outgrown their current site and require to expand to allow them to continue to grow and to diversify their operations. In addition, their current operations are not ideally located in that there are road safety and residential amenity issues associated with the existing site. Operational traffic currently has to drive through Mosstodloch to access the site, in particular passing Mosstodloch Primary School. It is also the case that certain operations are not always conducive to residential amenity.
- 4.3. JJJ has expressed interest in diversifying into biomass, and high level discussions have taken place into the potential for district heating.
- 4.4. JJJ and CES are clear that a prudent solution is to relocate certain operations to the Mosstodloch North proposal site thus removing the residential amenity and traffic safety issues mentioned above. The Mosstodloch North site is better located to allow access direct to the A96 (through the I3/LONG2 PLDP 2020 allocation) and this could handle operational traffic. There is also ample space at Mosstodloch North to ensure site operations do not adversely affect residential amenity.
- 4.5. JJJ would then keep other non-impactful operations at their current site.



- 4.6. The North Mosstodloch site has been chosen by JJJ because it is adjacent to their existing site, allowing for smooth transitioning of operations and rearranging of activities across the existing and proposed sites. The site also adjoins the I3/LONG2 West Mosstodloch site which is proposed for employment and links to the adjacent roundabout on the A96.
- 4.7. Our opinion is that the proposal site is clearly in line with the Moray Economic Strategy. In particular, allocation of the land allows for business growth; it allows for talent retention and attraction; and it allows for workforce development.
- 4.8. It is the view of CES that the larger site, including LONG2, and the land to the north, needs to be allocated to give maximum flexibility to the design and phasing to be set out within the Development Framework for the site (as required by the PLDP).
- 4.9. This opportunity has arisen very recently due to operational requirements at JJJ. Given the strategic importance of JJJ's business to Moray, it is the view of CES that this need for expansion is to be strongly supported because it will:
- Secure JJJ's continued operations in Mosstodloch and in Moray.
  - Take JJJ traffic off the existing roads within Mosstodloch and divert them through the I3 avoiding current conflicts with Primary School traffic.
  - Assist with the opening and servicing of I3/LONG2 as an industrial site bringing it forward much earlier than would otherwise have been anticipated.
  - Creating a large scale, "oven-ready", serviced employment site across I3/LONG2 with good access links to the A96.
  - Enable a strategic Development Framework for the entire employment area to be brought forward.
- 4.10. Discussions between JJJ and CES have only recently taken place. It is also understood that there have been discussions between JJJ and The Moray Council. Evidently these discussions have come late in the LDP review process, however it is considered critical to put this proposal to LDP review and allow the Council's policy team to provide their view, and for the Reporter to ultimately take a decision.
- 4.11. Overall, our opinion is that there are clear benefits to the Mosstodloch community from this proposal. However, CES are keen that there is no democratic deficit to this proposal in terms of any allocation of the site. The LDP review process will now not specifically allow for community consultation at this late stage. However, CES and JJJ are willing to commit to undertake community engagement to allow the local community to have an input to the decision making around this proposal.
- 4.12. We consider that on-going engagement between The Moray Council, JJJ and CES would be prudent. CES are very happy to engage.



### 5. Incorporation of R2 West Garmouth Road

- 5.1. The incorporation of the R2 West Garmouth Road site into the Mosstodloch North site leaves the potential for the shortfall of housing units (60 units) to be met by the proposed allocation of South of A96 Bypass mixed use site.
- 5.2. CES consider that this is a preferable development strategy for Mosstodloch because it will better reflect the overall strategic development vision for Mosstodloch that CES wish to implement. In addition, the removal of the Garmouth Road housing allocation avoids any future complications in terms of the expansion of JJJ, for example land assembly and/or residential amenity conflicts etc.

### 6. Policy Context

- 6.1. Evidently no policy and infrastructure requirements have been provided for the prospective North of Mosstodloch site within the PLDP 2020. However, for the I3/LONG2 site the PLDP 2020 provides a list of site requirements and it is considered that a development framework for the I3/LONG2 site could also consider the Mosstodloch North site.

- 6.2. It is accepted that detailed assessments will be required at any planning application stage in due course.

#### *Scottish Planning Policy*

- 6.3. We consider that allocation of the proposal site is in line with Scottish Planning Policy. In particular, paragraph 92 states that *"Planning should address the development requirements of businesses and enable key opportunities for investment to be realised. It can support sustainable economic growth by providing a positive policy context for development that delivers economic benefits"*.

- 6.4. The policy principles at paragraph 93 state that *"the planning system should:*

- *Promote business and industrial development that increases economic activity while safeguarding and enhancing the natural and built environment as national assets*
- *allocate sites that meet the diverse needs of the different sectors and sizes of business which are important to the plan area in a way which is flexible enough to accommodate changing circumstances and allow the realisation of new opportunities; and*
- *give due weight to net economic benefit of proposed development"*

- 6.5. In terms of delivery of business and employment land, paragraph 94 states that *"Plans should align with relevant local economic strategies. These will help planning authorities to meet the needs and opportunities of indigenous firms and inward investors, recognising the potential of key sectors for Scotland with particular opportunities for growth..."*



- *Spatial Strategy Employment Land Supply*

6.6. The Spatial Strategy of the PLDP 2020 states that Scottish Planning Policy requires development plans to designate sites that meet the diverse needs of different types and sizes of business in a way that is flexible enough to accommodate changing circumstances. It is also stated that the top priority of the Community Planning Partnerships 10 year plan, Moray 2026 is:

*“a growing, diverse and sustainable economy”*

6.7. The PLDP 2020 also states that there is particular demand for medium sized businesses primarily coming from existing businesses looking to grow. To be clear, we consider that the JJJ interest shows this exact assertion to be true, and that as a result the final LDP 2020 should be able to cater for such an event.

6.8. In this instance JJJ have expressed an interest in a specific area of land. As a result there is an available “window” to allow for an employment allocation to be inserted into the final LDP 2020.

6.9. Our opinion is that given the importance of JJJ to the Mosstodloch and the Moray economy, and given the clear benefits of the expansion of the business in terms of residential amenity and road safety, that the allocation should be included within the final LDP 2020 as an additional employment land allocation. Evidently the allocation of the land also requires to be in line with other considerations and our opinion is that there are no issues that would preclude allocation of the land. We confirm this opinion within the analysis contained in this statement.

6.10. Evidently there are other employment land allocations put forward within the Moray PLDP 2020. However, we do not see any need to consider the merits of this site over another site. Effectively, this process should be seen as a standalone exception which will meet a specific need because it is adjacent to the existing use which requires to expand.

6.11. It does not make business-sense for JJJ to leave their current site entirely when there is a suitable site adjacent. This would require significant expense and would negate the merit of the Mosstodloch Road site. It would also leave a large brownfield site, which would be expensive and difficult to re-develop in, at least, the short-medium term.

6.12. Another factor is that the expansion of JJJ would increase the likelihood of a road being developed from the roundabout (and/or alternative location) through I3/LONG2 and on to Mosstodloch North. This would increase the attractiveness of I3/LONG2 and could provide an opportunity to service the LONG site making it “oven-ready” and attractive to developers.



- PP1 Placemaking

- 6.13. The Moray PLDP 2020 states that development must be designed to create successful, healthy places that support good physical and mental health, help reduce health inequalities, improve people's wellbeing, safeguard the environment and support economic development. In addition, factors such as character and identity; open spaces and landscaping; biodiversity; parking; and street layout and detail.
- 6.14. The PLDP 2020 outlines site requirements for the proposed employment land site I3/LONG2. It is stated that a Development Framework is required and that this must comply with Key Design Principles, outlined at Figure 1.1 of the PLDP 2020. The PLDP 2020 site requirements for I3/LONG2 also state that a layout "must safeguard 15m wide corridors for potential future connections to the west, north and east".
- 6.15. It is considered that development of the prospective Mosstodloch North site would also benefit from a Development Framework (perhaps one document extended to incorporate both prospective employment land sites) and that some of the Key Design Principles would also be relevant at Mosstodloch North. In particular- landscaping to break up the site and minimise visual impacts of large industrial areas; landscape planting/open space on the southern boundary to protect residential amenity; active travel routes; vehicular access from the A96; using surface water flood risk positively through SUDs treatment; and using solar gain positively. Figure 1 below shows an indicative Key Design Principles plan for Mosstodloch North.

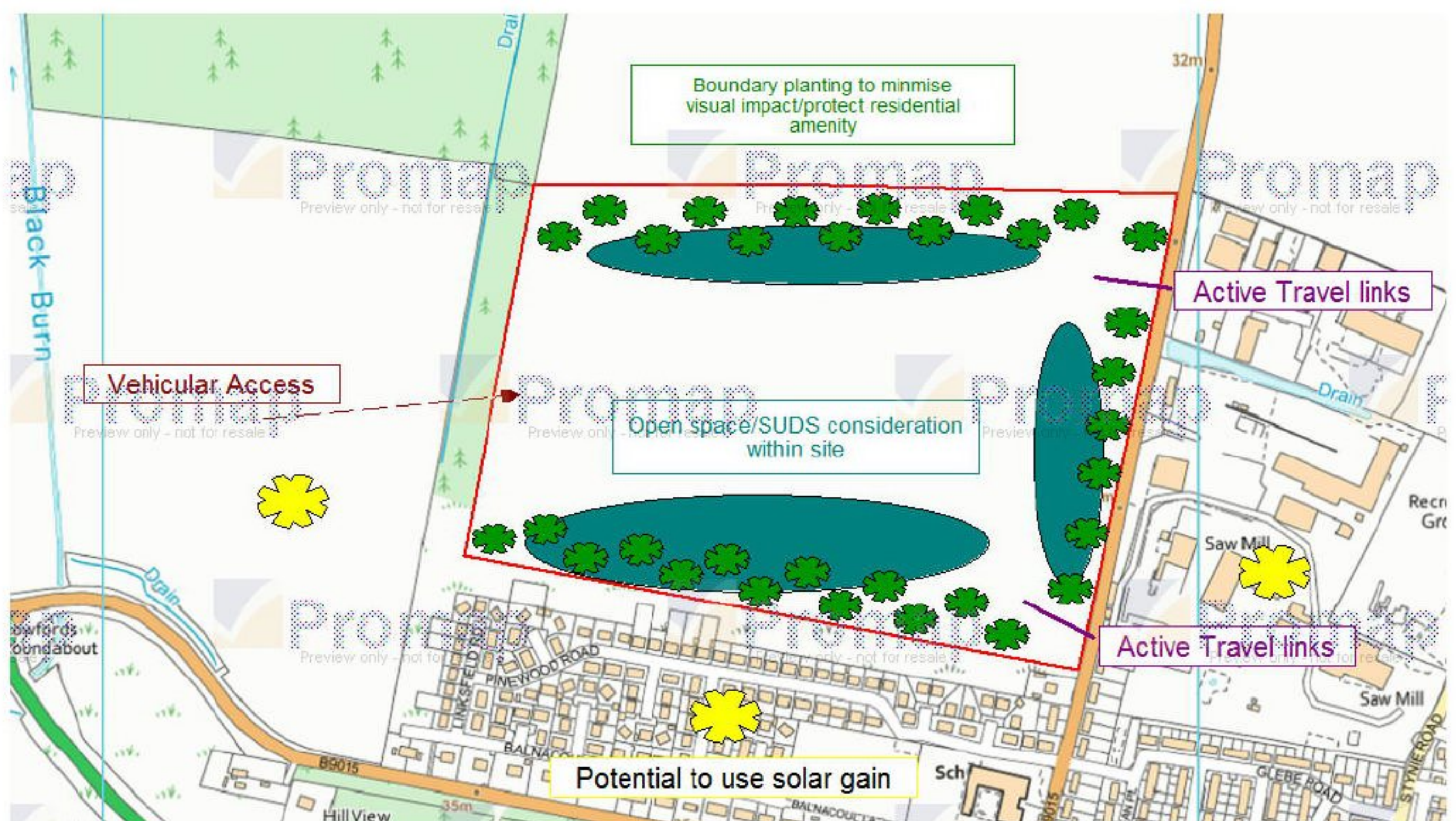


Figure 1: Indicative Key Design Principles



- 6.16. The site is accessible to the services and facilities of Mosstodloch and there is active travel potential.
- 6.17. Provision of further employment land also brings a boost to economic development and more jobs potential also helps boost the local community in terms of wellbeing and mental health benefits.
- 6.18. For the proposed I3/LONG2 site the CES (IM) produced a Landscape Capacity Study. This document highlighted the ease of access from I3/LONG2 to the surrounding woodland from the core path network, this benefit also applies to this site.



Figure 2: Core path network showing ease of access from both I3/LONG2 and Mosstodloch North

- 6.19. Other points that the Landscape Capacity Study raises which are relevant to Mosstodloch North are that:
- the site is currently well connected and there is potential for new connections to/from and through the site;
  - there is potential for landscape treatment to provide a new gateway to Mosstodloch to reduce the adverse impacts of the highway scheme. However, this idea could also be applied to entry to Mosstodloch from the north on the B9015;
  - potential for a strong eastern boundary which can protect the residential amenity and landscape setting of Mosstodloch. Again, this can also be applied to the northern boundary of Mosstodloch at the northern boundary of the proposal site;
  - potential to connect the two woodlands of Balnacoul and Wood of Stynie through creation of an eastern boundary (western boundary of Mosstodloch North);



- potential for SUDS and positive water management to mitigate flood risk and incorporate green infrastructure; and
- development could be broken up through plots with dividing path/green network and planting connections

6.20. The CES are also confident that relevant standards within the Open Space Strategy can be met, given the amount of land available.

- *PP2 Sustainable Economic Growth*

6.21. Our opinion is that the proposal site is clearly in line with the Moray Economic Strategy. In particular, allocation of the land allows for business growth (in a medium-sized business); it allows for talent retention and attraction (new jobs created in a growing, diversified business; and workforce development (opportunities for training as the business diversifies).

6.22. It is also the case that there are no environmental or built heritage issues that would preclude development.

6.23. Moray has a number of success stories in terms of new and existing business and JJJ are one of these. Their growth should therefore be facilitated by the LDP 2020.

## 7. Conclusions

7.1. This statement has made the case for a new employment land allocation at Mosstodloch North to be contained within the final LDP 2020. This allocation would give an important medium sized Moray business the potential to expand and diversify in close proximity to their existing operations. It would also remove current residential amenity and road safety issues, thus bringing benefit to the community of Mosstodloch.

7.2. The proposals have been shown to be in line with the Spatial Strategy of the PLDP 2020 as well as key policies in terms of placemaking and sustainable economic growth. There are no environmental or built heritage factors that would preclude development.

7.3. We concede that the timing of this proposal is not ideal in relation to the LDP review process and we also assert that it is important that the Community are involved in this proposal. We consider that there is scope to allow for community consultation on a prospective Development Framework document in due course, before any formal planning applications came forward. In addition, our opinion is also that there is no need to revisit employment land supply calculations and that this proposal can be considered as a unique one-off case to support JJJ expansion.

7.4. We also consider that all parties should continue to engage on this exciting opportunity.



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# **I3/LONG2 West of Mosstodloch Industrial Estate**

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Moray Proposed Local Development Plan 2020-  
Crown Estate Scotland (IM)



# Moray PLDP 2020-

I3/LONG2 West of Mosstodloch



Prepared by:

Signed ..... PP. Philip Graham Philip Graham • MA MSc MRTPI For and on behalf of Savills	Dated ..... 15/03/2019
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Checked by:

Signed ..... PP. Debbie Mackay Debbie Mackay • BSc MRTPI For and on behalf of Savills	Dated ..... 15/03/2019
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Savills -





### 1. Summary

1.1. Crown Estate Scotland (CES) manages site I3 and LONG2 West of Mosstodloch and its view on the PLDP allocation of these sites is summarised as follows:

- CES supports the allocation of I3 as an Industrial Estate
- CES objects to LONG2 not being allocated as part of the I3 Industrial Estate site

1.2. The reasons for both the support for I3 and objection re the status of LONG2 are set out below.

1.3. CES is tasked through the Scotland Act (2016) to work with people and organisations to ensure that the assets in their management are looked after sustainably in a way that creates sustainability and prosperity for Scotland and its communities.

### 2. Planning Context

2.1. CES has promoted the I3/LONG2 site throughout the Moray LDP review and representations have been made at each stage.

2.2. The impetus behind the allocation is for the land to be a large strategic employment site to facilitate inward investment into the Moray economy. This approach is in line with paragraph 92 of Scottish Planning Policy which states that *"Planning should address the development requirements of businesses and enable key opportunities for investment to be realised. It can support sustainable economic growth by providing a positive policy context for development that delivers economic benefits"*.

2.3. It is also considered that the allocation of the land is in line with the Spatial Strategy of the PLDP 2020 in that the prospective allocation has the potential to *"meet the diverse needs of different types and sizes of business in a way that is flexible enough to accommodate changing circumstances"*. The allocation will also allow for medium sized businesses to grow, which is identified within the PLDP 2020 as driving particular demand.

2.4. Our opinion is that the proposal site is clearly in line with the Moray Economic Strategy. In particular, allocation of the land allows for business growth; it allows for talent retention and attraction; and workforce development.

2.5. However it is the view of CES that the larger site, including LONG2, needs to be allocated to give maximum flexibility to the employment allocation. This will provide maximum flexibility to the design and phasing to be set out within the Development Framework for the site (as required by the PLDP).

2.6. CES is presenting a separate but related proposal for an additional late allocation of land to the east of this site to accommodate a proposed extension of the James Jones Joinery(JJJ) site and a new access to their proposed and existing sites.



2.7. This opportunity has arisen very recently due to operational requirements at JJJ. Given the strategic importance of JJJ's business to Moray, it is the view of CES that this need for expansion is to be strongly supported because it will:

- Secure JJJ's continued operations in Mosstodloch and in Moray.
- Take JJJ traffic off the existing roads within Mosstodloch and divert them through the I3 avoiding current conflicts with Primary School traffic.
- Assist with the opening and servicing of I3/LONG2 as an industrial site bringing it forward much earlier than would otherwise have been anticipated.
- Creating a large scale, "oven-ready", serviced employment site across I3/LONG2 with good access links to the A96.
- Enable a strategic Development Framework for the entire employment area to be brought forward.

### 3. Employment Land Supply

3.1. The I3/LONG2 allocation comprises an important component of the additional minimum employment land requirement of 23ha which is identified within the Spatial Strategy of PLDP 2020. The 10ha at I3 that is currently identified as an allocation comprises 40% of this requirement. Beyond this, there is the LONG2 element of land which, as a starting point, is embargoed within the LDP 2020 period, but could come forward if certain criteria are met under policy DP3 'Long Term Land'.

3.2. Previously the Main Issues Report showed the whole West of Mosstodloch site as a preferred option and the potential for the site to be "split" into an allocation and a LONG allocation was not mentioned. Albeit there was mention within MIR content on employment land supply that part of the 23ha identified for the Elgin market could be "*identified as a strategic reserve*".

3.3. Our objection to the allocation of I3/LONG2 is that we consider that it is unnecessary to split the allocation in two and that instead there should be one I3 employment land allocation identified in the final LDP 2020.

3.4. Our reasons for this change are as follows:

- Overall we feel that "splitting" the allocation adds an unnecessary layer of complication to the delivery of the site if a large user/multiple users come forward who require more than 10ha of land.
- In turn, complicating delivery of the site also makes the site less marketable. The availability of the site must be as flexible as possible so that it is attractive to prospective investors/businesses



- We consider that “splitting” the site is contrary to the aims/priorities/objectives of the Moray Local Outcomes Improvements Plan (LOIP), the Moray Economic Strategy and the Spatial Strategy of the PLDP 2020. For example, adding complication to the delivery of the prospective allocation does not assist in growing a diverse and sustainable economy; attracting new businesses/industries in diverse sectors to the Moray Economy; and it makes delivery of development more complicated outwith the main centre of Elgin, compounding market difficulties that smaller settlements face.
- In turn, if the above business/diversification is not attracted, it has a knock on adverse effect on jobs generation, retention of talent, levels of average salaries and investment in infrastructure.
- Critically we consider that the requirement by JJJ to expand westwards from their site into currently unallocated land, taking an access through I3/LONG2, connecting to the Cowfords roundabout is a unique opportunity to achieve the early opening and servicing of this site creating an “oven-ready” employment site to attract further businesses to locate.
- On review of the other employment land allocations within the PLDP 2020 we consider that much of the land (and suggested allocation Mosstodloch North) are likely to come forward for specific uses or are built out:
  - o I1 Garmouth Road- built out
  - o I2 North of Baxter’s- is designated to facilitate the expansion of Baxter’s and the PLDP states that development by others is “not intended”
  - o I4 Sawmill- is built out (James Jones Joinery)
  - o I5 Baxter’s- is built out
  - o Mosstodloch North- proposed to facilitate James Jones Joinery expansion

As a result, a flexible large scale employment land allocation is, in our opinion, appropriate to meet other employment land demand that comes forward during the currency of the final LDP 2020.

#### 4. Conclusions

- 4.1. In summary CES(IM) are supportive of the principle of an employment site at West of Mosstodloch but consider that this allocation should be for an immediate employment allocation covering the same area as I3/LONG2.
- 4.2. We consider that an immediate employment allocation will bring the greatest flexibility and certainty to prospective businesses and developers, and therefore maximise the opportunity for the site to come forward.



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# **Mosstodloch North- Proposed Employment Land Site and objection to R2 Garmouth Road**

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Moray Proposed Local Development Plan 2020-  
Crown Estate Scotland



# Proposed LDP 2020- Moray

## Mosstodloch North Proposed Employment Land Site & R2 Garmouth Road objection



Prepared by:

Signed ..... PP. Philip Graham Philip Graham • MA MSc MRTPI For and on behalf of Savills	Dated ..... 15/03/2019
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Checked by:

Signed ..... PP. Debbie Mackay Debbie Mackay • BSc MRTPI For and on behalf of Savills	Dated ..... 15/03/2019
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Savills -





### 1. Summary

1.1. Crown Estate Scotland (CES) manages land surrounding much of Mosstodloch and its views on the PLDP allocation, site R2, and the desired allocation of land to the north of R2 are summarised as follows:

- CES objects to the non-inclusion of land to the north and west of R2 Mosstodloch as an Industrial site.
- CES objects to the allocation of site R2 as housing and recommends that this allocation is changed to industrial and the housing element is instead placed on MU LONG1 and the entire MU LONG1 allocation is removed from LONG and is fully allocated. MU LONG1 is the subject of a separate and complementary allocation.

1.2 The reasons for these objections are set out below. CES recognises that at this stage of the LDP this proposal has to be framed as an “objection” to be procedurally correct.

### 2. Introduction

2.1. This supporting statement is provided to give more detail on Crown Estate Scotland's (CES) proposed employment land site, Mosstodloch North.

2.2. CES readily acknowledges that this is a new site that has not previously been promoted through the LDP review. Promotion of the site has arisen recently in discussions between CES and James Jones Joinery (JJJ) where the desire of JJJ to expand their current operation over a larger area was raised.

2.3. Discussions have only taken place in recent months and so the timing is unfortunate in relation to the LDP review. However, it is hoped that the advantages of this potential expansion of a significant Moray employer can be considered favourably by both Moray Council and the Reporter on the Moray PLDP 2020. CES consider that this site should be considered as an additional employment allocation to serve Mosstodloch.

### 3. Site context

3.1. The Mosstodloch North site covers an area of 23ha. It is located to the west of the B9015 road, opposite the existing James Jones site. The site then extends to the commercial tree belt to the west and to the settlement edge to the south. To the north there are arable fields.

3.2. The site is currently arable agricultural land, it is relatively flat and has easy access potential onto the B9015. Longer views from the site are framed by the woodland to the north and north-west of Mosstodloch. The site marries with the northern boundary of the adjacent employment land site on its west side and the current JJJ site on its east side.



- 3.3. Allocation of the site would effectively create a large employment site to the north of the existing settlement, when the North of Mosstodloch site is combined with I3/LONG2 West of Mosstodloch. This brings the potential for all traffic to enter and egress the site via the roundabout on the A96 (and/or alternative access onto A96) thus removing heavy goods traffic from the residential environment of Mosstodloch and the roads surrounding the Primary school in particular..
- 3.4. SEPA flood risk maps do not show fluvial flood risk that affects the North Mosstodloch site. To the east of the site there is surface water flood risk and this could be investigated further and Sustainable urban drainage systems could be designed to deal with any surface level issues if necessary.
- 3.5. There is a possible archaeological feature on the western part of the site, Wood of Stynie. This is a ring ditch shown within a crop mark. This could be investigated through appropriate archaeological studies at the planning application stage.
- 3.6. There is no natural heritage designations that would be affected by development of the site. A Phase 1 Ecological Assessment could be undertaken at the planning application stage.
- 3.7. High level consideration of potential low and zero carbon technologies is also possible. This would ultimately be decided by the actual use(s) proposed

#### **4. JJJ Interest**

- 4.1. JJJ are an important element of the Mosstodloch and Moray economy. They have 120 full time employees, the majority of whom live in or around Mosstodloch.
- 4.2. The company have now outgrown their current site and require to expand to allow them to continue to grow and to diversify their operations. In addition, their current operations are not ideally located in that there are road safety and residential amenity issues associated with the existing site. Operational traffic currently has to drive through Mosstodloch to access the site, in particular passing Mosstodloch Primary School. It is also the case that certain operations are not always conducive to residential amenity.
- 4.3. JJJ has expressed interest in diversifying into biomass, and high level discussions have taken place into the potential for district heating.
- 4.4. JJJ and CES are clear that a prudent solution is to relocate certain operations to the Mosstodloch North proposal site thus removing the residential amenity and traffic safety issues mentioned above. The Mosstodloch North site is better located to allow access direct to the A96 (through the I3/LONG2 PLDP 2020 allocation) and this could handle operational traffic. There is also ample space at Mosstodloch North to ensure site operations do not adversely affect residential amenity.
- 4.5. JJJ would then keep other non-impactful operations at their current site.



- 4.6. The North Mosstodloch site has been chosen by JJJ because it is adjacent to their existing site, allowing for smooth transitioning of operations and rearranging of activities across the existing and proposed sites. The site also adjoins the I3/LONG2 West Mosstodloch site which is proposed for employment and links to the adjacent roundabout on the A96.
- 4.7. Our opinion is that the proposal site is clearly in line with the Moray Economic Strategy. In particular, allocation of the land allows for business growth; it allows for talent retention and attraction; and it allows for workforce development.
- 4.8. It is the view of CES that the larger site, including LONG2, and the land to the north, needs to be allocated to give maximum flexibility to the design and phasing to be set out within the Development Framework for the site (as required by the PLDP).
- 4.9. This opportunity has arisen very recently due to operational requirements at JJJ. Given the strategic importance of JJJ's business to Moray, it is the view of CES that this need for expansion is to be strongly supported because it will:
- Secure JJJ's continued operations in Mosstodloch and in Moray.
  - Take JJJ traffic off the existing roads within Mosstodloch and divert them through the I3 avoiding current conflicts with Primary School traffic.
  - Assist with the opening and servicing of I3/LONG2 as an industrial site bringing it forward much earlier than would otherwise have been anticipated.
  - Creating a large scale, "oven-ready", serviced employment site across I3/LONG2 with good access links to the A96.
  - Enable a strategic Development Framework for the entire employment area to be brought forward.
- 4.10. Discussions between JJJ and CES have only recently taken place. It is also understood that there have been discussions between JJJ and The Moray Council. Evidently these discussions have come late in the LDP review process, however it is considered critical to put this proposal to LDP review and allow the Council's policy team to provide their view, and for the Reporter to ultimately take a decision.
- 4.11. Overall, our opinion is that there are clear benefits to the Mosstodloch community from this proposal. However, CES are keen that there is no democratic deficit to this proposal in terms of any allocation of the site. The LDP review process will now not specifically allow for community consultation at this late stage. However, CES and JJJ are willing to commit to undertake community engagement to allow the local community to have an input to the decision making around this proposal.
- 4.12. We consider that on-going engagement between The Moray Council, JJJ and CES would be prudent. CES are very happy to engage.



### 5. Incorporation of R2 West Garmouth Road

- 5.1. The incorporation of the R2 West Garmouth Road site into the Mosstodloch North site leaves the potential for the shortfall of housing units (60 units) to be met by the proposed allocation of South of A96 Bypass mixed use site.
- 5.2. CES consider that this is a preferable development strategy for Mosstodloch because it will better reflect the overall strategic development vision for Mosstodloch that CES wish to implement. In addition, the removal of the Garmouth Road housing allocation avoids any future complications in terms of the expansion of JJJ, for example land assembly and/or residential amenity conflicts etc.

### 6. Policy Context

- 6.1. Evidently no policy and infrastructure requirements have been provided for the prospective North of Mosstodloch site within the PLDP 2020. However, for the I3/LONG2 site the PLDP 2020 provides a list of site requirements and it is considered that a development framework for the I3/LONG2 site could also consider the Mosstodloch North site.

- 6.2. It is accepted that detailed assessments will be required at any planning application stage in due course.

#### *Scottish Planning Policy*

- 6.3. We consider that allocation of the proposal site is in line with Scottish Planning Policy. In particular, paragraph 92 states that *"Planning should address the development requirements of businesses and enable key opportunities for investment to be realised. It can support sustainable economic growth by providing a positive policy context for development that delivers economic benefits"*.

- 6.4. The policy principles at paragraph 93 state that *"the planning system should:*

- *Promote business and industrial development that increases economic activity while safeguarding and enhancing the natural and built environment as national assets*
- *allocate sites that meet the diverse needs of the different sectors and sizes of business which are important to the plan area in a way which is flexible enough to accommodate changing circumstances and allow the realisation of new opportunities; and*
- *give due weight to net economic benefit of proposed development"*

- 6.5. In terms of delivery of business and employment land, paragraph 94 states that *"Plans should align with relevant local economic strategies. These will help planning authorities to meet the needs and opportunities of indigenous firms and inward investors, recognising the potential of key sectors for Scotland with particular opportunities for growth..."*



- *Spatial Strategy Employment Land Supply*

6.6. The Spatial Strategy of the PLDP 2020 states that Scottish Planning Policy requires development plans to designate sites that meet the diverse needs of different types and sizes of business in a way that is flexible enough to accommodate changing circumstances. It is also stated that the top priority of the Community Planning Partnerships 10 year plan, Moray 2026 is:

*“a growing, diverse and sustainable economy”*

6.7. The PLDP 2020 also states that there is particular demand for medium sized businesses primarily coming from existing businesses looking to grow. To be clear, we consider that the JJJ interest shows this exact assertion to be true, and that as a result the final LDP 2020 should be able to cater for such an event.

6.8. In this instance JJJ have expressed an interest in a specific area of land. As a result there is an available “window” to allow for an employment allocation to be inserted into the final LDP 2020.

6.9. Our opinion is that given the importance of JJJ to the Mosstodloch and the Moray economy, and given the clear benefits of the expansion of the business in terms of residential amenity and road safety, that the allocation should be included within the final LDP 2020 as an additional employment land allocation. Evidently the allocation of the land also requires to be in line with other considerations and our opinion is that there are no issues that would preclude allocation of the land. We confirm this opinion within the analysis contained in this statement.

6.10. Evidently there are other employment land allocations put forward within the Moray PLDP 2020. However, we do not see any need to consider the merits of this site over another site. Effectively, this process should be seen as a standalone exception which will meet a specific need because it is adjacent to the existing use which requires to expand.

6.11. It does not make business-sense for JJJ to leave their current site entirely when there is a suitable site adjacent. This would require significant expense and would negate the merit of the Mosstodloch Road site. It would also leave a large brownfield site, which would be expensive and difficult to re-develop in, at least, the short-medium term.

6.12. Another factor is that the expansion of JJJ would increase the likelihood of a road being developed from the roundabout (and/or alternative location) through I3/LONG2 and on to Mosstodloch North. This would increase the attractiveness of I3/LONG2 and could provide an opportunity to service the LONG site making it “oven-ready” and attractive to developers.



- PP1 Placemaking

- 6.13. The Moray PLDP 2020 states that development must be designed to create successful, healthy places that support good physical and mental health, help reduce health inequalities, improve people's wellbeing, safeguard the environment and support economic development. In addition, factors such as character and identity; open spaces and landscaping; biodiversity; parking; and street layout and detail.
- 6.14. The PLDP 2020 outlines site requirements for the proposed employment land site I3/LONG2. It is stated that a Development Framework is required and that this must comply with Key Design Principles, outlined at Figure 1.1 of the PLDP 2020. The PLDP 2020 site requirements for I3/LONG2 also state that a layout "must safeguard 15m wide corridors for potential future connections to the west, north and east".
- 6.15. It is considered that development of the prospective Mosstodloch North site would also benefit from a Development Framework (perhaps one document extended to incorporate both prospective employment land sites) and that some of the Key Design Principles would also be relevant at Mosstodloch North. In particular- landscaping to break up the site and minimise visual impacts of large industrial areas; landscape planting/open space on the southern boundary to protect residential amenity; active travel routes; vehicular access from the A96; using surface water flood risk positively through SUDs treatment; and using solar gain positively. Figure 1 below shows an indicative Key Design Principles plan for Mosstodloch North.

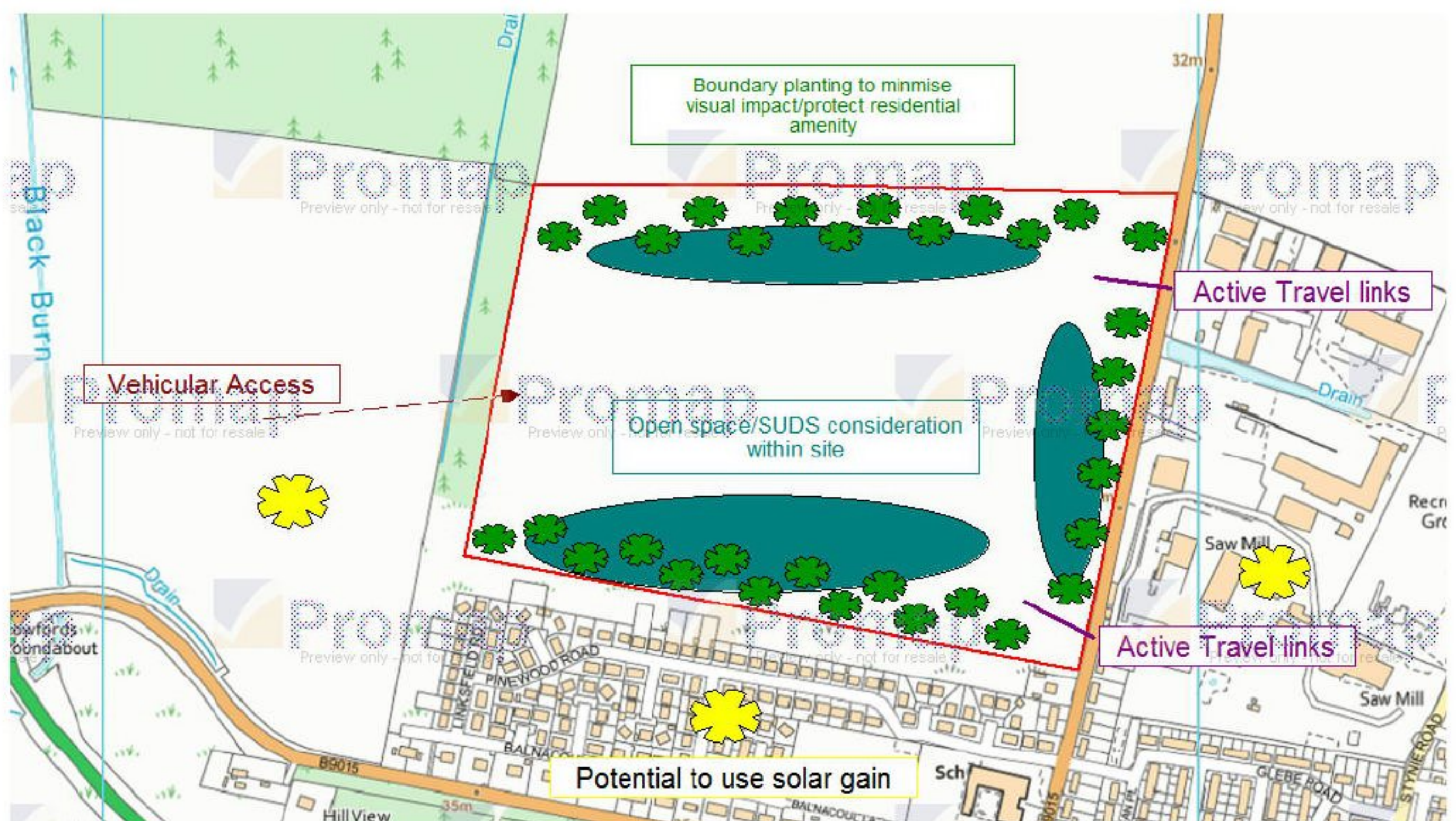


Figure 1: Indicative Key Design Principles



- 6.16. The site is accessible to the services and facilities of Mosstodloch and there is active travel potential.
- 6.17. Provision of further employment land also brings a boost to economic development and more jobs potential also helps boost the local community in terms of wellbeing and mental health benefits.
- 6.18. For the proposed I3/LONG2 site the CES (IM) produced a Landscape Capacity Study. This document highlighted the ease of access from I3/LONG2 to the surrounding woodland from the core path network, this benefit also applies to this site.



Figure 2: Core path network showing ease of access from both I3/LONG2 and Mosstodloch North

- 6.19. Other points that the Landscape Capacity Study raises which are relevant to Mosstodloch North are that:
- the site is currently well connected and there is potential for new connections to/from and through the site;
  - there is potential for landscape treatment to provide a new gateway to Mosstodloch to reduce the adverse impacts of the highway scheme. However, this idea could also be applied to entry to Mosstodloch from the north on the B9015;
  - potential for a strong eastern boundary which can protect the residential amenity and landscape setting of Mosstodloch. Again, this can also be applied to the northern boundary of Mosstodloch at the northern boundary of the proposal site;
  - potential to connect the two woodlands of Balnacoul and Wood of Stynie through creation of an eastern boundary (western boundary of Mosstodloch North);



- potential for SUDS and positive water management to mitigate flood risk and incorporate green infrastructure; and
- development could be broken up through plots with dividing path/green network and planting connections

6.20. The CES are also confident that relevant standards within the Open Space Strategy can be met, given the amount of land available.

- *PP2 Sustainable Economic Growth*

6.21. Our opinion is that the proposal site is clearly in line with the Moray Economic Strategy. In particular, allocation of the land allows for business growth (in a medium-sized business); it allows for talent retention and attraction (new jobs created in a growing, diversified business; and workforce development (opportunities for training as the business diversifies).

6.22. It is also the case that there are no environmental or built heritage issues that would preclude development.

6.23. Moray has a number of success stories in terms of new and existing business and JJJ are one of these. Their growth should therefore be facilitated by the LDP 2020.

## 7. Conclusions

7.1. This statement has made the case for a new employment land allocation at Mosstodloch North to be contained within the final LDP 2020. This allocation would give an important medium sized Moray business the potential to expand and diversify in close proximity to their existing operations. It would also remove current residential amenity and road safety issues, thus bringing benefit to the community of Mosstodloch.

7.2. The proposals have been shown to be in line with the Spatial Strategy of the PLDP 2020 as well as key policies in terms of placemaking and sustainable economic growth. There are no environmental or built heritage factors that would preclude development.

7.3. We concede that the timing of this proposal is not ideal in relation to the LDP review process and we also assert that it is important that the Community are involved in this proposal. We consider that there is scope to allow for community consultation on a prospective Development Framework document in due course, before any formal planning applications came forward. In addition, our opinion is also that there is no need to revisit employment land supply calculations and that this proposal can be considered as a unique one-off case to support JJJ expansion.

7.4. We also consider that all parties should continue to engage on this exciting opportunity.



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# MU LONG1 South of A96

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Moray Proposed Local Development Plan 2020-  
Crown Estate Scotland (IM)



# MU LONG1 South of A96

Moray PLDP 2020



Prepared by:

Signed ..... PP. Philip Graham Philip Graham • MA MSc MRTPI For and on behalf of Savills	Dated ..... 15/3/2019
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Checked by:

Signed ..... PP. Debbie Mackay Debbie Mackay • BSc MRTPI For and on behalf of Savills	Dated ..... 15/3/2019
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Savills -





## 1. Summary

1.1. Crown Estate Scotland (CES) manages the land at MU LONG1 South of the A96, Mosstodloch. CES's view on the PLDP allocation of these sites is summarised as follows:

- CES objects to MU LONG1 South of the A96 not being fully allocated as an immediate mixed use allocation
- CES has a separate related objection re R2 Garmouth Road which seeks its allocation as part of a proposed employment land allocation to the north of Mosstodloch and the relocation of its proposed 60 housing units to the MU LONG1 Land south of A96
- CES also has a separate related objection to the de-allocation of site R2, Crown Street, Portgordon unless its housing numbers are instead transferred to MU LONG1 which is within the same HMA and is a much more viable site.
- CES considers that MU LONG1 also offers an ideal location for a replacement Health Centre for Fochabers and Mosstodloch as per the PLDP Table 5 Healthcare, Infrastructure section.

The reasons for this objection re the status of LONG1 are set out below.

## 2. Introduction

- 2.1. This supporting statement is written to object to the inclusion of MU LONG1 South of A96 as a mixed use LONG site and instead puts forward that the site should be allocated within the final LDP 2020 as an immediate mixed use allocation.
- 2.2. CES is disappointed that the status of the site has changed between the Main Issues Report and the Proposed Local Development Plan 2020 (PLDP 2020)
- 2.3. CES is tasked through the Scotland Act (2016) to work with people and organisations to ensure that the assets in their management are looked after sustainably in a way that creates sustainability for prosperity for Scotland and its communities.

## 3. Planning Context

- 3.1. CES has promoted the MU LONG1 site throughout the Moray LDP review and representations have been made at each stage.



- 3.2. The impetus behind the allocation has been for the western part of the allocation to deliver a volume housing development on an attractive site to the south of Mosstodloch. As the LDP review has progressed, CES have been supportive of a mixed use approach to allow for complimentary development associated with the current Local Development Plan 2015 employment land allocation I3.
- 3.3. This site would form one allocation at Mosstodloch, alongside existing LDP allocations that are to be retained and other potential allocations that have been identified through the LDP review (and, ideally, the proposed site Mosstodloch North).
- 3.4. CES are keen for a bold approach to be taken at Mosstodloch to facilitate the strategic growth of the settlement. In particular, CES would like to facilitate:
- the expansion of existing businesses within Mosstodloch;
  - attraction of new businesses to Mosstodloch; and
  - attraction of new homes to Mosstodloch.
- 3.5. The land South of A96 is considered to be attractive for both employment and housing development and our opinion is that the case has been bolstered by the announcement of the preferred route for the A96 dualling. Please see further commentary on this point below.
- *Place-making and Indicative site assembly*
- 3.6. Appendix 2 shows the Key Design Principles that we consider apply to the mixed use site. The plan also shows a high level consideration of how the mix of uses might be located in due course. Evidently a detailed masterplan and subsequent planning application can consider these matters in more detail in due course.
- 3.7. The Plan shows that the entrance to the site via the active travel route to the north west will emerge into housing and a prospective health centre, fronted by the desired neighbourhood park. The western side of the site is intended to be predominantly residential, but with the health and veterinary centres creating a mix of complementary uses. This also relates well with the proposed housing site to the west, R3 Balnacoul.
- 3.8. The eastern side of the site is intended to be developed for employment land and convenience retail. Our out of town retail agency colleagues have informed us that they would expect demand for an element of convenience retail to meet the needs of the joint Mosstodloch-Fochabers market. This could likely come forward in the early period of the LDP 2020, and would assist with site servicing.
- 3.9. Throughout the site we have indicated that the CES are supportive of open space and planting, as well as active travel. This will assist in creation of a sense of place as well as a pleasant amenity in line with existing landscape character.



## 4. Deliverability and effectiveness

- 4.1. The Call for Sites submission outlined that CES considers that the MU LONG1 site is effective. In particular CES assessed the site against the tests of effectiveness in PAN 2/2010 “Affordable Housing and Housing Land Audits” (para 55). This opinion still stands. We have attached our Call for Sites submission as Appendix 1.
- 4.2. In terms of deliverability we consider that the site has key advantages in that there is significant land available that is relatively flat and which, could be readily accessed. As a result the early signs are that the site is relatively easy to develop.
- 4.3. It is also the case that the site has a significant frontage onto the trunk road network and has attractive amenity. These features will inevitably make such a site attractive to housebuilders. The road frontage means that there is a significant “shop window” for the marketing of the site for both housing and employment land. To add to this, the preferred A96 dualling route indicates a roundabout and access onto the B9015 which bounds the site. As a result, in due course, access to the trunk road network will be improved and this will increase the desirability and accessibility of the site.
- 4.4. We previously asserted that a site start on housing would assist in bringing forward the employment element of the site because servicing could be provided. In addition, the improved access onto the trunk road network will also increase desirability in terms of potential business use.

### - *DP3 Long Term Land*

- 4.5. Our opinion is that allocation of the land as a LONG designation brings an unnecessary complication to the development of an attractive deliverable site. It also hinders a strategic approach to the growth of Mosstodloch.
- 4.6. Mosstodloch is a challenging market as evidenced by how long it has taken for site R1 Stynie Road to come forward for development since its original planning consent was achieved. CES therefore considers that maximum flexibility should be afforded to allow the site to come forward and to contribute to the strategic development of Mosstodloch. A LONG designation will make marketing the site to a house builder very difficult and in turn it will not make financial sense to invest in advance in the site to meet the requirements of the PLDP 2020, for example to develop a masterplan; assess and create an advance planting plan for the site; provide the required neighbourhood park; and improve cycle connections.



4.7. CES hopes to create a synergy with other allocations to allow a step-change to take place and to enhance Mosstodloch to the benefit of both current and prospective residents. Evidently, a successful mixed use development at the South of A96 site is a critical component of this plan. In particular, the value that can be generated from a sale to a housebuilder and/or commercial developers has the potential to be reinvested in the site and into other sites in Mosstodloch and across Moray. This approach would be in line with the aims of CES.

4.8. It is clear that it is challenging to bring forward large scale development sites but it is even more challenging to do this in a marginal market, and to then combine it with a wider strategic development programme for a settlement. CES are therefore of the opinion that the LDP 2020 must be flexible to facilitate the CES vision for Mosstodloch which has been promoted throughout the LDP review process.

- *R2 Garmouth Road West Re-allocation to Employment Land and relocation of housing units to MU LONG1*

4.9. To assist the immediate allocation of the South of A96 bypass land, an option that The Moray Council and the Reporter can consider is the re- allocation of R2 Mosstodloch to an employment site and the subsequent change of allocation of the South of A96 site to an immediate mixed use allocation which will allow for the relocation of the 60 units at R2.

4.10. This proposal is explained further within the respective R2 Garmouth Road objection.

- *R2 Portgordon*

4.11 CES also has a separate related objection to the de-allocation of site R2, Crown Street, Portgordon which requests that its housing numbers be instead transferred to MU LONG1 which is within the same HMA and is a much more viable site.

- *Replacement Health Centre*

4.12 CES considers that MU LONG1 also offers an ideal location for a replacement Health Centre for Fochabers and Mosstodloch as per the PLDP Table 5 Healthcare, Infrastructure section. We have shown at Appendix 2, a potential location to the northwest of the site which is in easy walking and cycling distance from the centre of Mosstodloch, adjacent to the Fochabers Veterinary Centre and accessible by road. We are aware that there is very limited/no scope for a site for a new health centre in Fochabers and therefore CES recommends a relocation to the MU LONG1 site where there is: ease of parking; cycling, walking and bus routes (nearest existing bus stop is just 180 metres away); and new housing and employment uses are planned.



- *Moray Council Aims and Objectives*

4.11. In this instance, we consider that allocating the South of A96 Bypass site as LONG is not in line with the aims/priorities/objectives of the Moray Local Outcomes Improvements Plan (LOIP), the Moray Economic Strategy and the Spatial Strategy of the PLDP 2020. For example, this LONG designation (as opposed to an immediate allocation) adds complication to the delivery of the prospective allocation and does not assist in growing a diverse and sustainable economy; attracting new businesses/industries in diverse sectors to the Moray Economy; and it makes delivery of development more complicated outwith the main centre of Elgin, compounding market difficulties that smaller settlements face.

## 5. **Conclusions**

5.1. CES considers that the land South of A96 Bypass should be allocated as an immediate mixed use allocation in the final LDP 2020. An immediate allocation will:

- Maximise the opportunity for the site to come forward and play an integral role in the wider strategic development vision for Mosstodloch
- Allow for reinvestment in Mosstodloch via value creation through housebuilder/developer sales
- Replace two existing housing allocations at R2 Mosstodloch and at R2 Crown Street, Portgordon which have not yet come forward and are in less attractive market areas.
- Provide a new site for a replacement Health Centre
- Better reflect the aims/priorities/objectives of key Moray documents including the LOIP, the Economic Strategy and the Spatial Strategy of the PLDP 2020

5.2. CES would be very happy to engage with The Moray Council to further this proposal.



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# Call for Sites submission- Moray LDP 2

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Land South of A96 Bypass, Mosstodloch  
The Crown Estate



# Call for Sites LDP 2- Moray

Land South of A96 Bypass, Mosstodloch



Prepared by:

Signed ..... PP. Philip Graham Philip Graham • MA MSc MRTPI For and on behalf of Savills	Dated ..... 27/2/2017
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Checked by:

Signed ..... PP. Debbie Mackay Debbie Mackay • BSc MRTPI For and on behalf of Savills	Dated ..... 27/2/2017
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Savills -





# Call for Sites LDP 2- Moray

Land South of A96 Bypass, Mosstodloch



## Introduction

This submission is written in support of a potential housing allocation at a site located south of the A96 Bypass, Mosstodloch on land owned by The Crown Estate (Scotland Portfolio).

The site would provide a large allocation located adjacent to the A96, which is geared to attract a volume housebuilder. The site is within walking distance of the village; is free of constraints; can be accessed; is south-facing; and is relatively flat.

Our clients would be very happy to continue to engage with Moray Council as the preparation of Local Development Plan (LDP) 2 continues.

## Planning Policy

- *Scottish Planning Policy*

Paragraph 110 of the Scottish Planning Policy (SPP) states that the planning system should:

*“identify a generous supply of land for each housing market area within the plan area to support the achievement of the housing land requirement across all tenures, maintaining at least a 5-year supply of effective housing land at all times”*

*“enable provision of a range of attractive, well-designed, energy efficient, good quality housing, contributing to the creation of successful and sustainable places”*

Mosstodloch has two existing housing allocations at Stynie Road and Garmouth Road, they have capacities of 59 and 60 units respectively in the Draft Housing Land Audit 2016. The site at Stynie Road is in The Crown Estate’s ownership and has full planning consent (10/01267) for 59 units.

The Draft Housing Land Audit 2016 states that there is an effective housing land supply to cover the five year period to 2020, however completions are projected to be below the level required by the Housing Needs and Demand Assessment *“due to market conditions, available finance and infrastructure issues”* (7:2016).

We consider that Mosstodloch provides a good example of this situation. There are two housing sites and no development has taken place in the existing LDP period, or in previous years, at these sites. The Crown Estate therefore believe that action is required within Mosstodloch to assist development to come forward.

- *Local Development Plan*



# Call for Sites LDP 2- Moray

## Land South of A96 Bypass, Mosstodloch



The Spatial Strategy in the current LDP identifies Mosstodloch as a third tier settlement, as a result Mosstodloch is expected to grow in proportion to its “current size”. However, Mosstodloch has significant potential to punch above its weight. The settlement is in close proximity to Elgin; it is located on the A96; there are major employers in the town (with space to expand); and there is appropriate available development land.

The Mosstodloch settlement profile outlines objectives and issues which are:

- *Completion of by-pass presents opportunities*
- *Promote further residential development*
- *Provide options for employment expansion*

The most relevant LDP policy is PP3 “Placemaking” which outlines that all developments should incorporate the key principles national and local urban design guidance. In particular developments should:

- create places with character, identity and sense of arrival
- create safe and pleasant places
- be well connected
- include buildings and open space of high design
- have streets which consider pedestrians first and motor vehicles last
- maintain and enhance natural landscape features and distinctive character and provide new green spaces

- *Policy Analysis*

The proposal for a housing site on the south side of the A96 Bypass provides a radical but exciting approach to development at Mosstodloch. We also believe the approach is in line with both national and local planning policy.

The Crown Estate agree with the Council that marketing of housing sites is challenging, and that in Mosstodloch, market conditions are most likely to be the reason why development has not come forward.

To help increase the level of effective housing land it makes sense to try and maximise the marketing potential of housing sites to attract developers. The large area of road frontage that the Mosstodloch site has onto the busy A96 means that the site has a “shop window”. This is likely to be more of interest to developers than sites to the rear of Mosstodloch.

On the Stynie Road site that is in the ownership of The Crown Estate, another representation has been submitted. This states that The Crown Estate would like to investigate a purely affordable development at Stynie Road due to a lack of mainstream housing interest, and to help provide much needed affordable housing.

To the west of the settlement between the housing and the roundabout The Crown Estate have also submitted a large site for strategic employment use to help provide land to cater for prospective inward investors.



# Call for Sites LDP 2- Moray

Land South of A96 Bypass, Mosstodloch



There is significant potential to create a successful and sustainable southern development of Mosstodloch, which could employ a masterplanned placemaking approach to build on the existing I3 allocation through complementary development of residential, services and employment use.

The site is south facing and therefore property orientation could take advantage of solar gain. There is also shelter provided by existing mature planting on the western boundary. There is ample land which would allow for a volume housebuilder, but would also allow for open space and new planting to be integrated into the development. In addition, a masterplanned approach would allow for a development that provided a walkable, safe and well defined development. There are existing excellent pedestrian and cycle links to Mosstodloch (via the underpass). In addition, the A96 allows easy access by bus to Elgin, Fochabers (both regular services) and beyond. Both Elgin and Fochabers are short drives from Mosstodloch.

In summary the Mosstodloch settlement profile has stated that the completion of the by-pass presents opportunities, and The Crown Estate believe that these opportunities can be consolidated through allocation of the remainder of the southern field.

## Effectiveness and Deliverability

We feel the site performs well against the tests of effectiveness in PAN 2/2010 "Affordable Housing and Housing Land Audits" paragraph 55 as follows:

- The site owner is willing to develop or release the site for development
- The site is free from physical constraints
- There is no known contamination present on this site
- The site is marketable
- Infrastructure is available in immediate proximity to the site; and
- Housing is the sole preferred use of the site therefore the delivery of the site is not dependent upon cross-funding activities

As the Local Development Plan review period continues we will update the Council on housebuilder interest and availability of funding. We are aware of volume housebuilders seeking land in Moray, and we would be able to undertake an initial marketing exercise to inform the second Call for Sites period.

The site is also constraint free in that there are no flood risk, built heritage, natural heritage or tree issues. The site is not prime-agricultural land.

As stated the land faces the A96 and so any site would be visible to passing traffic, allowing housebuilders to market at the roadside.



## Call for Sites LDP 2- Moray

Land South of A96 Bypass, Mosstodloch

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We understand that electricity services are in close proximity. There is ample capacity at the Badentinan Water Treatment Works (over 500 units). Foul drainage capacity would require liaison with Scottish Water about a growth strategy as there is less than 10 units capacity at Fochabers Waste Water Treatment Works. There is sufficient capacity at both Mosstodloch Primary School and Milne's Secondary. There is fibre broadband available in Mosstodloch.

### Conclusion

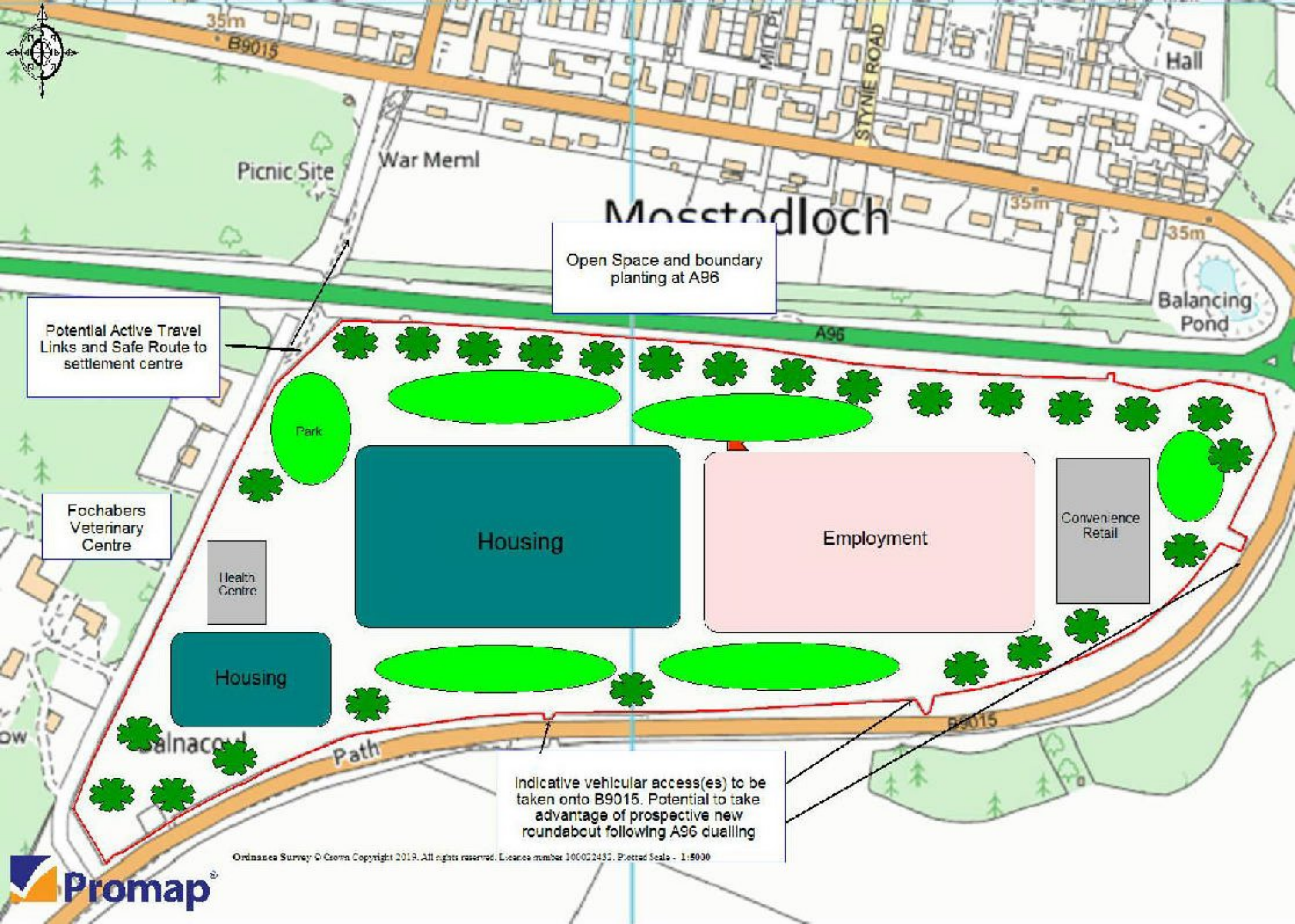
Our clients believe that the site to the south of the A96 Bypass would be a radical but appropriate allocation to assist in unlocking development at Mosstodloch.

The Crown Estate believe that the settlement is capable of "punching above its weight" particularly if further large scale employment can be attracted and/or an existing employer chooses to expand.

The prospective housing site provides an excellent opportunity to provide a marketable, large scale housing site which can be masterplanned and developed in line with placemaking principles. The representation has shown that the site has good sustainable credentials.

The Crown Estate would be pleased to engage with the Council as the preparation of the new LDP continues.







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# Deallocation of R2 Crown Street, Portgordon

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Moray Proposed Local Development Plan -  
Crown Estate Scotland



# Deallocation of R2 Crown Street, Portgordon

Moray Proposed Local Development Plan CES



Prepared by:

Signed PP. Philip Graham Philip Graham • MA MSc MRTPI For and on behalf of Savills	Dated 15/03/2019
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Checked by:

Signed PP. Debbie Mackay Debbie Mackay •BSc MRTPI For and on behalf of Savills	Dated 15/03/2019
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Savills - [Redacted Signature]





# Deallocation of R2 Crown Street, Portgordon

## Moray Proposed Local Development Plan CES

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### 1. Representation

- 1.1. Crown Estate Scotland (CES) submits a holding objection to the deallocation of the R2 housing allocation which is in the current Local Development Plan.
- 1.2. Our opinion is that Moray Council and the Reporter should consider the re-location of the R2 housing site in Portgordon, within the same HMA to Mosstodloch on the land currently referred to as MU LONG1 to the South A96 Bypass. CES is submitting a separate related objection seeking LONG1 to be fully allocated as a mixed use site. Therefore the deficit in housing numbers from the de-allocation of the site in Portgordon can be mitigated by the full allocation of LONG1.
- 1.3. CES would be happy to engage with The Moray Council and the Reporter in relation to the site if required.



# CES Policies Representation

Moray Proposed Local Development Plan 2020

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- Support- Nether Dallachy and Upper Dallachy Rural Building Groups

2.9. CES support the identified rural building groups.

2.10. CES will take forward the sites during the currency of the final LDP 2020.



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**From:** [eforms@moray.gov.uk](mailto:eforms@moray.gov.uk)  
**To:** [Localdevelopmentplan](#)  
**Subject:** EL\_OPP11 - 002151  
**Date:** 11 March 2019 21:17:49

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## Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

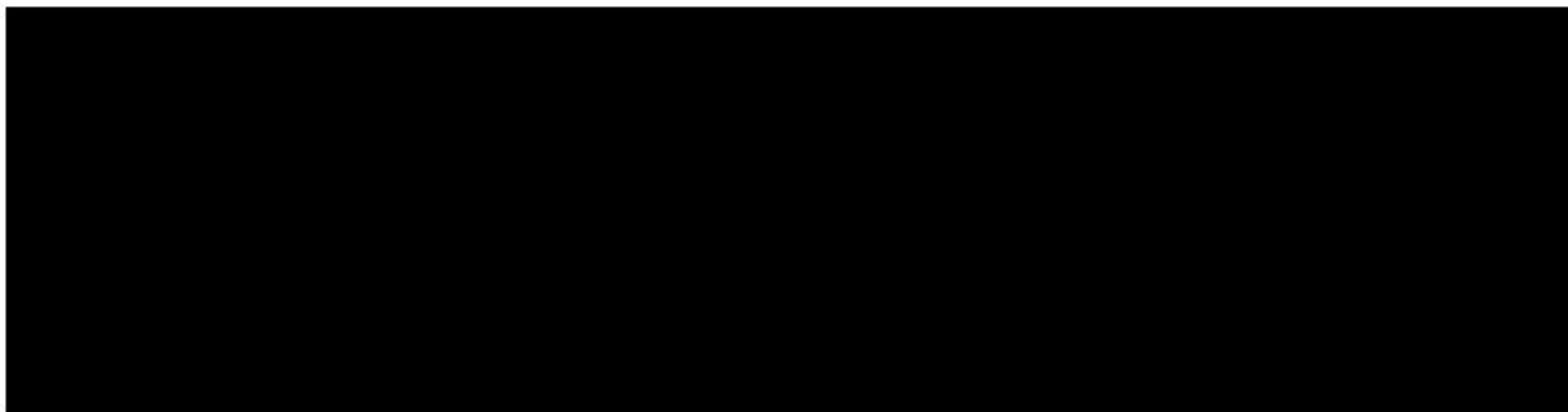
### Your Details

Title: **Miss**

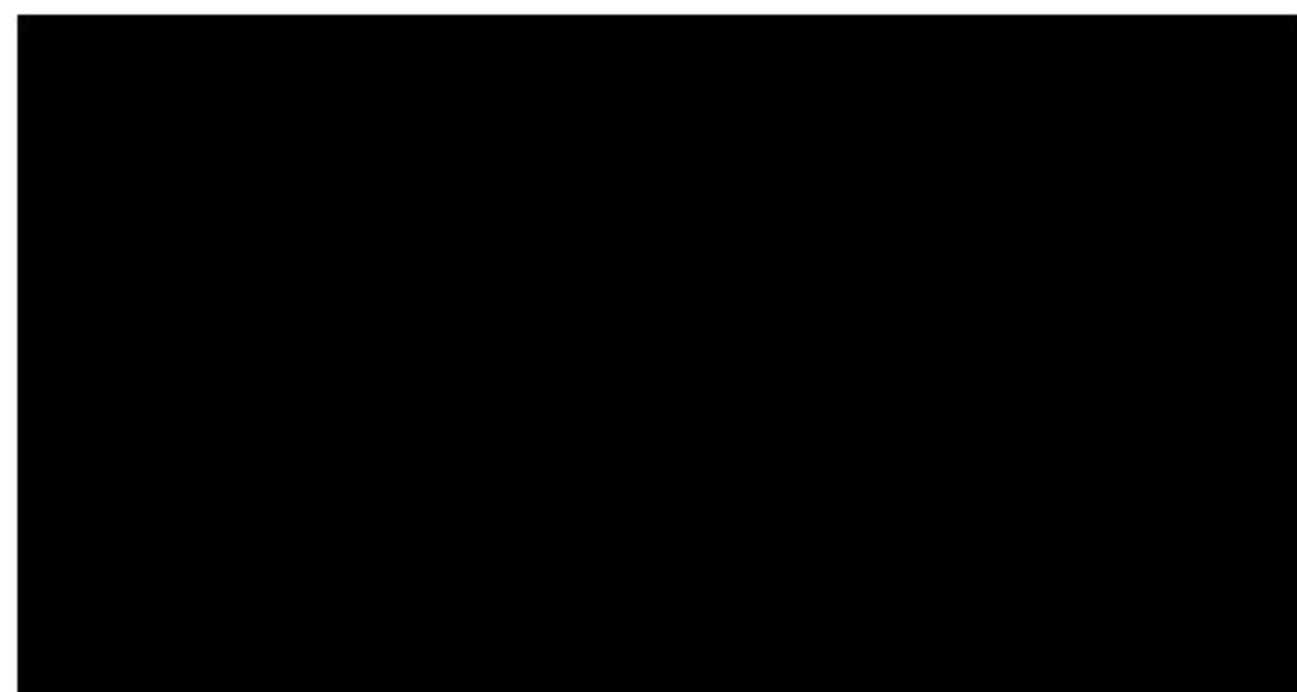
Forename(s): **R**

Surname: **Cruickshank**

### Your Address

A large black rectangular box redacting the address information.

### Contact Details

A large black rectangular box redacting the contact details.

### Agent Details

Do you have an agent: **No**

### Response

Do you want to object to a site?: **Yes**

Do you want to object to a policy, the vision or spatial strategy: **No**

Other: **No**



Supporting information: [Download supporting document](#) Available also via link at bottom of this email.

## Site Objections

Name of town, village or grouping: **Elgin**

Site reference: **OPP11**

Site name: **The Walled Garden**

Comments: **I object to any plans to change this site from its present use by the Friends of the Biblical Garden and Moray College Horticultural Students. This tourist attraction is one of the main draws to visitors to Elgin and the proposed plan jeopardises the future of the Garden if they are unable to grow their own plants and flowers. I can also not understand how the area can function if traffic increases if developers choose to build a hotel on this site. Being surrounded by a public park and historical sites as well as the river Lossie, I question the adverse effect of business traffic in this location where parking is already very limited for tourists and space is of value. People come to this location for the beauty and peacefulness of the surroundings. Please consider another location if seek to develop Elgin.**

Please use [this link](#) to view and retrieve the uploaded attachments.



**From:** [eforms@moray.gov.uk](mailto:eforms@moray.gov.uk)  
**To:** [Localdevelopmentplan](#)  
**Subject:** EL\_OPP11 - 002058  
**Date:** 22 February 2019 11:57:01

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## Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

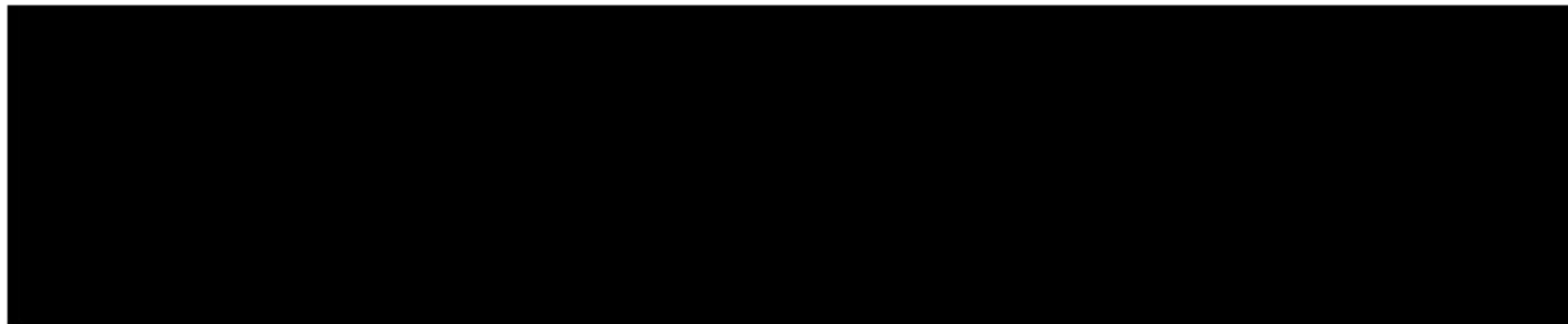
### Your Details

Title: **Mrs**

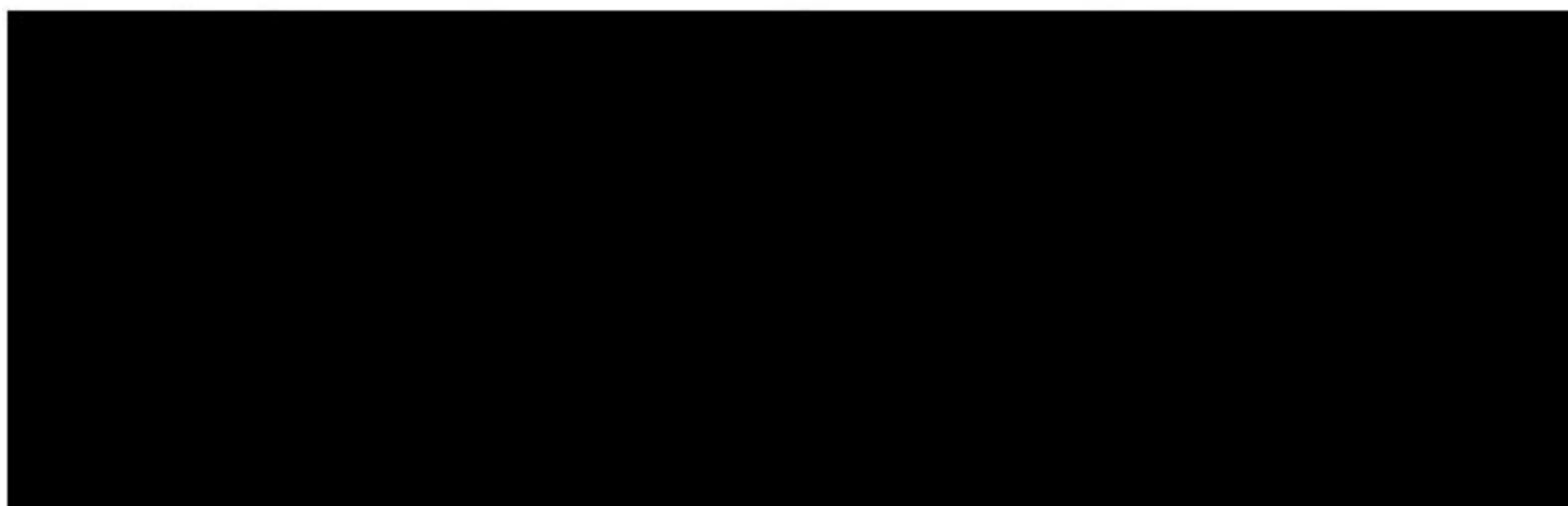
Forename(s): **Fiona**

Surname: **Cumming**

### Your Address

A large black rectangular box redacting the address information.

### Contact Details

A large black rectangular box redacting the contact details.

### Agent Details

Do you have an agent: **No**

### Response

Do you want to object to a site?: **Yes**

Do you want to object to a policy, the vision or spatial strategy: **No**

Other: **No**



Supporting information: [Download supporting document](#) Available also via link at bottom of this email.

## Site Objections

Name of town, village or grouping: **Elgin Central**

Site reference: **OPP 11**

Site name: **Walled Garden**

Comments: **I wish to object strongly to the proposal to demolish horticulture facilities at Biblical Gardens and replace this with a hotel. Elgin is already well served with hotel/conference facilities (indeed hotel business has not always been strong evidenced by the closure of The Mansion House). Investment should be made to encourage development of present hotel business. Aside from this, my principle objection is the short-sighted view that the work of the Horticulture Department of Moray College UHI is insignificant. This is a thriving part of the college's provision of education and training. Their success in achieving high standards of training is recognised by the fact that students choose to travel to Elgin from as far away as the Black Isle, Aberdeen and Deeside to study horticulture and gain practical experience in the Biblical Gardens. We need to invest in the future of both our young people and those who decide to retrain at a later point in life. As part of a community partnership I believe Moray Council needs to engage with partners such as Moray College UHI and explore ways that collaborations in the Cooper Park area could be expanded rather than simply closed down.**

Please use [this link](#) to view and retrieve the uploaded attachments.