From: eforms@moray.gov.uk

To: Localdevelopmentplan

Subject: EL\_OPP11 - 002048

Date: 22 February 2019 09:33:06

# Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

## **Your Details**

Title: Mrs

Forename(s): Margaret

Surname: Sammon

## 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

Site reference: N/K (EP5 and ENV1-11')

Site name: Biblical Gardens

Comments: I wish to object to the proposal to knockdown a teaching porta cabin, remove all greenhouses, potting sheds, tool sheds and 3 poly tunnels and replace with a 4-5 star hotel within the walled area of Cooper Park. This area provides a teaching environment within real gardens for nursery, school and college students. Also a much needed green space for use within an urban environment for the community at large to use.

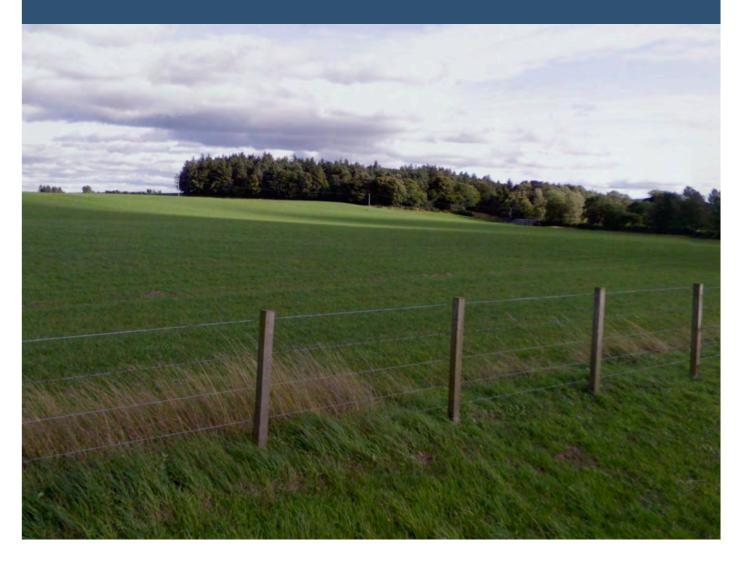
Please use this link to view and retrieve the uploaded attachments.

## Representations on behalf of Scotia Homes Ltd

Proposed Moray Local Development Plan 2020

Site R4: South West of Elgin High School

Site R5: Bilbohall West



Emac Planning LLP, 38 Cortachy Crescent, Broughty Ferry DD5 3BF



#### 1.0 Introduction

- 1.1 Scotia Homes Ltd welcomes the opportunity to submit representations to Moray Council on the Proposed Moray Local Development Plan (LDP) 2020. This site-specific submission supports the allocation of Site R4: South West of Elgin High School and Site R5: Bilbohall West for residential development within the LDP. It is respectfully requested, however, that the site capacity for Site R5: Bilbohall West is increased from 50 houses as suggested in the Proposed LDP to 90 houses.
- 1.2 The following site-specific submissions are made in support of the above.

### 2.1 Site R4: South West of Elgin High School (Designation Supported)

- 2.1 Site R4: South West of Elgin High School is designated for residential development in the Moray LDP, adopted 2015, with an indicative capacity of 80 houses. The continuation of this allocation into the new LDP is supported. This site forms part of the effective Housing Land Supply (HLS) and Scotia Homes Ltd remains committed to delivering housing on this site.
- 2.2 Figure 1: Bilbohall Masterplan (BM) was recently approved in November 2018 and is illustrated on page 167 of the Proposed LDP. The Masterplan supports the housing capacity of the site as identified in the Proposed LDP for 107 homes.



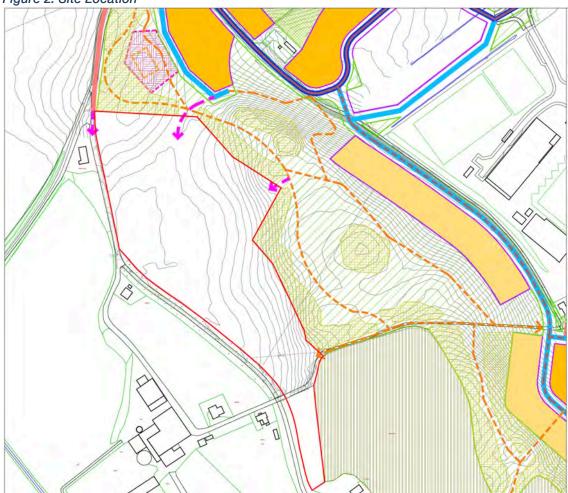
#### 3.0 Site R5: Bilbohall West (Designation Supported)

Site Location and Characteristics

- 3.1 In April 2018, Scotia Homes Ltd submitted representations to Moray Council on the Main Issues Report. These submissions are attached in Appendix 1.
- 3.2 Scotia Homes Ltd supports the designation of Site R5: Bilbohall West in the new LDP. The site lies immediately to the west of Site R4: South West of Elgin High School, which is also in the control of Scotia Homes Ltd. Figure 2: Site Location illustrates the relationship of the site with site R4 to the

- east and the opportunity for connectivity between the two sites. Site R5 is effective and capable of delivering new homes in association with site R4, as part of a masterplanning process.
- 3.3 In addition, Scotia Homes Ltd also controls site R12 (Knockmasting Wood) to the north of Site R5. Noting the close proximity of all three sites, Scotia Homes Ltd is therefore ideally placed to deliver effective new housing on all three sites, through a masterplanning process, in accordance with the design principles established by the Bilbohall Masterplan.

Figure 2: Site Location



- 3.4 As stated in previous submissions on the Moray LDP Main Issues Report (MIR), attached in Appendix 1, Site R5 is well located in relation to the existing settlement and would represent a consolidation of the settlement limits to the southwest. The site is well defined both visually and physically contained by existing topographic features, including trees, roads and field boundaries. It is proposed that existing landscape features would be retained.
- 3.5 In terms of landscape and visual impact, Mayne Wood already establishes a sense of enclosure and landscape setting, to the south and southwest, for both sites R4 and R5. Site R5 also provides the opportunity through the masterplanning process to establish a long-term landscape framework along the western boundary, which would form a continuous landscape feature with Maynes Wood, thereby improving the landscape setting on the edge of the settlement and providing for an enhanced biodiversity woodland corridor.

Figure 3: View from Footpath to the Northwest



3.6 It is considered that the Bilbohall Masterplan Landscape and Visual Appraisal supports the inclusion of this site, having regard to landscape capacity and minimal visual impact. The submissions, attached in Appendix 1, on the Moray LDP MIR provide further detail in support of the inclusion of this site in the new LDP, having regard to this issue.

Figure 4: View from Road to West of Bid Site towards the Southeast



3.7 It is considered that Site R5: Bilbohall West will achieve identified established planning goals for this part of Elgin, including local and wider road improvements, if required and improving connectivity.

Site R5: Bilbohall West - Optimised Environments Ltd (2018) Masterplan

- 3.8 Scotia Homes Ltd is committed to progressing the future development of this site through a masterplanning process as an integral part of the Bilbohall Masterplan area. In support of this approach, Scotia Homes Ltd has engaged the same lead masterplan/urban design consultants, i.e. Optimised Environments Ltd, to produce a Masterplan for Site R5, which was submitted with their representations on the Moray LDP MIR, attached in Appendix 1. The Masterplan also tested site capacities for Site R5 and this is referred to in paragraph 4.0.
- 3.9 The Masterplan for Site R5 had regard to the draft BM context, to illustrate the benefits of an integrated approach. The document sets out:
  - Masterplan testing to show approach to development, provide indicative capacities and demonstrate integration with Bilbohall masterplan;
  - Rendered illustrative masterplan which shows the potential layout in the context of the adjacent Bilbohall masterplan;

- o Accompanying narrative text to describe key issues and approach.
- 3.10 The Masterplan Input provides an analysis of the site's context identifying that the site benefits from a southwesterly aspect and has good visual containment to the northeast, east and south through existing landform and mature trees. Much of the site sits between 28 and 29m AOD and in this area the slope is less than 5%. A ridgeline is evident outwith the site to the north of Mayne Wood which acts to contain the site and has been identified as requiring structural landscaping in order to form a continuous landscape feature with Mayne Wood. Masterplan Input states that this would provide a strong and well contained long-term landscape setting to Elgin and ensure that housing on both sides of the ridge does not breach the horizon.
- 3.11 The Masterplan Input also tests two capacity options for the future development of the site and this is referred to in more detail below.

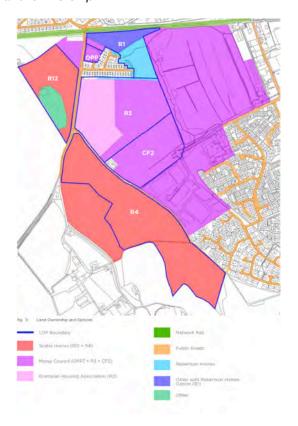
#### 4.0 Site R5: Bilbohall West (Site Capacity & Density)

4.1 Scotia Homes Ltd respectfully requests that the new Moray LDP identifies the site has a capacity for 91 houses rather than the 50 houses currently suggested in the Proposed LDP. It is considered that the current suggested density is too low and should be increased having regard to consistency across the BM area on site capacities and also having regard to masterplanning and placemaking principles and objectives.

Bilbohall Masterplan Area: Capacity & Density

4.2 Figure 5: Land Ownership, which is included in the BM, illustrates the various landowners party to the BM, together with the sites designated in the Moray LDP, adopted 2015. Figure 5 identifies that Scotia Homes Ltd also has control over site R4: South West of Elgin High School, R5: Bilbohall West and R12: Knockmasting Wood.

Figure 5: Land Ownership



4.3 Table 1: Bilbohall Masterplan Housing Capacity and Density provides a summary of the number of houses allocated on the designated sites in the Moray LDP and the density of development having regard to the area of the site.

Table 1: Bilbohall Masterplan Housing Capacity and Density

Site	Ownership/ Control	Moray LDP Ref	Moray LDP Housing Capacity	Area (acres)	Net Developable Area (acres)	Housing Density*
Edgar Road	Moray Council (CF2)	R2	75	13.32	6.28	11.9
Bilbohall South	Formerly Moray Council, now Grampian HA (R3)	R3	105	24.51	6.55	16
South West of Elgin High School	Scotia Homes Ltd (R4)	R4	107	34.82	9.69	11
Bilbohall West	Scotia Homes Ltd	R5	50	11.05	5.88	8.5
Knockmasting Wood	Scotia Homes Ltd (R12)	R6	85	13.17	6.28	13.5

<sup>\*</sup> No of houses per Net Developable Area

- Table 1 illustrates that the capacity and housing density of Site R5: Bilbohall West, as identified in the Moray LDP, falls significantly lower than the other sites allocated in the BM area. In particularly, the estimated capacity of this site is almost 50% less than the site at Bilbohall South.
- 4.5 Scotia Homes Ltd respectfully requests that the capacity of the site is increased to 91 units. This would result in a density of 12.4 houses per net developable area and as such would be consistent with the density of the adjacent sites within the BM area. In addition, Scotia Homes Ltd does not consider that there is a masterplanning justification for the suppressed density suggested in the Moray LDP, having regard to the masterplanning that Scotia Homes Ltd has already carried out on Site R5, referred to below.

### Bilbohall West Masterplan: Site Capacity and Density

As referred to in paragraph 3.7 Optimised Environments Ltd were engaged to prepare a Masterplan for Site R5, having regard to the BM. The Masterplan tested two capacity options for the future development of the site. Option 1 (Isolated Approach) identified a potential site capacity for 70 houses, however this option failed in terms of connectivity and integration with the wider BM area. Option 2 (Integrated Approach), illustrated in Figure 6: Illustrative Masterplan Option 2 (Integrated Approach) identified a potential site capacity for 91 houses and shows the potential for a fully integrated approach to be adopted across both the Bilbohall masterplan area and the Rounds Wood site. The masterplan assessment identifies that this would allow for a rationalised and more effective implementation of the required structural landscape along the ridgeline to the northwest of Mayne Wood, which more closely follows the actual ridgeline. This would allow for a more efficient use of land to the southwest of the ridgeline while still ensuring the visual containment of this area of the site. Connections into Bilbohall would be strengthened by allowing for housing to front onto access routes.



4.7 Figure 6: Illustrative Masterplan Option 2 (Integrated Approach) illustrates the above integrated approach to the future development of Site R5 and is Scotia Homes Ltd preferred approach to the advancing masterplanning of the site. The Masterplanning approach supports a site capacity of 91 houses on the site and it is respectfully requested that the Moray LDP capacity is amended accordingly, not least to reflect and be consistent with the range of densities already approved through the BM on the sites adjacent.

### 5.0 Deliverability

5.1 Scotia Homes Ltd supports the allocation of sites R4, R5 and R12 within the Moray LDP. It is considered that the designations offer the opportunity to provide for new homes in an area, which is well connected to existing services and where infrastructure requirements can be considered as part of the masterplanning process undertaken. The sites are capable of delivering effective new housing

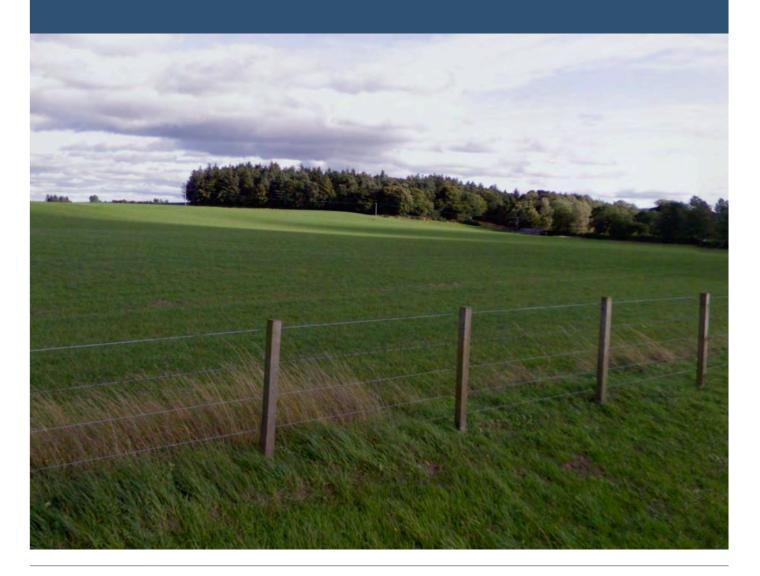
- within the new LDP plan period in a location, which is supported by other land use planning objectives.
- 5.2 Site R5: Bilbohall West is capable of delivering effective housing land for approximately 91 houses. A density of 91 houses would reflect and be consistent with the range of densities already approved through the BM on the sites adjacent and is supported by the masterplanning process already undertaken by Scotia Homes. It is respectfully requested that the density of site R5 is increased from 50 to 91 houses having regard to these submissions.

Appendix 1

## Representations on behalf of Scotia Homes Ltd

Moray Local Development Plan 2020 Main Issues Report (Site R4: Rounds Wood)

April 2018

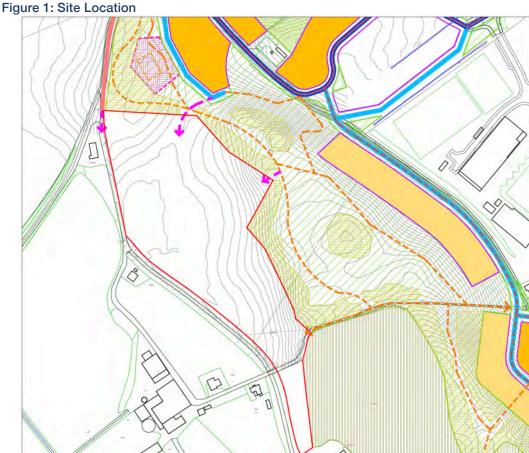


Emac Planning LLP, Ballinard House, 3 Davidson Street, Broughty Ferry, Dundee DD5 3AS



#### 1.0 Introduction

- Scotia Homes Ltd welcomes the opportunity to submit representations to Moray Council on the 1.1 Moray Local Development Plan (LDP) Main Issues Report (MIR) 2020. This site-specific submission supports the MIR's preferred site for inclusion in the LDP at land to the south west of R4 Mayne Farm, Biblohall (MIR Ref: EL1/EL38) for residential development.
- 1.2 Scotia Homes Ltd previously made submissions to Moray Council in August 2017 on the call for sites consultation. This site-specific representation builds on this previous response and also has regard to the on-going consultation on the Draft Biblohall Masterplan (DBM). The MIR's preference for the westerly extension of Site R4 is supported not only on the basis of the site's ability to effectively deliver new homes, but also to facilitate the comprehensive masterplanning of this part of the town in association with the ongoing progression of the DMP.
- 1.3 It is estimated that the proposed extension would accommodate approximately 91 new homes, including Affordable Housing, new open space and landscaping. Figure 1: Site Location illustrates the relationship of the site with the adjoining Biblohall Masterplan to the north, east and southeast.



#### 2.0 **Planning Context**

2.1 Scotia Homes Ltd is currently involved as a landowner/stakeholder in the Moray Council lead Bilbohall Masterplan, which relates to sites R4 (Rounds Wood), R12 (Knockmasting Wood) CF2 (Edgar Road), CF5 (Elgin High School) and R3 (Biblohall South). Scotia Homes Ltd has a secured land interest at site R12 (Knockmasting Wood) and is ideally placed to deliver both sites R12, allocated in the Moray LDP, adopted 2015 and the preferred MIR site EL1/EL38, subject to this submission, noting the close proximity of both sites.

2.2 Previous submissions were made on the Moray Local Development Plan (LDP), adopted 2015 on the Key Design Principles illustrated for the site allocated at Site R4: Rounds Wood, expressing concern over the diagrammatic requirements for the site, which were not considered to be supported by a context analysis or masterplanning process and which unduly constrained the potential future development of the site. The same concerns remain in relation to the Elgin Greenspace Masterplan contained on page 51 of the Moray LDP MIR, 2020 and separate submissions have been made on this. Scotia Homes Ltd would support changes to this plan, to reflect the on-going masterplanning at Biblohall South, together with their proposals for integrating preferred MIR site EL1/EL38 into this overall Masterplan.

### 3.0 Biblohall South Masterplan

3.1 Scotia Homes Ltd is currently actively involved in the masterplanning process for Biblohall South of which their site at Knockmasting Wood forms a part. Mindful of this on-going process, and the local landscape and visual characteristics of both the current DBM and Site EL1/EL38, Scotia Homes Ltd are of the opinion that that the current line of the westerly boundary of Site R4 is significantly constraining the development of a cohesive masterplanning process and the achievement of some of the key design principles contained in the Moray LDP.

Visual and Land Use Characteristics: EL1/EL38

3.2 The westerly boundary of Site R4, as allocated in the Moray LDP runs along an arbitrary line through the middle of the Rounds Wood land. The steep sloping topography is constraining the cost effectiveness of the development of the site and restricts the options for creating high quality development design. The effect being that the allocated land is constructionally inefficient and is proving challenging to effectively masterplan.

Figure 2: View from Elgin High School to the Southwest



3.3 It is considered that the above constraints will be overcome through the allocation of the MIR Preferred Site ref: EL1/EL38. The inclusion of additional land to the west would not only deliver the future housing land as required by the Moray LDP MIR 2020, which is referred to below, but would also through the enhanced land area, allow further flexibility in the masterplanning process.

Figure 3: View from Footpath to the Northwest



- 3.4 As stated in previous submissions on this site, the land is well located in relation to the existing settlement and would represent a consolidation of the settlement limits to the southwest. The site is well defined both visually and physically contained by existing topographic features, including trees, roads and field boundaries. It is proposed that existing landscape features would be retained.
- 3.5 It is considered that the Preferred Site: EL1/EL38 can form part of a comprehensive vision for achieving identified established planning goals for this part of Elgin, including local and wider road improvements, if required and improving connectivity.

Figure 4: View from Road to West of Bid Site towards the Southeast



- 3.6 In terms of landscape and visual impact, Mayne Wood already establishes a sense of enclosure and landscape setting, to the south and southwest, for both sites R4 and its westerly extension. The westerly extension of site R4 also provides the opportunity through the masterplanning process to establish a long-term landscape framework along the western boundary, which would form a continuous landscape feature with Maynes Wood, thereby improving the landscape setting on the edge of the settlement and providing for an enhanced biodiversity woodland corridor.
- 3.7 It is considered that the above appraisal is supported by both the Biblohall Masterplan Landscape and Visual Appraisal and the Draft Biblohall Masterplan, currently subject to consultation.

#### Biblohall Masterplan Landscape and Visual Appraisal

3.8 This Landscape and Visual Appraisal (LVA) evaluates the effects of the proposed Bilbohall development, based on a strategic masterplan that comprises up to 376 new homes, associated access, public and private space, and parking. The study area, therefore, has been set at a radius of 2km from the edge of the boundary of the proposed development.

- 3.9 In terms of baseline conditions, the LVA refers to a report by Alison Grant Associates on behalf of Moray Council and entitled 'Integration of New Development into the Moray Landscape: Elgin' (May 2005), which concludes that "The report also observes that Elgin is not readily visible from the surrounding landscape, with the exception being from the hills to the north, from where the town is seen as a contained feature within a wider landscape context. Conversely, views from within the town looking out, are also limited." The LVA states "This gives the indication that the influence of the proposed development would be largely contained within the local area." This baseline assessment of the landscape character would also support the Preferred MIR site EL1/EL38, providing a westerly extension to site R4.
- 3.10 Figure 03: Landscape Character of the LVA identifies that the above report by Alison Grant identifies the Masterplan Area as "Distinctive Knolls". Site EL1/EL38 is the only land with this same designation currently falling outside theMasterplan Boundary and the site's future inclusion within the Moray LDP and masterplan area would allow the comprehensive masterplanning of this remaining part of this defined landscape, allowing this part of the settlement edge to be addressed in landscape and visual terms.
- 3.11 In terms of views and visibility the LVA concludes that on the western side of Elgin, from where the proposed development would potentially be visible, the only potential visual receptors in this westward area are road-users on the B9010, the back road between Elgin and Forres, and residents of the rural farmsteads and properties accessed from this road. The extent of enclosing tree cover along the initial approximate 600m of this road out of Elgin, and then intervening tree cover in the rural landscape beyond, would combine to reduce the potential visual influence of the proposed development on both road-users and residents. It is considered that this visual assessment would also support the Preferred MIR site EL1/EL38, providing a westerly extension to site R4.

#### Draft Biblohall Masterplan (DBM)

- 3.12 The stated purpose of the DBM purpose of this masterplan is to set out the design principles for the development of Bilbohall, which consists of sites R3, R4, R12, OPP7, and CF2 allocated for residential use in the Moray Local Development Plan 2015 (LDP 2015), which would then require to be reflected in planning applications for these sites.
- 3.13 Scotia Homes Ltd would support the inclusion of Preferred MIR site EL1/EL38, providing a westerly extension to site R4, being incorporated into this masterplan process as an integral part of the Masterplan area. In support of this approach, Scotia Homes Ltd has engaged the same lead masterplan/urban design consultants, i.e. Optimised Environments Ltd, to produce a Masterplan Input document for Preferred MIR site EL1/EL38, having regard to the existing DBM context, to illustrate the benefits of an integrated approach. This Masterplan Input document has also been submitted in support of these submissions and is referred to below.
- 3.14 The DBM was subject to public consultation in November 2017 and the summary of the responses received confirmed that "Six people/organisations were neither opposed or supported the proposals, two people opposed the proposals and 51 of the responses received were strongly opposed. It would be fair to say that the majority of those who were strongly opposed were resident in the existing houses at Fairfield." Fairfield Avenue is located to the north of Site R4 and the responses received would suggest that there was less concern over the western part of the masterplan area, and although transportation issues were raised, it is relevant that Preferred MIR site EL1/EL38 can be accessed independently from the west.
- 3.15 The following key topographic features DBM, together with the analysis of its implications for the development of Site R4, provide a constraint its effective development, which would be alleviated by the extension of the site in a westerly direction and the integration of Preferred MIR site EL1/EL38 into the masterplanning process:
  - Topography: The elevation varies across the parcels from a high point of around 46m AOD within R4 to 15m AOD within CF2 which is an obvious low point due to the presence of marshy land

- and proximity to The Wards.
- Slope: The analysis indicates that areas of Site R4 are "Somewhat constrained due to slopes of up to 15%; suggesting a lower density approach is required or some re-grading to accommodate residential uses." Other areas comprise over 15% slopes and it is suggested require specific earthworks and a re-grading strategy to accommodate residential uses in a viable manner. A proportionately small area of the site is identified as "Normal site slope conditions. Considered generally unconstrained in terms of residential development and suitable for a range of densities and uses."
- 3.16 In addition, indicative requirements contained in both the adopted LDP, 2015 and MIR, 2018, and these are referred to below.
  - Optimised Environments Ltd (2018) Masterplan Input (Preferred MIR site EL1/EL38)
- 3.17 As stated above, Scotia Homes Ltd has engaged the same lead masterplan/urban design consultants, i.e. Optimised Environments Ltd, to produce a Masterplan Input document for Preferred MIR site EL1/EL38, having regard to the existing DBM context, to illustrate the benefits of an integrated approach. The document sets out:
  - o Masterplan testing to show approach to development, provide indicative capacities and demonstrate integration with Bilbohall masterplan;
  - o Rendered illustrative masterplan which shows the potential layout in the context of the adjacent Bilbohall masterplan;
  - O Accompanying narrative text to describe key issues and approach.
- 3.18 The Masterplan Input provides an analysis of the site's context identifying that the site benefits from a southwesterly aspect and has good visual containment to the northeast, east and south through existing landform and mature trees. Much of the site sits between 28 and 29m AOD and in this area the slope is less than 5%. A ridgeline is evident outwith the site to the north of Mayne Wood which acts to contain the site and has been identified as requiring structural landscaping in order to form a continuous landscape feature with Mayne Wood. Masterplan Input states that this would provide a strong and well contained long-term landscape setting to Elgin and ensure that housing on both sides of the ridge does not breach the horizon.
- 3.19 The Masterplan Input also tests two capacity options for the future development of Preferred MIR site EL1/EL38. Option 1 (Isolated Approach) identifies a potential site capacity for 70 houses. Option 2 (Integrated Approach) identifies a potential site capacity for 91 houses and shows the potential for a fully integrated approach to be adopted across both the Bilbohall masterplan area and the Rounds Wood site. The masterplan assessment identifies that this would allow for a rationalised and more effective implementation of the required structural landscape along the ridgeline to the north-west of Mayne Wood which more closely follows the actual ridgeline. This would allow for a more efficient use of land to the south-west of the ridgeline while still ensuring the visual containment of this area of the site. Connections into Bilbohall would be strengthened by allowing for housing to front onto access routes.
- 3.20 Figure 5: Illustrative Masterplan Option 2 (Integrated Approach) illustrates the above integrated approach to the future development of Preferred MIR site EL1/EL38 and is Scotia Home's preferred approach to the advancing masterplanning of the site. Scotia Homes Ltd would support changes to the Elgin Greenspace Masterplan contained on page 51 of the Moray LDP MIR, 2020 and separate submissions have been made on this. Scotia Homes Ltd would support changes to this plan, to reflect the on-going masterplanning at Biblohall South, together with their proposals for integrating preferred MIR site EL1/EL38 into this overall Masterplan.



### 4.0 Growth Strategy/Housing Land Requirement

4.1 Having regard to MIR questions 2 & 3, Scotia Homes Ltd has submitted specific representations on the "Proposed Growth Strategy" as follows:

## Q 2. Do you agree with the proposed Growth Strategy? If not, what Strategy do you propose?

Scotia Homes Ltd agrees with the preferred option to discount Elgin accommodating <u>all</u> growth, but nonetheless to still primarily focus new development in Elgin "and to a smaller, proportionate extent in the secondary growth centres of Forres and Buckie, and tertiary growth centres of Lossiemouth, Keith, Fochabers and Aberlour. This hierachial approach is supported by SPP.

# Q3. Do you agree with the proposal to undertake further research into the potential for a new settlement along the A96 corridor between Elgin and Forres as a long term option?

There is currently a lack of sufficient research to justifying a potential new settlement along the A96 corridor between Elgin and Forres as a long term option. Scotia Homes Ltd would support this research coming forward for consultation at an early stage, prior to the publication of the Proposed LDP, in order to comment further on this proposal. This option has an impact on the proposed growth strategy and Question 2 and Scotia Homes Ltd would wish to comment further once the outcome of the research is available.

4.2 Having regard to MIR questions 4, 5 and 6, Scotia Homes Ltd has submitted specific representations on "Providing a Generous & Effective Supply of Land for Housing" as follows:

#### Q 4. Do you agree with the proposed annual Housing unit Supply Target of 304 units?

Scotia Homes Ltd agrees with the preferred option is to continue with a longer term approach to housing land supply, promoting masterplanning and infrastructure co-ordination and ensuring an effective housing land supply is maintained through the plan period.

The target for completions of 304 units per annum with a shorter term housing land supply target of 470 units between 2018 and 2023, 366 units thereafter is supported, having regard to the requirements of SPP, for a generous supply of housing land, which is effective and capable of delivery. Flexibility is required to ensure deliverability, having regard to the need to delivery new homes, in accordance with Scottish Government targets, in addition to overcoming infrastructure constraints, which can be funded, as appropriate, through effective development land.

## Q5. Do you agree with the proposed Housing Land Requirement and the proposed generosity figure of 30%?

The MIR proposed generosity figure of 30% which is higher than the figure in SPP, of 10-20% is supported, together with the current MLDP15 added 50% generosity to both the Elgin and Speyside, in order to ensure that a good supply of land is available in the Local Housing Market Areas (LHMAs).

The proposal that the additional housing land requirement of 1700 units is met through 1200 units within the Elgin LHMA is supported.

Scotia Homes Ltd are supportive of the MIR proposal to require further evidence and viability of sites as part of the ongoing plan preparation process, together with the approach that if sufficient evidence of both effectiveness and viability is not forthcoming, then sites will not be included and existing designations may be deleted from the Plan.

Scotia Homes Ltd have provided site-specific submissions supporting the deliverability of Sites R12: Knockmasting Wood, Elgin and MIR Preferred Site EL1/EL38: Rounds Wood to achieve the above housing land supply strategy.

This strategy is also supported on the basis of securing the identified Affordable Housing shortfall through new private housing provision and associated obligations.

## Q6. Are there any sites identified for residential development which you do not consider to be effective and capable of being developed before 2030?

Site-specific submissions have also been made by Scotia Homes Ltd in relation to MIR Preferred Site EL1/EL38: Land to the South West of R4 Mayne Farm, Biblohall supporting its inclusion in the Moray LDP 2020.

The submissions support the extension of Site R4 in order to provide a sufficiently flexible land area, to effectively deliver the Moray LDP, 2015 allocation of 80 houses. It is considered that there are a number of issues prohibiting the effective and viable deliver of site R4 for 80 houses allocation, which the MIR Preferred Site EL1/EL38 would alleviate. This is explained further in the site-specific submission on Site EL1/EL38.

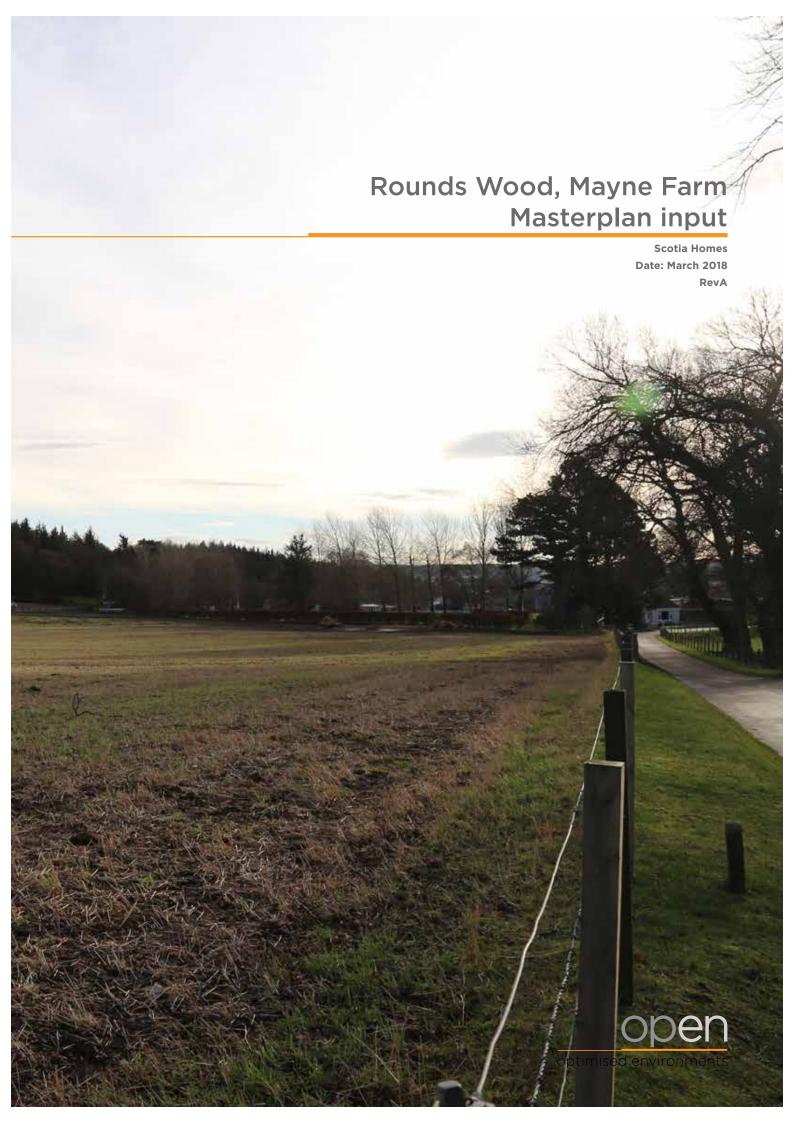
In effect, the allocation of MIR Preferred Site EL1/EL38 in the Moray LDP, 2020 would not only ensure the effective delivery of Site R4, as already allocated in the Moray LDP, adopted 2015, bit also secure new housing in a westerly direction, facilitating the MIR's growth strategy.

### 5.0 Deliverability

- 5.1 The site is capable of delivering effective housing land for approximately 91 houses. Masterplanning in combination with site R4 will also assist in the effective delivery of this site, alleviating identified site constraints, through the masterplanning process. The allocation of MIR Preferred Site EL1/EL38 will not only secure the effective delivery of housing land on both sites, but also ensure that this is achieved having regard to identified placemaking principles.
- 5.2 Scotia Homes Ltd are content to submit a further viability checklist of this site to Moray Council, in accordance with their requirements. They note that Moray Council confirmed by email on 11<sup>th</sup> April 2018 "The viability checklist is no longer required as we will be gathering information pertaining to viability ourselves as part of the whole plan viability study we are undertaking. Should we require specific information about the above sites then we will contact you directly at that time."

### 6.0 Submission Summary

- 6.1 This site offers the opportunity to provide for new homes in an area which is well connected to existing services and where infrastructure requirements can be considered as part of the masterplanning process currently being undertaken. The site is capable of delivering effective new housing within the new LDP plan period in a location which is supported by other land use planning objectives.
- 6.2 It is respectfully requested that the subject land is identified as a preferred option for residential development within the Moray Local Development Plan (LDP) and subsequently included for such development in the settlement boundary of Elgin.



Project: Rounds Wood, Mayne Farm, Elgin Document: Supporting Masterplan input Document Number: 180328-RoundsWood-MP-RevA

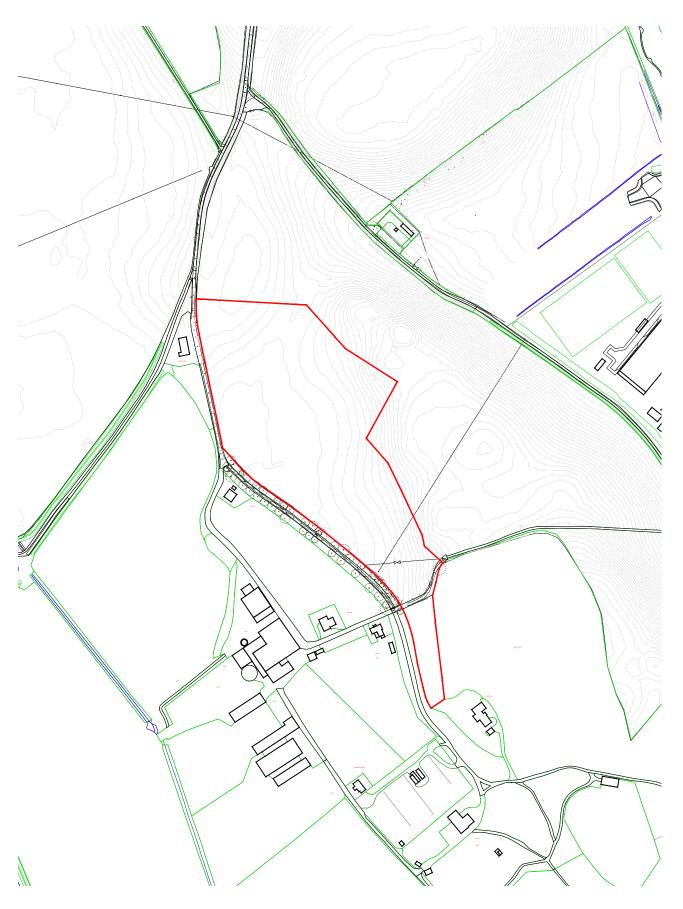
Issue	Revision	Ву	Approved	Date
First issue	-	cdg	pmac	28/03/18
А	Changes to text and options	cdg	pmac	04/04/18

This document sets out masterplanning work carried out to support a Representation to reinforce the the preferred site status of the site at Rounds Wood, Mayne Farm, Elgin.

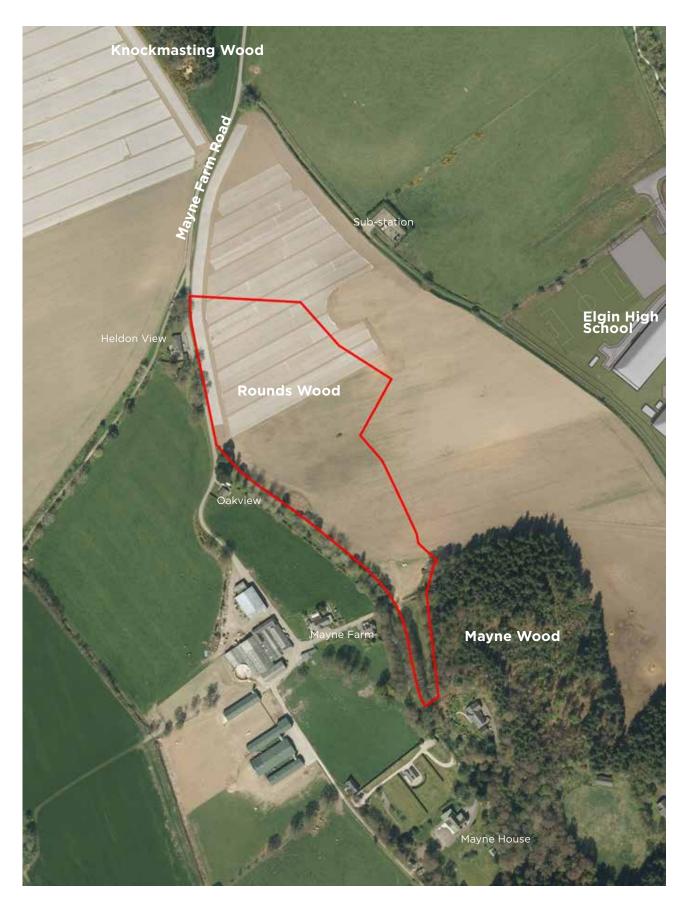
### The document sets out:

- Masterplan testing to show approach to development, provide indicative capacities and demonstrate integration with Bilbohall masterplan
  - Rendered illustrative masterplan which shows the potential layout in the context of the adjacent Bilbohall masterplan
    - Accompanying narrative text to describe key issues and approach.

### 1.1 The Site



### 1.2 Site context

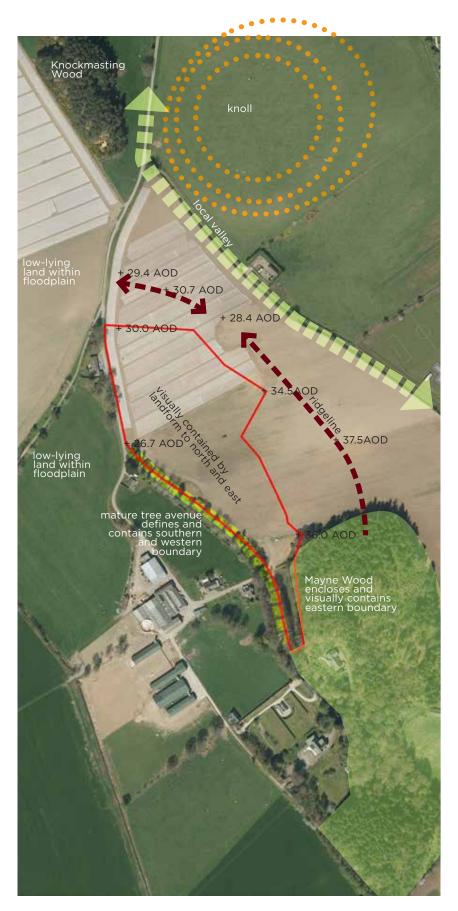


### 1.3 Adjacent Bilbohall masterplan



The site is adjacent to the Bilbohall masterplan which has been subject to a comprehensive masterplanning process which has resulted in a masterplan which is currently being consulted upon as Supplementary Guidance. The adjacent illustration shows the masterplan in context with the required structural landscape planting along the north and east boundary of the Rounds Wood site and the allowance for onward connections which are reflected in the masterplan.

### 1.4 Site considerations



The site at Rounds Wood falls within a wider agricultural field and is accessed via Mayne Farm Road. It sits adjacent to the 'Bilbohall' area of Elgin and the alignment of the northern and eastern boundary follows the previously allocated settlement boundary rather than established field or physically identifiable boundaries.

The site benefits from a southwesterly aspect and has good visual containment to the northeast, east and south through existing landform and mature trees. Much of the site sits between 28 and 29m AOD and in this area the slope is less than 5%. There are limited steeper areas as the site rises up to the north-east and towards Mayne Woods, woodland/ avenue tree planting. A ridgeline is evident outwith the site to the north of Mayne Wood which falls gently from a high point of around 37.5m AOD to a saddle of around 28.4m AOD and back up to around 30.7m AOD. This ridgeline acts to contain the site and has been identified as requiring structural ladndscape in order to form a continuous landscape feature with Mayne Wood. This would provide a strong and long-term landscape setting to Elgin and ensure that housing on both sides of the ridge does not breach the horizon.

### 1.5 Capacity test: Option 1 (Isolated approach)



The adjacent development framework level layout shows how residential development at Rounds Wood might be accommodated and respond to both the existing site and the Bilbohall development to the north.

Due to landownership, access would be from a single point at Mayne Farm Road. Low density housing within Blocks A and B provide frontage to the west with medium density further to the east, backed by structural buffer planting up to the ridgeline. An open space corridor would allow connections from Bilobhall centrally through the development to Mayne Farm road and provide amenity space in a convenient location.

A landscape buffer would be provided to the the existing mature avenue of trees along the access track to the south and housing within Block E would back onto the landscape block in this location. Housing within Block D would back onto the proposed structural planting within Bilbohall which protects the ridgeline to the north. Further amenity space would be provided to the south as a setting to Mayne Wood and allowing access into the existing landscape resource.

Potential development capacity

Street type A
Street type B
Low density residential
Medium density residential
Amenity open space
Structural woodland/buffer planting

Block	Hectares	Acres	Proposed	Residential	Potential
			residential	density	residential
			density	(Units per	units
				На)	
А	0.29	0.72	Low	25	7
В	0.41	1.01	Low	25	10
С	0.43	1.07	Medium	35	15
D	0.68	1.67	Medium	35	24
Е	0.57	1.41	Low	25	14
Total	2.38	5.88			70

### 1.6 Illustrative Masterplan Option 1 (Isolated approach)

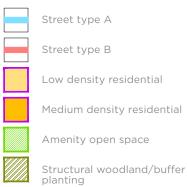


### 1.7 Capacity testing: Option 2 (Integrated approach)



An alternative approach has been tested which shows the potential for a fully integrated approach to be adopted across both the Bilbohall masterplan area and the Rounds Wood site. This would allow for a rationalised and more effective implementation of the required structural landscape along the ridgeline to the north-west of Mayne Wood which more closely follows the actual ridgeline. This would allow for a more efficient use of land to the south-west of the ridgeline while still ensuring the visual containment of this area of the site. Connections into Bilbohall would be strengthened by allowing for housing to front onto access routes.





Amenity or	oen spa	се		
Structural v	woodla	nd/bı	uffe	r
\ A / L A /	_			

Block	Hectares	Acres	Proposed	Residential	Potential	
			residential	density	residential	
			density	(Units per	units	
				На)		
А	0.29	0.72	Low	25	7	
В	0.41	1.01	Low	25	10	
С	0.43	1.06	Medium	35	15	
D	0.30	0.75	Medium	35	11	
Е	0.59	1.45	Low	25	15	
F	0.57	1.41	Medium	35	20	
G	0.38	0.93	Medium	35	13	
Total	2.97	7.34			91	

### 1.8 Illustrative Masterplan Option 2 (Integrated approach)



### optimised environments Itd.

### Edinburgh

Quartermile Two | Level 2 | 2 Lister Square Edinburgh | EH3 9GL

#### London

Warnford Court | 29 Throgmorton Street London | EC2N 2AT

### Manchester

13 Swan Street Manchester | M4 5JJ



From: eforms@moray.gov.uk

To: Localdevelopmentplan

Subject: EL\_OPP11 - 002193

Date: 15 March 2019 12:40:53

# Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

## **Your Details**

Title: MR

Forename(s): CHRISTOPHER

Surname: DINGWALL

## 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: 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: OPP11

Site name: WALLED GARDEN (BIBILCAL GARDEN)

Comments: Dear SIR, I am writing on behalf of Scotland's Garden and Landscape Heritage (SGLH - Registered Charity No SC034618) to object to the inclusion of the site designated as OPP11 in Moray Council's Proposed Development Plan as a potential development site. The site forms part of a large plot immediately to the north of, and overlooked by the ruins of Elgin Cathedral. A study of historical maps from the early 19th century shows that the plot was part of grounds owned by one James Robertson. At this time the south-eastern quarter of the area was occupied by North College, previously the cathedral's Deanery, while the northern half (including Site OPP11) was maintained as garden ground and orchards. Later maps such as the Ordnance Survey 1:2,500 Elginshire Sheet VII:12 (1904) also identify all of the ground in question as 'Precincts of the Cathedral'. While the former Deanery/North College in the south western corner is now a private residence, the south-eastern quarter of the plot was developed more than twenty years ago as Elgin's Biblical Garden, adjacent to the cathedral burial ground. This unique garden project has become well-known, appearing on many maps, in numerous guidebooks and on-line, often earning four or five stars on websites such as Trip Advisor which describe it as an attractive, calm and contemplative space. The Biblical Garden is well used and much loved by both local residents and visitors to the City of Elgin. We should also like to point out that Elgin's Biblical Garden has an important part to play in the 'Gardening, Landscaping and the Environment' course modules offered by Moray College's Department of Horticulture as part of the University of the Highlands and Islands, the prospectus for which describes the courses as being 'based at the Biblical Garden close to Elgin Cathedral ... from which students gain practical experience' by maintaining the garden along with the Friends of the Biblical Garden and local volunteers. SGLH sees the facilities which currently occupy the ground identified as OPP11 - potting sheds, glasshouses, poly-tunnels, cold frames etc. - as having a vital part to play in this initiative, both as an educational space, and/or as somewhere that the plants required for maintenance and on-going development of the Biblical Garden can be propagated and stored. This productive use of the ground appears to have arisen from a fruitful partnership which has been formed between Moray College, Moray Council the Friends of the Biblical Garden. We would see the redevelopment of the OPP11 site as threatening not only the viability of the Moray College's Horticultural Department, but also the future of the Biblical Garden. In objecting to the designation of OPP11 as a potential development site in the Development Plan, SGLH wishes to observe that the ground in question was historically a significant part of the cathedral precincts or grounds, lying within the 'historic core' of the City of Elgin as defined by Moray Council's own Sites and Monuments Record. We should also like to draw the Council's attention to Historic Environment Scotland's Guidance Note on 'Managing Change in the Historic Environment: Setting' regarding the potential negative effects of unsympathetic development - especially the statement on Page 11 regarding 'the effect of the proposed change on qualities of the existing setting such as sense of remoteness, current noise levels, evocation of the historical past, sense of place, cultural identity, [and] associated spiritual responses.' Yours faithfully, CHRISTOPHER DINGWALL - BSc MA FRGS IHBC Vice Chairman : Scotland's Garden and Landscape Heritage 15 March 2019

From: eforms@moray.gov.uk

To: Localdevelopmentplan

Subject: EL\_OPP11 - 002054

Date: 22 February 2019 10:59:18

# Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

## **Your Details**

Title: Ms

Forename(s): Joan

Surname: Scott

### Your Address



## **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: No

Other: Yes

Supporting information: Download supporting document Available also via link at bottom of this email.

# Other Objection

Document commenting on: Biblical Garden

Comments: I object to the proposal for the Biblical Garden. It is a great example of community partnership working. An additional hotel would put at risk exisiting hotels and would do nothig for the community.

Please use this link to view and retrieve the uploaded attachments.

 From:
 Lesley Scott

 To:
 Localdevelopmentplan

 Subject:
 UQ\_R2 - 002164

 Date:
 13 March 2019 10:56:43



Dear Sir/Madam,

In response to the notification of the designation for 8 houses, the objections and concerns we have are with safety and visibility. It doesn't show on the plan where the access road would be for the new houses and this part of Station Road narrows and would need to be widened. There is a higher volume of traffic coming through the village going to the golf course and an increased amount of lorries and agricultural vehicles, two cars can pass each other with care but if you meet agricultural vehicles or lorries you have to reverse back to wider parts of the road.

There would have to be speed calming measures in place as many vehicles don't adhere to the speed limit going through the village.

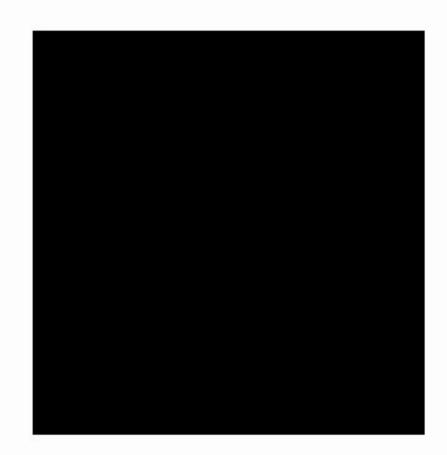
We have to be very careful coming out of our drive with restricted visibility more to the right going into the village with a blind corner. The other safety issue is there is no pavement, there are a number of young children in the neighbouring houses having to walk on the road into the village to catch the school bus or to go to the play park etc. Our child and I have had many close calls being nearly hit by traffic.

We feel the village would lose its rural and historical character with the designation of more houses and add to the safety issues on this part of Station Road.

Yours sincerely

Mrs Lesley Scott





# FAO The Local Development Plan Senior Officer

The Moray Council

Council Office

**High Street** 

Elgin

IV30 1BX

Dear Sir/Madam

### **OPP11 The Walled Garden**

I read with dismay in the Northern Scot this weekend about the proposals being considered for The Walled Garden.

As the article says, keeping the site is vital because it's where the vast majority of the Biblical Garden's flowers and plants are grown.

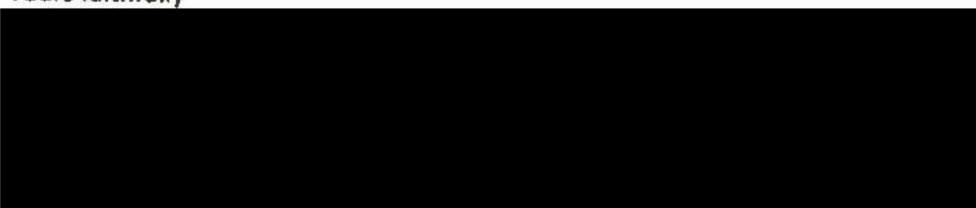
Consideration also needs to be given to the 28 horticulture students at Moray College UHI, as I understand The Walled Garden is where they are based, and that they care for the Biblical Garden from there – the Council should be very careful indeed not to breach their Human Rights under the ECHR.

Essentially the same comments apply to the (council run!) Greenfingers training scheme for adults with learning difficulties and mental health issues, which I gather makes extensive use of the facilities contained within The Walled Garden. My family numbers a horticulture student (albeit not in Elgin) in its ranks, and we have been and are close to a number of people who are affected by learning difficulties and mental health issues. I am quite sure we're not unique, amongst the electorate.

The Biblical Garden, which reportedly would become unsustainable if the Council was to press ahead, is one of Elgin's prime assets and having been born and brought up in the town I and many of my friends and family would be, and are, fiercely opposed to any prospect of that playing second fiddle to another Hotel. I know the demand from hoteliers and developers on their behalf is apparently insatiable across the country, but quite honestly who in their right mind would want one in such an architecturally and culturally sensitive area as this, given the proximity to Elgin Cathedral? In any event, I gather that two nearby quality hotels, ie the Mansion House and the Mansefield, are struggling to fulfil their occupancy aspirations as it is, so why would the Council want to act detrimentally to the interests of two such local businesses, in favour of a Marriot, a Hilton, or whatever?

I should be grateful to receive your reasoned response to these submissions, and for them to be duly taken into account as part of the democratic process about which one hears so much these days.

Yours faithfully



Mrs Shelagh M Scott



10 March 2019

# FAO The Local Development Plan Senior Officer

The Moray Council

Council Office

**High Street** 

Elgin

pir - Y . p

IV30 1BX

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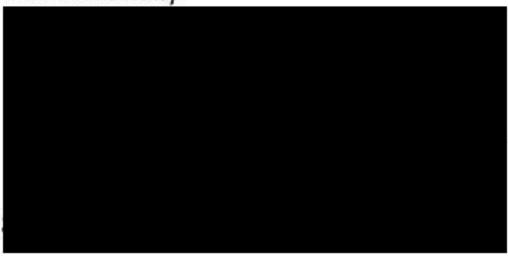
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SRS.

I should be grateful to receive your reasoned response to these submissions, and for them to be duly taken into account as part of the democratic process about which one hears so much these days.

Yours faithfully



From: Tim:Gordon-Roberts@forestry.gov.scot.

To: Localdevelopmentplan

Subject: FW: Forestry Commission Scotland (Scottish Forestry) response to Moray Local Development Plan 2020 - 2030 consultation

Date: 07 February 2019 11:48:19

#### Dear Sirs

Thank you for giving Forestry Commission Scotland the opportunity to respond to the proposed Moray Local Development Plan (LDP) 2020 to 2030.

Please note that Forestry Commission Scotland (FCS) will no longer exist after the 1<sup>st</sup> April 2019 and will become an executive agency of the Scottish Government known as Scottish Forestry (SF), from the same date Forest Enterprise Scotland (FES) will also cease to exist and will become an executive agency of the Scottish Government known as Forestry and Land Scotland (FLS). As the LDP will be published after this change can you please change all references to FCS in the document to Scottish Forestry (SF) and those to FES to Forestry and Land Scotland (FLS).

For this response I shall use the new names (SF and FLS) for each organisation.

Please also note that this is a joint response from both Highland and Grampian Conservancies.

# Volume 1 Policies

# Page 88

EP7 a/ Forestry

'The Council will consult Forestry Commission Scotland on proposals which are considered to adversely affect commercial forests.'

- Please change FCS to SF as above.
- This statement limits the scope of consultation with SF to commercial forests. SF appreciates that the value
  of commercial forestry has been recognised here, however it is important that all trees, woodlands and
  forests are considered as valuable and the principle that they should be protected from and through
  development should be accepted and stated clearly as per the Control of Woodland Removal Policy which
  states that 'There is a strong presumption in favour of protecting Scotland's woodland resources.'
- As discussed previously SF would like to establish a working relationship where all proposals that have an
  impact on trees, woodlands and forests are assessed using the framework of the Scottish Government's
  Control of Woodland Removal Policy. SF would like to see the initial assessment being carried out by the
  local authority planning team who should consult SF on complex cases where expert advice is required to
  make an appropriate decision. To support this SF would welcome the opportunity to work with the planning
  team to facilitate an agreed understanding and interpretation of the Control of Woodland Removal Policy so
  that the planning team has the confidence, knowledge, understanding and experience to assess
  development proposals using the policy and associated maps and data.

### EP7 b/

- SF welcomes the adoption of the principles of the Control of Woodland Removal Policy.
- SF should be consulted on Compensatory Planting proposals.

SF recommends that developers proposing compensatory planting are asked to follow the guidance for site assessment and woodland design as laid out in our current publication 'Woodland Creation, Application guidance' and it's subsequent updates, when preparing their proposal.

SF is required to determine whether Compensatory Planting proposals should be subject to an Environmental Impact Assessment, a screening opinion request form should be completed and submitted to SF as stated in the Woodland Creation guidance.

Here is a link to the guidance document: <a href="https://scotland.forestry.gov.uk/images/corporate/pdf/fgs-woodland-creation-application-guidance.pdf">https://scotland.forestry.gov.uk/images/corporate/pdf/fgs-woodland-creation-application-guidance.pdf</a>

Here is a link to the screening opinion request form: <a href="https://scotland.forestry.gov.uk/supporting/grants-and-regulations/environmental-impact-assessment/applying-for-opinion">https://scotland.forestry.gov.uk/supporting/grants-and-regulations/environmental-impact-assessment/applying-for-opinion</a>

The last paragraph describes woodland types where woodland removal for development would not be supported, SF welcomes this approach but would request that this list is extended to include all woodland types described in the Control of Woodland Removal Policy where there is a 'strong presumption against' removal (see page 7 of the policy).

### Page 89

I have asked FLS to comment on the woodland / forestry related tourism and recreational opportunities in Moray and to respond to the consultation directly.

# Page 90

- SF welcomes the policy of retaining existing healthy mature trees and their incorporation within development proposals, however the proposal's suitability in or around trees and woodlands should be assessed under the Control of Woodland Removal Policy. In such cases tree surveys and tree protection plans are essential along with a clearly defined safeguarding distance to avoid any negative impact on the trees. Safeguarding distance should consider not just the potential damage of the development including all enabling works and accesses but also the long term relationship that the development will have with the trees at full height and spread when fully mature. Consideration should be given the effects of shading, leaf / needle cast, the safety implications should branches be cast or the tree blow over as well as the impacts on the water table. It may be worth discussing this issue with Aberdeen City Council who have adopted a 'Zone of Influence' policy requiring developers to consider fully mature tree(s) rather than the 'root protection area' which is increasingly being recognised as affording inadequate protection during development and does not consider the long term relationship between the tree(s) and the development. In rural areas near to forests, the impact of commercial forestry operations and timber transport should be considered in siting development so that no additional constraints are added to these operations which may limit their viability.
- . SF welcomes the long term protection of these trees through the use of Tree Preservation Orders.

#### Justification / Notes

- FCS reference to the 'Right tree in the Right Place' publication I am unsure whether this will be reprinted as an FS document but the guidance contained in the document is still relevant and the reference should remain to the FCS publication.
- SF welcomes the encouragement to plant new woodlands as part of the provision of a green network. SF would encourage applications for Woodland Creation grants to come forward before planning applications are submitted to facilitate the creation of these green networks so that they are established, attractive and in use as soon as possible and act as a framework to design development proposals around.
- Compensatory planting has been specified as being of native species. SF would request that consideration is given to the woodland type being lost and that replacement through compensatory planting is based on replacing like for like, this is because commercial woodlands provide significant public benefits also.
- Please change FCS to SF for the consultation statement. Perhaps this could be combined with earlier comments to give one statement on consultation with SF?

#### Page 91

#### Trees and Development

- It would be good to also recognise the benefits of trees in removing particulate pollution and reducing over heating in urban environments see attached infographic.
- Tree surveys the convention for measuring forest trees is 1.3 m above ground.
- See notes above on root protection areas.

Category U trees have been described as being discounted from the development assessment process, these trees are considered to be 'Those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years'. This category also includes healthy trees which would become unviable when category U trees are removed. SF would ask that compensatory planting is required for all category U trees that area removed and that the habitat value of category u trees is also considered in the assessment process.

#### Page 92

#### Landscape scheme

- As mentioned SF would welcome Woodland Creation grant applications in advance of planning applications
  to establish the woodland corridors as early as possible. SF cannot accept a grant application for woodland
  creation if it is a condition of planning.
- SF welcomes the requirement to the maintenance of any tree planting. The term of maintenance should be made a condition of planning approval.
- The native tree species listed include Common Ash, unfortunately due to the tree disease, Chalara die-back of Ash, a Plant Health Order was put in place in 2012 which prohibits all imports of ash seeds, plants and trees, and all internal movement of ash seeds, plants and trees. This means that there should be no sale of live ash trees in Britain. Please remove this species from the list.

#### **Delivery Plan**

Action 33 Compensatory Planting – SF should be consulted on Compensatory Planting proposals, AF may also be required to carry out an Environmental Impact Assessment of the compensatory planting proposals.

After reviewing the interactive map and the rural groupings document, please note that the following proposed development sites have woodlands and will require any proposals to be assessed against the Control of Woodland Removal Policy.

#### Main Settlements

**Site Ref**: R1, **Location**: Kinloss, **Site Description**: Designation of site for 6 houses. **Name**: West of Seapark House. **Site Type**: Residential

This site shows on the National Forest Inventory (NFI) as Broadleaved woodland.

Site Ref: RC, Location: Findhorn, Site Description: Residential Caravans, Name: Residential Caravans, Site Type: Residential Caravans

Part of this site shows on the NFI as Conifer woodland.

**Site Ref**: R3, **Location**: Kinloss, **Site Description**: Designation of site for 25 houses, **Name**: Damhead, **Site Type**: Residential

Part of this site shows on the National Forest Inventory (NFI) as Broadleaved woodland.

**Site Ref**: T2, **Location**: Burghead, **Site Description**: Designated for extension of caravan park. **Name**: Caravan Park Extension, **Site Type**: Tourism

This site shows on the NFI as Conifer woodland and is owned by the Forestry Commission.

**Site Ref**: R3, **Location**: Lossiemouth, **Site Description**: Designation of site for 67 houses. **Name**: Inchbroom, **Site Type**: Residential

Part of this site shows on the NFI as Conifer woodland.

**Site Ref**: OPP1, **Location**: Lossiemouth, **Site Description**: Designation of site for mixed uses, including business park, industrial and/or retail. **Name**: Sunbank, **Site Type**: Opportunity

Part of this site shows on the NFI as shrub as well as on the NWSS as having 70% canopy cover consisting 75% native species.

**Site Ref**: R19, **Location**: Elgin, **Site Description**: Designation of site for 675 houses. **Name**: Easter Linkwood and Linkwood, **Site Type**: Residential

Part of this site shows on the National Forest Inventory (NFI) as Broadleaved woodland and on the NWSS as having 70% canopy cover consisting 95% native species. The woodland type is Wet woodland which was a Biodiversity Action Plan priority Habitat.

Site Ref: R11, Location: Elgin, Site Description: Designation of site for 1500 houses. Name: Findrassie, Site Type: Residential

Parts of this site have been established as woodland through the Scottish Forestry Grant Scheme and the Rural Priorities Grant Scheme.

Site Ref: I8, Location: Elgin, Site Description: Industrial Estate, Name: Newfield, Site Type: Industrial Part of this site has been established as woodland through the Rural Priorities Grant Scheme.

Site Ref: R3, Location: Fochabers, Site Description: Designation of site for 42 houses. Name: East of Duncan Avenue, Site Type: Residential

Part of this site shows on the National Forest Inventory (NFI) as Broadleaved woodland.

Site Ref: R10, Location: Buckie, Site Description: Designation of site for 5 houses, Name: Site at Station Road, Portessie, Site Type: Residential

This site shows on the National Forest Inventory (NFI) as Broadleaved woodland and on the NWSS as having 90% canopy cover consisting 100% native species. The woodland type is Upland Birchwood which was a Biodiversity Action Plan priority Habitat.

Site Ref: R2, Location: Aberlour, Site Description: Designation of site for 60 houses and 1ha of industrial land, Name: Speyview, Site Type: Residential

This site shows on the National Forest Inventory (NFI) as Conifer woodland and on the NWSS as having 80% canopy cover consisting 90% native species. The woodland type is Native Pinewood which was a Biodiversity Action Plan priority Habitat.

**Rural Groupings** 

FS supports the use of new significant areas of 'structure planting' matching and linking to the surrounding woodlands to screen development, using these areas as pedestrian links is extremely valuable. The native species list here includes beech which is not considered to be native to Scotland and ash which should not be used for reasons stated under 'Landscape scheme' above.

Site at Birnie, development site B, east of Foths burn.

This is site on the National Forest Inventory and Native Woodland Survey of Scotland as having 70% canopy consisting of 90% native species, the woodland type is Upland Birchwood which was a Biodiversity Action Plan priority Habitat.

Darklands North, Development site A

This area is showing on the NFI and NWSS as having 60% canopy cover of which 60% consists of native species of lowland mixed deciduous woodland type.

Glenfarclas

Sites A & B appear to be part of wider woodland blocks shown on the NFI and development here would remove valuable edge habitat.

Knockando

The area within the settlement boundary shows a high proportion of tree and woodland cover and not all of it has been identified as amenity land, therefore FCS would ask that a clear statement is included that the trees and woodland present within this settlement should be protected and maintained in any development proposals.

### Lintmill

The eastern section of Site A is showing on the NFI as broadleaved woodland.

Logie, Site A

This opportunity site is entirely within a woodland which is shown on the Ancient Woodland Inventory as being of Long Established Plantation Origin. The main body of the proposed LDP states that sites shown on the AWI should be excluded.

I would be happy to answer any questions you may have or discuss any of the points raised in the comments made above.

Yours sincerely

Tim Gordon-Roberts
Regulations and Development Manager
Grampian Conservancy
Portsoy Road
Huntly
AB54 4SJ

www.forestry.gov.uk/scotland www.facebook.com/forestrycommissionscotland www.twitter.com/fcscotlandnews

Forestry Commission Scotland is the Scottish Government's forestry advisor and regulator

Forestry Commission Scotland (FCS) is part of the Forestry Commission which is a UK non-ministerial government department. On 1st April 2019, FCS will become Scottish Forestry, an executive agency of the Scottish Government.

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## **Grampian Conservancy**

Portsoy Road Huntly AB54 4SJ

Tel 0300 067 6210 grampian.cons@forestry.gov.scot

Conservator James Nott

Emma Gordon
Planning and Building Standards
Moray Council
Council Office
High Street
Elgin
IV30 1BX

21st March 2019

Dear Emma

# Forestry Commission Scotland's response to the Moray Local Development Plan 2020

Thank you for giving Forestry Commission Scotland the opportunity to respond to the proposed Moray Local Development Plan (LDP) 2020 to 2030. SF raises 9 forestry related objections as detailed below.

Please note that Forestry Commission Scotland (FCS) will no longer exist after the 1st April 2019 and will become an executive agency of the Scottish Government known as Scottish Forestry (SF), for this response I shall use SF when referring to FCS as it stands currently and its future structure.

Please also note that this is a joint response from both Highland and Grampian Conservancies.

## Objection 1

Volume 1 Policies, Page 88, section EP7 a/ Forestry; states that 'The Council will consult Forestry Commission Scotland on proposals which are considered to adversely affect commercial forests.'

This statement limits the scope of consultation with SF to commercial forests. SF appreciates that the value of commercial forestry has been recognised here, but objects to this limited scope for consultation as it is important that all trees, woodlands and forests are considered in the assessment of the suitability of a development proposal. SF request that this statement is amended to widen the scope for consultation with SF to include all woodlands and forests.

# Objection 2

EP7 b/ SF should be consulted on Compensatory Planting proposals as SF is required to determine whether Compensatory Planting proposals should be subject to an Environmental Impact Assessment. A screening opinion request form should be completed and submitted to SF as stated in the Woodland Creation guidance.

Here is a link to the guidance document:

https://scotland.forestry.gov.uk/images/corporate/pdf/fgs-woodland-creation-application-guidance.pdf



Here is a link to the screening opinion request form:

https://scotland.forestry.gov.uk/supporting/grants-and-regulations/environmental-impactassessment/applying-for-opinion

SF requests that developers proposing compensatory planting are asked to follow the guidance for site assessment and woodland design as laid out in our current publication 'Woodland Creation, Application guidance' and it's subsequent updates, when preparing their proposal.

# Objection 3

The last paragraph on page 88 describes woodland types where woodland removal for development would not be supported, SF objects to this list as it is very limited and requests it is extended to include all woodland types described in the Control of Woodland Removal Policy (COWRP) where there is a 'strong presumption against' removal (please see page 7 of the policy).

# Objection 4

Page 90; SF is concerned that the wording used here encourages development in woodlands and requests that this section is amended to make it clear that development proposals should be assessed under the Control of Woodland Removal Policy to see if the development is acceptable, as the overriding principle of this document is a presumption against development in woodlands.

If, however a proposal is deemed to be acceptable after assessment against the COWRP, then as currently suggested, all existing healthy mature trees should be retained and protected within the development proposal. However the development, including access to it, must be designed is such a way as to avoid any negative impact on the trees.

The development design must also give due consideration to the long term relationship it will have with the trees as they grow to full height and spread at maturity, considering species and local growing conditions. In this consideration the effects of shading, leaf / needle cast, the safety implications of branch cast and wind blow over as well as the impacts on the water table should all be assessed and the development design amended to realistically allow for the long term retention of these trees in the development. This will require built structures to be set back from the retained trees. This distance should be shown to reasonably avoid a negative impact on the trees from development and from the trees on the development.

In rural areas near to forests, the impact of commercial forestry operations and timber transport should be considered in the assessment of the suitability of a development so that no additional constraints are added to these operations which may limit their viability and so that the development is not adversely affected by the forestry operations.

### Objection 5

The Justification / Notes section states that Compensatory planting will be of native species. SF request in line with current COWRP interpretation guidance that replacement through compensatory planting is based on replacing like for like, unless significant additional public benefits can be demonstrated by planting alternative species.

# Objection 6

Page 91, Trees and Development discounts Category U trees from the development assessment process. Category U trees are considered to be 'Those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10



years'. This category also includes healthy trees which would become unviable when category U trees are removed.

SF request that the text is amended here so that the area and the habitat value of category U trees is considered in the initial COWRP assessment process. If the planning authority then considers the development of such areas to be appropriate then compensatory planting must be required for all category U trees.

# **Development Sites**

After reviewing the interactive map and the rural groupings document, SF objects to the following proposed development sites:

# Objection 7

**Main Settlements** 

Site Ref: T2, Location: Burghead, Site Description: Designated for extension of caravan park. Name: Caravan Park Extension, Site Type: Tourism

Reason for objection: The National Forest Inventory (NFI) shows this entire site as Conifer woodland. The COWRP has a presumption against development in woodland.

# Objection 8 Rural Groupings

Knockando

**Reason for objection:** The area within the settlement boundary shows a high proportion of tree and woodland cover and not all of it has been identified as amenity land, therefore SF would ask that a clear statement is included that the trees and woodland present within this settlement should be protected and maintained in any development proposals. The COWRP has a presumption against development in woodland.

# Objection 9 Logie, Site A

**Reason for objection:** This opportunity site is entirely within a woodland which is shown on the Ancient Woodland Inventory (AWI) as being of Long Established Plantation Origin. The COWRP has a strong presumption against development in AWI woodlands.

Yours sincerely

Tim Gordon-Roberts
Regulations and Development Manager
Grampian Conservancy

# Local Government and Communities Directorate Planning and Architecture Division



T: 0131-244 5375

E: Developmentplans@gov.scot

Local Development Plan Team Moray Council Planning and Development Environmental Services High Street Elgin IV30 1BX

#### By email to:

localdevelopmentplan@moray.gov.uk

Our ref: A23806220 15 March 2019

Dear Local Development Plan Team

RE: Moray Council – Local Development Plan 2 – Proposed Plan

Thank you for your correspondence of 8 January 2019, inviting comments on the above document. Please see the following representations from the Scottish Government:

1. Housing Land Requirements/Housing Supply Targets - Generosity Allowance

Part of Plan: Pg. 13.

**Proposed Modification -** The plan should provide more detail as to why a generosity allowance of 30% has been added to the Housing Supply Target (HST).

**Reason** - Paragraph 116 of Scottish Planning Policy (SPP) states that the HST should be increased by a margin of 10 to 20% in order to ensure that a generous supply of land for housing is provided.

2. Housing Land Requirements/Housing Supply Targets -Tenure Split

Part of Plan: Pg. 13.

**Proposed Modification** The plan should set of the HST, separated into affordable and market sector.

Reason - To accord with Paragraph 120 of SPP.

3. Housing Land Requirements/Housing Supply Targets

Part of Plan: Pg. 41

**Proposed Modification -** Insert 'Paragraph 29' of SPP, as follows:









Scottish Planning Policy states (para 28) that "the aim is to achieve the right development in the right place; it is not to allow development at any cost" and **(para 29)**, "that policies and decisions should be.....supporting delivery of accessible housing".

**Reason -** To attribute the appropriate part of SPP at the appropriate part of the text, which should be paragraph 29 and not paragraph 28.

#### 4. Effective Housing Land Supply

Part of Plan: Pg. 13-14

**Proposed Modification -** Clarity should be provided in the plan over whether there is an effective five year housing land supply. Appropriate reference to supporting documents should be made if required.

**Reason** - SPP states that local development plans should provide a minimum of five years effective housing land supply at all times.

#### 5. Policy DP9 - Renewable Energy

Part of Plan: Pg. 69, Policy DP9.

**Proposed Modification -** A new sub section to Policy DP9 should be inserted:

(d) Heat

Where a heat network exists or is planned, proposals should include infrastructure to allow connection to that network.

Where no heat network is present or planned:

- Proposals should consider the feasibility for the creation of or connection to a heat network.
- Proposals should safeguard piperuns within the development, to its curtilage, for future connection to a heat network.
- Proposals should consider the provision of energy centres, or the reservation of land for an energy centre to facilitate future connection to a heat network.

Proposals for new development will be compared with the Scotland Heat Map to identify if it could make use of an existing heat supply or provide excess heat to heat users. This will be the case until the Council has concluded work on identifying where heat networks, heat storage and energy centres exist or would be appropriate in the plan area, at which point reference to that work should be made. Developments which have a high heat demand are encouraged to co-locate with sources of heat supply.

Where heat networks are not viable, proposals should include the use of microgeneration technologies and heat recovery associated with individual properties, unless demonstrating this is unnecessary or unviable.

**Reason -** To accord with paragraphs 158 to 160 of SPP.









#### 6. Greenhouse Gas Emissions Policies

**Proposed Modification -** The plan should incorporate an appropriate policy, to address Section 3F of the Town and Country Planning (Scotland) Act 1997, the criteria for which are set out in annual reporting on the legislation available at:

https://www.gov.scot/publications/climate-act-annual-reports-2016-2018/. The annual report also includes examples of policy approaches used by other planning authorities, which may be of assistance in formulating a policy here.

It is possible that the appropriate place to address this requirement is in proposed policy PP3 'Infrastructure and Services'. This could include a new sub-criterion, which implements the requirements of Section 3F.

**Reason -** To accord with Section 3F of the Town and Country Planning (Scotland) Act 1997 'Greenhouse Gas Emissions Policies'.

# 7. Opportunities for home-working, live-work units, micro-businesses and community hubs.

**Proposed Modification -** The plan should encourage opportunities for home-working, livework units, micro-businesses and community hubs as this helps to encourage sustainable economic growth and create new employment in a range of areas that are both appropriate for, and attractive to, the needs of different industries. This policy consideration could be addressed as part of Policy PP1 Placemaking (on page 22), which could be amended to add 'and working', as follows:

'The Placemaking Statement must demonstrate how the development promotes opportunities for healthy living **and working**.'

Reason - To accord with Paragraph 95 of SPP.

# 8. Opportunities for integrating efficient energy and waste innovations within business environments.

**Proposed Modification -** The plan should support opportunities for integrating efficient energy and waste innovations within business environments. The policy could be referenced as part of Policy DP5 on page 55 in relation to creating 'higher quality environments'.

**Reason -** To accord with Paragraph 96 of SPP.

#### 9. Policy EP2 - Biodiversity

Part of Plan: Pg. 77-Policy EP2 (Biodiversity)

**Proposed Modification -** The first sentence of Policy EP2 should read: 'All Development proposals **should** must retain, protect and enhance features of biological interest\* and provide for their appropriate management, **where possible.**'

Reason - To accord with Paragraph 194 of SPP.

#### 10. Policy EP 5 - Open Space









<sup>\*</sup> Provide a definition for the term 'biological interest'.

Part of Plan: Pgs 80-87- Policy EP5 Open Space

**Proposed Modification -** A new sub-section should be inserted as part of Policy EP5, with wording as follows:

'Temporary greening can be an appropriate way to create safe and attractive places until development comes on stream. The Council will support the use of temporary greening of land awaiting development, where appropriate. Consideration will be given to whether greening of a site could bring about a positive impact to the local environment and overall amenity of the area, without prejudicing the effectiveness and viability of the site, if it is allocated for development in the longer term.'

Reason - To accord with Paragraph 229 of SPP.

#### 11. Policy EP 8 (a) - Scheduled Monuments and National Designations

Part of Plan: Pg. 93, Policy EP8 (a) Scheduled Monuments and National Designations – title.

**Proposed Modification -** The policy title should read 'Scheduled Monuments and Unscheduled Archaeological Sites'.

**Reason -** The use of 'national designations' in the wording of the policy title may cause confusion. This should be amended as other archaeological resources would be locally or regionally important – if they were a nationally important designation they would be scheduled.

#### 12. Policy EP 8 - Scheduled Monuments

Part of Plan: Pg 93- Policy EP8 (a) Scheduled Monuments and National Designations-first sentence.

**Proposed Modification -** The first sentence should read 'Where a proposed development potentially has a direct impact on a scheduled monument, Scheduled Monument Consent (SMC) is required, in addition to any other necessary consents. Historic Environment Scotland manage these consents.'

**Reason -** To accord with Paragraph 145 of SPP.

#### 13. Policy EP 8 (a) - Scheduled Monuments and National Designations

**Part of Plan:** Pg. 93, Policy EP8 (a) Scheduled Monuments and National Designations – second sentence.

**Proposed Modification -** The first part of the second sentence of Policy EP8 (a) should read 'Development proposals will be refused where they adversely affect the setting of Scheduled Monuments and...'.

**Reason -** To align with paragraph 145 of Scottish Planning Policy as planning authorities have no remit over direct impacts on scheduled monuments - Historic Environment Scotland are the consenting authority for Scheduled Monument Consent. The planning authority only









has a remit over unscheduled archaeology and the setting of scheduled monuments and this is a material consideration in the assessment of planning applications.

#### 14. Electric Vehicle Charging Points

Part of Plan: Page 110 Paragraph 1.

**Proposed Modification -** The first sentence should read '.....the Scottish Government pledge to phase out **the need for** new petrol and diesel cars and vans across Scotland by 2032, the current policy aims and long term goal is a move towards the use of alternative fuels and electric or hybrid vehicles.'

**Reason -** To update the plan to reflect the current Scottish Government policy position in their 2017-2018 Programme for Government.

If it would be helpful to discuss the representations above, please contact that Development Plans Gateway at developmentplans@gov.scot.

Yours sincerely

Debbie McLean Senior Planner











All of nature for all of Scotland Nàdar air fad airson Alba air fad

#### BY EMAIL

Gary Templeton
Principal Planning Officer (Development Planning & Facilitation)
Moray Council
Council Offices
High Street
Elgin, IV30 1BX

Our reference: CPP153744

7 March 2019

Dear Mr Templeton

#### Moray proposed Local Development Plan (LDP) 2020

Thank you for consulting us on the above proposed plan. We welcome the collaborative approach the Council have taken in the preparation of the plan. Involving stakeholders from the early stages has resulted in a plan that we feel takes their interests into account in a way that is also balanced with the public's interest. The resulting plan should allow Moray to grow and thrive in future, whilst safeguarding the important natural (and cultural) features that make Moray an attractive place to live, work and visit.

We consider the spatial strategy is a sensible approach to take given market and environmental constraints. We support that throughout the plan, the role of the environment and a high standard of placemaking is emphasised.

#### Advice on section 1, policies

We consider policy PP1 (Placemaking) to be a cornerstone policy, linking well to the other policies. Creating high quality places that integrate nature, multi-functionality and active travel into design from the outset should create attractive, well connected places for people, business and nature. This should help deliver the overarching Vision set out in the plan.

We have minor recommendations (see Appendix to this letter) for policies EP2 (biodiversity) and DP9 (renewable energy). With the exception of the below, we have little comment to make on the other policies relevant to our interests, as we consider them to be appropriate.

The only substantive advice we have relates to policy EP1 Natural Heritage (due to the implications of Brexit), and separately, on the need for more robust policy on coastal change. Summary advice is provided below, with detailed advice in the Appendix:

- **EP1, Natural Heritage**. Since we gave advice on the draft policies in October 2018, the implications of Brexit have led to a refinement of our thinking in relation to development planning policies referring to EU Directives. We therefore recommend that policy EP1 is amended to refer to The Conservation (Natural Habitats &c.) Regulations 1994 (as amended in Scotland) rather than the Habitats Directive, and that reference to 'Natura sites' is changed to 'European sites'.

Scottish Natural Heritage, Great Glen House, Leachkin Road, Inverness, IV3 8NW Tel: 01463 725000 Fax: 01463 725067 www.snh.gov.uk

Dualchas Nàdair na h-Alba, Taigh a' Ghlinne Mhòir, Rathad na Leacainn, Inbhir Nis, IV3 8NW Fòn: 01463 725000 Facs: 01463 725067 www.snh.gov.uk/gaelic

The reason for the recommended amendments is because, after exiting the EU, it would be more appropriate to refer to domestic nature conservation legislation such as the Regulations, which also provide a definition of 'European sites'.

Coastal planning. We recognise that efforts have been made to incorporate coastal change into policy EP12 (Management and Enhancement of the Water Environment) and DP1 (Development Principles). Unfortunately we do not consider that this meets the requirements of paragraphs 88 – 91 of Scottish Planning Policy (SPP, 2014) in relation to coastal planning, or that it addresses the issues for Moray. An outline is provided below, with more details provided in the Appendix.

Since we gave our advice on the draft policies in October 2018, new analysis by Dynamic Coast (<a href="http://www.dynamiccoast.com/">http://www.dynamiccoast.com/</a>) has become available. Moray has approximately 190km of coastline hosting a number of settlements, as well as other assets such as harbours, beaches, coastal trails and agricultural land. These settlements and assets are important for the economy, natural and cultural heritage of the region.

At present, existing built development tends to be clustered in settlements that are protected by either natural or artificial defences. Around 70% of coastal buildings are found behind artificial defences such as sea walls, with around 25% found behind natural defences such as dunes and saltmarshes. However, artificial defences require perpetual maintenance and spend to remain effective. Natural defences, and the natural processes that create and maintain them, whilst providing protection for free, require safeguarding in order to remain effective. The ongoing economic cost of artificial defences, as well as the value of safeguarding of natural processes and defences, needs to be recognised and addressed in a clear policy, to reduce the need for greater reactive spend in future.

While the majority of existing buildings are found behind artificial and natural defences, buildings are not the only assets that are important in Moray. For example, the beaches and coastal trails draw visitors to Moray and support the economy, agricultural land provides employment and produce, etc. It is therefore prudent to consider the coastline as a whole, particularly in terms of the implications of coastal change of undefended areas compromising defended areas in the near future.

Around 60% of the Moray coastline is made of soft material susceptible to erosion. The proportion of soft coastline experiencing erosion has tripled in recent times from 10% to 34%. A significant length of coast has experienced substantial erosion - 13km of shoreline has retreated more than 30m since the 1970s. The tripling of the rates of erosion in recent times combined with sea level rise means there is likely to be an increasing erosion and flooding issue to be managed into the future. Coastal settlements, such as those along the coast between Kingston and Cullen, are already experiencing these issues.

This indicates a need to have robust policy in place to address the current and longer term effects of coastal change, and to manage expectations around coastal assets important to the people, nature and economy of Moray. We therefore strongly recommend that a coastal policy is included in the plan, or that policy EP12 is amended to include a separate section on coastal change. We would be happy to work with the Council and provide advice on draft policy wording.

#### Advice on section 2, Settlement Statements

Two of the allocations are inconsistent with the Habitats Regulations Appraisal of the proposed plan, as they have omitted relevant text in relation to European sites protected for nature conservation. However this should be straightforward to rectify. We also understand that several of the Buckie allocations require amendment due to advice from SEPA:

- Fochabers T1 Caravan Site. The "Site specific requirements" recognise the need to demonstrate that there will not be an adverse effect on the integrity of the River Spey Special Area of Conservation (SAC) through pollution, sediment or other changes to water quality or quantity. In order to be consistent with the Habitats Regulations Appraisal, the site specific requirement should also include reference to disturbance to otter. We therefore recommend that the wording is amended through the addition of the text in bold: "Demonstrate that there will be no adverse effect on the integrity of the River Spey SAC from development activity either causing disturbance to otter that may be using the watercourse and banks, or pollution or sediment to reach the SAC, or changes to water quality and quantity."
- Garmouth, R1 South of Innes Road. In order to be consistent with the Habitats Regulations Appraisal, the following developer requirement should be added:
   "Development to be connected to mains water and sewerage, or otherwise to demonstrate that there will be no adverse effect on the integrity of the River Spey or the Lower River Spey Spey Bay Special Areas of Conservation, or the Moray & Nairn Coast Special Protection Area caused by changes in water quality affecting the habitats and prey species that SAC qualifying interests rely on."
- Buckie, OPP3 Barron Street, OPP4 Bank Street, OPP5 Former Jones Shipyard, OPP6 Former Grampian Country Pork, T1 Strathlene Caravan Site and T2 Coastal Strip Strathlene. Although the proposed plan Site specific requirements wording reflects our previous advice in relation to European sites, we understand that SEPA have subsequently advised that development at these allocations must be connected to mains sewerage. We therefore recommend that the Site specific requirements wording is amended to separate these two issues, for example by inclusion of two separate requirements as below:
  - "a. Development must be connected to mains water and sewerage (this overrides the exception within Policy EP13 Foul Drainage).
    - b. Development must demonstrate that there will be no adverse effect on the integrity of the proposed Moray Firth Special Protection Area (pSPA), for example caused by changes in water quality affecting the habitats and prey species that the qualifying interests of the pSPA rely on."

#### Advice on section 3, Rural Groupings

We have no comments to make on section 3, Rural Groupings, as it has incorporated our previous advice.

#### Advice on section 4, delivery programme

We are content to be involved in Actions 4, 5, 6, 12, 16, 17, 34, and 35 where capacity allows, on a topic/issue dependent basis in line with our Planning for Development Service Statement (<a href="https://www.nature.scot/professional-advice/planning-and-development/consulting-snh-planning-and-development">https://www.nature.scot/professional-advice/planning-and-development</a>).

In addition, we would be happy to advise on Action 24, harbour development frameworks, because of the number of areas protected for nature conservation along the coast that will need consideration. Due to our role in placemaking and green networks, we would also be happy to advise on Action 27, Central Elgin Masterplan.

#### **Concluding remarks**

We welcome the positive engagement Moray Council have undertaken with stakeholders through the pilot topic papers, gatecheck meetings and the policy workshop, as well as the close working done over the Habitats Regulations Appraisal, all of which has informed the proposed plan. This has made our assessment of the proposed plan far easier as our interests have either been incorporated from the outset, or, where they may not have been fully taken into account, we have been able to discuss the reasons why with the Council and so have a better understanding of why (eg competing interests in Moray). We would encourage the Council take continue this collaborative approach going forward.

If you have any queries about our advice please do not hesitate to contact **Nina Turner**, **Planning Advisor (north)** in the first instance.

Yours sincerely

**Darren Hemsley** Operations Manager Tayside & Grampian

Section/page	SNH advice
EP1 Natural Heritage, page 74	Change:  We recommend that the policy is amended to refer to The Conservation (Natural Habitats &c.) Regulations 1994 (as amended in Scotland) rather than the Habitats Directive, and that reference to 'Natura sites' is changed to 'European sites' as follows (strikethrough are recommended deletions, bold are additions):  "a) Natura 2000 European designations Development likely to have a significant effect on a Natura 2000 European site and which is not directly connected with or necessary to the conservation management of that site must be subject to an appropriate assessment of the implications for its conservation objectives. Proposals will only be approved where the appropriate assessment has ascertained that there will be no adverse effect on the integrity of the site.  In exceptional circumstances, proposals that could affect the integrity of a Natura-2000 European site may be approved where:  i) There are no alternative solutions, and ii) There are imperative reasons of over-riding public interest including those of a social or economic nature, and iii) Compensatory measures are provided to ensure that the overall coherence of the Natura European site network is protected.  For Natura 2000 European sites hosting a priority habitat or species (as defined in Article 1 of the Habitats Directive The Conservation (Natural Habitats &c.) Regulations 1994, as amended in Scotland), prior consultation with the European Commission' via Scottish Ministers is required (or compliance with the relevant process that should be established once the UK leaves the EU) unless the imperative reasons of overriding public interest relate to human health, public safety or beneficial consequences of primary importance to the environment."  For consistency, the Justification/Notes text for EP1 should also be amended to refer to 'European sites' rather than 'Natura sites'.  Reason:  As the proposed Plan will be adopted post-Brexit, it would be more accurate to refer to domestic legislation, in this case The Conservation (Natural Habi
EP2, biodiversity page 77	Change: We recommend a minor word change in the fourth paragraph, to better reflect the intentions of EP2 (and PP1): we suggest substituting 'biodiversity features' for "habitat creation".
	Reason: Some features that could be incorporated into development from the

outset to benefit biodiversity may not be habitats. For example amphibian friendly manholes and kerbs, nest boxes, badger gates, etc. In addition, some existing features may need to be retained rather than created, such as mature trees and existing habitats that have biodiversity value (as well as contributing to placemaking).  Change:  We recommend that the typologies are updated to include consideration of turbines over 150 metres in height: the 'very large, 130 – 150 metres' typology would be more encompassing if defined as 'very large, over 130 metres'.  Reason: Since the time that the Council's Onshore Wind Energy guidance was published, a number of wind farm proposals for turbines over 150 meters in height have been submitted in Scotland. This appears to be a growing trend. It would be beneficial for the proposed plan (and the guidance) to be updated to reflect this and ensure that all sizes of turbine are included.  Change:  We strongly recommend that a separate coastal policy is included in the plan, or as a minimum, that policy EP12 (Management and Enhancement of the Water Environment) is amended to include a separate section on coastal change. Whichever option is used, it should reflect the requirements of Scottish Planning Policy (SPP, 2014) paragraphs 88 – 91, particularly the presumption against artificial sea defences (SPP paragraph 88). It should also recognise and safeguard the role of natural habitats and processes that are providing natural defences for free along the Moray coast.  Reason:  We do not consider that the proposed plan meets the requirements of paragraphs 88 – 91 of SPP, in relation to coastal planning. The December 2017 Environment Topic Paper prepared by the Council in support of the Main Issues Report recognised that "The recently published Dynamic Coast: Scotland's National Coastal Change Assessment has highlighted that parts of the Moray coast are eroding more quickly than anticipated. This needs to be recognised in policy as it has potential implications for agriculture, tou	Appendix i Civil advice on the proposed plan							
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duries and sait maisines that provide nee coastal protection, set out the	management and enhancement of the water environment	We strongly recommend that a separate coastal policy is included in the plan, or as a minimum, that policy EP12 (Management and Enhancement of the Water Environment) is amended to include a separate section on coastal change. Whichever option is used, it should reflect the requirements of Scottish Planning Policy (SPP, 2014) paragraphs 88 – 91, particularly the presumption against artificial sea defences (SPP paragraph 88). It should also recognise and safeguard the role of natural habitats and processes that are providing natural defences for free along the Moray coast.  Reason:  We do not consider that the proposed plan meets the requirements of paragraphs 88 – 91 of SPP, in relation to coastal planning. The December 2017 Environment Topic Paper prepared by the Council in support of the Main Issues Report recognised that "The recently published Dynamic Coast: Scotland's National Coastal Change Assessment has highlighted that parts of the Moray coast are eroding more quickly than anticipated. This needs to be recognised in policy as it has potential implications for agriculture, tourism, transport, infrastructure, buildings, cultural and natural heritage interests." We agree with this statement.  When consulted on draft policies in October 2018, we advised that it would be beneficial to have a separate coastal section within the draft policy EP12 (Management and Enhancement of the Water Environment), or preferably a stand-alone coastal policy. This would avoid cluttering policy EP12, which is otherwise concerned with flooding and freshwater issues. Having a separate coastal policy would allow the Council to do a number of things: recognise and safeguard natural defences such as						

We recognise that efforts have been made to incorporate coastal change

into policy EP12. However, although EP12 mentions "coastal change", "sea level rise" and "coastal processes", there is no specific coastal section in the policy. This is likely to make the four references to the coast amongst text about flooding and freshwater issues unexpected and confusing for readers. We also acknowledge that policy DP1 (Development Principles) requires that development "must avoid areas at risk of coastal erosion and coastal change". However, we do not consider that this single reference to coastal issues fully meets the requirements of SPP, even when combined with policy EP12.

Since we gave our advice on the draft policies in October 2018, new analysis by Dynamic Coast (<a href="http://www.dynamiccoast.com/">http://www.dynamiccoast.com/</a>) has become available. Moray has approximately 190km of coastline, hosting a number of harbours, beaches and other assets important for the economy, natural and cultural heritage. When considering erosion and accretion data from Dynamic Coast, around 53% of Moray's coastline is predicted to experience coastal change by 2050.

Moray has a high proportion of soft erodible coastline (60%). The proportion of soft coastline experiencing erosion has tripled in recent times from 10% to 34%. A significant length of coast has experienced substantial erosion, ie 13km of shoreline has retreated more than 30m since the 1970s.

During the preparation of the proposed plan, we advised that two allocations in Burghead (T1 Caravan Park and T2 Caravan Park extension) and one in Findhorn (T1, Findhorn Sands and Findhorn Bay Caravan Parks) are predicted to be at direct risk from coastal erosion.

Existing built development tends to be clustered in settlements that are protected by either natural or artificial defences. Around 70% of coastal buildings are found behind artificial defences such as sea walls, with around 25% found behind natural defences such as dunes and saltmarshes. However, artificial defences require perpetual maintenance and spend to remain effective. Natural defences, and the natural processes that create and maintain them, whilst providing protection for free, require safeguarding in order to remain effective.

With a majority of the existing coastal buildings found behind existing natural or artificial defences, the significant increase in erosion combined with sea level rise means there is likely to be an increasing erosion and flooding issue to be managed into the future. Increased flooding and erosion is already being experienced in settlements along the Moray coastline, particularly between Kingston and Cullen.

However it is important to remember that buildings are not the only assets that are important in Moray. Harbours, beaches, monuments, habitats and coastal trails, as well as agricultural land that bounds the coast, also experience the effects of erosion and flooding. These assets all play an important part in the economy and heritage of Moray and also require consideration to manage expectations, particularly given the presumption against new artificial sea defences in SPP.

This indicates a need to have robust policy in place to address the current and longer term effects of coastal change, and to manage expectations around coastal assets important to the people, nature and economy of

	Moray.  We therefore strongly recommend that a coastal policy is included in the plan, or that policy EP12 is amended to include a separate section on coastal change. An example coastal development policy that the Council could adapt for Moray can be found in the 2017 Orkney Local Development Plan, policy 12 sections A and B via <a href="http://www.orkney.gov.uk/Files/Planning/Development-and-Marine-Planning/Local-Plan/OLDP_2017/Orkney_Local_Development_Plan_2017_2022.pdf">http://www.orkney.gov.uk/Files/Planning/Development-and-Marine-Planning/Local-Plan/OLDP_2017/Orkney_Local_Development_Plan_2017_2022.pdf</a> . We would be happy to work with the Council and provide advice on draft policy wording.
Glossary, Appendix 1	For consistency with EP1, the <b>Glossary</b> should be amended to refer to <b>'European sites'</b> rather than 'Natura 2000'.



11165/LET.001/SG

14.03.19

MORAY COUNCIL DEVELOPMENT SERVICES (DEVELOPMENT PLANS) HIGH STREET ELGIN IV30 1BX

Dear Sir/ Madam,

# 11165 – MORAY LOCAL DEVELOPMENT PLAN 2020: RESPONSE TO PROPOSED LOCAL DEVELOPMENT PLAN 2019 ON BEHALF OF SEAFIELD AND STRATHSPEY ESTATES

We refer to the current consultation on the Proposed Local Development Plan 2019 and wish to make a representation on behalf of Seafield and Strathspey Estates in relation to the settlements of Buckie, Portnockie, Findochty and Cullen.

### **Buckie**

Seafield and Strathspey Estates support the general strategy for Buckie and its identification as a secondary growth area. Buckie is the third largest town in Moray, and significant housing allocations should be made in the town to support its growth and existing services. In particular, the Estate support the continued allocation of sites R3 and R4 at Rathburn.

### Site R3 Rathburn North

Seafield and Strathspey Estates support the allocation of site R3 for 60 dwellings. The site is located adjacent to existing housing and employment areas and to the north of the main cycle and footpath network to Buckie Town Centre. Portessie Primary School is close by as are a number of public transport routes. The site is easily accessible by a range of transport modes and in close proximity to local employment, education and other facilities. The site is generally flat and doesn't suffer from any obvious development constraints.

The settlement statement notes that "the proximity of Rathburn South will have implications for the design of this new access road which will need to accommodate traffic from both sites." This is noted and given that both sites are in the same ownership, a mutual access road is not likely to be an issue.

The area has seen a slow market over previous plan periods, but the estate are marketing the site and developer interest has generally picked up given reason to believe that the site will be developed within this plan period.

This location and site remain viable and marketable for both private and mixed tenure albeit within the context of a slower market than in more urban areas. It is presently being marketed and is essential that it remain an allocated development site to enable successful marketing of the site. There are no other sites more suited to development in the area.

#### Site R4 Rathburn South

Seafield and Strathspey Estates support the allocation of site R4 for 60 dwellings. The site is located adjacent to existing housing and employment areas and to the north of the main cycle and footpath network to Buckie Town Centre. Portessie Primary School is close by as are a number of public transport routes. The site is easily accessible by a range of transport modes and in close proximity to local employment, education and other facilities. The site therefore remains an obvious choice as a zoned housing site.

The Proposed LDP outlines that development should be kept to the lower part of the sites. This is acknowledged, and would be dealt with in the design of housing layouts. The site would utilised access for site R3. As with site R3, the area has seen a slow market over previous plan periods but the estate are marketing the site, and developer interest has generally picked up.

This location and site remain viable and marketable for both private and mixed tenure albeit within the context of a slower market than in more urban areas. It is presently being marketed and is essential that it remain an allocated development site to enable successful marketing of the site. There are no other sites more suited to development in the area.

#### **Portnockie**

#### Site R1 Seabraes

Seafield and Strathspey Estates support the allocation of site R1 for 50 dwellings. We note that a phased development may be acceptable, and this is likely to be beneficial to bringing forward development on the site. The Proposed LDP identifies that three access points are required to continue the historic grid street pattern of the settlement. This is noted, and would be developed as part of the design of the site.

In summary, the Estate support the allocation of this site, it is needed to support services in Portnockie and there are no alternative sites that could serve the settlement as well.

#### **Findochty**

#### Site R1 Morven Crescent

Seafield and Strathspey Estates support the allocation of site R1 for 35 dwellings. The site sits at the edge of the existing village, has good access and is located close to all local amenities. As a development site it is perfectly feasible and can offer good amenity to potential residents.

The Proposed Plan details that the site could be phased, which is likely to make the site more deliverable. This site is presently being actively marketed as part of an estate-wide site marketing exercise. To date, the market has been slow but interest is picking up and we believe this site offers an excellent opportunity for a smaller scale housing development.

This location and site remain viable and marketable for both private and mixed tenures albeit within the context of a slower market than in more urban areas. It is presently being marketed and is essential that it remain an allocated development site to enable successful ongoing marketing of the site. There are no other sites more suited to development in the area.

#### Cullen

#### Seafield Place

Seafield and Strathspey Estates object to the failure to allocate land at Seafield Place for residential development (former site R1). A representation was made to the Main Issues Report seeking continued allocation of site R1 at Seafield Place for 30 dwellings. This is a site which has been allocated in the Local Development Plan since 2008. We therefore strongly disagree with its removal from the Proposed Plan.

Moray Council have removed the site from the Proposed Plan on the grounds that it is a longstanding designation that has been in successive local plans with little developer interest. The site is also said to be prominent in the skyline. We would disagree with this assessment. There have been five dwellings built out within the site boundary, fronting Seafield Place, and an access has been formed off Seafield Road into the site, at significant cost. Development has therefore commenced on the site.



Extract from google streetview showing site access and houses built on site R1.



Extract from 2015 LDP which has been annotated to reflect development on the site

### Landscape / Visual Impact

The site is located to the east of the town and sits on a plateau to the east of Seafield Place. The topography of Cullen, which is set on land that slopes towards the coast means that although the site is slightly elevated above existing development, it is not readily visible from any vantage within the town. However, the site would offer excellent coastal views if developed.

In relation to the marketability of the wider site, we would also note that there are a number of sites in Moray that have been allocated in successive local plans, and unfortunately due to the economic climate, haven't been developed. The site has been marketed on more than one occasion, and there has been interest in this site, but as yet a developer hasn't been in a position to take forward the site. But this is only due to the Moray wide housing market and not site specific. We expect that the site will come forward when the market conditions allow given it offers excellent development potential.

There is a need to allocate housing land in the Buckie Housing Market Area. The 2018 Housing Land Audit shows that of a requirement for 410 houses, there are only 251 expected completions between 2018-2022. There are also an additional ten sites within the Buckie Local Housing Market Area that are constrained due to marketability, including site R2 on Seafield Road in Cullen.

The Estate would therefore request that former site R1 on Seafield Place is reinstated as an allocation in order to help meet the housing requirements of the area, and offer a choice of housing sites to meet the needs of Cullen. The site is a desirable housing site, offering views over the coast and would not have an adverse landscape impact or breach the skyline of Cullen. Development has commenced on the site including the formation of a site access.

I trust the above will be considered in response to the Proposed Local Development Plan 2019. Please do not hesitate to get in touch should you require any further information in relation to the above sites.

# Yours Faithfully,





Our ref: PCS/162977 - PP

Your ref: LDP

If telephoning ask for: Alison Wilson

6 March 2019

Rowena MacDougall
The Moray Council
Planning and Development
Environmental Services
High Street
Elgin
IV30 1BX

By email only to: localdevelopmentplan@moray.gov.uk

Dear Ms MacDougall

#### MORAY LOCAL DEVELOPMENT PLAN 2020 - PROPOSED PLAN: VOLUMES 1 - 3

Thank you for your consultation email which SEPA received on 7 January 2019 highlighting the publication of your Proposed Plan (hereby referred to as the Plan). We welcome the opportunity to comment on the Plan as part of the ongoing and productive liaison between us.

The below appendix provides our detailed advice on the proposed plan documents and assessments and other supporting documents, Volumes 1 - 3. We are pleased to be able to confirm that there are no sites within the Plan which we consider should be removed due to environmental constraints such as flooding. However there are a small number of sites where the Developer Requirements we requested at the Main Issues Report/draft Proposed Plan stage have not been included and so we **object** seeking amendments to address these. In addition we **object** to one section of the wording in Policy EP12.

As discussed at the meeting on 5 March 2019 we have provided our comments on Volume 4: Delivery Programme and Volume 5: Supplementary Guidance by separate cover. In addition our comments on the Environmental Report have been provided separately via the Scottish Government SEA gateway. Should you wish to discuss this letter please do not hesitate to contact me on 01224 266656 or planning.aberdeen@sepa.org.uk.

**Bob Downes** 

Chief Executive Terry A'Hearn

Yours sincerely

Alison Wilson Senior Planning Officer Planning Service





#### **Appendix 1: SEPA response to the Proposed Plan**

To assist you our comments follow the order of the Plan. In addition to the issues summarised above we have also included where we have picked up for example typographical errors to assist you.

#### 1. Volume 1 Policies

1.1 We have found the opportunities for involvement from the early stages of this Plan very productive. The opportunities for comment on draft versions enable us to on the whole support the Plan policies and we welcome the emphasis on placemaking. We are very happy to see that much of our previous comments on the working draft of the policies, from our letter of 11 October 2018 (our reference PCS/161453), have been taken on board. Unfortunately however there is one section of wording in Policy EP12 which we cannot support. Please note our further advice below.

#### 1.2 <u>EP12 Management And Enhancement Of The Water Environment</u>

We welcome that the amendments we previously requested have been made to Policy EP12. But note since we saw a draft version of this Policy, under Section a) flooding, the additional wording (in italic) has been added "Land raising and elevated buildings on structures such as stilts are unlikely to be acceptable as they are unsustainable in the long term due to sea level rise and coastal change."

- 1.3 The Committee Report details that SNH has asked for more policy coverage of coastal change and rising sea levels was raised by a third party. We support the introduction of the reference in the Plan to sea level rise and coastal change however have concerns with the insertion of the reference in this sentence. Stilts can also interfere with flows, trap debris and create islands of development which can lead to an increase in flood risk to people and property contrary to the flood risk principles of Scottish Planning Policy. In addition this wording implies land raising and buildings on structures would be acceptable in non-coastal areas and if there are no sea level rises or coastal change, which is not the case.
- 1.4 As such we **object** to the use of the wording highlighted above in italic in this specific section and request that the wording "as they are unsustainable in the long term due to sea level rise and coastal change" be removed from the sentence **or** alternatively the sentence is expanded to also include the other reasons why stilt solutions are a problem.
- 1.5 We can confirm we are **supportive** of the wording of Policy: PP1 Placemaking; PP2 Sustainable Economic Growth And PP3 Infrastructure & Services; DP1 Development Principles; DP2 Housing; DP3 Long Term Land Reserves; DP4 Rural Housing; DP5 Business & Industry; DP6 Mixed Use (Mu) And Opportunity Sites (OPP), DP7 Retail/ Town Centres, DP8 Tourism Facilities & Accommodation; DP9 Renewable Energy; DP10 Minerals; DP11 Gypsy/ Travellers/ Travelling Showpeople, EP1 Natural Heritage Designations, EP2 –Biodiversity; EP3 Special Landscape Areas And Landscape Character, EP4 Countryside Around Towns; EP5 Open Space; EP6 Settlement Boundaries; EP7 Forestry, Woodlands And Trees; EP13 Foul Drainage, EP14 Pollution, Contamination & Hazards; EP16 Geodiversity And Soil Resources; DEL 1 Delivery of Effective sites and Delivery Programme and Appendix 2: Electric Charging Points.
- 1.6 We have no specific comments on the following policies as they relate to matters outwith our remit: EP8 Historic Environment; EP9 Conservation Areas, EP10 Listed Buildings,

EP11 Battlefields, Gardens and Designed Landscapes; EP15 MOD Safeguarding; DEL2 Maintaining an effective supply of land for housing and employment uses.

#### 2. Volume 2 Settlement Statements

2.1 We are very pleased to see that most of our previous advice on the settlements in the draft Proposed Plan (refer our letter of 27 September 2018, our reference PCS/160933) have been incorporated, however there are a number of sites where our requirements have not been included and we are obliged to object as detailed below.

#### 2.2 **Aberlour R2 -Speyview**

We welcome that the requirement for a Flood Risk Assessment has now been attached to this allocation. However in our letter of 27 March 2018 (our reference PCS/156847) we also advised that our "GIS shows a patch of rough grassland to the west of the site (outside) that might potentially have GWDTE. A Phase 1 Habitat Survey will be required." To ensure that impacts on wetlands are minimised in line with the Water Framework Directive and consistency with other similar Developer Requirements within the Plan we **object** to this allocation unless the supporting text for this allocation highlights the requirement for a Phase 1 Habitat Survey.

2.3 We note there is a current undetermined planning application, 18/01373/APP, within the boundary of this allocation. We have not been consulted on this application but from the site plan on the council website this application is in the northern area of R2. However the rough grassland is in on the western boundary below the property Delene so we would be satisfied the requirement for a Phase 1 Habitat Survey would not apply to this current planning application.

#### 2.3 Buckie LONG 1

In our response to the draft Plan we commented "In our response of 24 July 2018 (our reference PCS/159377) we advised for LONG 1 (BK11)

Site Location	Site Reference	Summary of the change/wording required or advice	OPTION A: Recommend removal from plan	OPTION B: Assessment of flood risk required	ADVISORY ONLY: Surface Water Hazard - this column is to highlight to the PA the fact that a surface water hazard has been identified at the site. We recommend in the planning response that the PA take the issue forward through discussion with their flood prevention and roads department colleagues and Scottish Water, where relevant
LDP2020_MIR_BK11	Land at south west, Buckie	Watercourses on both east and west boundaries as well as within the site. FRA may be required to support development proposals. Surface water may also be an issue for part of the site.	No	Yes	Yes

We welcome the reference to the distillery but as per our previous advice are likely to objection to this allocation unless the allocation text is amended to highlight an FRA may be required."

- 2.4 The Committee report references our requirement for the need to carry out a FRA and the SEA report also references a "Flood Risk Assessment or other information will be required." To ensure that people and property are protected from flood risk in line with Scottish Planning Policy and the Flood Risk Management Act, that the mitigation measures identified in the ER are implemented, and consistency with other similar Developer Requirements within the Plan we **object** to this allocation unless the requirement for a flood risk assessment is added to the allocation text.
- 2.4 **Buckie OPP3, OPP4, OPP5, OPP6, T1 and T2** states "Developments to be connected to mains water and sewerage, or otherwise to demonstrate that there will be no adverse effect on the integrity of the proposed Moray Firth Special Protection Area (pSPA) or cause changes in water quality affecting the habitats and prey species that the qualifying interests of the pSPA rely on." We consider this statement would support private drainage provided it is demonstrated that there will be no adverse impact on the SPA.
- 2.5 We previously advised that as "Buckie has a population of 8,541, foul drainage from all proposed development should connect to the public foul sewer. The requirement for connection to the public sewer would apply to all development in settlements greater than 2000 population equivalent and in public sewered areas and we would welcome a specific settlement statement to this effect for these main settlements." This position complies with our Planning advice on waste water drainage and Policy and Supporting Guidance on Provision of Waste Water Drainage in Settlements WAT-PS-06-08.
- 2.6 The provision of a sustainable drainage infrastructure is integral to improving and maintaining a good quality water environment. To ensure that impacts on the water environment are minimised in line with the Water Framework Directive and consistency with other similar Developer Requirements within the Plan we **object** to the wording of allocations OPP3, OPP4, OPP5, OPP6, T1 and T2 unless the allocation wording for these sites is **amended** to remove reference to sewerage, **similar** to example the wording for R1 Dufftown: "Demonstrate that there will be no adverse effect on the integrity of the river Spey Special Area of Conservation (SAC) from development activity causing pollution or sediment to reach the SAC, or changes to water quality and quantity." **Or** example sites T3, HBR1, HBR2 Lossiemouth: "Development must be connected to mains water and sewerage to ensure no adverse effect on the integrity of the proposed Moray Firth Special Protection Area (pSPA) (this requirement overrides the exception within Policy EP13 Foul Drainage)."

#### 2.7 Burghead - LONG

We reiterate "In our response of 27 March 2018 (our reference PCS/156847) we advised for LONG "Protection of the water environment: The land use is mainly arable land and improved grassland. However there is some rough grassland on the NE corner (outside of development site) which will require a Phase 1 Habitat Survey in order to identify any potential groundwater dependant terrestrial ecosystems. Developer requirement: Phase 1 Habitat Survey will be required to support any planning application and the development designed to avoid any sensitive habitats." We would welcome the supporting text for this allocation highlighting the requirement for a Phase 1 Habitat Survey." To ensure that impacts on wetlands are minimised in line with the Water Framework Directive and consistency with other similar Developer Requirements within the Plan we **object** to this

allocation unless the supporting text for this allocation highlights the requirement for a Phase 1 Habitat Survey.

#### 2.8 **Keith R7**

We reiterate that the current plan allocation text states "A walkover and photographic survey of habitats is required to assess the presence of wetlands and to identify any consequent requirement to address/mitigate the impact on groundwater dependant terrestrial ecosystems", however this wording has been removed from the proposed plan allocation. To ensure that impacts on wetlands are minimised in line with the Water Framework Directive and consistency with other similar Developer Requirements within the Plan we **object** to this allocation unless the above wording, or similar, is added to the supporting text for this allocation.

#### 3. Volume 3 Rural Groupings

3.1 We are happy to see that most of our previous advice, when we commented on the draft Rural Groupings Statement in our letter of 11 October 2018 (our reference PCS/161412), has been incorporated. Unfortunately however there are three Rural Groupings where our advice has not been fully incorporated and we are obliged to object as detailed below.

#### 3.2 Maverston

In our previous response for Maverston, referenced above "We previously advised "Further to the advice in our response of 17 September 2015 (PCS/141788) "We would request the foul drainage connects to the public sewer." We request that wording the same to that used for Rathen "all development must be connected to the public sewer." Is included in this grouping statement." In line with our <u>Planning advice on waste water drainage</u> and <u>Policy and Supporting Guidance on Provision of Waste Water Drainage in Settlements WAT-PS-06-08</u>, due to the consented scale of development here, 40 houses, two golf clubs and leisure facilities, development in this grouping should connect to the public sewer, or connect to a system built to an adoptable standard which is adopted by Scottish Water. To ensure that impacts on the water environment are minimised in line with the Water Framework Directive and consistency with other similar Developer Requirements within the Plan we **object** to this rural grouping unless the wording "all development must be connected to the public sewer" is added to the allocation text.

3.3 This requirement ties in with our comments on the current undetermined planning application 18/01312/APP. In our response of 13 November 2018 to application 18/01312/APP we advised "We have no objection to this planning application subject to planning condition. Please note the advice provided below.

As we understand there is planning permission already in place for application reference 06/01554/REM which was for 40 houses.

Our previous comments on this application - 6/01554/REM (letter of 6 August 2008) stated that;

"SEPA also notes from the above referenced letter that the proposal includes the installation of an adoptable foul water system which will be pumped to the existing pumping station at Urguhart and therefore SEPA has no objections to this aspect of the proposal."

We note on the planning application form submitted with this application that there will be no changes to the drainage arrangements for this site. In that regard, we have no objection to the proposed development subject to a planning condition to ensure the development connect to the public sewer or development of a system built to an adoptable standard and

Scottish Water confirms adoption."

#### 3.4 Rafford Station

In our previous response for Rafford Station we reiterated our advice on drainage and welcomed the requirement for an FRA and assessment of peat. However we note the wording "Peat soils are present on site and proposals may need to be supported by a peat survey to establish peat depths" has been removed.

3.5 Our GIS indicates some peat on site and the recommendation in the Committee Report states "Designate Rafford Station as a new rural grouping in the Proposed Plan. Designation text will reference requirement for a Flood Risk Assessment (FRA) and the need to consider peat depth. Further detail will be provided in terms of the scale of development and the design principles for the grouping." To ensure that impacts on carbon rich soils are minimised in line with paragraph 205 of Scottish Planning Policy and consistency with other similar Developer Requirements within the Plan we **object** to this rural grouping unless the previous wording, or similar, is reinstated to the allocation text or the rural grouping is removed.

#### 3.4 **Upper Dallachy**

In our previous response for Upper Dallachy we commented "For Site A (LDP2020\_MIR\_UD1) we previously advised "A FRA may be required to assess flood risk from the Gowktree Burn, and to assess any culverts on the watercourse which could impact on the development areas or exacerbate flood risk. We are likely to object unless wording is included to highlight this requirement." We note Site A is still included in the grouping. To ensure that people and property are protected from flood risk in line with Scottish Planning Policy and the Flood Risk Management Act and consistency with other similar Developer Requirements within the Plan we **object** unless wording to highlight the requirement for a Flood Risk Assessment for Site A is included in the allocation text.

#### 4. Appendix 2 Assessments and Other Supporting Documents

Strategic Environmental Assessment (SEA)

4.1 Our comments on the SEA will be provided by separate cover.

Habitat Regulation Appraisal and Schedule of Land Ownership

4.2 We have no comments on these supporting documents.

#### Strategic Flood Risk Assessment (SFRA)

4.3 We previously commented on a draft version of the SFRA in our letter of 22 November 2018 (our reference PCS/162324). Further to our advice on Section 5, on also including the settlements with carried forward sites where there are flood risk issues in the SFRA, we welcome this section now confirms that only the following settlements are not included in the assessment: "Alves as there is no identified flood risk and Kingston on Spey as the susceptibility to flooding means there are no greenfield or redevelopment sites identified" and are supportive of the SFRA.

From: eforms@moray.gov.uk

To: Localdevelopmentplan

Subject: RO\_R1 - 002116

Date: 04 March 2019 19:19:07

# Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

# **Your Details**

Title: 1965

Forename(s): David

Surname: Shand

## 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: Yes

Other: Yes

# Site Objections

Name of town, village or grouping: Rothes

Site reference: R1

Site name: Spey Street

Comments: Concerned with flooding issues with addition of further 30 houses

including drainage implications.

## **Policy Objection**

Policy:

Comments:

# Other Objection

Document commenting on: R1

Comments:

From: eforms@moray.gov.uk

To: Localdevelopmentplan

Subject: EL\_OPP11 - 002123

Date: 06 March 2019 16:12:11

# Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

### **Your Details**

Title: Mr

Forename(s): David Thomas

Surname: Sharp

#### 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

### Site Objections

Name of town, village or grouping: Elgin

Site reference: OPP11

Site name: Walled Garden

Comments: OPP11 I wish to register an objection to OPP11 Walled Garden, Elgin. As a Friend of The Biblical Garden, I was saddened to read the proposed plans for the Walled Garden as it is the base for 2 training enterprises, one Greenfingers and the other Moray College Horticultural Section; this proposed area is used on a daily basis by the students and contains greenhouses, poly tunnels, potting shed and machine storage. Moray College is the only horticultural training provider north of the Central Belt. The facilities on OPP11 are necessary for the maintenance and development of the Biblical Garden, a venue which attracts 40,000 plus visitors per annum. The Biblical Garden is well used by the local community. Sale of OPP11 will result in the demise of the College horticultural section and the Biblical Garden.

From: eforms@moray.gov.uk

To: Localdevelopmentplan

Subject: EL\_OPP11 - 002127

Date: 07 March 2019 10:30:05

# Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

### **Your Details**

Title: Mrs

Forename(s): Margaret

Surname: Sharp

#### 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

### Site Objections

Name of town, village or grouping: Elgin

Site reference: OPP11

Site name: Walled Garden, Elgin

Comments: I am objecting to the sale of the walled garden in Elgin as outlined in OPP11. The Council has a laudable aim to sell off ?vacant/derelict land and empty properties? to raise money to balance the budget, however part of OPP11 is far from vacant or derelict, rather being the working heart of The Biblical Garden. There is a classroom for the training of horticulture students, green houses, a potting shed and cold frames for the cultivating of plants to be used in The Garden and there are sheds to store all the lawnmowers, hedge trimmers, rakes and hoes etc necessary for the upkeep of The Garden. All of these are used daily (weekdays). Relocation of these facilities is not a realistic proposition. While Moray Council is not intending closing the Biblical Garden per se, the selling of the land earmarked in OPP11 would have that effect. The sale of land would mean the end of the Horticulture courses at Moray College, the only college to run such courses north of the central belt. Few of the local students would be in a position to undertake training elsewhere. The Biblical Garden is a wee haven in Elgin, peaceful and tranquil. It is well used by locals e.g. for picnics, wedding photos, yoga group, and it is becoming more and more popular with tourists and coach tours, with 4 or 5 coaches a day visiting in summer.

From: eforms@moray.gov.uk

To: Localdevelopmentplan

Subject: EL\_OPP11 - 001966

Date: 24 January 2019 14:36:52

# Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

### **Your Details**

Title: Mr

Forename(s): John Fernie

Surname: Sherry

#### 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: Yes

### Site Objections

Name of town, village or grouping: Elgin

Site reference: OPP11

Site name: Wall Garden - Biblical Garden

Comments: Delivery Plan Action 11. The description within the Delivery Plan is a misrepresentation of this site. These Facilities are not Vacant nor are they Derelict. This site is currently in co-use by the Environmental Services Moray Council Ground Maintenance. Within the boundaries deemed as Opp11 Walled Garden, are glasshouses, poly-tunnels, and porta-cabin classrooms used by Greenfingers a learning needs facilitator. Moray College Horticulture Department currently teach Scottish Vocational Training Level 1,2,3 and Higher National for the horticulture occupational skills within Moray. These facilities are integral to upkeep of the Biblical Garden a major tourist attraction receiving forty eight thousand visitors per year. The funding for the continued maintenance is provided by the voluntary sector The Friends of the Biblical Garden and Moray College Students.

site\_obj\_name\_town\_village\_grouping: Friends of the Biblical Garden

site obj reference: OPP11

site\_obj\_name : Walled Garden Biblical Garden

site\_obj\_comments: The description within the Delivery Plan is a misrepresentation of this site. These Facilities are not Vacant nor are they Derelict. This site is currently in co-use by the Environmental Services Moray Council Ground Maintenance. Within the boundaries deemed as Opp11 Walled Garden, are glasshouses, poly-tunnels, and porta-cabin classrooms used by Greenfingers a learning needs facilitator. Moray College Horticulture Department currently teach Scottish Vocational Training Level 1,2,3 and Higher National for the horticulture occupational skills within Moray. These facilities are integral to upkeep of the Biblical Garden a major tourist attraction receiving forty eight thousand visitors per year. The funding for the continued maintenance is provided by the voluntary sector The Friends of the Biblical Garden and Moray College Students.

#### Policy Objection

Policy: EP11 Battlefields, Gardens and Designed Landscapes

Comments: The description within the Delivery Plan is a misrepresentation of this site. These Facilities are not Vacant nor are they Derelict. This site is currently in co-use by the Environmental Services Moray Council Ground Maintenance. Within the boundaries deemed as Opp11 Walled Garden, are glasshouses, poly-tunnels, and porta-cabin classrooms used by Greenfingers a learning needs facilitator. Moray College Horticulture Department currently teach Scottish Vocational Training Level 1,2,3 and Higher National for the horticulture occupational skills within Moray. These facilities are integral to upkeep of the Biblical Garden a major tourist attraction

receiving forty eight thousand visitors per year. The funding for the continued maintenance is provided by the voluntary sector The Friends of the Biblical Garden and Moray College Students.

policies\_list: DP6 Mixed Use (MU) and Opportunity Sites (OPP)

policy\_obj\_comments: The description within the Delivery Plan is a misrepresentation of this site. These Facilities are not Vacant nor are they Derelict. This site is currently in co-use by the Environmental Services Moray Council Ground Maintenance. Within the boundaries deemed as Opp11 Walled Garden, are glasshouses, poly-tunnels, and porta-cabin classrooms used by Greenfingers a learning needs facilitator. Moray College Horticulture Department currently teach Scottish Vocational Training Level 1,2,3 and Higher National for the horticulture occupational skills within Moray. These facilities are integral to upkeep of the Biblical Garden a major tourist attraction receiving forty eight thousand visitors per year. The funding for the continued maintenance is provided by the voluntary sector The Friends of the Biblical Garden and Moray College Students.

From: eforms@moray.gov.uk

To: Localdevelopmentplan

Subject: AR\_R2 - 002181

Date: 14 March 2019 22:21:08

# Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

### **Your Details**

Title: Mr

Forename(s): lan

Surname: Simpson

#### 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: Yes

Other: Yes

### Site Objections

Name of town, village or grouping: Archiestown

Site reference: Archiestown - R2

Site name: R2 South Lane

Comments: I have lived in Archiestown on South Lane for the past 63 years and have seen a dramatic decline in flora and fauna, especially in the last ten years. This used to be a peaceful village with little traffic and an abundance of wildlife - deer, badgers, foxes, hedgehogs, red squirrels, capercaillies, pheasants, siskins, finches, redpoles, woodpeckers, great tits, blue tits, longtailed tits, coaltits, yellowhammers. Sadly the increase in inhabitants and related traffic has reduced the safe environs for its wildlife. The High Street is the main thoroughfare to continuous traffic - be it tourist related, or more commonly industrial lorries which thunder through the village at excessive speeds. The South Lane is a safer haven for those villagers who enjoy a walk - be they old age pensioners or parents with young children. R2 South Lane site is now the only green belt site left in the village where villagers and visitors can enjoy uninterrupted views of our wonderful landmark Ben Rinnes. To allow four houses to be built on this land would not only deny the locals their open space but also create a second High Street with more traffic than it can safely cope with. Children are often playing on their bicycles as it is regarded as a "safe" haven for them - not so if another four or eight cars make their appearance. I do hope the safe welfare of the inhabitants will be taken into consideration and also the preservation of the current flora and fauna levels and not allow these houses to be built.

### **Policy Objection**

Policy:

Comments:

### Other Objection

Document commenting on: '

Comments:

 From:
 eforms@moray.gov.uk

 To:
 Localdevelopmentplan

 Subject:
 EL\_OPP11 - 002185

 Date:
 14 March 2019 19:05:06

# Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

### **Your Details**

Title: Mrs

Forename(s): Michelle

Surname: Slater

#### 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

### Site Objections

Name of town, village or grouping: Elgin Central

Site reference: OPP11

Site name: Walled Garden

Comments: I am objecting to the proposed changes to the Walled Garden, including the Biblical Gardens and Greenfingers enterprise. I am a Horticulture SVQ Level 2 student at Moray College and it would be a disaster if we lost our training place. The Biblical Garden's provide us with valuable training opportunities, and the course couldn't run without this facility. Personally, I wouldn't be able to fulfil my dream of training as a gardener and setting up my own gardening business. It would be terrible to loose the Greenfingers Enterprise as well, which provides valuable and meaningful training and employment opportunities for people with special needs. The Gardens are well used by tourists, we see many visitors throughout the year when we are working in them, people of all nationalities enjoy them, so it would be very shortsighted to tear them down and replace them with a hotel. There are plenty of other areas in and around Elgin that would be more suitable for a hotel sight, and less damaging than destroying the Biblical Gardens. I sincerely hope the council has more common sense than to proceed with this proposal.

From: eforms@moray.gov.uk

To: Localdevelopmentplan

Subject: MS\_I3 - 002002

**Date:** 09 February 2019 12:56:14

# Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

### **Your Details**

Title: mr

Forename(s): IAIN

Surname: Smart

#### 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: Yes

Other: Yes

### Site Objections

Name of town, village or grouping: Mosstodloch

Site reference: Mosstodloch-13

Site name: 13 West of Mosstodloch

Comments: Having this as an industrial site means the village is surrounded by industrial access. There is already 3 other industrial sites in the village, how does this impact on village development and community development especially when there are no services to support. Huge detriment to village and community life. Mosstodloch is reinforced as second class compared to Fochabers. Think of overall village health of people and facilities. I did not purchase a house in a village to be surrounded with industrial land. This was never mentioned on house land checks unlike bypass.

	Pol	icy	Ob	ecti	on
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Policy:

Comments:

### Other Objection

Document commenting on: mosstodloch 13

Comments:

From: eforms@moray.gov.uk

To: Localdevelopmentplan

Subject: MS\_I3 - 002001

**Date:** 09 February 2019 12:44:11

# Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

### **Your Details**

Title: Mrs

Forename(s): Kristeen

Surname: Smart

#### 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: Yes

### Site Objections

Name of town, village or grouping: Mosstodloch

Site reference: Mosstodloch -13

Site name: 13 west of Mosstodloch

Comments: This results in Mosstodloch being surrounded and accessed by 3 industrial sites. Current industrial site could be expanded. There is no clear description of what the industrial land would be used for. consideration needs to be given to environmental pollution including fresh air/ ongoing smell/ rubbish collection/control of rats etc contamination to water supplies. Can the current water /waste supplies support new buildings especially industrial. should chemicals etc be allowed to be near living areas' Mosstodloch already has wood pollution from sawmill. How are the people and their health in living in the nearby houses going to be screened from noise, smell, waste mater and hazardous substances and ensure health standards maintained' More communication required. People are more likely to travel to the towns for work.

### Other Objection

Document commenting on: 13 west of Mosstodloch

Comments: see previous page comments

From: ALISTAIR SMITH

To: Localdevelopmentplan

Subject: RF\_R1 - 000718

Date: 21 February 2019 00:57:19

Dear Madam/Sir,

We are writing to you with an objection to the "Proposed Plan 2019" in respect of the area in Rafford that has been called R1 Brochloch.

A couple of key sentences have been deleted from the Moray Local Development Plan 2015, and we would like them re-instated.

#### These are:

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

We are particularly concerned about the first deletion, relating the area to the rear of the existing houses. We hope this is an oversight, and not an intentional change.

Please also note that there are no existing septic tanks that would be suitable for any additional houses. All septic tanks in the area serve individual houses, and are privately owned and maintained. Indeed to add sufficient septic tanks to service 12 houses in such a confined area, would seriously raise and pollute the local water table, and impact on the existing properties in that area.

#### Extract from Moray Local Development Plan 2015:

R1 Brockloch 1.7ha, capacity 12 houses

- This site extends to 1.7 hectares and has a capacity for 12 houses.
- Access into the site should be by a single access. A visibility splay of 4.5mx95m must be provided at the junction onto the B9010.
- Consideration to be given to safe routes to school, which may take the form of a bus bay for school buses.
- A 2.0m wide footway must be provided along the frontage of the site, complete with surface water drainage.
- Drainage arrangements (including the satisfactory disposal of surface water to avoid flooding) must be acceptable to SEPA and Scottish Water. This will not necessarily be by "mains" drainage. Connection to the existing septic tanks would require Scottish Water to upgrade the facilities and this would be investigated with the developer. Alternatively the developer could investigate the provision of a private septic tank.
- Development proposals should incorporate traditional features in the house designs. The area to the rear of the existing houses must be retained as opens space/ landscaping. Houses should respect the scale and character of the traditional houses in the village.
- Overhead cables will require to be relocated.
- A natural stone wall must be provided along the road frontage reflecting a common

feature in the village.



Best regards

Alistair & Dawn Smith



From:

To: Locald
Subject: EL\_OF

Localdevelopmentplan EL\_OPP11 - 002081 25 February 2019 10:05:25

# Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

## **Your Details**

Title: Mr

Date:

Forename(s): Cameron

Surname: Smith -

#### Your Address



### **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: No

Other: Yes

## Other Objection

Document commenting on: Proposal to develop a hotel on the biblical gardens

Comments: The biblical gardens is a vital teaching resource for the horticulture students. It allows them to apply their skills and knowledge in real world conditions which has a vital application in the agricultural sector and even the pharmaceutical and brewing sectors. This proposal wishes to remove this resource and therefore lower the quality of education these students receive. If the council is for education then this plan should be rejected or the horticulture pupils should be given a new garden otherwise it will be clear this council is anti education which will reflect poorly on the council come election time.

From: eforms@moray.gov.uk

To: Localdevelopmentplan

Subject: EL\_OPP11 - 002063

Date: 22 February 2019 13:18:56

# Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

### **Your Details**

Title: Ms

Forename(s): Charlotte

Surname: Smith

#### Your Address



### **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

## **Policy Objection**

Policy: EP11 Battlefields, Gardens and Designed Landscapes

Comments: Walled garden in central Elgin. Losing a valuable college course and a tourist attraction such as the Biblical Gardens is a false economy that will cause irreparable damage to the area.

policies\_list:

policy\_obj\_comments:

From: eforms@moray.gov.uk

To: Localdevelopmentplan

Subject: EL\_OPP11 - 002041

Date: 22 February 2019 09:04:21

# Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

### **Your Details**

Title: Mrs

Forename(s): Michele

Surname: Smith

#### 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: Yes

Other: Yes

### Site Objections

Name of town, village or grouping: Elgin Central

Site reference: OPP 11

Site name: Walled Garden

Comments: You have lost leave of all your senses if you honestly think that knocking down an educational building in place of a soulless hotel is an option - GET A GRIP! and as for replacing it with grass, then who do you think will maintain this soon to be wasteland' - because it certainly won't be the council. The Biblical Garden is one of the painfully few tourist attractions in Moray. It's not all about whisky. I foresee that you will all find yourselves out of a job very quickly if you allow this to happen. There are plenty of places to put a hotel, not least in one of the many desolate fishing villages along the coast. Be reminded that you are there to serve the people of Moray not take bribes from hotel chains.

## **Policy Objection**

Policy:

Comments:

### Other Objection

Document commenting on: OPP 11

Comments:

Sirs,

As a long term resident of Moray involved in doing my bit to attract people to the area and also a keen gardener, I am very aware of the benefits of gardening and gardens to the health and well being of the active gardener and the passive user. I also know how places of floral beauty and peace and calm can attract visitors from far afield. Any action which would make the operation of The Biblical Garden in Elgin difficult or impossible has to be reversed. The Biblical Garden has been developed and maintained in part by the enthusiasm of Moray residents and it would be a real insult and retrograde step to allow the land which is required to maintain this asset to be sold for development. In fact it would show that those who run our authority have little or no pride in what has been achieved so far and what it has done for the reputation of Elgin. I wonder if, in mooting a hotel, those responsible thought it would have a beautiful garden on its doorstep. Gardens do not work that way. They all have hidden areas which the public do not see, which are absolutely essential to their maintenance. OPP!! is such an area.

I therefore urge the powers that be, to reconsider the designation of OPP11 in the latest local plan and leave the existing facilities as at present thus allowing a much loved and admired asset to Elgin and Moray to thrive.

Yours sincerely,

Alan C. Souter

From: eforms@moray.gov.uk

To: Localdevelopmentplan

Subject: EL\_OPP11 - 002040

Date: 22 February 2019 09:03:58

# Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

### **Your Details**

Title: Mr

Forename(s): Joseph

Surname: Souter

#### 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: Yes

### Site Objections

Name of town, village or grouping: Elgin

Site reference: Biblical garden

Site name: Biblical garden

Comments: As a student of Moray College UHI, I have seen first hand how beneficial and important the biblical garden is to the college. I strongly object to the proposal for a hotel in it's place. Surely there could be an alternative site available that does not affect the opportunities for young people in Moray, which the council seems dead set on removing. It's no wonder that moray is becoming undesirable for young people, and a "brain drain" area if this is the way that valuable educational sites are treated.

### **Policy Objection**

Policy:

Comments:

From: eforms@moray.gov.uk

To: Localdevelopmentplan

Subject: EL\_OPP11 - 002157

Date: 13 March 2019 00:42:21

# Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

### **Your Details**

Title: Mr

Forename(s): David

Surname: Southcombe

#### 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

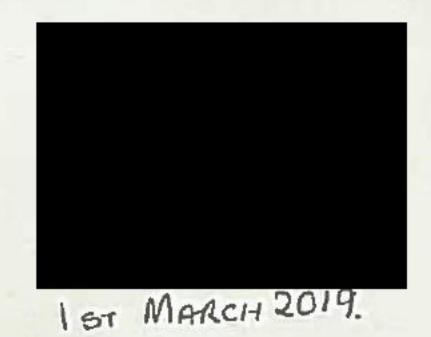
### Site Objections

Name of town, village or grouping: Elgin

Site reference: OPP11

Site name: The Walled Garden

Comments: I wish to object to the local development plan to include the Walled Garden as part of the proposed Hotel development. The Walled Garden is an integral part of the Biblical Garden in that it provides greenhouse space for the growing of plants for use in that garden at low cost ,without the expenditure of buying in plants which the Biblical Garden could ill afford on it's limited income & which might render it's existence untenable. It also provides various sheds for tools & equipment close at hand to the Biblical Garden plus Classrooms utilised by Horticultural Students from Moray College plus the Greenfingers group who provide important help to disadvantaged adults. In these days of council garden cutbacks the Biblical Gardens become even more important to Elgin, especially when most of the upkeep is done by dedicated volunteers.



Dear Sus.

MORAY LOCAL DEVELOPMENT PLAN 2020 SITE REFERENCE: DYKE R-3 SITE NAME: R3 FIR PARK ROAD SITE DESCRIPTION: DESIGNATE SITE FOR 3 HOUSES.

With reference to the above plan, we wish to make the following

1) This is a very poor use of prime agricultural land.
2) The siting of new houses there would not be in keeping with the rest of the houses on that side of the road.

3) This could be the start of pubbon development at this end

of the village

- 4) When Glenavon was built, we were told that the sewer By Stem here was at full capainly, and yet there are now two additional houses plus a cabin flowing into the system. When the houses below are pumping up waste, this flows back into our outlet causing a severe stench.
- 5) The road there is very narrow and would have to be widoned to allow access for the houses
- d the village and there are no new facilities being provided for the residents

7) The view from Old Mason Lodge, Ardenaur, Crowhall bungalow would be completely obscured.

8) The solar parals on our house would be shaded for patt of the day, and yet we were encouraged to unwest in Solar parale MORAY LOCAL DEVELOPMENT PLAN 2020 SITE REFERENCE: DYKE R.3 SITE NAME: R3 FIR PARK ROAD.

- a) There is a very large oak tree in the corner of garden, which would cause considerable damage to any property built on the proposed sites, should of blow down.
- 10) If planning permission were to be granted, the houses would require to be burgalows, for the aesthetic look of the village

yours faithfully

WILLIAM A SOUTTER

From: eforms@moray.gov.uk

To: Localdevelopmentplan

Subject: EL\_OPP11 - 002053

Date: 22 February 2019 10:34:04

# Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

### **Your Details**

Title: Ms

Forename(s): Judith

Surname: Spark

#### 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: Yes

### Site Objections

Name of town, village or grouping: Elgin

Site reference: OPP11'

Site name: Cooper Park Walled Garden

Comments: Placing a private and commercial hotel building in the middel of one of

Elgin's most important community assets is unacceptable.

### **Policy Objection**

Policy: Vision

Comments: Elgin needs to think about its approach to its open, green community spaces very carefully. Whilst the hotel proposal caters for tourism, it only caters to the tourists who will come to stay at that hotel. There are other potenital groups of tourists (as well as hundreds of members of the local community) who enjoy visiting Cooper Park and who will be disgusted by the proposal to site a hotel on it. This is a failure of vision for Elgin - it needs to attact responsible tousism that is in keeping with its historic past. This proposal misses this point.

From: eforms@moray.gov.uk

To: Localdevelopmentplan

Subject: EL\_OPP11 - 002042

Date: 22 February 2019 09:09:11

# Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

### **Your Details**

Title: miss

Forename(s): stephanie

Surname: Sparkes

#### 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: Yes

### Site Objections

Name of town, village or grouping: Elgin Central

Site reference: OPP 11

Site name: Walled Garden

Comments: Unbelievable. This is what I read from the crazy, ill proposed, short term 'vision' that only benefits share holders ...... Education - doesnt matter. Students with learning difficulties - doesn't matter. Horticultural students - doesn't matter. Society / communities - doesn't matter. I am outraged - but hey, perhaps it also 'doesn't matter'. It requires strong leaders, people who have genuine passion,, care about our communities and society in the transforative affect of education and the power of the collective communities to make a difference. Think again!!!

### **Policy Objection**

Policy:

Comments:

From: eforms@moray.gov.uk

To: Localdevelopmentplan

Subject: RO\_R2 - 001962

Date: 12 January 2019 17:15:16

# Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

### **Your Details**

Title: Mr

Forename(s): Adrian Paul

Surname: Spencer

#### 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: 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: Rothes

Site reference: Rothes - R2

Site name: R2 Green Street

Comments: I am extremely concerned at the scope and nature of your development proposals for Rothes R2. This site started out initially as an option to add an additional 6 houses with access via. Ben Aigan View. Your current proposals have increased the property count from 6 to 40 with no indication of how access will be provided. Are you expecting the additional 34 properties (each property having approximately 2 cars equating to an additional 72 cars) all to gain access via a road that was designed to cope with an additional 6 properties' I can find no suggestion of an alternative access. Are you perhaps suggesting that these additional 72 vehicles should now gain access via Green Street which would require them to place a significant additional burden on a small road that runs directly in front of a primary school' You have also included in your residential development area No. 45 Green Street which no longer forms part of the farm and includes a rear garden and outbuildings as part of its residence which you have incorporated into your suggested residential development plan. Replacing an existing residential development with a high density residential development does not improve the area and significantly increases the threat to the local environment, particularly with regard to drainage and flood risk. You have also failed to take account of the fact that you need to retain vehicle access to the River Spey as it provides the only route through to the local Salmon Fishing. This would further reduce the available land that you plan to squeeze these 40 houses into. Simply increasing the number and density of houses and expanding a Greenfield site year on year to try and meet your ?targets? is not a realistic or effective use of resources. This area has already required millions in investment to alleviate the flood risk caused by the current developments. To attempt to squeeze 40 additional dwellings into an area that contributes towards the free draining of the valley floor in an area that is already recognised as a potential flood risk is irresponsible to say the least and simply to assert that any development would be ?subject to appropriate surveys? is an attempt to avoid addressing the issue and makes the whole point of the development plan null and void. There can be no point in wasting resources producing a development plan that has no basis in practical reality and simply serves to meet your legal obligations. It is dishonest and disingenuous to increase the size of the development by stealth over a number of years hoping that local people will not notice. You started with 6, then increased to 30 and now to 40 without carrying out any further investigations or offering any explanations as to how this area has suddenly become capable of coping with an eight fold increase in the number of properties on the site.

site\_obj\_name\_town\_village\_grouping: rothes

site\_obj\_reference: Rothes R2

site obj name: R2 Green Street

site\_obj\_comments: I am extremely concerned at the scope and nature of your development proposals for Rothes R2. This site started out initially as an option to

add an additional 6 houses with access via. Ben Aigan View, Your current proposals have increased the property count from 6 to 40 with no indication of how access will be provided. Are you expecting the additional 34 properties (each property having approximately 2 cars equating to an additional 72 cars) all to gain access via a road that was designed to cope with an additional 6 properties? I can find no suggestion of an alternative access. Are you perhaps suggesting that these additional 72 vehicles should now gain access via Green Street which would require them to place a significant additional burden on a small road that runs directly in front of a primary school? You have also included in your residential development area No. 45 Green Street which no longer forms part of the farm and includes a rear garden and outbuildings as part of its residence which you have incorporated into your suggested residential development plan. Replacing an existing residential development with a high density residential development does not improve the area and significantly increases the threat to the local environment, particularly with regard to drainage and flood risk. You have also failed to take account of the fact that you need to retain vehicle access to the River Spey as it provides the only route through to the local Salmon Fishing. This would further reduce the available land that you plan to squeeze these 40 houses into. Simply increasing the number and density of houses and expanding a Greenfield site year on year to try and meet your ?targets? is not a realistic or effective use of resources. This area has already required £ millions in investment to alleviate the flood risk caused by the current developments. To attempt to squeeze 40 additional dwellings into an area that contributes towards the free draining of the valley floor in an area that is already recognised as a potential flood risk is irresponsible to say the least and simply to assert that any development would be ?subject to appropriate surveys? is an attempt to avoid addressing the issue and makes the whole point of the development plan null and void. There can be no point in wasting resources producing a development plan that has no basis in practical reality and simply serves to meet your legal obligations. It is dishonest and disingenuous to increase the size of the development by stealth over a number of years hoping that local people will not notice. You started with 6, then increased to 30 and now to 40 without carrying out any further investigations or offering any explanations as to how this area has suddenly become capable of coping with an eight fold increase in the number of properties on the site.

site\_obj\_name\_town\_village\_grouping: Rothes

site\_obj\_reference: Rothes R2

site obj name: R2 Green Street

site obj comments: I am extremely concerned at the scope and nature of your development proposals for Rothes R2. This site started out initially as an option to add an additional 6 houses with access via. Ben Aigan View. Your current proposals have increased the property count from 6 to 40 with no indication of how access will be provided. Are you expecting the additional 34 properties (each property having approximately 2 cars equating to an additional 72 cars) all to gain access via a road that was designed to cope with an additional 6 properties? I can find no suggestion of an alternative access. Are you perhaps suggesting that these additional 72 vehicles should now gain access via Green Street which would require them to place a significant additional burden on a small road that runs directly in front of a primary school? You have also included in your residential development area No. 45 Green Street which no longer forms part of the farm and includes a rear garden and outbuildings as part of its residence which you have incorporated into your suggested residential development plan. Replacing an existing residential development with a high density residential development does not improve the area and significantly increases the threat to the local environment, particularly with regard to drainage and flood risk. You have also failed to take account of the fact that you need to retain vehicle access to the River Spey as it provides the only route through to the local

Salmon Fishing. This would further reduce the available land that you plan to squeeze these 40 houses into. Simply increasing the number and density of houses and expanding a Greenfield site year on year to try and meet your ?targets? is not a realistic or effective use of resources. This area has already required £ millions in investment to alleviate the flood risk caused by the current developments. To attempt to squeeze 40 additional dwellings into an area that contributes towards the free draining of the valley floor in an area that is already recognised as a potential flood risk is irresponsible to say the least and simply to assert that any development would be ?subject to appropriate surveys? is an attempt to avoid addressing the issue and makes the whole point of the development plan null and void. There can be no point in wasting resources producing a development plan that has no basis in practical reality and simply serves to meet your legal obligations. It is dishonest and disingenuous to increase the size of the development by stealth over a number of years hoping that local people will not notice. You started with 6, then increased to 30 and now to 40 without carrying out any further investigations or offering any explanations as to how this area has suddenly become capable of coping with an eight fold increase in the number of properties on the site.

## **Policy Objection**

Policy: DP4 Rural Housing

Comments: I am extremely concerned at the scope and nature of your development proposals for Rothes R2. This site started out initially as an option to add an additional 6 houses with access via. Ben Aigan View. Your current proposals have increased the property count from 6 to 40 with no indication of how access will be provided. Are you expecting the additional 34 properties (each property having approximately 2 cars equating to an additional 72 cars) all to gain access via a road that was designed to cope with an additional 6 properties' I can find no suggestion of an alternative access. Are you perhaps suggesting that these additional 72 vehicles should now gain access via Green Street which would require them to place a significant additional burden on a small road that runs directly in front of a primary school' You have also included in your residential development area No. 45 Green Street which no longer forms part of the farm and includes a rear garden and outbuildings as part of its residence which you have incorporated into your suggested residential development plan. Replacing an existing residential development with a high density residential development does not improve the area and significantly increases the threat to the local environment, particularly with regard to drainage and flood risk. You have also failed to take account of the fact that you need to retain vehicle access to the River Spey as it provides the only route through to the local Salmon Fishing. This would further reduce the available land that you plan to squeeze these 40 houses into. Simply increasing the number and density of houses and expanding a Greenfield site year on year to try and meet your ?targets? is not a realistic or effective use of resources. This area has already required millions in investment to alleviate the flood risk caused by the current developments. To attempt to squeeze 40 additional dwellings into an area that contributes towards the free draining of the valley floor in an area that is already recognised as a potential flood risk is irresponsible to say the least and simply to assert that any development would be ?subject to appropriate surveys? is an attempt to avoid addressing the issue and makes the whole point of the development plan null and void. There can be no point in wasting resources producing a development plan that has no basis in practical reality and simply serves to meet your legal obligations. It is dishonest and disingenuous to increase the size of the development by stealth over a number of years hoping that local people will not notice. You started with 6, then increased to 30 and now to 40 without carrying out any further investigations or offering any explanations as to how

this area has suddenly become capable of coping with an eight fold increase in the number of properties on the site.

# Other Objection

Document commenting on: R2 Rothes

Comments: I am extremely concerned at the scope and nature of your development proposals for Rothes R2. This site started out initially as an option to add an additional 6 houses with access via. Ben Aigan View. Your current proposals have increased the property count from 6 to 40 with no indication of how access will be provided. Are you expecting the additional 34 properties (each property having approximately 2 cars equating to an additional 72 cars) all to gain access via a road that was designed to cope with an additional 6 properties' I can find no suggestion of an alternative access. Are you perhaps suggesting that these additional 72 vehicles should now gain access via Green Street which would require them to place a significant additional burden on a small road that runs directly in front of a primary school' You have also included in your residential development area No. 45 Green Street which no longer forms part of the farm and includes a rear garden and outbuildings as part of its residence which you have incorporated into your suggested residential development plan. Replacing an existing residential development with a high density residential development does not improve the area and significantly increases the threat to the local environment, particularly with regard to drainage and flood risk. You have also failed to take account of the fact that you need to retain vehicle access to the River Spey as it provides the only route through to the local Salmon Fishing. This would further reduce the available land that you plan to squeeze these 40 houses into. Simply increasing the number and density of houses and expanding a Greenfield site year on year to try and meet your ?targets? is not a realistic or effective use of resources. This area has already required millions in investment to alleviate the flood risk caused by the current developments. To attempt to squeeze 40 additional dwellings into an area that contributes towards the free draining of the valley floor in an area that is already recognised as a potential flood risk is irresponsible to say the least and simply to assert that any development would be ?subject to appropriate surveys? is an attempt to avoid addressing the issue and makes the whole point of the development plan null and void. There can be no point in wasting resources producing a development plan that has no basis in practical reality and simply serves to meet your legal obligations. It is dishonest and disingenuous to increase the size of the development by stealth over a number of years hoping that local people will not notice. You started with 6, then increased to 30 and now to 40 without carrying out any further investigations or offering any explanations as to how this area has suddenly become capable of coping with an eight fold increase in the number of properties on the site.

Please use this link to view and retrieve the uploaded attachments.

From: eforms@moray.gov.uk

To: Localdevelopmentplan

Subject: RO\_R2 - 001960

Date: 12 January 2019 14:31:10

# Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

## **Your Details**

Title: Mrs

Forename(s): Carole

Surname: Spencer

## Your Address



## **Contact Details**

Email address : mail@carolespencer.net

Confirm email: mail@carolespencer.net

Telephone: 01340 831498

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: Rothes

Site reference: Rothes - R2

Site name: Rothes R2 Green Street

Comments: I note that on each issue of the Development Plan the boundary to this site seems to change arbitrarily, please explain why this happens. Given the significant sensitivity of this site in respect of flood risk and drainage issues, 40 houses on a site this small seems excessive and would likely result in significant problems in respect of natural drainage and waste water removal. Could you please let me know if even the most cursory of studies has been conducted before proposing to develop 40 properties on this site. This is particularly important considering that millions have already been spent on flood alleviation in Rothes mitigating the impact of the existing developments, particularly the Provost Christy Drive that contains a housing density similar to that which you are proposing for Rothes R2. Could you please let me know whether reassessing the Local Development Plan on a regular basis is a mandatory requirement of Local Government, as there seems to be a significant cost involved in administration, venues and manpower overheads to achieve very little other than to put forward a vague proposal that doesn?t include any proper environmental assessments, community impact assessments, etc., and in many cases in based on outdated information. Do I need to generate a separate FOI or are you able to provide accurate costings for your repeated reassessment of the development plan and associated drop in exhibitions.

## **Policy Objection**

Policy: DP4 Rural Housing

Comments: I note that on each issue of the Development Plan the boundary to this site seems to change arbitrarily, please explain why this happens. Given the significant sensitivity of this site in respect of flood risk and drainage issues, 40 houses on a site this small seems excessive and would likely result in significant problems in respect of natural drainage and waste water removal. Could you please let me know if even the most cursory of studies has been conducted before proposing to develop 40 properties on this site. This is particularly important considering that millions have already been spent on flood alleviation in Rothes mitigating the impact of the existing developments, particularly the Provost Christy Drive that contains a housing density similar to that which you are proposing for Rothes R2. Could you please let me know whether reassessing the Local Development Plan on a regular basis is a mandatory requirement of Local Government, as there seems to be a significant cost involved in administration, venues and manpower overheads to achieve very little other than to put forward a vague proposal that doesn?t include any proper environmental assessments, community impact assessments, etc., and in many cases in based on outdated information. Do I need to generate a separate FOI or are you able to provide accurate costings for your repeated reassessment of the development plan and associated drop in exhibitions.

# Other Objection

Document commenting on: Flood Risk and Environmental Impact

Comments: I note that on each issue of the Development Plan the boundary to this site seems to change arbitrarily, please explain why this happens. Given the significant sensitivity of this site in respect of flood risk and drainage issues, 40 houses on a site this small seems excessive and would likely result in significant problems in respect of natural drainage and waste water removal. Could you please let me know if even the most cursory of studies has been conducted before proposing to develop 40 properties on this site. This is particularly important considering that millions have already been spent on flood alleviation in Rothes mitigating the impact of the existing developments, particularly the Provost Christy Drive that contains a housing density similar to that which you are proposing for Rothes R2. Could you please let me know whether reassessing the Local Development Plan on a regular basis is a mandatory requirement of Local Government, as there seems to be a significant cost involved in administration, venues and manpower overheads to achieve very little other than to put forward a vague proposal that doesn?t include any proper environmental assessments, community impact assessments, etc., and in many cases in based on outdated information. Do I need to generate a separate FOI or are you able to provide accurate costings for your repeated reassessment of the development plan and associated drop in exhibitions.

Please use this link to view and retrieve the uploaded attachments.

## Moray Local Development Plan 2020 (Proposed Plan 2019)

Speyside Community Council welcomes the identification of sites for much needed new housing developments.

However, we are concerned about the necessary infrastructure that is required to support these new residents.

Whilst developer obligations, in the form of affordable rented housing, are to be welcomed we do have a number of other concerns.

#### **Public Transport:**

The national operator provides no evening bus service or any Sunday service. The Dial M bus service does not run in the evenings or the weekends. Some settlements have no bus at all. We cannot see how this situation can be easily remedied even by 'Conditions'. If it is not then there will be increased car usage to and from commercial centres for shopping or connections to trains etc. The lack of transport in Speyside is a real issue for many people - both young and old.

#### **Schools:**

If there is no capacity within the local school to take extra children then there should be no cost to Moray Council if additional accommodation has to be provided. The developer must meet all the costs in advance and for a predetermined time. Another Linkwood School situation should not be allowed to happen.

#### Health:

Extra GPs and Dental Chairs are very welcome but how can this be achieved? Moray has difficulty in attracting Doctors and Dentists and those that are currently here are working to their limits. There has to me more 'bite' to this than just a statement in the Development Plan.

From: eforms@moray.gov.uk

To: Localdevelopmentplan

Subject: CD\_SITEA - 002167

Date: 13 March 2019 13:54:36

# Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

## **Your Details**

Title:

Forename(s): Bob

Surname: Spinner

## 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: 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: Cardhu

Site reference: Cardhu Site A

Site name: Cardhu Site A

Comments: Although only five single storey houses are proposed, being in a rural location will have an inversely proportional impact on the local community and local services. The already reduced medical provision in Aberlour will be adversely impacted. If used for young families, educational facilities will also be effected which can only mean that the education budget will also effected. Opportunities for employment locally are restricted and so there will be a need for more private transport as public transport is virtually non-existent, therefore giving rise to more atmospheric pollution. If older age occupancy is envisaged then in time social services in respect of care for the elderly will be brought into play. Yet another public cost. All these costs will be greater simply due to the rural rather than an urban location. Public drainage is not afforded to all in the area and so an upgrade to this would invariably be needed which would have to be met from the public purse. Are the houses to be council, privately owned or be for social housing' Each will have an impact on the council budget. I note that the road will need to be widened to 5.5 metres. Obviously an increase in traffic will occur so, will the road be kept in a good state of repair unlike its current state' This will be another re-occurring cost. The 'Rural Groupings@ document online states on page 14, 'Any future residential development......' Does this refer to the current proposed development only, or does it mean further development in years to come' That is what it sounds like to me. All in all I am very much against this development due to the adverse impact it will undoubtedly have on the local infrastructure and the ongoing drain on the local authority budget.

# **Policy Objection**

Policy: DP4 Rural Housing

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# Other Objection

Document commenting on: Flood Risk and Drainage Impact

Comments: Although only five single storey houses are proposed, being in a rural location will have an inversely proportional impact on the local community and local services. The already reduced medical provision in Aberlour will be adversely impacted. If used for young families, educational facilities will also be effected which can only mean that the education budget will also effected. Opportunities for employment locally are restricted and so there will be a need for more private transport as public transport is virtually non-existent, therefore giving rise to more atmospheric pollution. If older age occupancy is envisaged then in time social services in respect of care for the elderly will be brought into play. Yet another public cost. All these costs will be greater simply due to the rural rather than an urban location. Public drainage is not afforded to all in the area and so an upgrade to this would invariably be needed which would have to be met from the public purse. Are the houses to be council, privately owned or be for social housing' Each will have an impact on the council budget. I note that the road will need to be widened to 5.5 metres. Obviously an increase in traffic will occur so, will the road be kept in a good state of repair unlike its current state' This will be another re-occurring cost. The 'Rural Groupings@ document online states on page 14, 'Any future residential development......' Does this refer to the current proposed development only, or does it mean further development in years to come' That is what it sounds like to me. All in all I am very much against this development due to the adverse impact it will undoubtedly have on the local infrastructure and the ongoing drain on the local authority budget.

Please use this link to view and retrieve the uploaded attachments.



# MORAY COUNCIL LOCAL DEVELOPMENT PLAN 2020 REPRESENTATIONS TO THE PROPOSED PLAN – MARCH 2019

### INTRODUCTION

Springfield Properties welcomes the opportunity to comment on the Proposed Moray Local Development Plan (MLDP) 2020. We are a significant provider of private and affordable housing, in 2017 – 2018 alone we built 94 private and 61 affordable homes. Along with this, we are a major employer within Moray and across Scotland.

### PRIMARY POLICY PP1 - PLACEMAKING

- Springfield Properties PLC are fully committed to the highest standards of design, sustainability and placemaking. These aspirational standards must be balanced by a recognition that the delivery of all new homes should be the over-riding priority. The need to close the gap between demand versus supply of new homes will go some way to addressing the growing affordability gap that is further increasing pressure on affordable housing.
- PP1 Placemaking policy, as drafted, contains too much-detail and extensive demands that the council could slavishly apply to the detriment of innovative design. At a time when there are moves to remove Supplementary Guidance and much technical and procedural policy content from LDP's, there is clearly a need for greater 'streamlined' flexibility not more prescription in its current form the policy is overly extensive and onerous in its requirements. This will inevitably stifle creative placemaking, reduce flexibility in site design and place further burden on developers and impact on delivery.
- Scottish Government's Designing Places and Designing Streets articulate
  national design policy. Respectively, these set out many of the core principles
  of good urban design, including achieving 'sense of place,' informed street
  design and parking, notably each allows for sensitive car parking on street
  frontages. We would ask that the council condense and simplify this policy, to
  reflect other local authority placemaking polices, utilise national guidance as a
  key reference point, quote the six qualities of successful places, and remove
  much of the remaining content.

- We would question why there are such extensive sections on open space/landscaping/housing mix and biodiversity contained within this policy, when there is are standalone policies for each. This causes unnecessary overlap.
- Policy PP1 requires a need for distinctive character areas for developments over 20 homes, to avoid what the council labels 'anywhere' design. This is a disproportionate response to an ongoing dialogue of how to differentiate modern homes from one another. This seems a nonsensical solution when often, varied house types, sizes and materials are ample enough, without the need to artificially enforce this. Springfield would suggest this figure is better set at 40 dwellings.
- The introduction of further stringent design requirements a hierarchy of openspace requirements, semi-mature tree-lined street frontages along with tighter demands for 75% car parking to be to the rear of building lines/25% frontage adds yet another tier of design regulation. This is unduly prescriptive and constraining. We would query the practicability of this proportion, when most homes require an average of three spaces, it makes sense to allow as a minimum 30% or at least one space to the front.
- We would also call into question suggestions that 'left-over' or peripheral areas of openspace are not counted in overall totals as unreasonable and lacking in qualitative and quantitative analysis.
- The list of supporting information stipulated to accompany a Placemaking Statement to include in particular a slope analysis, site sections, Street Engineering Review and a Biodiversity Plan is yet again an unreasonable and disproportionate level of detail to impose upon an applicant for the purposes of determining any application of 10 homes. We would suggest that this level of detail, which could be subject to significant changes during the course of an application, is needed only on a case-by-case basis and should at the very least only be associated with major applications.
- We welcome that the need to consult AD&S has been removed for when
  preparing a Masterplan. However we would query what a 'peer review is
  intended to be and whether this would add proportionate value to an already
  lengthy and iterative process where Moray Council and others perhaps do not
  always have sufficient time and resources to review.

#### PRIMARY POLICY PP3 – INFRASTRUCTURE AND SERVICES

- Springfield support the importance of taking an 'infrastructure first' approach
  to development and highlight our concerns regarding the lack of infrastructure
  capacities in Moray. Development should be directed in the first instance
  towards areas with existing or planned infrastructure required for adequately
  facilitating that development. Investment in infrastructure and capacities is a
  matter for providers such as Scottish Water, NHS Grampian and others.
- The requirement to submit a Utilities Plan to account for existing and proposed services and utilities is an overly onerous and unnecessary requirement. Often discussions with providers are ongoing at the time of a planning application so are subject to change. We would query whether this is a worthwhile and useful exercise and what it aims to achieve?
- Springfield wish to reiterate our disagreement with the principle of charging for the provision of healthcare facilities. The drafted PP3 Infrastructure & Services policy is currently long and unwieldy, it is suggested that the wording is revisited and rationalised where possible and subject to further review.
- We would suggest that Developer Obligations may be better placed under a separate, stand-alone policy. We note that the existing SG is to be carried forwards and would again stress that under the proposed Planning System reforms that the future role of SG is called into question. The upfront and full consultation of any such documents is essential. The impact of new development on existing school rolls and other supporting services is the subject of much ongoing debate to ascertain capacities and the need for additional provision, in particular the renewal of Moray's school estate and Health Centre capacities – Springfield are seeking a review on how these requirements are arrived at. We should stress that Developer Obligations are intended to offset the impact of new development upon the community and should be 'fair and reasonably related in scale and kind to the proposed development.' This policy should not be used as a vehicle to drive developer obligations aimed at addressing existing issues and shortfalls in infrastructure unrelated to proposed development. Finally, we are keen to stress that levels of developer obligations cannot be overly disproportionate and burdensome rendering a site unviable and undeliverable, subsequently stalling the delivery of new homes across all tenures.

#### DEVELOPMENT PRINCIPLES DP1

Springfield Properties query whether the significant overlap between this
proposed policy, as worded, and PP1 is to such a level that it is required? As
such, we wonder whether they should be merged, consolidated and remove
any duplication.

#### **HOUSING DP2**

- We welcome some of the changes made to the Housing Mix and Tenure Integration section of this policy. However, we would continue to seek clarification of what this part of the policy means in practice 'pepper potting' as the council are seeking at ultimately. This raises questions on marketability, management and factoring such dispersed pockets of housing to the council or nominated RSL and in turn how they manage them, not to also mention other practical issues such as construction of houses adjacent to one another with differing standards in room and garden sizes and complying with Housing for Varying Needs level access across a wide site.
- The requirement for 25% of the total units on a site to be provided as affordable housing for developments of 4 or more units is recognised. However, the requirement for developments of less than 4 market houses to contribute a commuted payment (£4000 per plot) is a further extra cost to developers. Together with other developer obligations, this puts pressure on viability of smaller sites which are often crucial to smaller communities. It should be noted Aberdeenshire Council recently removed such a similar requirement due to administrative and proportionality concerns.
- Springfield are focussed on delivering high-quality homes that allow choice to our customers over where to live and style of their home, depending upon a high level of market conditions. Such a policy proves counter-intuitive to that, and in practice would not deliver new houses due to overly fragmented sites.
- Springfield would wish to object to the accessible housing policy, particularly
  the requirement for these to be located within single storey dwellings. This is
  overly prescriptive, and highly subjective, placing an unreasonable and
  artificial brake on market conditions, which has no demonstrable evidence
  basis or justification beyond seeming conjectural claims that there is
  aspirational demand for bungalow-type properties within a given market area.
- Accessibility is about ergonomics, ease of movement and choice. Not
  everyone in a wheelchair wants or can afford a bungalow. Flatted
  developments with lifts and accessible apartments on every level can tick the
  accessibility box just as readily as a bungalow. Springfield have previously
  worked with the Moray Council on numerous developments, and sought to
  develop suitable adaptions to our existing range of houses and apartments

within the terms of the policy, for that policy to then be altered to drive further subjective change for more bungalows. Bungalows are more 'land hungry' and low density than other house types, leading to sprawl and inefficient layouts. Without further analysis to justify the proposition of a greater proportion of single storey dwellings, the current policy requirement should be questioned in its entirety without even further, more demanding requirements.

• We would wish to query the wording on page 40 in which reads 'there may be proposals for 100% provision of affordable housing and these will be acceptable as part of a wider mixed community' – it is unclear, but presumably is inferring to new mixed communities. However, at a time when the need for affordable housing has never been greater (Moray Council waiting lists total 3,585 households as of June 2017), this position is very disappointing. We would suggest that proposals for 100% affordable proposals be given significant support to deliver much-needed affordable housing, both within and immediately adjacent to existing settlements.

#### **EP2 BIODIVERSITY**

- Policy EP2 Biodiversity is not required. The role of the planning system in general at safeguarding sites of local, national and international importance and seeking to protect (and enhance) habitats and species via wildlife legislation is well-established. We recognise the importance of greenspaces, trees and biodiversity in our developments as essential to creating attractive, good quality open spaces that have multiple benefits.
- We would not support moves to require further habitat creation and biodiversity enhancements via planning policy at a time when many land use activities, predominately agriculture, forestry and other land-management practices appear to be chiefly responsible for loss of biodiversity and habitats and have the biggest impacts upon the environment. We consider that the submission of a Biodiversity Plan is unnecessary – we already include compensatory bat boxes, riparian zones, hedges, wildflower meadows and significant tree planting within all of our proposals.

## EP3 SPECIAL LANDSCAPE AREAS AND LANDSCAPE CHARACTER

See separate cover.

#### **POLICY EP5 OPEN SPACE**

- The Open Space policy, as drafted, is overly detailed in its requirements. Again, there is considerable overlap in this lengthy policy, with further health and well-being subheadings and biodiversity sections. This policy will inevitably stifle creative placemaking, reduce flexibility in site design and place further constraints on developers. We note that separate SG is to be carried forwards and would again stress that under the proposed Planning System Reforms that the future role of SG is called into question. The upfront and full consultation of any such documents is essential. For instance, it is not known how the Quality Standards scoring is undertaken.
- We would wish to object to the proposed wording of this policy, which states that a change of use from ENV for essential community infrastructure is permitted in exceptional circumstance, except for housing. Surely the promotion of 100% affordable in instances such as Stonecross (16/01074/APP), where the Reporter found that affordable housing in an ENV area as a 'public use which outweighs its present value as a public space. 'We would strongly contend that these areas can deliver multiple benefits for local residents which deliver both much-needed affordable housing whilst enhancing areas of either surplus and/or below standard ENV areas.

#### POLICY EP6 SETTLEMENT BOUNDARIES

 We would suggest that proposals for 100% affordable proposals outwith but immediately adjacent to settlement boundaries should be given significant support to deliver much-needed affordable housing, so great is the need in the area (Moray Council waiting lists total 3,585 households as of June 2017).

#### DEL1 DELIVERY OF EFFECTIVE SITES AND DELIVERY PROGRAMME

Springfield recognise that this policy is an effort to ensure allocated sites
going forwards are effective and deliverable, and in doing so contribute to the
housing land supply. However, we would query whether planning policy is the
correct approach for obtaining such evidence of delivery. Perhaps this would
be better moved to the front of the LDP and added into the section headed
Housing Land Requirement / Housing Supply Targets.

# DEL2 MAINTAINING AN EFFECTIVE SUPPLY OF LAND FOR HOUSING AND EMPLOYMENT USES

 We would query how desirable, practicable and workable the pursuit of delivering effective land via the Council compulsory purchasing sites is, especially in the light of well-documented resources issues. In practice, is this necessary as both a working approach and as a planning policy? There are significant challenges in delivering sites - timing, marketability and costs associated.

## **PARKING STANDARDS**

- We note that the Proposed Parking Standards aim to do away with reduced requirements for affordable homes and bring them into line with standards for private house equivalents. Existing provision for Affordable Housing is: 1 space up 2 beds and thereafter 2 spaces per for 3 or more beds.
- We would request that the local variance to the National Roads Development Guide (NRDG) is continued to ensure a more flexible approach to the concerted delivery of much-needed affordable homes. Car ownership varies due to household types and typically much of the affordable housing delivered is close by to local facilities and public transport routes so reliance on the private car is reduced.

#### **ABERLOUR R2 SPEYVIEW**

- Springfield wish to object to the proposed R2 Speyview designation, specifically the proposed reduction in the overall allocation from 100 homes to 60, along with the integration of the area to the north into the site. This seems at odds, with the aims to encourage housebuilding in the village and wider Speyside area, where no noticeable housebuilding has taken place for a considerable period.
- We currently have a live planning application for forty-four affordable and private homes (18/01373/APP) on 1.9ha part of the site being currently considered by the Council. The proposed text would prejudice the determination of this application, whilst we would object to the level of prescriptive requirements as onerous and simply unviable.
- We would contend that a Masterplan is not required for this site, it is neither of the size or the sensitivity for such a need. Mitigation on landscape impact, as proposed for the initial phase and envisaged for latter phases would offset this.
- A Development Brief was required to be prepared under the MLDP 2015, to reflect the design principles established with this. No drafting has commenced of such a Brief, therefore it would appear that the production of such a document is a low priority for the Council after such a considerable period has lapsed.

## **BAIN AVENUE, ELGIN**

- We would wish to object to the non-inclusion of a site at Bain Avenue in Elgin.
  This was partly preferred in the MIR for affordable housing, along with
  significant landscaping improvements on an existing but poorly functioning
  area of ENV greenspace and play area. This was not taken forward by the
  Council due to objections from SEPA and SNH on surface flooding and loss of
  openspace respectively.
- A DIA would accompany any planning application and would require to demonstrate that surface water can be satisfactorily dealt with. Whilst the proposal would have considerable compensatory planting and landscaping along with housing as a multiple beneficial scheme which delivers much needed affordable housing along with an enhanced area of public greenspace.

### **BUCKIE R8 AND LONG**

 We would support the inclusion of the sites at Barhill Road, Buckie designated as R8 and associated LONG land.

#### **FORRES R2 FERRYLEA**

 We currently have a live planning application for 316 affordable and private homes (18/01142/APP) on the remaining parts of the site, which is currently being considered by the Council. The proposed text would prejudice the determination of this application, whilst we would object to the level of prescriptive requirements as onerous and simply unviable.

#### **HOPEMAN - FORSYTH STREET**

See separate cover.

## **HOPEMAN - GOLF COURSE**

• Springfield object to the allocation of 8 dwellings to the east of Hopeman. It is unclear why the limited growth previously proposed "due to capacity or character issues" has seemingly been waved away by bringing forwards sites on both the west and east edges of the villages that increase the risk of coalescence with neighbouring coastal communities. It seems that any alternatives to southward expansion of Hopeman is preferred, all of which would add to the linear sprawl of the village

#### **KEITH R4 BANFF ROAD NORTH**

We currently have a live planning application for 121 affordable homes
 (18/01497) on the site, which is currently being considered by the Council.
 The proposed text would prejudice the determination of this application, whilst we would object to the level of prescriptive requirements as onerous and simply unviable.

#### **MOSSTODLOCH MU1 and LONG**

 The reasoning for the allocation of such large swathes of land in Mosstodloch in unclear given poor market demand and existing allocated sites that have not been delivered.

# FLOOD RISK AND DRAINAGE IMPACT ASSESSMENT FOR NEW DEVELOPMENTS SG

- Springfield recognise that the Council is pre-empting the potential removal of statutory Supplementary Guidance through the planning review, however we query why all others have been removed with the exception of this SG.
- As with other aspects in the Proposed Plan, it is suggested that it is too prescriptive
  and inflexible. A streamlined SG should be more concise and deliberate, leaving
  more flexible and detailed aspects to other areas of guidance. The technical and
  procedural processes involved appear overly detailed related to the planning
  application process. We would query the need for the overly detailed drainage
  designs and information requirements imposed by the Flood Management Team.

From: eforms@moray.gov.uk

To: Localdevelopmentplan

Subject: EL\_OPP11 - 002064

Date: 22 February 2019 13:46:42

# Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

## **Your Details**

Title: Miss

Forename(s): Kirsten

Surname: Steele

## 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: Not only is this important for horticulture students, but it is an important part of the Elgin community. Destroying this for a hotel would bring the appeal towards Elgin even further down than it already is with the lack of amenities. The town centre is already empty enough, as is the park - removing another part of this town is extremely disappointing. Money should be spent improving the things we already have, not replacing them with terrible plans like hotels - and those ridiculous sculptures in the centre.

Please use this link to view and retrieve the uploaded attachments.

From: eforms@moray.gov.uk

To: Localdevelopmentplan

Subject: KL\_RG - 002227

**Date:** 05 February 2019 14:57:34

# Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

## **Your Details**

Title: Mr

Forename(s): Angus

Surname: Steven

## Your Address



# **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: No

Other: Yes

Supporting information: Download supporting document Available also via link at bottom of this email.

# Other Objection

Document commenting on: Schedule 2 for Kellas site B

Comments: It would appear from the plan sent to me that part of the intended development is over land that I own. I would be grateful if clarification with the developer could be sought over the matter of the landownership. Thank you

other\_obj\_doc\_commenting\_on : Schedule 2 for Kellas site B

other\_obj\_comments: I would object to the development of the Kellas site B development as it appears to be partially on land that I own.

Please use this link to view and retrieve the uploaded attachments.

From: eforms@moray.gov.uk

To: Localdevelopmentplan

Subject: DS\_SITEB - 002022

Date: 23 February 2019 19:18:24

# Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

# Your Details

Title: mr

Forename(s): Andrew

Surname: Stevens

## 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: Darklass

Site reference: DS01


Site name: Darklass

Comments: I refer to the amended site plan in the attachment. I request that the boundary of this rural grouping is amended to incorporate the area shaded orange. This is an area of rough, boggy unkept land, overgrown with trees and weeds, of minimal agricultural value. It is also bounded by hedges on 3 sides, and has a narrow fenced access strip, also bounded by hedges on both sides This field marked in orange would be very suitable for development for 1 house, which could be well screened from public view, providing privacy, yet also close and in keeping with the present 2 houses, and the 7 houses that are currently planned for this grouping. Access to all services is in the close vicinity.

Please use this link to view and retrieve the uploaded attachments.

# Darklass

Sites recommended for	MIR Reference/ LDP'15 ref	Use
Inclusion in Proposed Plan	DS01	Residential Indicative capacity of 7 houses
Sites recommended not	MIR Reference/ LDP'15 ref	Reason
to be included in Proposed Plan	N/A	





# Site reference OPP 11 the Walled Garden

To whom it may concern at Moray Council

I am writing to state my objection to the proposal to sell off the land currently used by the Moray College Horticultural training unit for private development as this unit is essential for both training young people and supporting the wonderful Biblical Garden

We really enjoy our frequent walks there and enjoy the garden which looks so lovely next to the Cathedral

This area has become one of the most popular visitor attractions to Moray and I would like to see it remain so

Yours sincerely

Allysha Stewart



# Site Reference OPP11 - The Walled Garden

Dear Moray Council

I would like to object strongly to the change of use proposed for the Horticultural training area, the existence of which is essential for the survival of the Biblical Garden, also the picture included in the proposed plan is completely misleading as it is of an adjacent area giving the impression that it is a bare piece of land that is to be developed.

The Biblical Garden perfectly complements the Cathedral, with both being wonderful visitor attractions for Elgin and Moray

As someone who has worked in horticulture for 50 years the last 40 of which is in Moray I feel that the training unit is essential for Moray and this is an ideal location for it being linked to the Biblical Garden. I personally benefitted from getting a start in Horticulture by starting my career at a College which was near to where I lived at the time, therefore I understand the importance of a local facility which can both provide both classroom and real hands on training to get young people into Horticulture.

Given the historical importance of this area, a hotel development would look completely out of character with its surroundings.

There is plenty of other more suitable areas that could be utilized for such a development

Keeping the Biblical garden with its learning support area adjacent to it in the walled garden will be much more beneficial to Moray

Yours sincerely







# 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* MY	Forename*	Surname* STOLLAR	
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# Which section of the Proposed Plan does your comment relate to?

	Ilicies/Settlements/Rural Grouping/Delivery Programme/ Other (Delete as appropriating. Housing, Keith)
Page Numbe	
Site/Policy R	Reference
Your comme	
11m	pleased that the houses are to be
of go	pleased that the houses are to be sol quality with space around . how volumes of housing and onmantal considerations seem well
them	Low volumes of housing and
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1 e	atreat Morary council to be
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to	housebrilder ets plant trees swild flowers.
9. Tav	n disappointed at the unimaginative
and	sparse tree planting on the new
Sprin	a Eold housing estate at the
Soxter	in tip of forver, as the main road
leads	out to Grantown.
Are you pro	oviding any supporting information?
Yes	No No
If yes, please	advise what this is, and attach to this form e.g. maps/plans, supporting documents.
All comme	ents should be returned by 5:00pm on 15 March 2019
	al Development Plan Team, Development Services, Moray Council, Council Offices, Elgin, IV30 1BX
Or email: lo	caldevelopmentplan@moray.gov.uk
or you can t	use our online form at www.moray.gov.uk/proposedplan2019

Your place, Your plan, Your future



# 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

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Title	Forename		Surname	
Address				
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# 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) Horos. 29 - RAFFOLD STATION - NAMOROHIE ROAD
Page Number
Site/Policy Reference
Your comments
RAFFERD STATION
I AM REPOSORED THAT THE PROPOSED DEVELOPMENT AT RAFFORD
STATION WILL BE IN KEEPING WITH THE HOUSING ALRANGE THERE. I LOUVED LIKE REASOURANCE THAT THESE BUILDING IN THE AREA WILL BE RECOURED TO PLANT GOOD QUALITY NATIVE
TREES AND WOULD PLANTS TO ENGHANCE THE BIODINERSITY OF
THE AZEA AND WHICH ARE BENEFICIAL TO THE GOCAL
POPULATIONS OF WILDFAFE & FLORA 69- BIRDS, RED SOUNTRELS,
Bees, etc etc.
MANDROHE ROAD.
WHERE THE NOEW SPRINGFIELD DEVELOPMENT TO THE SOUTH OF
FORRES OPENOS CUTO THE MANNACHIE ROAD, THE ROAD HAD
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DIS ADD THAT THIS SECTION OF WITENESS WORD HIS
BEEN TOUR SO CARRESERY PINOS WITHOUT MOTER MITERITOR
TO SAFETY, WILL MOVAY COUNCIL BE RECEDIATED
DECTION OF ROAD IN QUESTION WILL BE BROUGHT UP TO A MORE APPROPRIATE A DATE STANDARD 6.
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 Or you can use our online form at www.moray.gov.uk/proposedplan2019

Your place, Your plan, Your future



11440/LET.001/AM

01.03.2019

MORAY COUNCIL
DEVELOPMENT SERVICES (DEVELOPMENT PLANS)
HIGH STREET
ELGIN
IV30 9BX

Dear Sir/Madam,

# 11440 – MORAY LOCAL DEVELOPMENT PLAN 2020 – RESPONSE TO PROPOSED PLAN, BURNSIDE OF BIRNIE, ELGIN, ON BEHALF OF STRATHDEE PROPERTIES LTD

We refer to the current consultation on the Proposed Local Development Plan 2020 and specifically to the development allocation at Burnside of Birnie, Elgin.

On behalf of Strathdee Properties Ltd, the landowner, a 40ha area of land at Burnside of Birnie on the southern edge of Elgin was submitted as a development bid in response to the 'Call for Sites'. The bid was for the site to be allocated for 200-300 houses and ancillary neighbourhood uses as a future housing extension to Elgin. At MIR stage this site was not supported for residential use but instead it was suggested it be allocated for Business and Industrial use. This proposal was supported by the landowner. The Proposed LDP 2020 has now allocated the site as an employment site, and again this allocation is welcomed and supported by the landowner. We request this allocation be carried forward into the Adopted LDP as proposed.

We acknowledge that a Development Framework for I16 is required. The opportunity to work with Moray Council on the Development Framework would be welcomed. The Key Design Principles that have been included in the Proposed LDP can be delivered and will be used to support the Development Framework.

The primary uses detailed in the Proposed LDP 2020 are Class 4 Business, Class 5 General Industrial and Class 6 Storage or Distribution which are supported. We welcome the inclusion of a greater mix of uses being supported across 5.5ha of the site. These uses, Class 7 Hotel and Hostels and Class 11 Assembly and Leisure, increase the viability of the site by allowing a more diverse mix to be offered.

Strathdee Properties Ltd have experience of successfully developing and letting commercial units in the Elgin area and are confident that site I16 can be delivered. In conclusion we respectfully request that the proposed I16 allocation be carried forward into the LDP.





11440/LET.002/AM

05.03.19

MORAY COUNCIL
DEVELOPMENT SERVICES (DEVELOPMENT PLANS)
HIGH STREET
ELGIN
IV30 1BX

Dear Sir/ Madam,

# 11440 - MORAY LOCAL DEVELOPMENT PLAN 2020 - RESPONSE TO PROPOSED LDP, CLARKLYHILL, BURGHEAD, ON BEHALF OF STRATHDEE PROPERTIES LTD

We refer to the current consultation on the Proposed Local Development Plan 2020 and specifically to the development allocations at Clarklyhill, Burghead.

On behalf of Strathdee Properties Ltd we promoted the allocation of land at Clarklyhill, Burghead for around 60 houses as an extension to the town. The site has now been supported as an allocation in the Proposed LDP 2020 as R2 Clarkly Hill. Strathdee Properties Ltd welcome this allocation and are committed to ensuring the delivery of housing on the allocated site.

Strathdee Properties Ltd view the inclusion of Clarkly Hill LONG as a sensible phased solution to the longer-term housing allocation in Burghead. The site will deliver housing following on from the development of the adjacent site R2 which was allocated for around 60 houses in the Moray Local Development Plan 2015 and in the Proposed LDP 2020. A Development Brief for site R2 was agreed in August 2017 and this will be a material consideration in the determination of any Planning Application.

The LONG allocation represents a logical extension to Burghead following the development of site R2, and as such we support the Council's allocation and request that this is carried forward into the LDP.

The Proposed LDP 2020 requires that connections between site R2 and LONG Clarkly Hill must be safeguarded. As owners of both sites Strathdee Properties Ltd will ensure the connection is maintained.

Yours Faithfully,





11440/LET.002/AM

05.03.19

MORAY COUNCIL
DEVELOPMENT SERVICES (DEVELOPMENT PLANS)
HIGH STREET
ELGIN
IV30 1BX

Dear Sir/ Madam,

# 11440 - MORAY LOCAL DEVELOPMENT PLAN 2020 - RESPONSE TO PROPOSED LDP, CLARKLYHILL, BURGHEAD, ON BEHALF OF STRATHDEE PROPERTIES LTD

We refer to the current consultation on the Proposed Local Development Plan 2020 and specifically to the development allocations at Clarklyhill, Burghead.

On behalf of Strathdee Properties Ltd we promoted the allocation of land at Clarklyhill, Burghead for around 60 houses as an extension to the town. The site has now been supported as an allocation in the Proposed LDP 2020 as R2 Clarkly Hill. Strathdee Properties Ltd welcome this allocation and are committed to ensuring the delivery of housing on the allocated site.

Strathdee Properties Ltd view the inclusion of Clarkly Hill LONG as a sensible phased solution to the longer-term housing allocation in Burghead. The site will deliver housing following on from the development of the adjacent site R2 which was allocated for around 60 houses in the Moray Local Development Plan 2015 and in the Proposed LDP 2020. A Development Brief for site R2 was agreed in August 2017 and this will be a material consideration in the determination of any Planning Application.

The LONG allocation represents a logical extension to Burghead following the development of site R2, and as such we support the Council's allocation and request that this is carried forward into the LDP.

The Proposed LDP 2020 requires that connections between site R2 and LONG Clarkly Hill must be safeguarded. As owners of both sites Strathdee Properties Ltd will ensure the connection is maintained.

Yours Faithfully,





11440/LET.003/AM

05.03.19

MORAY COUNCIL DEVELOPMENT SERVICES (DEVELOPMENT PLANS) HIGH STREET ELGIN IV30 1BX

Dear Sir/ Madam,

# 11440 - MORAY LOCAL DEVELOPMENT PLAN - RESPONSE TO PROPOSED PLAN 2020, BUTHILL RURAL GROUPING ON BEHALF OF STRATHDEE PROPERTIES LTD

On behalf of Strathdee Properties Ltd we refer to the current consultation on the Proposed Local Development Plan 2020 and specifically to the proposed Buthill Rural Grouping. Strathdee Properties Ltd submitted a response to the Main Issues Report outlining support for Buthill being designated as a Rural Grouping and are pleased to see it included as such in the Proposed Local Development Plan 2020.

Strathdee Properties Ltd are a local developer who specialise in delivering small scale rural housing in the Moray area. Such developments are split between the smaller Moray settlements and countryside areas. The service provided by Strathdee Properties Ltd allows purchasers to build their own homes on sites that benefit from planning permission and have been cleared and serviced. This approach to development has been extremely successful and meets an identified and real demand within the Moray and wider north east housing market. It is an approach that has proven to be popular in the Buthill area where Strathdee Properties Ltd have delivered several sites.

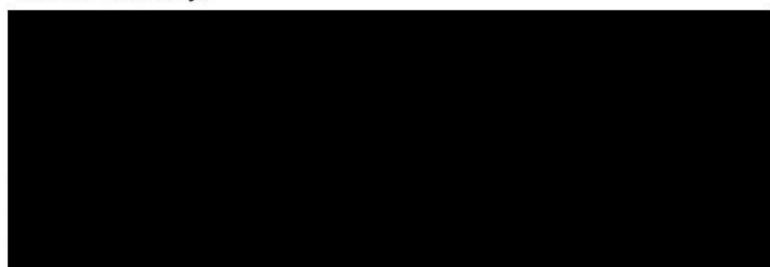
The Proposed LDP 2020 states that "a boundary has been tightly drawn around the existing house sites" in Buthill and notes that development is restricted to sites that have already gained planning consent or been developed. We understand this is to prevent further development within the woodland. The land that is not already subject to planning consent has been allocated as amenity land within the proposed Rural Grouping. We consider that these amenity land allocations are too onerous and leave no scope for future plot opportunities, and we see no evidence to support this view.

As rural developers Strathdee Properties Ltd have an interest in the proposed Buthill Rural Grouping. The settlement of Buthill is subject to high demand for housing, however the proposed Rural Grouping would not allow this to be delivered. The defensible boundaries created by existing roads, woodland and the cluster of buildings at Wester Buthill have created an ideal location for rural housing. Despite its rural location, the area is very well connected to both Elgin and Burghead due to its proximity to the B9013 and the regular bus services serving College of Roseisle. The success of house plots in the area has confirmed the suitability of this area for measured rural housing, however the proposed Rural Grouping will restrict this from being delivered.

The Proposed LDP states one of the purposes of Rural Groupings as helping to reduce demand for housing in the open countryside. Buthill is a popular place to live and the principle of development has been established with the number of new houses that have been consented in the past five years. Buthill can support large development plots for any future houses alongside high quality greenspace being provided. As such, and given the backdrops of existing woodland, we do not consider that such large areas of amenity space need to be provided to the detriment of future development plots. The current amenity space designations result in a disjointed and irregular settlement pattern that is not in keeping with other areas of the Moray countryside.

In summary, whilst we support the designation of Buthill as a Rural Grouping we believe a more sensible approach that permits further, measured rural housing development should be taken and would therefore argue that a less restrictive approach to development within the proposed Buthill Rural Grouping be considered allowing further limited plot development within the boundaries of the Buthill Rural Grouping.

## Yours Faithfully,





11440/LET.004/AM

05.03.19

MORAY COUNCIL DEVELOPMENT SERVICES (DEVELOPMENT PLANS) HIGH STREET ELGIN IV30 1BX

Dear Sir/ Madam,

# 11440 - MORAY LOCAL DEVELOPMENT PLAN - RESPONSE TO PROPOSED PLAN 2020, ROSEISLE RURAL GROUPING ON BEHALF OF STRATHDEE PROPERTIES LTD

On behalf of Strathdee Properties Ltd we refer to the current consultation on the Proposed Local Development Plan 2020 and specifically to the proposed Roseisle Rural Grouping. Strathdee Properties Ltd submitted a bid at the 'Call for Sites' MIR stage for a site to the southwest of Roseisle. We note that site RS1 is not preferred in the Proposed Local Development Plan 2020.

Strathdee Properties Ltd are a local developer who specialise in delivering small scale rural housing in the Moray area. Such developments are split between the smaller Moray settlements and countryside areas. The service provided by Strathdee Properties Ltd allows purchasers to build their own homes on sites that benefit from planning permission and have been cleared and serviced. This approach to development has been extremely successful and meets an identified and real demand within the Moray and wider north east housing market. The model offered by Strathdee Properties Ltd can be considered a successful alternative to sites developed by volume housebuilders. The house designs offered are a popular, contemporary approach to rural living.

The Proposed LDP 2020 describes opportunities for infill housing development in Roseisle as "limited", with the Rural Groupings Settlement Boundary being tightly drawn around the existing and approved allocation. As rural developers with deliverable sites in Roseisle, Strathdee Properties Ltd have an interest in this proposed Rural Grouping. The area around the settlement of Roseisle is subject to high demand for housing however the proposed Rural Grouping would not allow this to be delivered. Were the Roseisle Settlement Boundary to be extended to include land subject of development bid RS1, Strathdee Properties Ltd would be able to deliver housing in this desirable area.

The Proposed LDP states one of the purposes of Rural Groupings as helping to reduce demand for housing in the open countryside. Roseisle is a popular place to live and the principle of development to the south west has been established under approval 16/01859/APP, we would therefore argue that the allocation of Site RS1 would be sensible and providing housing in an established popular location can reduce demand for housing elsewhere in the countryside.

In 2017 Strathdee Properties Ltd were granted approval (16/01859/APP) for five homes directly to the north of RS1 with all suspensive conditions being purified in September 2017. Site RS1 would be a sensible extension to Site A and the Roseisle settlement. The proposed site is bound by woodland and a road to the east, woodland to the south and Site A to the north which all form defensible boundaries to RS1. Strathdee Properties Ltd are a long-established developer who have been operating in the Moray area for some time. They offer high quality, well designed properties in keeping with traditional Moray design therefore any additional housing allocation is deliverable. The Proposed LDP states that "All proposals for new houses in Rural Groupings must be of a traditional design or a contemporary interpretation incorporating traditional form, proportion and symmetry". Strathdee Properties Ltd have proven that they can deliver sensitively designed properties that are popular and in keeping with the surrounding area. Extending the boundary of the proposed Rural Grouping would allow Strathdee Properties Ltd to provide a modest extension of six houses to Site A which would be delivered in keeping with the characteristics of Roseisle and the wider Moray area.

The Main Issues Report suggested that Site RS1 would be detrimental to the character of Roseisle and would be visually prominent. We would argue that the natural topography of the site allows any visual prominence to be minimised as the site slopes gently southwards away from the settlement and surrounding woodland provides a backdrop.

Site A was deemed acceptable as it is enclosed in nature and benefits from established boundaries to the east, west and north and would have no detrimental impact on the character of Roseisle. We believe these characteristics are also applicable to Site RS1.

A new footpath and extended street lighting are required to be installed to reach Site A, development at Site RS1 would be able to connect to these features making their installation more valuable and sustainable.

We would argue that extending the Rural Grouping boundary to include site RS1 would be a sensible way to provide housing in the established and popular Roseisle Settlement. The road and woodland provide defensible boundaries and the sloping topography of the site minimises the visual impact of the site. Strathdee Properties have proven themselves to be successful and responsible developers who are able to deliver sites. The principle of development to the west of the settlement has been established through the approval of application 16/01859/APP at Site A and Site RS1 can benefit from the new infrastructure required.

For the reasons detailed in this letter we would respectfully request that Site RS1 be allocated in the Moray Local Development Plan 2020 and the boundary of the Roseisle Rural Grouping be extended to include Site RS1.



From: eforms@moray.gov.uk

To: Localdevelopmentplan

Subject: EL\_OPP11 - 001969

Date: 28 January 2019 15:29:36

# Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

## **Your Details**

Title: Mr

Forename(s): Daniel

Surname: Stuart

## 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

Site reference: OPP11

Site name: Cooper park, walled garden.

Comments: Hi I am a student of Horticulture from Moray College uhi in Elgin. This is my objection to the OPP11 plans for the 4 star hotel and cooper park walled garden. I think surely this is a terrible idea with the moray college got there students learning out of the site intended to change, this is the only Horticulutre training program in the North of Scotland. Without somewhere to gain qualification and knowledge of Horticulture young people are going to have to travel hundreds of miles to learn this skill and are going lose a lot of young workers in this area. This industry is in need of young Horticulturists with the population growing. The training and courses that are run here are very well taught and by great lecturers, they make sure that the knowledge you gain will help you in the future for further education and jobs. The course can not be re-allocated somewhere else because of transport and oppurtunity. Everything the course needs is right on the door step with the biblical gardens. The hotel i presume is put into this area for its surrounding area of the biblical garden, cathedral and cooper park but what is not taken into consideration is that the biblical gardens is run and maintained by college students doing there learning practices. The biblical gardens will not be kept as well as it is now, attracting 50,000 visitors a year, over time if the garden is not kept by the students it will only get worse. As a student myself I know all the factilitys here are needed for this course and the biblical gardens to run and cannot be taken away. Overall OPP11 is not going to improve the area but make it worse and destroy something for not only the community but the north of Scotland. Kind Regards Daniel

Please use this link to view and retrieve the uploaded attachments.

 From:
 eforms@moray.gov.uk

 To:
 Localdevelopmentplan

 Subject:
 EL\_OPP11 - 002195

 Date:
 15 March 2019 16:03:47

# Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

## **Your Details**

Title: Miss

Forename(s): Pamela

Surname: Sutherland

## 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: 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: Elgin

Site reference: unknown

Site name: The Walled Garden, Cooper Park

Comments: I want to object to the plans for turning the walled garden into a hotel. The walled garden now homes the invaluable Greenfingers project which helps many people in need at the same time as providing plants for customers including the local council. To move the project to suitable space, including moving their equipment, greenhouses etc. would be at a great cost. The walled garden is inside Cooper Park and there is no public access to it.

# **Policy Objection**

Policy: DP1 Development Principles

Comments: Once again, I object to the plans to build a hotel inside the walled garden at Cooper park. There is no public access to this area.

# Other Objection

Document commenting on: Elgin walled garden development

Comments: As previously, this now houses, very successfully, Greenfingers which provides support and training to many in need as well as producing goods for sale to large customers such as the local council.

Please use this link to view and retrieve the uploaded attachments.