

## Foreword



I am delighted to introduce the Moray Local Development Plan 2020 which sets out the policies and land use proposals to guide development across Moray up to 2030 and beyond.

The Plan sets out a vision for sustainable economic growth which has to be balanced carefully with Moray's outstanding and diverse natural and cultural environment, that makes Moray such a fantastically special place to live, work and visit.

The Plan includes three primary policies which support the Local Outcomes Improvement Plan, aiming to deliver sustainable economic growth, healthy places through good placemaking and longer term infrastructure planning with Community Planning partners. The Plan is supported by a Delivery/ Action Programme which sets out how the vision and aspirations will be delivered. This will require ongoing commitment from a range of public sector organisations working with community and voluntary groups and in partnership with the private sector.

I would like to take this opportunity to thank the many people who have helped shape the Plan which will direct and support the future growth of Moray and safeguard our wonderful environment.

A handwritten signature in black ink that reads "Dave Bremner".

**Chair Planning and Regulatory Services Committee  
Moray Council**





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## Introduction

### What is a local development plan?

The town and country planning system in Scotland is “plan-led” and the Council has a statutory responsibility under the Town and Country Planning (Scotland) Act 2006 to prepare an up to date local development plan. Local development plans provide guidance to residents, developers and investors as to how much and where growth is proposed for land uses, such as housing and employment, and set out a wide range of policies which are used to determine planning applications.

The Moray Local Development Plan 2020 is a corporate document taking account of a range of national and local drivers, covering a broad spectrum of issues such as the need to meet housing requirements, creating employment opportunities and supporting economic development, protecting our environment, connecting our communities, providing good health and education facilities, generating electricity from renewable sources, addressing climate change, supporting health challenges by promoting physical activity and mental well-being and helping to reduce inequalities and improve life chances for everyone to enjoy a good quality of life. The Local Development Plan is an important “tool” in addressing these issues.

The Plan aims to direct the right development to the right place and takes a more “place, infrastructure first and delivery” focus than the previous Local Development Plan. The Plan recognises the prevention role that the town and country planning system can play by helping to create quality, healthy places which improve people’s life chances and the economic benefits of good placemaking.

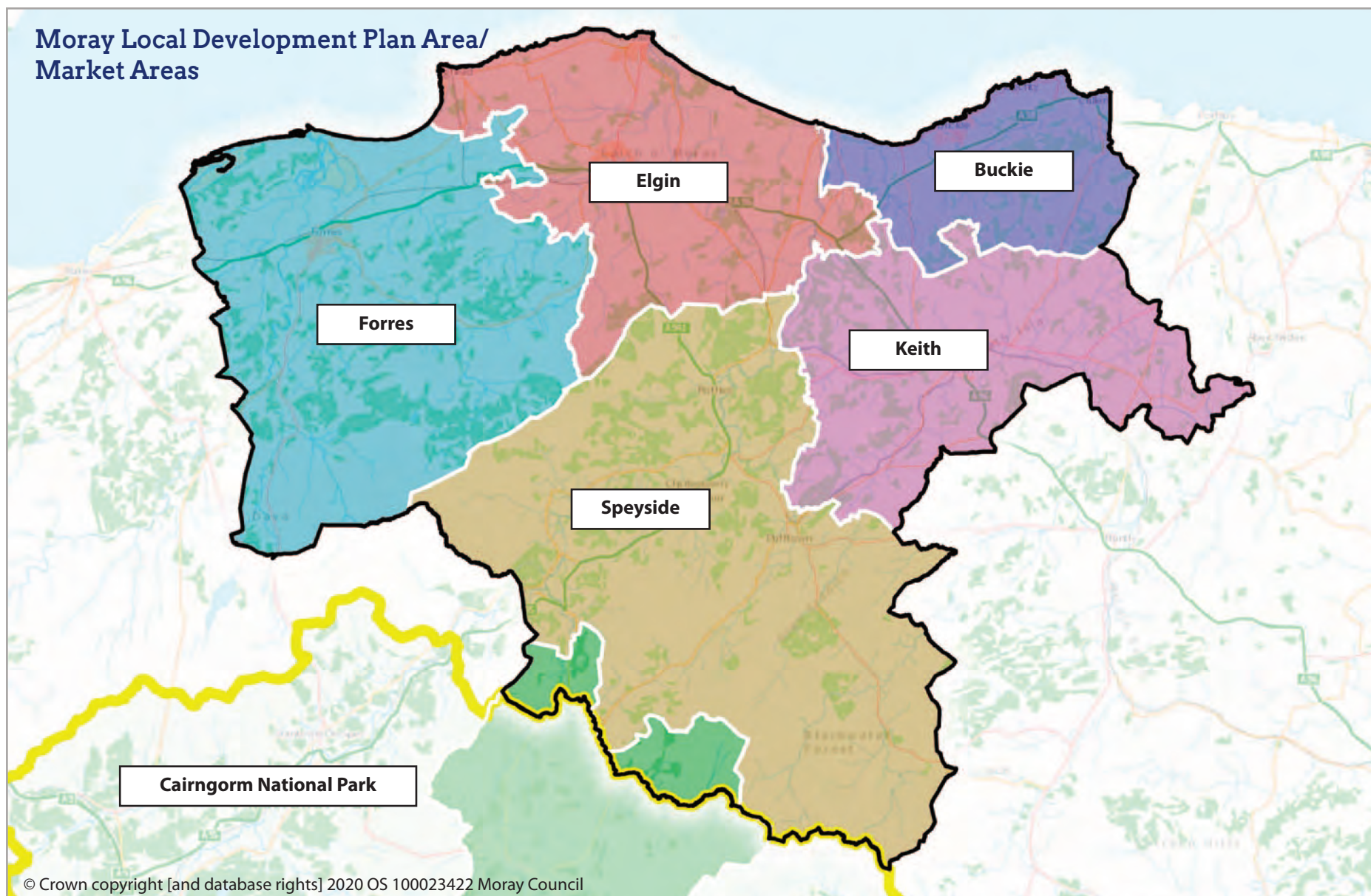
The Plan supports the Moray Local Outcome Improvement Plan which aims to achieve:

- Growing, diverse and sustainable economy;
- Building a better future for our children and young people in Moray;
- Empowering and connecting communities;
- Changing our relationship with alcohol.

The Plan sets out how the Council sees the Moray LDP area developing over the next 10 years and beyond and covers the administrative area of Moray Council minus the southern part which falls within the Cairngorms National Park which prepares its own LDP.

The Moray Local Development Plan 2020 replaces the Moray Local Development Plan 2015.





## The Plan

The Plan sets out a spatial strategy which explains our overall view of where development should go and the principles behind that. We have identified future development sites and the scale of development we expect to see on each of the identified sites. We have also identified what developers require to do when designing and delivering development, emphasising the need for masterplans, infrastructure and quality placemaking.

The Plan consists of the following documents;

### **Volume 1 - Vision, Spatial Strategy and Policies -**

setting out the vision, spatial strategy which sets the strategic context for the levels of growth proposed in each sub-area, known as market areas and the policies which are used to determine planning applications. Detailed policy notes on Affordable and Accessible Housing, Rural Housing and Trees and Development are included and form part of the Plan.

### **Volume 2 - City, town and village statements -**

mapping and text showing which sites are proposed for development purposes and which sites are safeguarded for their environmental value.

### **Volume 3 - Rural Groupings -**

mapping and text showing small development site opportunities and amenity land safeguarded from development.

### **Volume 4 - Action/ Delivery Programme -**

this sets out a range of proposals which are required to implement the LDP. Some actions are for other organisations and some for other Council services. These will be monitored annually and the Council will take a proactive approach to implementing the Programme.

### **Volume 5 - Supplementary Guidance -**

included with the Plan is new Supplementary Guidance on Flooding and Drainage.

The following Supplementary Guidance forms part of the new statutory Moray Local Development Plan 2020;

- Open Space Strategy
- Moray Onshore Wind Energy Policy Guidance, including Moray Wind Energy Landscape Capacity Study
- Flood Risk and Drainage Impact Assessment for New Developments
- Elgin South Masterplan
- Findrassie Masterplan
- Dallas Dhu Masterplan
- Kinloss Golf Course Masterplan
- Moray Forestry and Woodland Strategy
- Developer Obligations
- Bilbohall Masterplan

The Plan should be read in its entirety. The Vision, Objectives, Spatial Strategy, strategic context and policy notes form a key part of the Plan and form part of the decision making process for development proposals.

If you are interested in developing any of the designated sites then the Council encourages early discussion and can advise applicants on the policies, process and issues to be considered. Further details are available at:  
[www.moray.gov.uk/moray\\_standard/page\\_79962.html](http://www.moray.gov.uk/moray_standard/page_79962.html)



### Strategic Environmental Assessment and Habitat Regulations Appraisal

The Plan has been informed by a Strategic Environmental Assessment which is required under the Environmental Assessment (Scotland) Act 2005. The SEA assesses the policies and land use proposals and identifies any likely significant environmental impacts. In some cases, sites may not have been included in the Plan and in other cases sites or policies may have been amended to safeguard or mitigate a likely significant environmental effect.

A Habitats Regulations Appraisal (HRA) is a statutory requirement under the Conservation (Natural Habitats &c) Regulations 1994, as amended. The HRA has also helped to shape and inform the Plan, ensuring that all policies and proposals will not have a significant adverse effect on the conservation objectives and qualifying features of the Special Areas of Conservation (SAC's) and Special Protection Areas (SPA's) within or adjacent to Moray.





## The Vision

The Moray Local Development Plan 2020 is required to set out a vision. The vision is set out opposite, supported by a series of objectives.

### Plan Aims/Objectives

- Apply a placemaking approach to development to create sustainable, welcoming, well connected and distinctive places that are safe, healthy and inclusive.
- Provide a generous supply of housing land to meet the needs of various sectors of the market.
- A strong framework for investment that provides sufficient land for development and supports sustainable economic growth (including the tourism economy).
- Identify and provide for new or upgraded social and physical infrastructure to support the expanding population whilst safeguarding existing infrastructure.
- Promote the vitality and viability of town centres.
- Encourage efficient use of land and promote low carbon and sustainable development.
- Protect and enhance the built and natural environment.
- Improve resilience of the natural and built environment to climate change.

People want to live,  
work and invest in  
Moray because of the  
outstanding quality of  
life and environment.



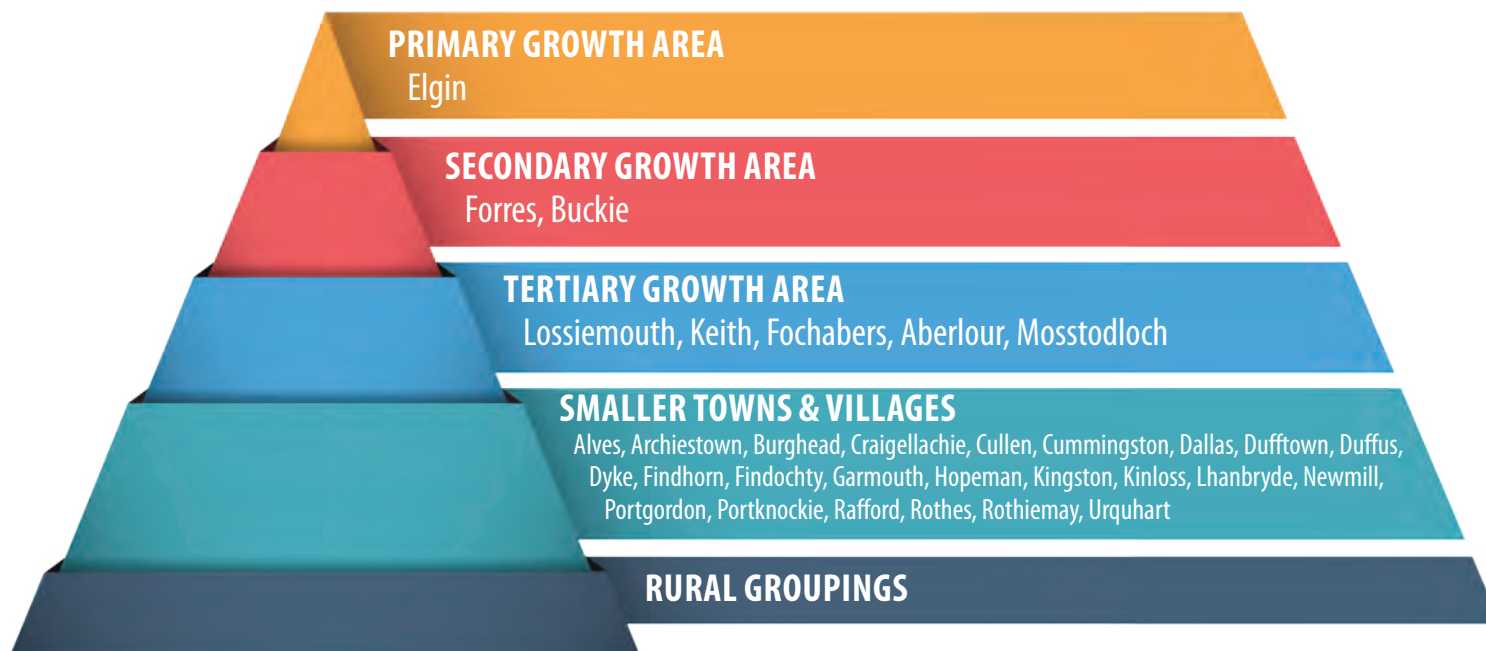
## Spatial Strategy

In previous Development Plans, growth has been concentrated in Moray's 5 main towns, with Elgin as the primary centre and the secondary centres of Forres, Buckie, Keith and Lossiemouth. However, this has been changed in the MLDP2020 for the following reasons;

- Lossiemouth is constrained due to environmental designations and noise issues associated with RAF Lossiemouth.
- Growth of Keith is significantly slower than in Buckie and Forres.
- Growth in Forres has slowed due to the closure of RAF Kinloss and the single regiment of army personnel deployed at Kinloss Barracks.

- Growth in the secondary school centres of Aberlour and Fochabers has been very slow. Both these centres offer a very good range of services and secondary schools.
- Sites in smaller villages have not come forward as housing in the countryside development continues at a high rate.

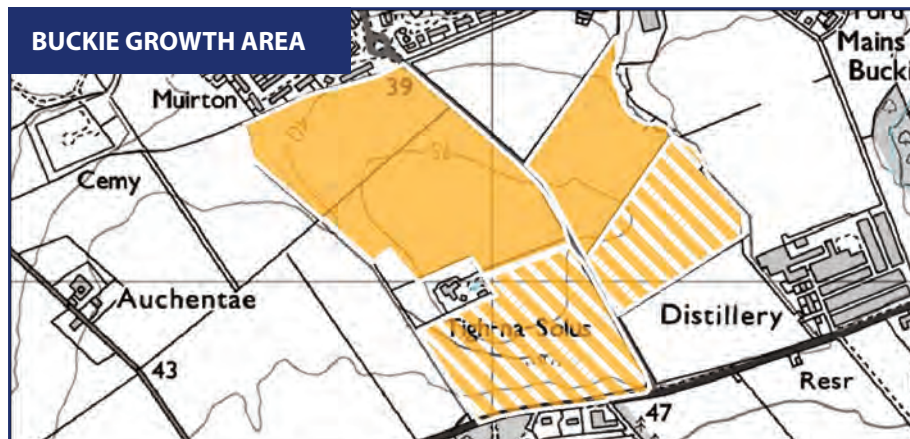
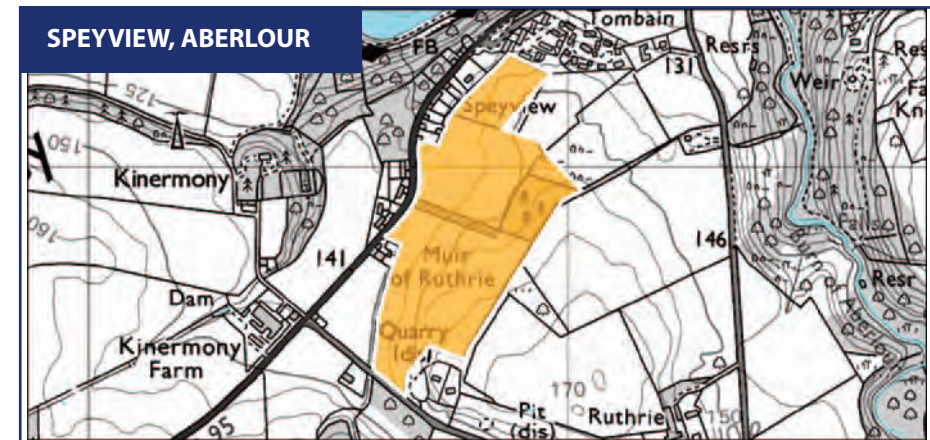
The Growth Strategy is shown in the diagram below, with the social, economic and environmental issues to be addressed, with Placemaking playing a central role in delivery of the strategy (see diagram on page 10).



The Growth Strategy focuses new development in the primary growth centre of Elgin with growth to the north through the Findrassie Masterplan, to the south through the Elgin South Masterplan and to the south west through the Bilbohall Masterplan.

New growth has been identified in the Secondary growth areas at Lochyhill, Forres and south west Buckie, reflecting their role as key centres for their housing market areas.

In the tertiary growth areas, the focus will largely be upon delivering existing designated sites which are either in the development process or have stalled in coming forward for development.



The smaller towns and villages are expected to grow in proportion to their current size, and land designations have been made at a lower level and in accordance with existing supply. Some towns and villages have been proposed for no, or limited growth due to capacity, character or other environmental issues.

Rural Groupings include development opportunities in rural areas and help to reduce demand for housing in the open countryside. A number of new, additional Groupings and development opportunities have been identified to support the new Rural Housing policy.















The formation of a new town as an option for accommodating growth was not supported through the Main Issues Report consultation or through the Strategic Environmental Assessment. However, taking a longer term view of future development, a longer term action to undertake preliminary investigations into suitable locations for a new town has been included in the Action/Delivery Programme.

The preferred option for the dualling of the A96 will impact upon a number of designated sites, potentially bringing both opportunities and constraints. Additional land reserves have been identified as a contingency for the loss of any sites to this nationally important infrastructure project.



## SPATIAL STRATEGY

## SPATIAL STRATEGY KEY

-  Primary Settlement
-  Secondary Settlement
-  Tertiary Settlement
-  New Town Search Area
-  Trunk Road
-  A96 dualling preferred option
-  Rail link
-  Principal Roads
-  Opportunities at Buckie harbour relating to Offshore Renewable Developments
-  Tourism Development Opportunities
-  New Health Centre
-  Inward Investment
-  Rail Link Improvements
-  New Bus Station

 **Housing land requirements are:**

MA = Market Area

Elgin MA:	1200
Forres MA:	250
Buckie MA:	250

 **Employment land requirements are:**

MA = Market Area

Elgin MA:	23ha
Forres MA:	12ha
Keith MA:	3.5ha
Buckie MA:	None <i>but consideration of strategic land reserve.</i>
Speyside MA:	4.8ha



## Strategic Context

Details are set out below of the housing and employment land requirements for the Plan and of infrastructure requirements which have a spatial implication for the Plan.

### Housing Land Requirement / Housing Supply Targets

Scottish Planning Policy requires local development plans to take a longer term approach to housing land. The Scottish Government has ambitious targets for the provision of 50,000 new affordable homes through the “More Homes Scotland” initiative. An “effective” supply of land for housing is a key aspect of delivering this ambition and meeting wider housing need and demand.

To be effective a site has to be free of constraints and able to be developed within a 5 year time period. The effectiveness of sites and the housing land supply is monitored annually through a housing land audit which the Council prepares in consultation with developers. To encourage a longer term approach to housing land supply and the growth of urban areas in Moray, the 2008 Local Plan introduced LONG designations which have enabled the Council to maintain a good effective supply of housing land, which has supported growth and encouraged a longer term approach to infrastructure planning and long term masterplanning to promote design quality.

The LONG term approach is continued in this Plan and will be used alongside the annual housing land audit, the triggers in Policy DP3 and the new Delivery Policies to monitor housing land and ensure an effective supply of land is maintained.

While housing land and housing completions have shown consistent levels of growth in Elgin, Forres and Buckie, growth in Keith and Speyside has been much slower, especially in Speyside where there has been very limited activity on sites identified in previous local development plans.

Delivery policies have been included to monitor the ongoing effectiveness and delivery of designated sites. The plan takes a different approach to try and unlock and deliver some of the sites which have not come forward through previous plans and make greater use of compulsory purchase and different funding approaches. However, different approaches need to be carefully controlled to ensure that infrastructure, servicing and other policy requirements such as affordable housing and open space are provided. This approach will also assist with strengthening the settlement hierarchy and provide more plot opportunities in smaller towns and villages in conjunction with the new rural housing policy.

The baseline for calculating housing need and demand for the Moray Local Development Plan 2020 is set out in the Housing Need and Demand Assessment (HNDA) 2017, which has achieved “robust and credible” status from the Scottish Government Centre for Housing Market Analysis.

The Plan aims to provide at least a 10 year supply of effective housing land at the time of adoption and plan for housing up to and beyond 2035. This longer term approach allows for strategic infrastructure planning and co-ordination between community planning partners and agencies.



## How is the housing land requirement calculated?

To calculate how much new, additional land has to be identified in the Plan, the existing land “zoned”, which is free of constraints and available to develop within 5 years, is deducted from the housing land requirement along with any other sites which are considered free of other constraints but because of build out rates, they are more likely to be developed after 5 years.

The Council has added 30% generosity onto the baseline 2017 HNDA figure of 5422 housing units between 2018 and 2035, making a total housing land requirement of 7049 units, representing 414 units per annum, which is proposed to be the annual housing land supply target, with the target for completions being 318 units per annum. The land supply target must be higher than the completions target to reflect market conditions and some sites not coming forward as anticipated and changing circumstances.

Table 1 identifies the effective, constrained and total established land supply.

**Table 1-** Housing Land Requirements to 2035.

LHMA	Housing Supply Target 2018 to 2035	Proposed Generosity	Housing Land Requirement to 2035	Effective Housing Land Supply 2018 - 2023	Effective Housing Land Supply beyond 2023	Remaining Housing Land Requirement	New Allocations Proposed
Buckie	897	269	1166	330	60	776	250
Elgin	2712	314	3526	2304	1230	8	1200
Forres	949	285	1234	1066	10	158	250
Keith	447	134	581	303	10	268	0
Speyside	417	125	542	91	10	441	0
<b>Total</b>	<b>5422</b>	<b>1627</b>	<b>7049</b>	<b>4094</b>	<b>1320</b>	<b>1635</b>	<b>1700</b>

**Note:** Supply Figures based on the 2017 Housing Land Audit



A generosity figure of 30% has been added onto the baseline HNDA derived housing supply target. Scottish Planning Policy suggests a generosity figure of 10-20%. The higher generosity figure is intended to ensure enough land is available in the right places to meet demand and to ensure the land supply is flexible and responsive to adapt if some sites do not come forward for development or are slower to develop than anticipated. The higher generosity figure also reflects uncertainty over Moray's longer term demographic projections, the significant investment by the Ministry of Defence at RAF Lossiemouth and associated build-up of personnel and the potential for additional investment at Kinloss Barracks.

The council is exploring innovative ways of bringing forward constrained sites into the effective land supply and further details are set out in the Action/ Delivery Programme. A LONG term supply of land has also been identified as a reserve which is controlled and released through the annual Housing Land Audit if the triggers for release have been met. Land releases must be in conformity with the Spatial Strategy.

Scottish Planning Policy states that the level of affordable housing required as a contribution within a market site should generally be no more than 25% of the total number of houses. This is reflected in the Plan policies and results in the setting of realistic supply targets which will help to meet identified needs. This means a more optimistic and realistic market supply target has been set than the annual amount required in the HNDA which reflects historic trends and reflects the amount of affordable houses that are realistically able to be delivered. However, the Council will continue to explore innovative ways of providing additional affordable housing, within the Spatial Strategy to meet the need identified in the HNDA.

The additional land requirement of 1700 units will be met through the designation of new sites in Elgin LHMA for 1200 units, Forres LHMA 250 units and Buckie LHMA 250 units, with larger growth areas identified in Elgin South, Lochyhill Forres and South West Buckie to promote an infrastructure first approach and to replace deleted sites.

The Plan takes a delivery focused proactive approach, with a range of actions identified in the Action/Delivery Programme to encourage sites to come forward. The policies of the Plan require ongoing evidence of the effectiveness and viability of sites and if this information is not forthcoming sites may be removed from future Plans.

### Employment land requirement

Scottish Planning Policy requires development plans to designate sites that meet the diverse needs of different types and sizes of business in a way that is flexible enough to accommodate changing circumstances. The top priority of the Community Planning Partnerships 10 year plan, Moray 2026 is "a growing, diverse and sustainable economy."

Sufficient land and buildings for industrial and business uses is required, with demand for medium sized sites primarily coming from existing business looking to grow. Demand for large sites from inward investors is small but large in terms of land take (40 hectares+). Demand is seen to come from a mix of small start ups, renewables, digitally based businesses and decommissioning. Demand is greatest within the Elgin area , followed by Forres and then Buckie, Keith and Speyside.

LHMA	Affordable	Market	Total
Elgin	678	2034	2712
Forres	237	712	949
Buckie	224	673	897
Keith	112	335	447
Speyside	104	313	417
<b>Total</b>	<b>1,355</b>	<b>4,067</b>	<b>5,422</b>

**Table 2-** Housing Supply Target 2018 - 2035



### How is the employment land requirement calculated?

An annual requirement of 4-5 hectares per year has been identified through discussion with a working group with consideration given to build out rates and historic demand studies. This has been informed by the annual employment land audit which the Council prepares, summarised in Table 3 below.

Market Area	Effective Supply 2017 (general industrial)	Number of sites 2017	Predicted supply in years at 2020
Elgin	27.69ha/68.42acres	5	6.8 years
Forres	0.23ha/0.57acres	2	Less than a year
Buckie	16.03ha/39.6acres	3	16.8 years
Keith	3.81ha/9.41acres	3	6.4 years
Speyside	2.3ha/5.8acres	2	2.8 years

**Table 3-** Effective and predicted supply of employment land by Market Area

This annual requirement is applied to the existing supply of effective employment land for general industrial use to establish the number of years supply currently available. The effective land supply (land that is free of constraint and developable within 5 years) is monitored annually through an employment land audit, which allows the Council to calculate the amount of land that needs to be identified in the plan to support economic growth.

The requirement is split across Market Areas as set out below, with details of sites designated to meet the land requirements.

A LONG term approach is taken to employment land whereby the annual employment land audit, the triggers in Policy DP3 and the new Delivery Policies will be used to monitor employment land and ensure an effective supply is maintained. It is important that a range of sites are available across Moray to accommodate inward investment, including sites for large scale users. On that basis land is identified in excess of the minimum employment land requirements in the form of LONG sites with strategic inward investment sites capable of accommodating large scale users identified in Elgin at Burnside of Birnie, West of Mosstodloch and at March Road in Buckie. The identification of these sites and their potential for longer term expansion allows for more strategic infrastructure and planning co-ordination between the relevant community planning partners and agencies.

**Table 4**

Market Area	Minimum additional land requirement	Sites designated in Plan to meet requirement
Elgin	23 hectares	I16 Burnside of Birnie - 9 ha
		I3 West Mosstodloch - 16ha
		MU Lossiemouth Road NE - 5ha
Forres	12 hectares	I5 Easter Newforres - 18ha
Buckie	None required	
Keith	3.5 hectares	MU Banff Road for mixed uses minimum 1.75ha
		I11 Westerton Road East Expansion - 1.75ha
Speyside	4.8 hectares	R2 Speyview, Aberlour - 1 ha

An action has been included in the Action/ Delivery Programme to identify large rural inward investment sites.



### Infrastructure

Scottish Planning Policy requires planning authorities to use action programmes to drive the delivery of planned developments to align stakeholders, phasing, financing and infrastructure investment over the long term. Modern, fit for purpose infrastructure is essential to support Moray 2026 to provide the transportation, education, health and other infrastructure to support Moray's growing and ageing population.

Planning and Development officers have worked closely with other services, statutory consultees and Community Planning partners to plan the infrastructure requirements to support the growth proposed in this Plan.

A summary of proposed new infrastructure is detailed in Table 5. This will be updated through the Action/ Delivery Programme and through the Developer Obligations Supplementary Guidance as the infrastructure evidence base is reviewed over time.



### Education

A School Estate Strategy is being prepared by the Council setting out longer term primary and secondary school requirements, aligned with the Local Development Plan Spatial Strategy. The following new/ extended schools are proposed;

<b>Elgin Academy</b>	1x Primary School (450-650 pupil capacity)- Findrassie Masterplan area. Potential for community hub/shared facilities to be explored. Extension to Elgin Academy.
<b>Elgin High</b>	2x primary School- Linkwood and Glassgreen within Elgin South Masterplan area- (450-650 pupil capacity). Glassgreen to explore potential for community hub/ shared facilities. Extension to Elgin High.
<b>Forres Academy</b>	1x Primary School (450-650 pupil capacity)- Lochyhill. Potential for community hub/ shared facilities to be explored. Extension to Forres Academy.
<b>Buckie High</b>	3-18 Education Campus or new primary school in south west growth area. Either option to explore potential community hub/ shared facilities.

**Table 5:** Indicative new/ extended school requirements to accommodate growth proposed in MLDP2020.

## Healthcare

Table 6 below identifies the new facilities and improvements to existing facilities which are required to support growth proposed in this Plan.

**Table 6** New/ extended healthcare requirements to accommodate growth proposed in MLDP2020.

	Health Centre	Dental Chairs	Community Pharmacy
<b>Elgin</b>	1 new health centre for 7 GP's and support staff located within the Elgin South masterplan area Maryhill Health Centre: Extension to accommodate 4 additional GP's and support staff Elgin Community Surgery: Extension to accommodate 1 additional GP and support staff	5 additional dental chairs	1 additional pharmacy
<b>Forres</b>	Forres Health Centre: extension to accommodate 4 additional GP's and support staff	2 additional dental chairs	Reconfiguration of existing pharmacy outlets (location tbc)
<b>Buckie</b>	Ardach Health Centre: Future extension to accommodate 1 additional GP and support staff  Seafield & Cullen Medical Practice: Reconfiguration of existing practice to accommodate 1 additional GP and support staff		
<b>Keith</b>	New Health Centre		
<b>Lossiemouth</b>	Moray Coast Medical Practice: extension to accommodate 1 additional GP and support staff		
<b>Fochabers</b>	New Health Centre		
<b>Rothies</b>	Rothies Medical Centre: reconfiguration to create additional consulting space. Work now completed.	1 additional dental chair	
<b>Dufftown</b>	Rinnes Medical Practice: extension to accommodate 1 additional GP and support staff	1 additional dental chair	
<b>Aberlour</b>	Aberlour Health Centre: reconfiguration to accommodate 1 additional GP and support staff. Work now completed.	1 additional dental chair	





### Transportation

Transportation infrastructure includes pedestrian and cycle, road (local and trunk), rail, air and sea routes. Well planned transportation infrastructure supports economic growth by connecting Moray to markets and services, promotes use of public transport and encourages active travel in preference to the private car, bringing health and environmental benefits.

#### National Infrastructure- A96 dualling

In December 2018 Transport Scotland published the preferred route option for the A96 dualling from Hardmuir to Fochabers. Dualling the A96 will bring significant economic benefits to Moray, reducing travel times, helping to sustain, grow and attract new businesses and should reduce the rate and severity of accidents.

The preferred route option has been reflected in the Spatial Strategy, the relevant settlement statements and TSP maps (where sites are directly affected). The preferred route option has not been reflected in key design principle drawings and interested parties are directed to [www.transport.gov.scot/publication/preferred-option-public-exhibition-materials-december-2018-hardmuir-to-fochabers-a96-dualling/](http://www.transport.gov.scot/publication/preferred-option-public-exhibition-materials-december-2018-hardmuir-to-fochabers-a96-dualling/) for further details.

#### National Infrastructure- rail improvements

A £170 million Aberdeen to Inverness Rail Enhancement Programme is currently being undertaken by the Scottish Government introducing more frequent services, which is supported by the installation of new/ upgraded rail infrastructure including the new station at Forres, extension of platforms at Elgin and upgrading of signaling systems along the route.

#### Local Transportation Network

Moray's rural location means there will be a continuing reliance on road transport, however this needs to be balanced by providing a network of opportunities for public transport and active travel. The Moray Local Transport Strategy 2 (MLTS2) sets out planned improvements to transport infrastructure and services in the area. More specific transport interventions for Elgin are set out in the Elgin Transport Strategy (ETS) which identifies improvements to the network to address the cumulative impact of allocated development within Elgin up to 2030.

Transport proposals (TSP) are shown in the settlement statements. Policies have an emphasis upon promoting alternatives to the car, to encourage active travel and exercise as part of healthy living.

### Harbours

Buckie harbour is the main commercial harbour with manufacturing, boat repair, cargo handling and fishing businesses in operation. Buckie harbour has significant potential for freight and operations and maintenance (O&M) for offshore renewables, having the capacity, supply chain links and geographic location to embrace further expansion.

Further details on other infrastructure including sports and recreation, digital connectivity and Waste Water can be obtained from [localdevelopmentplan@moray.gov.uk](mailto:localdevelopmentplan@moray.gov.uk).





## Policies

### PRIMARY POLICIES

The primary policies reflect key planning objectives and aspirations of the Council. These policies will be used alongside other policies to determine planning applications as relevant and cover the following topics;

- PP1** Placemaking
- PP2** Sustainable Economic Growth
- PP3** Infrastructure & Services

### DEVELOPMENT POLICIES - cover the following topics;

- DP1** Development Principles
- DP2** Housing  
Policy Guidance note on Affordable and Accessible Housing
- DP3** LONG Term Land Reserves
- DP4** Rural Housing  
Policy Guidance note on Rural Housing
- DP5** Business and Industry
- DP6** Mixed Use (MU) and Opportunity Sites (OPP)
- DP7** Retail/ Town Centres
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### ENVIRONMENT POLICIES - cover the following topics

- EP1** Natural Heritage Designations
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- EP17** Coastal Change

### DELIVERY POLICIES - cover the following topics

- DEL1** Delivery of Effective sites and Delivery Programme
- DEL2** Maintaining an effective supply of land for housing and employment uses



## PP1 PLACEMAKING

- a) Development must be designed to create successful, healthy places that support good physical and mental health, help reduce health inequalities, improve people's wellbeing, safeguard the environment and support economic development.
- b) A Placemaking Statement is required for residential developments of 10 units and above to be submitted with the planning application to articulate how the development proposal addresses the requirements of policy PP1 Placemaking and other relevant LDP policies and guidance. The Placemaking Statement must include sufficient information for the council to carry out a Quality Audit. Where considered appropriate by the council, taking account of the nature and scale of the proposed development and of the site circumstances, this shall include a landscaping plan, a topographical survey, slope analysis, site sections, 3D visualisations, a Street Engineering Review and a Biodiversity Plan. The Placemaking Statement must demonstrate how the development promotes opportunities for healthy living and working. The landscape plan must set out details of species type, size, timescales for planting and maintenance.
- c) To create successful, healthy places residential developments of 10 units and above must comply with Scottish Government policy Creating Places and Designing Streets and must incorporate the following fundamental principles:

## (i) Character and Identity

- Create places that are distinctive to prevent homogenous 'anywhere' development;
- Provide a number of character areas reflecting site characteristics that have their own distinctive identity and are clearly distinguishable;
- Provide distinctiveness between and in each character area through a combination of measures including variation in urban form, street structure/network, architecture and masonry, accent features (such as porches), surrounds and detailing, materials (buildings and surfaces), colour, boundary treatments, hard/soft landscaping and a variety of approaches to tree species and planting that emphasises the hierarchy of open spaces and streets within a cohesive design strategy for the whole development;
- Distinctiveness must be reinforced along main thoroughfares, open spaces and places where people may congregate such as shopping/service centres;
- Retain, incorporate and/or respond to relevant elements of the landscape such as topography and planted features, natural and historic environment, and propose street naming (in residential developments of 20 units and above, where proposed names are to be submitted with the planning application) to retain and enhance local associations;



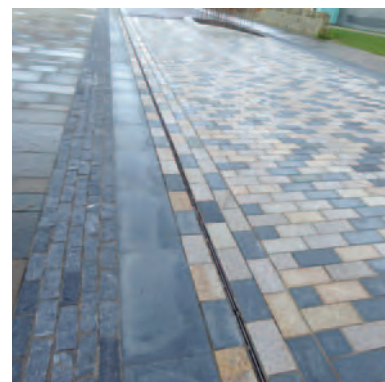
**Boundary  
Treatments**



**Variation of  
Design**



**Spaces/  
Connections**



(ii) **Healthier, Safer Environments**

- Designed to prevent crime, fear of crime and anti-social behaviour with good levels of natural surveillance and security using treatments such as low boundary walls, dual frontages (principal rooms) and well-lit routes to encourage social interaction. Unbroken high boundary treatments such as wooden fencing and blank gables onto routes, open spaces and communal areas will not be acceptable.
- Designed to encourage physical exercise for people of all abilities.
- Create a distinctive urban form with landmarks, key buildings, vistas, gateways and public art to provide good orientation and navigation through the development.
- Provide a mix of compatible uses, where indicated within settlement statements, integrated into the fabric of buildings within the street.
- Prioritise pedestrians and cyclists by providing a permeable movement framework that incorporates desire lines (including connecting to and upgrading existing desire lines) and is fully integrated with the surrounding network to create walkable neighbourhoods and encourage physical activity.
- Integrate multi- functional active travel routes, green and open space into layout and design, to create well connected places that encourage physical activity, provide attractive spaces for people to interact and to connect with nature.
- Create safe streets that influence driver behaviour to reduce vehicle speeds that are appropriate to the local context such as through shorter streets, reduced visibility and varying the building line.



- Provide seating opportunities within streets, paths and open spaces for all generations and mobility's to interact, participate in activity, and rest and reflect.
- Provide for people with mobility problems or a disability to access buildings, places and open spaces.
- Create development with public fronts and private backs.
- Maximise environmental benefits through the orientation of buildings, streets and open space to maximise the health benefits associated with solar gain and wind shelter.







### (iii) Housing Mix

- Provide a wide range of well integrated tenures, including a range of house types and plot sizes for different household sizes, incomes and generations and meet the affordable and accessible requirements of policy DP2 Housing.
- All tenures of housing should have equal access to amenities, greenspace and active travel routes.

### (iv) Open Spaces/Landscaping

- Provide accessible, multi-functional open space within a clearly defined hierarchy integrated into the development and connected via an active travel network of green/blue corridors that are fully incorporated into the development and to the surrounding area, and meet the requirements of policy EP5 Open Space and the Open Space Strategy Supplementary Guidance and Policy EP12 Managing the Water Environment and Drainage Impact Assessment for New Developments Supplementary Guidance.
- Landscaped areas must provide seasonal variation, (mix of planting and colour) including native planting for pollination and food production.
- Landscaping areas that because of their size, shape or location would not form any useable space or that will not positively contribute to the character of an area will not contribute to the open space requirements of Policy EP4 Open Space.
- Semi-mature tree planting and shrubs must be provided along all routes with the variety of approaches reflecting and accentuating the street hierarchy.
- Public and private space must be clearly defined.
- Play areas (where identified) must be inclusive, providing equipment so the facility is for every child/young person regardless of ability and provided upon completion of 50% of the character area.
- Proposals must provide advance landscaping identified in site designations and meet the quality requirements of policy EP5 Open Space.
- Structural landscaping must incorporate countryside style paths (such as bound or compacted gravel) with waymarkers.
- Maintenance arrangements for all paths, trees, hedging, shrubs, play/sports areas, roundabouts and other open/ green spaces and blue/green corridors must be provided.





**(v) Biodiversity**

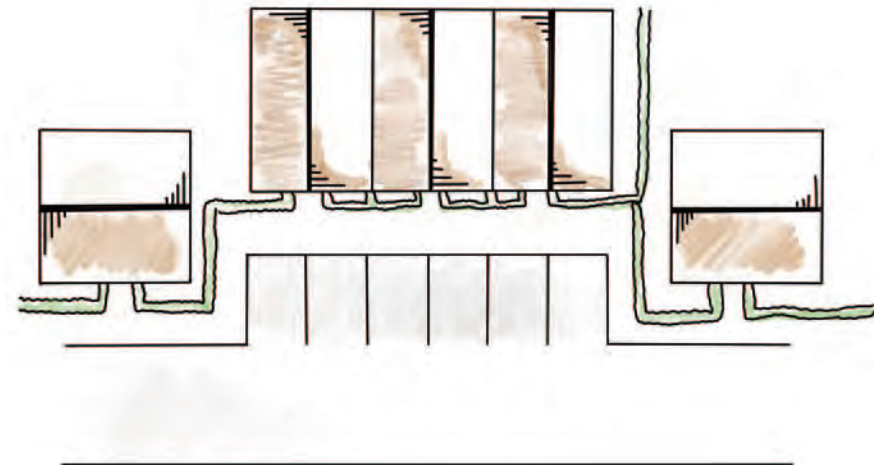
- Create a variety of high quality multi- functional green/blue spaces and networks that connect people and nature, that include trees, hedges and planting to enhance biodiversity and support habitats/wildlife and comply with policy EP2 Biodiversity and Geodiversity and EP5 Open Space.
- A plan detailing how different elements of the development will contribute to supporting biodiversity must be included in the design statement submitted with the planning application.
- Integrate green and blue infrastructure such as swales, permeable paving, SUDS ponds, green roofs and walls and grass/wildflower verges into streets, parking areas and plots to sustainably address drainage and flooding issues and enhance biodiversity from the outset of the development.
- Developments must safeguard and where physically possible extend or enhance wildlife corridors and green/blue networks and prevent fragmentation of existing habitats.

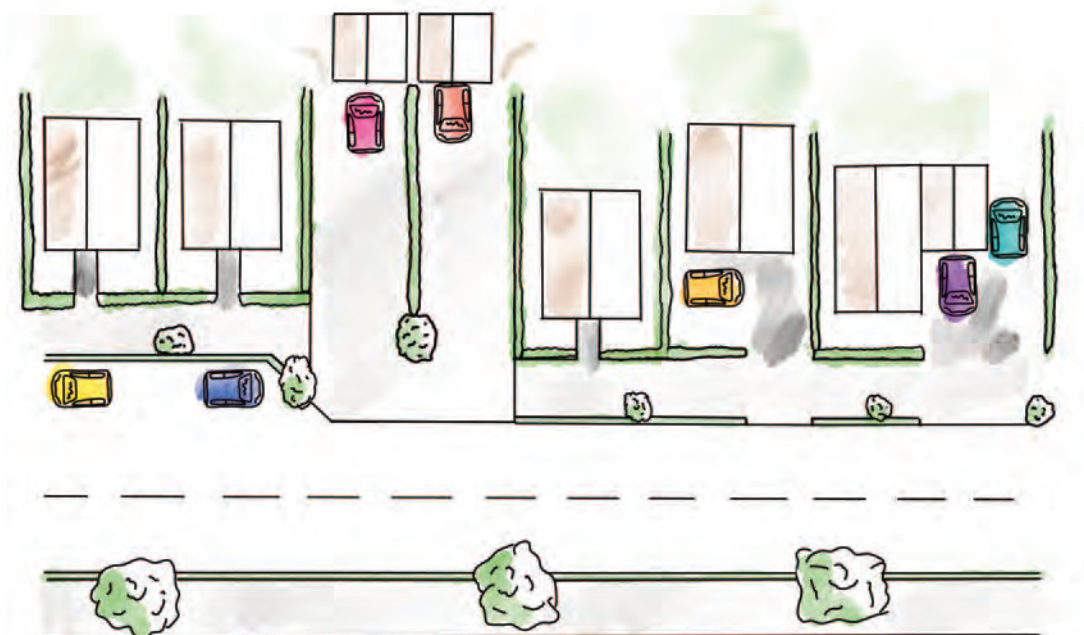


Example of unacceptable “book ending” layout which contributes to car parking dominating the street scene.

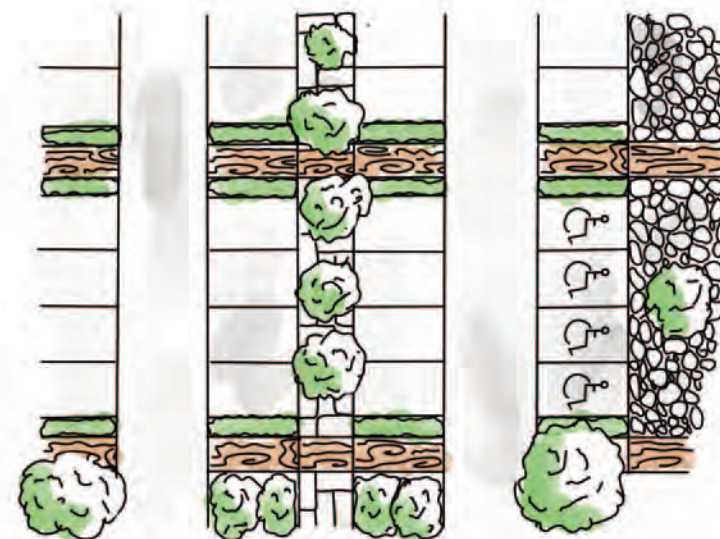
**(vi) Parking**

- Car parking must not dominate the streetscape to the front or rear of properties. On all streets a minimum of 50% of car parking must be provided to the side or rear and behind the building line with a maximum of 50% car parking within the front curtilage or on street, subject to the visual impact being mitigated by hedging, low stone boundary walls or other acceptable treatments that enhance the streetscape.
- Provide semi-mature trees and planting within communal private and public/visitor parking areas and on-street parking at a maximum interval of 4 car parking spaces.
- Secure and covered cycle parking and storage, car sharing spaces and electric car charging points must be provided in accordance with policy DP1 Development Principles.
- Parking areas must use a variation in materials to reduce the visual impact on the streetscene.





Drawing illustrates varying design approaches to ensure parked cars do not dominate the street scene and provide a minimum of 75% parking to the side and behind the building line.



Drawing illustrates communal parking areas broken up with semi mature trees and planting.



**(vii) Street Layout and Detail**

- Provide a clear hierarchy of streets reinforced through street width, building density and street and building design, materials, hard/soft landscaping and a variety of approaches to tree planting and shrubs.
  - Streets and connecting routes should encourage walking and cycling over use of the private car by providing well connected, safe and appealing routes.
  - Design junctions to prioritise pedestrians, accommodate active travel and public transport and service/emergency vehicles to reflect the context and urban form and ensure that the street pattern is not standardised.
  - Dead-end streets/cul-de-sacs will only be selectively permitted such as on rural edges or where topography, site size, shape or relationship to adjacent developments prevent an alternative more permeable layout. These must be short, serving no more than 10 units and provide walking and cycling through routes to maximise connectivity to the surrounding area.
  - Where a roundabout forms a gateway into, or a landmark within, a town and/or a development, it must be designed to create a gateway feature or to contribute positively to the character of the area.
  - Design principles for street layouts must be informed by a Street Engineering Review (SER) and align with Roads Construction Consent (RCC) to provide certainty that the development will be delivered as per the planning consent.
- (d) Future masterplans will be prepared through collaborative working and in partnership between the developer and the council for Lochyhill (Forres), Barhill Road (Buckie), Elgin Town Centre/Cooper Park, Elgin North East, Clarkly Hill, Burghead and West Mosstodloch. Masterplans that are not prepared collaboratively and in partnership with the council will not be supported. Masterplans that are approved will be Supplementary Guidance to the Plan.
- (e) Proposals for sites must reflect the key design principles and safeguard or enhance the green networks set out in the Proposals Maps and Settlement Statements. Alternative design solutions may be proposed where justification is provided to the planning authority's satisfaction to merit this.





### Justification/ Notes

This policy applies to all proposals for 10 or more housing units. Healthy placemaking means tackling preventable disease by shaping the built environment so that healthy activities are integral to people's everyday lives. Places that are designed to a high quality support good physical and mental health, reduce health inequalities and improve people's well-being, which in turn supports economic growth. They enable physical activity through increasing walkability in buildings and neighbourhoods, support mental health through distinctive places, create well-connected neighbourhoods that provide access to facilities and amenities to reduce social isolation and loneliness, support social interaction and community cohesion, improve access to healthier foods by supporting local food production (e.g. allotments, community orchards), provide access to nature and the natural environment that allow people to connect with nature, and reduce exposure to pollution. Conversely, car orientated environments, hostile public spaces and 'anywhere' development can contribute to sedentary lifestyles, social isolation and poor mental health, increasing people's risk of disease.

High quality design is a key aim of the Scottish Government as embodied in Scottish Planning Policy (SPP), Designing Streets, Creating Places and the Public Health Priorities for Scotland. The 6 key characteristics of a successful place are defined as: distinctive, safe and pleasant, easy to move around, welcoming, adaptable and resource efficient. Further research through the Mood, Mobility and Place project identifies the benefits of co-design to support outdoor activity, health, well-being and community engagement as people age and informs healthy placemaking. PP1 Placemaking supports the Scottish Government's aims to create healthy places through high quality design and ensure that Moray remains an attractive place to live and work, and encouraging inward investment and economic development opportunities.

ParentAble Moray and Moray Disability Forum will be consulted on all Masterplans.



## PP2 SUSTAINABLE ECONOMIC GROWTH

Development proposals which support the Moray Economic Strategy to deliver sustainable economic growth will be supported where the quality of the natural and built environment is safeguarded, there is a clear locational need and all potential impacts can be satisfactorily mitigated.

### Justification/ Notes

The Moray Economic Strategy provides a long term strategy to influence decision makers in addressing the challenges in diversifying the economy of Moray. This includes the objectives for growth and inward investment in higher paid employment, to reduce the outmigration of young people and to reduce any dependency on public sector employment including the defence sector.

The Spatial Strategy reinforces Elgin's role as a regional centre supported by the secondary and tertiary growth towns of Forres, Buckie, Lossiemouth, Keith, Fochabers and Aberlour.

The aims of this policy must be balanced with the need to safeguard Moray's natural and built environment.



## PP3 INFRASTRUCTURE & SERVICES

Development must be planned and co-ordinated with infrastructure to ensure that places function properly and proposals are adequately served by infrastructure and services.

- a) In relation to infrastructure and services developments will be required to provide the following as may be considered appropriate by the planning authority, unless these requirements are considered not to be necessary:
  - i) Education, Health, Transport, Sports and Recreation and Access facilities in accord with Supplementary Guidance on Developer Obligations and Open Space.
  - ii) Green infrastructure and network requirements specified in policy EP5 Open Space, Town and Village Maps and, contained within Supplementary Guidance on the Open Space Strategy, Masterplans and Development Briefs.
  - iii) Mitigation/modification to the existing transport network (including road and rail) to address the impact of the proposed development in terms of safety and efficiency. This may include but not be limited to passing places, road widening, junction enhancement, bus stop infrastructure, and drainage infrastructure. A number of potential road and transport improvements are identified and shown on the Town and Village Maps as Transport Proposals (TSP's) including the interventions in the Elgin Transport Strategy. These requirements are not exhaustive and do not pre-empt any measures which may result from the Transport Assessment process.
  - iv) Electric car charging points must be provided at all commercial and community parking facilities. Access to charging points must also be provided for residential properties, where in-curtilage facilities cannot be provided to any individual residential property then access to communal charging facilities should be made available. Access to other nearby charging facilities will be taken into consideration when identifying the need for communal electric charging points.



- v) Active Travel and Core Path requirements specified in the Council's Active Travel Strategy and Core Path Plan.
- vi) Safe transport and access routes linking to existing networks and mitigating the impacts of development off-site.
- vii) Information Communication Technology (ICT) and fibre optic broadband connections for all premises unless justification is provided to substantiate it is technically unfeasible.
- viii) Foul and surface water drainage, including Sustainable Urban Drainage Systems (SUDS), including construction phase SUDS.
- ix) Measures that implement the waste management hierarchy as defined in the Zero Waste Plan for Scotland including the provision of local waste storage and recycling facilities designed into the development in accord with policy PP1 Placemaking. For major applications a site waste management plan may be required to ensure that waste minimisation is achieved during the construction phase.
- x) Infrastructure required to improve or increase capacity at Water Treatment Works and Waste Water Treatment Works will be supported subject to compliance with policy DP1.
- xi) A utilities plan setting out how existing and new utility (including gas, water, electricity pipelines and pylons) provision has been incorporated into the layout and design of the proposal. This requirement may be exempted in relation to developments where the council considers it might not be appropriate, such as domestic or very small scale built developments and some changes of use.

**b) Development proposals will not be supported where they:**

- i) Create new accesses onto trunk roads and other main/key routes (A941 & A98) unless significant economic benefits are demonstrated or such access is required to facilitate development that supports the provisions of the development plan.

- ii) Adversely impact on active travel routes, core paths, rights of way, long distance and other access routes and cannot be adequately mitigated by an equivalent or better alternative provision in a location convenient for users.
- iii) Adversely impact on blue/green infrastructure, including green networks important for wildlife unless an equivalent or better alternative provision will be provided.
- iv) Are incompatible with key waste sites at Dallachy, Gollanfield, Moycroft and Waterford and would prejudice their operation.
- v) Adversely impact on community and recreational sites, buildings or infrastructure including CF designations and cannot be adequately mitigated.
- vi) Adversely impact on flood alleviation and mitigation infrastructure.
- vii) Compromise the economic viability of bus or rail facilities.

**c) Harbours**

Development within and diversification of harbours to support their sustainable operation will be supported subject to compliance with other policies and settlement statements.

**d) Developer Obligations**

Developer obligations will be sought to mitigate any measurable adverse impact of a development proposal on local infrastructure, including education, healthcare, transport (including rail), sports and recreational facilities and access routes. Obligations will be sought to reduce, eliminate or compensate for this impact. Developer obligations may also be sought to mitigate any adverse impacts of a development, alone or cumulatively with other developments in the area, on the natural environment.



Where necessary obligations that can be secured satisfactorily by means of a planning condition attached to planning permission will be done this way. Where this cannot be achieved, the required obligation will be secured through a planning agreement in accordance with Circular 3/2012 on Planning Obligations.

Developer obligations will be sought in accordance with the Council's Supplementary Guidance on Developer Obligations. This sets out the anticipated infrastructure requirements, including methodology and rates.

Where a developer considers that the application of developer obligations renders a development commercially unviable a viability assessment and 'open-book accounting' must be provided by the developer which Moray Council, via the District Valuer, will verify, at the developer's expense. Should this be deemed accurate then the Council will enter into negotiation with the developer to determine a viable level of developer obligations.

The Council's Developer Obligations Supplementary Guidance provides further detail to support this policy.

#### Justification/ Notes

The Council wishes to ensure an infrastructure first approach is taken to development and that any adverse impact upon infrastructure is mitigated. Development should be adequately serviced in terms of transport, water, drainage and local education, recreation and health facilities able to accommodate the resultant growth. There is a particular emphasis on providing pedestrian and cycle access and any necessary public transport.

Further information on infrastructure requirements is set out in the Strategic Context section on page 12, in the settlement statements in Volume 2 and in the Action/ Delivery Programme in Volume 4. Transport Proposals (TSP's) are identified in the settlement statements covering proposed network improvements, safeguarding and areas where capacity testing is required.

The Council will secure Developer Obligations to mitigate impacts on infrastructure and full details are set out in the Developer Obligations Supplementary Guidance.



## DP1 DEVELOPMENT PRINCIPLES

This policy applies to all development, including extensions and conversions and will be applied reasonably taking into account the nature and scale of a proposal and individual circumstances.

The Council will require applicants to provide impact assessments in order to determine the impact of a proposal. Applicants may be asked to determine the impacts upon the environment, transport network, town centres, noise, air quality, landscape, trees, flood risk, protected habitats and species, contaminated land, built heritage and archaeology and provide mitigation to address these impacts.

Development proposals will be supported if they conform to the relevant Local Development Plan policies, proposals and additional guidance, meet the following criteria and address their individual and cumulative impacts:

### (i) Design

- a) The scale, density and character must be appropriate to the surrounding area and create a sense of place (see Policy PP1) and support the principles of a walkable neighbourhood.
- b) The development must be integrated into the surrounding landscape which will include safeguarding existing trees and undertaking replacement planting to include native trees for any existing trees that are felled, and safeguarding any notable topographical features (e.g. distinctive knolls), stone walls and existing water features by avoiding channel modifications and culverting. A tree survey and tree protection plan must be provided with planning applications for all proposals where mature trees are present on site or that may impact on trees outwith the site. The strategy for new tree provision should follow the principles of the "Right Tree in the Right Place".
- c) Make provision for new open space and connect to existing open space under the requirements of Policy EP5 and provide details of the future maintenance of these spaces. A detailed landscape plan must be submitted with planning applications and include information about green/blue infrastructure, tree species, planting, ground/soil conditions, and natural and man-made features (e.g. grass areas, wildflower verges, fencing, walls, paths, etc.).
- d) Demonstrate how the development will conserve and enhance the natural and built environment and cultural heritage resources, retain original land contours and integrate into the landscape.
- e) Proposals must not adversely impact upon neighbouring properties in terms of privacy, daylight or overbearing loss of amenity.
- f) Proposals do not result in backland development or plots that are subdivided by more than 50% of the original plot. Sub-divided plots must be a minimum of 400m<sup>2</sup>, excluding access and the built-up area of the application site will not exceed one-third of the total area of the plot and the resultant plot density and layout reflects the character of the surrounding area.
- g) Pitched roofs will be preferred to flat roofs and box dormers are not acceptable.
- h) Existing stone walls on buildings and boundaries must be retained. Alterations and extensions must be compatible with the character of the existing building in terms of design, form, choice of materials and positioning and meet all other relevant criteria of this policy.
- i) Proposals must orientate and design buildings to maximise opportunities for solar gain.
- j) All developments must be designed so as to ensure that all new buildings avoid a specified and rising proportion of the projected greenhouse gas emissions from their use (calculated on the basis of the approved design and plans for the specific development) through the installation and operation of low and zero-carbon generating technologies.



**(ii) Transportation**

- a) Proposals must provide safe entry and exit from the development, including the appropriate number and type of junctions, maximise connections and routes for pedestrians and cyclists, including links to active travel and core path routes, reduce travel demands and ensure appropriate visibility for all road users at junctions and bends. Road, cycling, footpath and public transport connections and infrastructure must be provided at a level appropriate to the development and connect people to education, employment, recreation, health, community and retail facilities.
- b) Car parking must not dominate the street scene and must be provided to the side or rear and behind the building line. Maximum (50%) parking to the front of buildings and on street may be permitted provided that the visual impact of the parked cars is mitigated by hedging or low stone boundary walls. Roadways with a single carriageway must provide sufficient off road parking to avoid access routes being blocked to larger service vehicles and prevent parking on pavements.
- c) Provide safe access to and from the road network, address any impacts on road safety and the local road, rail and public transport network. Any impacts identified through Transport Assessments/ Statements must be identified and mitigated. This may include but would not be limited to, passing places, road widening, junction improvements, bus stop infrastructure and drainage infrastructure. A number of potential mitigation measures have been identified in association with the development of sites and the most significant are shown on the Proposals Map as TSP's.
- d) Provide covered and secure facilities for cycle parking at all flats/apartments, retail, community, education, health and employment centres.
- e) Garages and parking provision must be designed to comply with Moray Council parking specifications see Appendix 2.
- f) The road layout must be designed to allow for the efficient mechanical sweeping of all roadways and channels, paviers, turning areas and junctions. The road layout must also be designed to enable safe working practices, minimising reversing of service vehicles, with hammerheads minimised in preference to turning areas such as road stubs or hatchets, and to provide adequate space for the collection of waste and movement of waste collection vehicles.
- g) The road and house layout in urban development should allow for communal refuse collection points where the design does not allow for individual storage within the curtilage and / or collections at kerbside. Communal collection points may either be for the temporary storage of containers taken by the individual householder or for the permanent storage of larger containers. The requirements for a communal storage area are stated within the Council's Kerbside Collection Policy, which will be a material consideration.
- h) Road signs should be minimised designed and placed at the back of footpaths to reduce street clutter, avoid obstructing pedestrian movements and safeguarding sightlines;
- i) Within communal parking areas there will be a requirement for electric car charging points. Parking spaces for car sharing must be provided where a need is identified by the Transportation Manager.



**(iii) Water environment, pollution, contamination**

- a) Acceptable water and drainage provision must be made, including the use of sustainable urban drainage systems (SUDS) for dealing with surface water including temporary/ construction phase SUDS (see Policy EP12).
- b) New development should not be located in areas at flood risk or increase vulnerability to flooding (see Policy EP12). Exceptions to this would only be considered in specific circumstances, e.g. extension to an existing building or change of use to an equal or less vulnerable use. Where this exception is applied the proposed development must include resilience measures such as raised floor levels and electrical sockets.
- c) Proposals must avoid major hazard sites and address any potential risk of pollution including ground water contamination in accordance with recognised pollution prevention and control measures.
- d) Proposals must protect and wherever practicable enhance water features through for example naturalisation of watercourses by introducing a more natural planform and removing redundant or unnecessary structures.
- e) Proposals must address and sufficiently mitigate any contaminated land issues.
- f) Make acceptable arrangements for waste collection and management and encourage recycling.
- g) Avoid sterilising significant workable reserves of minerals, prime agricultural land or productive forestry.
- h) Proposals must avoid areas at risk of coastal erosion and coastal change.

**Justification/ Notes**

The policy sets out detailed criteria to ensure that proposals meet siting, design and servicing requirements, provide sustainable drainage arrangements and avoid any adverse effects on environmental interests.



**DP2 HOUSING**

- a)** Proposals for development on all designated and windfall housing sites must include a design statement and shall include supporting information regarding the comprehensive layout and development of the whole site, addressing infrastructure, access for pedestrians, cyclists, public transport and service vehicles, landscaping, drainage, affordable and accessible housing and other matters as may be required by the planning authority, unless these requirements are not specified in the site designation or are considered not to be required.

Proposals must comply with Policy PP1, DP1, the site development requirements within the settlement plans, all other relevant policies within the Plan and must comply with the following requirements;

**b) Piecemeal/ individual plot development proposals**

Piecemeal and individual/ plot development proposals will only be acceptable where details for the comprehensive redevelopment of the site are provided to the satisfaction of the planning authority and proposals comply with the terms of Policy DP1, other relevant policies including access, affordable and accessible housing, landscaping and open space and where appropriate key design principles and site designation requirements are met.

Proposals for piecemeal/ plot development must be accompanied by a Delivery Plan setting out how the comprehensive development of the site will be achieved.

**c) Housing density**

Capacity figures indicated within site designations are indicative only. Proposed capacities will be considered through the Quality Auditing process against the characteristics of the site, character of the surrounding area, conformity with all policies and the requirements of good Placemaking as set out in Policies PP1 and DP1.

**d) Affordable Housing**

Proposals for all housing developments (including conversions) must provide a contribution towards the provision of affordable housing.

Proposals for new housing developments of 4 or more units (including conversions) must provide 25% of the total units as affordable housing in affordable tenures to be agreed by the Housing Strategy and Development Manager. For proposals of less than 4 market housing units a commuted payment will be required towards meeting housing needs in the local housing market area.

A higher percentage contribution will be considered subject to funding availability, as informed by the Local Housing Strategy. A lesser contribution or alternative in the form of off-site provision or a commuted payment will only be considered where exceptional site development costs or other project viability issues are demonstrated and agreed by the Housing Strategy and Development Manager and the Strategic Planning and Development Manager. Intermediate tenures will be considered in accordance with the HNDA and Local Housing Strategy, and agreed with the Housing Strategy and Development Manager.

Further detail on the implementation of this policy is provided in the Policy Guidance note on page 40.



**e) Housing Mix and Tenure Integration**

Proposals must demonstrate tenure integration and meet the following criteria;

- Architectural style and external finishes must ensure that homes are tenure blind
- The spatial mix must ensure communities are integrated to share school catchment areas, open spaces, play areas, sports areas, bus stops and other community facilities.

**f) Accessible Housing**

Housing proposals of 10 or more units incorporating affordable housing will be required to provide 10% of the private sector units to wheelchair accessible standard. Flexibility may be applied on sites where topography would be particularly challenging for wheelchair users.

Further detail on the implementation of this policy is provided in the Policy Guidance note on page 41.

**Justification/ Notes:**

The Strategic Context section of the Plan sets out the housing land requirement. Proposed capacities for each site are used to ensure housing land requirements can be met. Piecemeal development can constrain development of the rest of a site and must be treated carefully.

The HNDA identifies a substantial requirement for affordable housing of 56% of total need. Developers should contact the Council's Housing Service early in the design process to discuss the affordable housing requirement. Affordable housing and private sector housing should be well integrated, with houses architecturally tenure blind. The requirement for affordable housing will be determined on an application by application basis.

The projected significant change in demographics means that there will be a significantly higher demand for smaller houses and for houses to meet the needs of Moray's ageing population. There is a direct positive correlation between ageing and wheelchair use. Changing healthcare arrangements will result in people living longer in their own homes and an increase in downsizing to smaller properties, with living accommodation on the ground floor.

The requirement for provision of accessible housing is additional to the requirements for affordable housing and is intended to provide disabled persons with increased tenure choice.

Further details on affordable and accessible housing requirements are set out in the Policy Guidance below.



## POLICY GUIDANCE NOTE- AFFORDABLE AND ACCESSIBLE HOUSING

**Affordable Housing**

Providing affordable housing is a key priority for Moray Council and this is reflected in the Local Outcomes Improvement Plan (LOIP) and the Local Housing Strategy (LHS). The Council's Housing Need and Demand Assessment 2017 highlights the significant requirement for affordable housing in Moray, which is a national issue, resulting from a number of factors including affordability issues, downturn in the economy and the shortage of public and private sector rented houses.

Planning policies assist with the provision of affordable housing, which is defined in Scottish Planning Policy (SPP) as;

"housing of a reasonable quality that is affordable to people on modest incomes. Affordable housing may be provided in the form of social rented accommodation, mid-market rented accommodation, shared ownership housing, shared equity housing, housing sold at a discount (including plots for self-build and low cost housing without subsidy)." This local development plan regards lower quartile earnings as "modest incomes".

The 2017 HNDA identified a requirement for 56% of all need and demand to be affordable units in Moray between 2017 and 2035. This Local Development Plan has lowered the threshold so that individual house proposals are required to make a contribution towards affordable housing provision, which is intended to ensure proposals do not circumnavigate the policy and provide a fair and transparent process.

A number of variables influence affordability of housing, including mortgage deposit requirements, mortgage interest rates, lower quartile house prices, lower quartile private rents, lower quartile full time gross earnings. Changes in these variables will affect the affordability of housing in Moray. The maximum affordable rent and maximum affordable house purchase prices is published on the Council's website at [http://www.moray.gov.uk/moray\\_standard/page\\_90100.html](http://www.moray.gov.uk/moray_standard/page_90100.html). The current Local Housing Allowance will be used as a proxy for average private sector rents.

Affordable housing should be provided on site and as part of a mixed development of private and affordable units. To meet the need for affordable housing there may be proposals for 100% provision of affordable housing and these will be acceptable as part of a wider mixed community, provided all other Local Development Plan policies are met.

The policy requires single house proposals to make a commuted sum payment as a developer obligation towards affordable housing, with the cost figure published annually on the Council website at [http://www.moray.gov.uk/moray\\_standard/page\\_94665.html](http://www.moray.gov.uk/moray_standard/page_94665.html) and determined by the District Valuer's assessment of the value of serviced land for affordable housing in Moray. This allows developers to be clear at the outset of a project about the potential cost of commuted payments and should be reflected in land values.

The type of affordable housing to be provided will be determined by the Housing and Property service. Developers should contact Housing and Property as early as possible. Housing and Property will decide whether a commuted payment or affordable units will be required on a site by site basis. Housing and Property will provide developers with an affordable housing mix, detailing the size and type of housing required based on HNDA/LHS requirements.

The Council will consider the following categories of affordable housing within the context of the needs identified in the HNDA/ LHS;

- Social rented accommodation- housing provided by an affordable rent managed by a Registered Social Landlord such as a housing association or another body regulated by the Scottish Housing Regulator, including Moray Council.
- Mid-market rent accommodation- housing with rents set at a level higher than purely social rent, but lower than market rent levels and affordable by households in housing need. Mid-market rent housing can be provided by the private and social housing sectors.
- Shared equity housing- sales to low income households, administered through a Scottish Government scheme e.g. Low-cost initiative for First Time Buyers (LIFT).



Any proposals to provide affordable housing in a form other than those listed above, must demonstrate that the cost to the householder is “affordable” in the Moray context and that the property will remain “affordable” in perpetuity.

Affordable housing requirement figures will be rounded up.

The Strategic Housing Investment Plan (SHIP) is produced annually by the Council and identifies details of the proposed delivery of affordable housing.

### Accessible housing

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 “that policies and decisions should be.....supporting delivery of accessible housing.”

Policy DP2 aims to;

- Assist the Council, the NHS and the Health and Social Care Moray to meet the challenges presented by our ageing population and the shared aim of helping people to live well at home or in a homely setting. The HNSA 2017 demonstrates that Moray’s population is ageing and there is a trend towards older and smaller households.
- Provide increased choice of tenure to people with physical disabilities or mobility impairments, by increasing the supply of accessible housing in the private sector. There is currently a mismatch between the size and type of housing required and the size and type of housing available across all tenures. This mismatch, along with increasing housing needs associated with physical disability, are the likely drivers of owner occupiers seeking public sector accessible housing to meet medical needs.

Accessible/ adapted housing can promote independence and wellbeing for older or disabled people, can facilitate self- care, informal care and unpaid care, potentially prevent falls and hospital admissions and can delay entry into residential care.

Policy DP2 requires that housing proposals of 10 or more units incorporating affordable housing must provide 10% of the private sector units to wheelchair accessible standard where all the rooms are accessible to a wheelchair user.

This applies to new build and conversion/ redevelopment projects. Flexibility may apply where there is extremely challenging topography or where the site is in a remote location. For the purposes of Policy DP2, “remote” locations are defined as being rural areas outside settlement and Rural Grouping boundaries as defined in the Local Development Plan.

Accessible units should be in a location which provides convenient access, in terms of distance, gradient and available public transport, to reach the facilities needed for independent living. Small, low maintenance gardens are generally regarded as a positive feature by this customer group.

New wheelchair accessible housing in any tenure must comply with Housing for Varying Needs Standards (HfVNs), including the standards specific to dwellings for wheelchair users. HfVNs is available at [http://webarchive.nationalarchives.gov.uk/20131205115152uo\\_/http://www.archive2.official-documents.co.uk/document/deps/cs/HousingOutput/start.htm](http://webarchive.nationalarchives.gov.uk/20131205115152uo_/http://www.archive2.official-documents.co.uk/document/deps/cs/HousingOutput/start.htm)

The specific design specification required to meet the terms of this policy are;  
External requirements

- location(s) convenient for amenities and facilities e.g. public transport, local shops etc
- car parking space as close as possible to the entrance door and at a maximum distance of 15m (HfVNs para 7.13.4 refers).
- Step free paths within curtilage, ramp gradients preferably of 1:20 but no steeper than 1:12 (HfVNs para 7.7.1 refers)



#### Internal requirements

- Hallways- minimum 1200mm wide (HfVNs para 10.2.3 refers)
- Door frames- minimum 926mm wide door leaf, giving a clear width of 870mm (HfVNs para 10.5.7 refers)
- Bathrooms/ wet rooms- 1500mm wheelchair turning circle required (HfVNs para 14.9.2 refers)

Accessible housing requirement figures will be rounded down.

All proposals for new build or converted housing should set out details of how they will comply with this policy in their planning application.



### DP3 LONG TERM LAND RESERVES

LONG term designations are identified to set out the direction of growth and to assist in the forward planning of infrastructure and landscape enhancement/mitigation. These sites are embargoed from development during the period of the Local Development Plan, The need for release of these designations will be reviewed through the next local development plan and annually through the housing and employment land audits. Early release of these areas, or sites within them, will only be considered where:

A shortfall in the 5 year effective housing and/ or employment land supply or shortfall in projected delivery of housing/employment units/land is identified in the annual housing and employment land audits, which cannot be met by:

1. Windfall provision assuming previous trends.
  2. Constrained sites which are likely to become available for development to meet the shortfall in the relevant timeframe.
- Or
3. Where the release of LONG term land is required to deliver key objectives of the Council and its Community Planning partners set out in the Local Outcome Improvement Plan, or to meet significant increased demand for housing arising from personnel deployed at RAF Lossiemouth or Kinloss Barracks.
- Or
4. Where the release of LONG term land is required to provide land for an inward investment opportunity and no alternative sites identified in the employment land audit meet the requirement.

In these circumstances an appropriate release of LONG term land may be recommended where:

- This can be achieved without compromising delivery of a master-planned approach and where appropriate access, infrastructure and landscaping setting can be secured.
- The site is demonstrated to be effective within the next 5 years.
- Any site specific triggers are fully complied with.

#### Justification/ Notes

LONG term sites have been identified to provide a strategic view of the future direction of some settlements and allow for infrastructure and landscaping enhancement/ mitigation measures to be progressed. These sites are embargoed from development during the period of the Local Development Plan, unless the Council is convinced that their early release is justified.



## DP4 RURAL HOUSING

- a) A rural development hierarchy is identified, whereby new rural housing is directed to rural groupings that will accommodate the majority of rural housing development, followed by the re-use and replacement of traditional stone and slate buildings in the countryside and lastly to the open countryside.

Proposals must meet siting and design criteria to ensure development is low impact, integrates sensitively into the landscape, reflects the rural character of the area and is of a high design quality.

### b) Rural Groupings

Identified rural groupings create a sustainable network of groupings across Moray, some have identified development opportunities, whilst others restrict development to safeguard the character and appearance of a particular grouping. All proposals for new houses in Rural Groupings must be of a traditional design or a contemporary interpretation incorporating traditional form, proportion and symmetry. Proposals must meet the design criteria of this policy. Specific requirements for each grouping and accompanying mapping have been prepared (see volume 3). Proposals must also meet the terms of DP1 – Development Principles and other relevant policies.



### c) Re-use and Replacement

The conversion of traditional stone and slate buildings in the countryside to houses will be acceptable if:

- The proposed conversion respects the character of the existing building.
- Any extensions are in keeping with the character and scale of the existing building and surrounding landscape.
- Material finishes are in keeping with the traditional building i.e. slate/corrugated roofing, natural stone/wet harl/ timber lined walls.
- Proposals for new build housing to enable conversion/rehabilitation will be supported provided they reflect traditional design and layout and are in keeping with the scale and proportion of the original building/s. A maximum threshold of 1 new house per converted unit will be applied.

Existing traditional stone and slate buildings must be retained and incorporated into proposals for conversion. Re-use and replacement of existing traditional stone and slate buildings in the countryside with houses will only be acceptable if evidence is provided to demonstrate the building is structurally unsound and incapable of being incorporated into proposals for conversion and proposals meet the criteria below.

Re-use and replacement of existing buildings in the countryside will only be acceptable if;

- There is clear physical evidence of a previous traditional building, equivalent of level 2 (see diagram on page 45), where the full extent of the building is clearly established, and
- The replacement house(s) must overlap the footprint of the original building, unless micro siting elsewhere within the site is sufficiently justified (i.e. flooding) and
- The redevelopment must be proportionate to the scale and visual impact of the original building/s and the form and positioning of the building/s must reflect the rural character. Suburban layouts will not be acceptable. Where site conditions dictate, 15% of the plot must be landscaped to assist the development to integrate sensitively and
- The design and micro siting of the house(s) is compliant with the design and siting criteria for new houses in the countryside.



## RE-USE AND REPLACEMENT

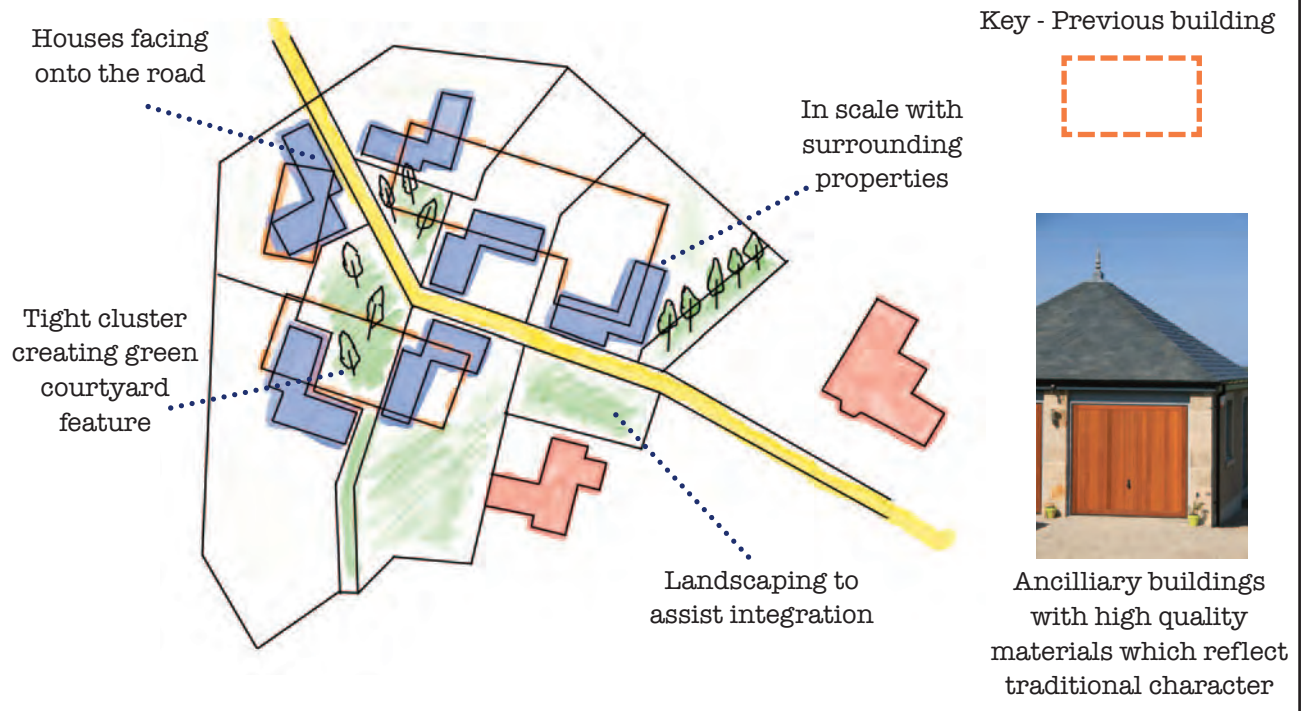


Use of material finishes in keeping with traditional building



Designs are a modern interpretation of farm buildings using contemporary materials

## Siting and Layout of Replacement Buildings



## Evidence of Previous Building

**Level 1**  
Rubble Pile



**Level 2**  
Plan form complete



**Level 3**  
Gable only



**Level 4**  
Windowsill height



**Level 5**  
Complete shell



**Level 6**  
Ruinous state



**d) New Houses in the Open Countryside**

- (i) In the open countryside, a spatial strategy has been developed to direct new housing to the least sensitive locations by identifying pressurised and sensitive areas and areas of intermediate pressure.

Opportunities for housing in the open countryside are limited to single houses and proposals for more than one house will not be supported.

**ii) Pressurised and Sensitive Areas**

Due to the landscape and visual impacts associated with build-up and landscape and environmentally sensitive areas, no new housing will be permitted within the identified pressurised and sensitive areas see mapping on page 51.

**iii) Areas of Intermediate Pressure****a) Siting Criteria**

Proposals for single houses must be well-sited and designed to fit with the local landscape character and will be assessed on a case by case basis taking account of the following siting and design criteria;

1. There must be existing landform, mature trees, established woodland or buildings of a sufficient scale to provide acceptable enclosure, containment and backdrop for the proposed new house. These features must be immediately adjoining the site (i.e. on the boundary). Fields drains, ditches, burns, post and wire fencing, roads and tracks do not provide adequate enclosure or containment.
2. The new house must not create ribbon development, contribute to an unacceptable build-up of housing or detrimentally alter the rural character of an area due to its prominent or roadside location.
3. Artificial mounding, cut and fill and/or clear felling woodland to create plots will not be permitted.
4. 15% of the plot must be landscaped with native tree species (whips and feathered trees at least 1.5 metres in height, planted at a density of 1 per 4 sqm) to assist the development to integrate sensitively. Landscaping must be set back from the public road to ensure sightlines are safeguarded, a safe distance from buildings and positioned to maximise solar gain.

**b) Design Criteria**

The design criteria seek to promote traditional rural design and avoid insensitive suburban development that negatively impacts upon Moray's landscape. Contemporary, innovative design will be supported where it can be demonstrated that a building is of contemporary, innovative, high quality design, responds to its setting and uses appropriate high quality materials and sustainable construction techniques. Proposals of this nature must be supported by a design statement setting out how the building meets the identified requirements.

1. The maximum height of any new house must be 6.75m (measured from the corresponding ground level of the building).
2. The main form of the house must be of an appropriate scale and massing and composed from simple well-proportioned symmetrical elements. Excessive detailing involving gable features, balconies etc. that have a suburban appearance must be avoided.
3. Artificial decorative stone must not be used and no more than two primary external wall finishes (such as timber cladding and wet dash harl) must be used.
4. Houses must have a pitched roof of 35° to 50° and meet the requirements of the gable/pitch formula. All roofing shall be finished in natural slate or an alternative profiled cladding. Concrete tiles must not be used.
5. Windows with a horizontal emphasis must be avoided, with the exception of the very limited use of long narrow rectangular windows to frame views.
6. Boundary treatments must be post and wire fencing, low natural stone walls or native hedgerow. Boundary enclosures such as decorative blockwork and panel style timber fencing will not be permitted.
7. Access arrangements must be sympathetic to the rural setting by avoiding over engineered solutions and where possible following field boundaries.
8. To protect rural character, permitted development rights may be removed to ensure appropriate boundaries are safeguarded and to limit the curtilage associated with the house.

All rural housing proposals must make provision for communal waste collection set out in DP1 – Development Principles.



## SITING



Drawing illustrates acceptable siting, with existing mature trees and landform providing containment, enclosure and backdrop.



Drawing illustrates unacceptable siting, the proposal lacks immediately adjoining landform, mature trees, established woodland or buildings of a sufficient scale to provide acceptable enclosure, containment and backdrop.



Clear felling woodland to create plots will not be permitted.

DESIGN

Examples of good traditional and contemporary design

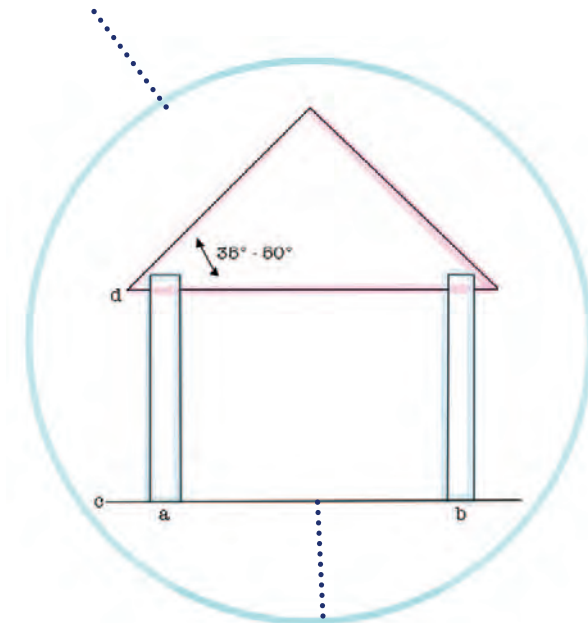


The very limited use of long thin rectangular windows is acceptable



The width of the gable as measured from A to B must not be greater than 2.5 times the height to eaves measurement C to D

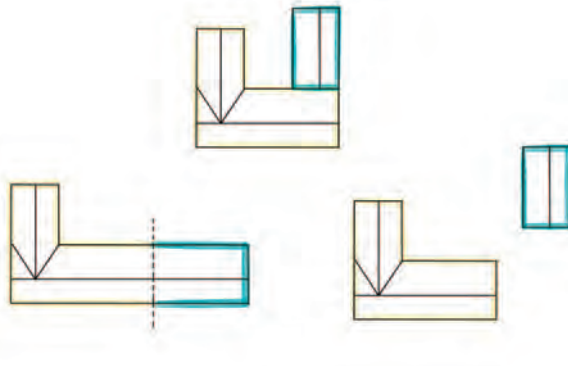
Eaves: The point where the front face of the external wall intersects with the uppermost point of the roof line



Ground level is a fixed point measured 100mm below the finished floor level of a house with a solid ground floor; or 300mm below finished floor level of a suspended ground floor



### APPROPRIATE SCALE AND MASSING



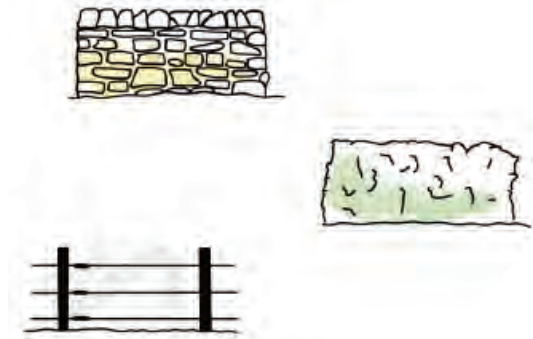
The scale and massing of a house can be reduced by detaching the garage or by creating a L, H, T or U shaped footprint where building elements are not visible on the principal elevation



A fully glazed gable will be acceptable where it is not the dominant feature of an elevation and does not negatively impact upon the proportion and symmetry of the house.

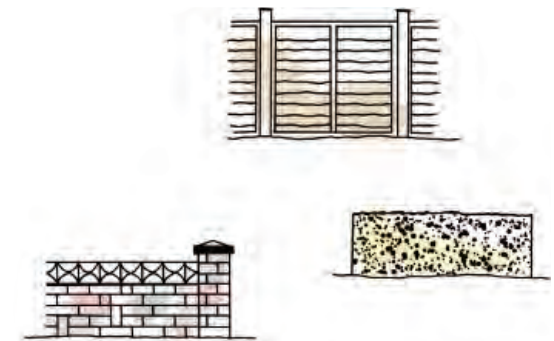
### BOUNDARY TREATMENT

#### Acceptable



Boundary treatments must reflect the rural character of an area such as natural stone walls, native hedgerows and post and wire fencing.

#### Unacceptable



Decorative blockwork and panel fencing will not be permitted

LANDSCAPING



Unacceptable



Acceptable

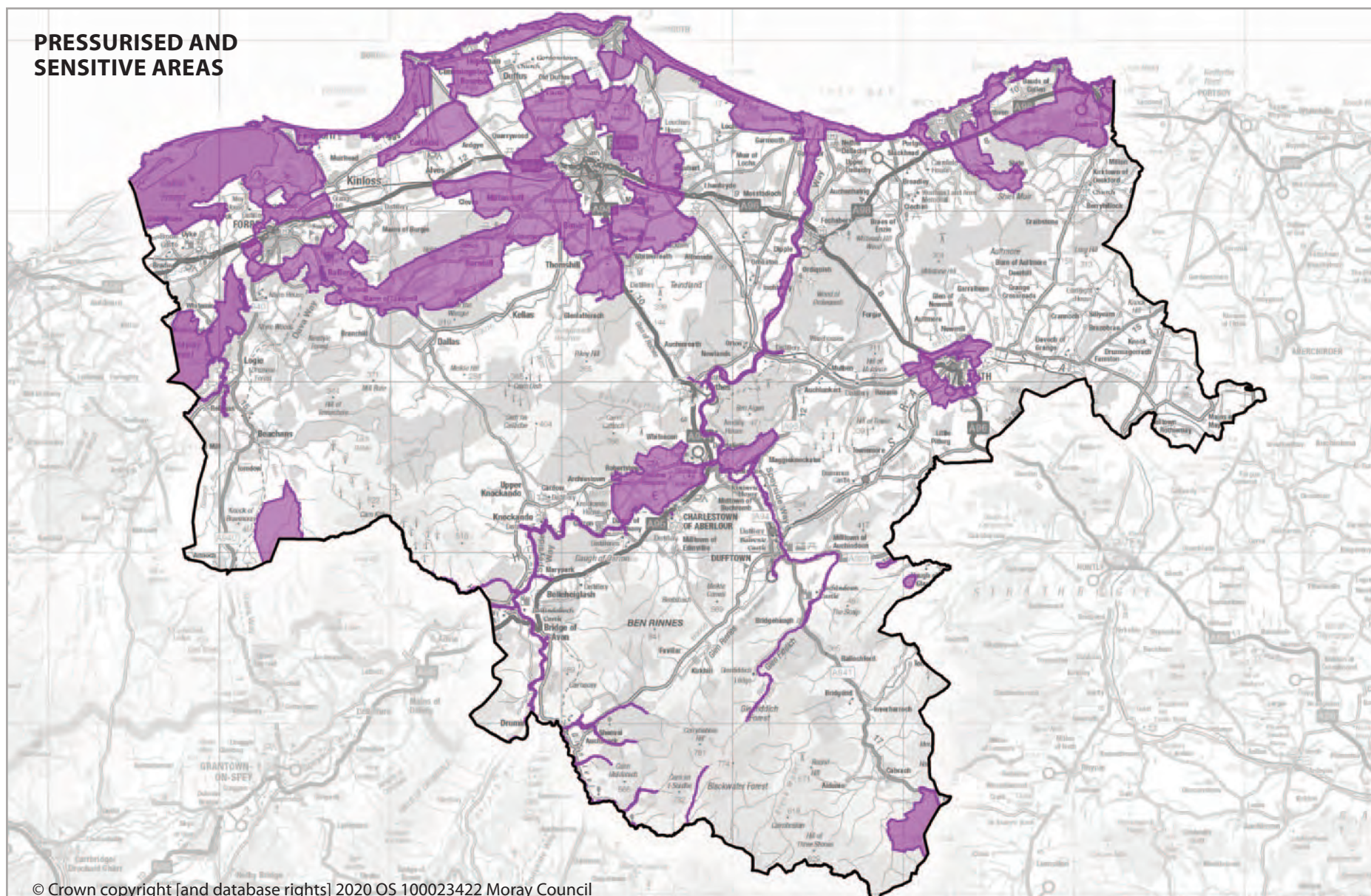
15% Native tree planting must be provided to help integrate a new house into the landscape setting



Well located landscaping can help soften a development and create a setting for the new house



## PRESSURISED AND SENSITIVE AREAS



**Justification/ Notes**

This policy seeks to direct new housing to appropriate locations within the countryside, firstly by promoting a development hierarchy whereby the majority of development is accommodated within identified rural groupings, secondly, the reuse of sites where development has previously taken place and finally to sites in the open countryside.

In Moray there are identified locations where the cumulative build-up of houses in the countryside has negatively impacted on the landscape character of an area. To assist in addressing this, pressurised areas have been identified that restrict further housing in the open countryside. Siting criteria have been devised to direct development to appropriate sites that have adequate enclosure, containment and backdrop to allow them to integrate sensitively into the landscape. Design requirements have been developed to deliver traditionally sympathetic houses of a high design quality.



## Policy Guidance Note on Cumulative Build Up

Cumulative build up of rural housing is occurring across Moray, this can take the form of sequential build up when travelling through the area, the concentration of new houses in an area that overwhelms traditional buildings and identifiable clusters of suburban development.

To help identify where build up is becoming an issue and having unacceptable landscape and visual impacts a number of build up indicators have been developed.

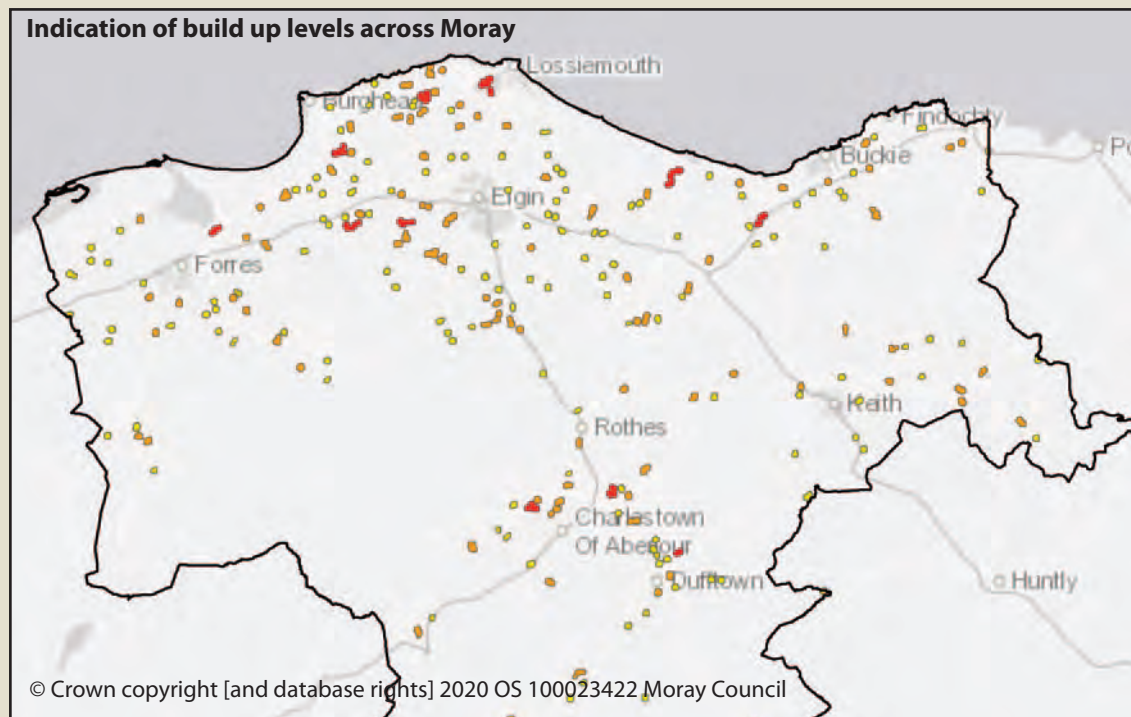


**Siting Indicators**

- The number of new houses overwhelms the presence of older buildings, such that new houses are the predominant components of the landscape and the traditional settlement pattern is not easy to perceive.
- The incidence and inter-visibility of new houses whereby these are a major characteristic of the landscape.
- There is a prominence of new houses from key viewpoints such as roads, adopted core paths or long distance paths and existing settlements.
- There are sequential visual effects of cumulative build of new housing experienced when travelling along roads in the vicinity of the site.
- New housing would result in ribbon development by effectively joining up concentrated clusters of development contrary to the traditional dispersed settlement pattern.

**Design Indicators**

- The rural character is eroded by suburban features such as accesses built to an adoptable standard (rather than gravel tracks) and large bin storage areas at the end of tracks required to serve the numerous houses.
- The scale and proportion of new houses contrasts to the generally smaller size of older buildings, cottages and farms and results in the development being out of keeping and incongruous in its setting.
- There are numerous incidences of open prominent elevations that are visible in the landscape and are orientated for views, in contrast to the traditional settlement pattern.
- A new architectural design is prevalent which has overwhelmed the older vernacular style.



## DP5 BUSINESS & INDUSTRY

- a) Development of employment land is supported to deliver the aims of the Moray Economic Strategy. A hierarchical approach will be taken when assessing proposals for business and industrial uses. New and existing employment designations are set out in Settlement Statements and their description identifies where these fall within the policy hierarchy.

Proposals must comply with Policy DP1, site development requirements within town and village statements, and all other relevant policies within the Plan. Office development that will attract significant numbers of people must comply with Policy DP7 Retail/Town Centres.

Efficient energy and waste innovations should be considered and integrated within developments wherever possible.

b) **Business Parks**

Business parks will be kept predominantly for 'high-end' businesses such as those related to life sciences and high technology uses. These are defined as Class 4 (business) of the Town and Country Planning (Use Classes) (Scotland) Order 1997. This applies to new proposals as well as redevelopment within established Business Parks.

Proposals for the development of new business parks must adhere to the key design principles set out in town statements or Development Frameworks adopted by the Council.

c) **Industrial Estates**

Industrial Estates will be primarily reserved for uses defined by Classes 4 (business), 5 (general) and 6 (storage and distribution) of the Town and Country Planning (Use Classes) (Scotland) Order 1997. This applies to new proposals as well as redevelopment within established Industrial Estates. Industrial Estates could be suitable sites for waste management facilities.

d) **Existing Business Areas**

Long established business uses will be protected from non-conforming uses (e.g. housing). The introduction or expansion of non-business uses (e.g. retail) will not be permitted, except where the total redevelopment of the site is proposed.

e) **Other Uses**

Class 2 (business and financial), 3 (food and drink), 11 (assembly and leisure) and activities which do not fall within a specific use class (sui generis), including waste management facilities will be considered in relation to their suitability to the business or industrial area concerned, their compatibility with neighbouring uses and the supply of serviced employment land. Retail uses will not be permitted unless they are considered ancillary to the principal use (e.g. manufacture, wholesale). For this purpose, 'ancillary' is taken as being linked directly to the existing use of the unit and comprising no more than 10% of the total floor area up to a total of 1,000 sq metres (gross) or where a sequential approach in accordance with town centre first principles has identified no other suitable sites and the proposal is in accordance with all other relevant policies and site requirements are met.

f) **Areas of Mixed Use**

Proposals for a mix of uses where site specific opportunities are identified within Industrial Estate designations in the Settlement Statement, will be considered favourably where evidence is provided to the authority's satisfaction that the proposed mix will enable the servicing of employment land and will not compromise the supply of effective employment land. A Development Framework that shows the layout of the whole site, range of uses, landscaping, open space and site specific design requirements must be provided. The minimum levels of industrial use specified within designations must be achieved on the rest of the site.



g) **Rural Businesses and Farm Diversification**

Proposals for new business development and extensions to existing businesses in rural locations including tourism and distillery operations will be supported where there is a locational need for the site and the proposal is in accordance with all other relevant policies.

A high standard of design appropriate to the rural environment will be required and proposals involving the rehabilitation of existing properties (e.g. farm steadings) to provide business premises will be encouraged.

Outright retail activities will be considered against policy DP7, and impacts on established shopping areas, but ancillary retailing (e.g. farm shop) will generally be acceptable.

Farm diversification proposals and business proposals that will support the economic viability of the farm business are supported where they meet the requirements of all other relevant Local Development Plan policies.

h) **Inward Investment Sites**

The proposals map identifies a proposed inward investment site at Dallachy which is safeguarded for a single user business proposal seeking a large (up to 40ha), rural site. Additional inward investment sites may be identified during the lifetime of the Plan.

Proposals must comply with Policy DP1 and other relevant policies.

**Justification/Notes**

Developing business is essential to the sustainable economic growth of Moray. The Local Development Plan looks to cater for the diverse needs of different sectors and sizes of businesses. Policy seeks to provide a range of locations for new and expanding businesses. It also seeks to ensure that sites are used primarily for the role that was intended and that non-conforming uses are restricted. Policy seeks to direct employment uses to the most appropriate type of designation/location and separate uses that may not be compatible e.g. ensuring business parks are primarily for “clean” employment uses reflecting the higher quality environment. The policy also seeks to ensure the retention of long established business areas and non-business uses will not be supported in these areas. The use of previously used land that is now vacant or derelict is encouraged.

For the purposes of the policy large scale inward investment sites are sites of up to 40ha that will be in rural areas and suitable for large scale proposals that cannot reasonably be accommodated within a settlement due to issues such as noise, odour, dust, operating hours, site scale etc. These sites will be reserved for single user proposals that require significant areas of land and piecemeal erosion by smaller proposals will not be acceptable.

In rural areas the Council would wish to support economic development and sustain employment in rural areas. The policy seeks to support rural business proposals that fit into the environment and can be adequately serviced. Locational need is where it is necessary for a proposed development to be located at or in close vicinity of the development site; necessary in this context means more than convenience. For example long established traditional business operations in rural areas (e.g. distilleries) which may have expansion requirements and relocation is not a realistic option.



## DP6 MIXED USE (MU) AND OPPORTUNITY SITES (OPP)

### a) **Mixed Use (MU) sites**

Proposals for Mixed Use sites will be considered favourably where evidence is provided to the authority's satisfaction that the proposed mix will support delivery of the whole development and will support the suitable uses and site specific requirements set out in the settlement statements and comply with all other policy requirements.

A Development Framework that shows the layout of the whole site, range of uses, landscaping, open space and site specific design requirements must be provided. Where a minimum level of industrial use is specified within designations, this must be achieved on the site and not compromised through the mix of other uses.

### b) **Opportunity sites (OPP)**

Proposals to redevelop these often vacant or derelict sites will be considered favourably where they are compatible with surrounding uses and meet all other policy requirements. A Development Framework that shows the layout of the whole site, range of uses, landscaping, open space and site specific design requirements must be provided.

#### **Justification/ Notes**

A number of mixed use sites have been identified in the Plan where viability issues may dictate that a range of uses are required to enable the site to come forward for development. Opportunity sites are often vacant, derelict or buildings which may become surplus to requirements and the Council wish to encourage their reuse for appropriate uses.

## DP7 RETAIL/ TOWN CENTRES

### a) **Town Centres**

Developments likely to attract significant footfall including retail, offices, leisure, entertainment/cultural and community facilities must be located in town centres.

Within Core Retail Areas (identified on settlement maps, CRA), at ground level, only development for Use Class 1 Shops, Use Class 2 Financial, professional and other services, or Use Class 3 Food and drink will be supported. Above ground floor level residential use will, in principle, be supported as an appropriate use.

Proposals must be appropriate to the scale, character and role of the town centre (Table 6) and support a mix of uses within the town centre. Proposals that would lead to a concentration of a particular use to the detriment of the town's vitality and viability will not be supported.

### b) **Outwith Town Centres**

Outwith town centres, development (including extensions and sub-divisions) likely to attract significant footfall including retail, offices, leisure, entertainment/cultural and community facilities must;

- a) Demonstrate that no sequentially preferable sites are available. Locations will be considered in the following order of preference;
  - Town centres (as shown on settlement maps).
  - Edge of centre.
  - Commercial Centres (as shown on settlement maps, CC).
  - Brownfield or OPP sites that are or can be made easily accessible by pedestrians and a choice of modes of transport.
  - Out of centre sites that are or can be made easily accessible by pedestrians and a choice of modes of transport.
- b) Demonstrate that there is no unacceptable individual or cumulative impact on the vitality and viability of the network of town centres (Table 6), where appropriate by a Retail Impact Assessment.



Flexibility will be allowed to ensure that community, education and health care uses are located where they are easily accessible to the communities they serve.

c) **Neighbourhood Retail**

Small shops that are intended to primarily serve the convenience needs of a local neighbourhood within a settlement boundary will be supported. Depending on scale, proposals may be required to demonstrate that they will not have an unacceptable adverse impact on the vitality and viability of the network of town centres (Table 6), by a Retail Impact Assessment or Retail Statement. Within a neighbourhood one unit of up to 400m<sup>2</sup> designed to meet the day to day convenience needs of the neighbourhood will be supported. Other small units of up to 150m<sup>2</sup> that contribute to creating a mix of uses in a neighbourhood centre/hub will be supported. This could include small retail uses (Class 1 non-food), financial and professional services (Class2) and cafes and small restaurants (Class 3). Neighbourhood hubs/centres should aim to contribute to the sense of community and place, the sustainability of an area, reduce the need to travel for day to day requirements and provide adequate parking and servicing areas.

Change of use of established or consented neighbourhood retail units will only be supported where it can be demonstrated that active marketing has failed to find a retail use for the premise. For a change of use to be considered, the premises must have been vacant and actively marketed for a minimum of three years at an appropriate market rent/value. Where the unit is part of a consent for wider development, the three year marketing period will be counted from the completion of the development as a whole i.e. change of use of a retail unit will not be considered half way through completion of a development or in the three years after the completion of the whole development.

d) **Ancillary Retailing**

See policy DP5 Business and Industry in respect of ancillary retailing to an industrial or commercial business.

e) **Outwith Settlement Boundaries**

Outwith settlement boundaries, proposals for small scale retail development will only be supported if these are ancillary to a tourism or agricultural use. Small scale extensions to existing retail activity will only be supported where this does not undermine the vitality and viability of the network of town centres (Table 6).

**Table 6 Moray Town Centres**

Centre Type/Role	Centre	Role of centre
Principal Town Centre	Elgin	To support a diverse mix of uses and be largest regional retail offer. A focus for leisure, entertainment, recreation, and cultural and community activities, particularly with a regional market/catchment
Other Town Centres	Buckie, Forres, Keith	Focus for local retail provision. To support a wide range of uses, including specialist independent convenience, and comparison retailer and other local services.
Local Centres	Aberlour, Dufftown, Fochabers, Lossiemouth, Rothes	To provide small scale retail and ancillary service to meet the needs of local residents and passing trade.
Commercial Centres (CC on settlement map)	Edgar Road, Elgin	To meet the demand for bulky good and comparison retailing where these cannot be accommodated within the town centre or edge of centre. Help stem leakage outside the region. Bulky goods, comparison and convenience.



**Justification/ Notes**

Retail and commercial development contributes significantly to the Moray economy. Town centres are at the heart of communities and can be hubs for a range of activities. The policy intends to promote the continued use of town centres for a diverse mix of uses including retail, commercial and leisure uses and as centres for social, community and tourism activity. The town centre first principle, which stemmed from the Town Centre Action Plan, aims to support town centres. To support the town centre, opportunities out with town centres will only be considered if a sequential assessment demonstrates that no suitable and viable sites are available within the town centre (or in a sequentially preferable location). Applicants must demonstrate rigour in their search of alternative sites with an early and systematic assessment of sites. It is recognised that the application of the sequential approach requires flexibility and realism by all parties. Developers must also demonstrate that their proposals have no more than a minor adverse impact on the vitality and viability of the existing centres through consideration of a wide range of indicators, including expenditure flows.

Retail uses are not principally employment uses, and allocation of land for employment/business does not imply it will be acceptable as a retail development site.

Provision for a local or neighbourhood shop contributes to the overall sustainability of an area and reduces the need to travel for day to day requirements. For the purposes of this policy “neighbourhood” will apply to new areas of significant housing growth at Elgin South, Findrassie, Buckie south west and Lochyhill, Forres.

Retail development proposals outwith settlement boundaries are considered to have a detrimental impact on town centres and are not supported. Outwith settlement boundaries the policy seeks to only support retail uses where there is a locational requirement and the proposal is ancillary to a tourism or agricultural use.



## DP8 TOURISM FACILITIES & ACCOMMODATION

Proposals which contribute to Moray's tourism industry will be supported where they comply with relevant policies. All proposals must demonstrate a locational need for a specific site.



Development built as tourism/holiday accommodation shall be retained for this purpose and will not become permanent residences. Conditions will be applied to planning consents to control this aspect.

To integrate caravan, chalet and glamping developments into their rural setting, stances/pitches will be required to have an informal layout and be satisfactorily landscaped to ensure development is screened and discrete. Provision within sites for touring caravans/campers and tents must be included.

Proposals for hutting will be supported where it is low impact, does not adversely affect trees or woodland interests, or the habitats and species that rely upon them, the design and ancillary development (e.g. car parking and trails) reflects the wooded environment and the proposal complies with other relevant policies. Proposals must comply with 'New Hutting Developments – Good Practice Guidance on the Planning, Development and Management of Huts and Hut Sites' published by Reforesting Scotland.

Proposals for tourism facilities and accommodation within woodlands must support the proposals and strategy set out in the Moray Woodlands and Forestry Strategy.



### Justification/ Notes

Tourism is an important part of the Moray economy and is identified as a target sector in the Moray Economic Strategy, providing jobs and supporting rural areas. In particular, the need for additional hotel accommodation is recognised and forms part of the action plan for investments. Much of Moray's attraction is in its environment, with heritage, scenery and outdoor activities being key features.

The Council wishes to build on this asset and maximise economic and employment opportunities. However, whilst wishing to encourage and support development within this sector, care must be taken to ensure that the assets which create this attraction are not damaged by inappropriate or unsympathetic development.

Locational need is where it is necessary for a proposed development to be located at or in close vicinity of the development site. Necessary in this context means more than convenience. For example, the need to be near a specific tourist attraction or point of interest, or an expansion of an existing, successful tourist facility/accommodation.



## DP9 RENEWABLE ENERGY

### a) All Renewable Energy Proposals

All renewable energy proposals will be considered favourably where they meet the following criteria:

- i) They are compliant with policies to safeguard and enhance the built and natural environment;
- ii) They do not result in the permanent loss or permanent damage of prime agricultural land;
- iii) They avoid or address any unacceptable significant adverse impacts including:
  - Landscape and visual impacts.
  - Noise impacts.
  - Air quality impacts.
  - Electromagnetic disturbance.
  - Impact on water environment.
  - Impact on carbon rich soils and peat land hydrology.
  - Impact on woodland and forestry interests.
  - Traffic impact -mitigation during both construction and operation.
  - Ecological Impact.
  - Impact on tourism and recreational interests.

In addition to the above criteria, detailed assessment of impact will include consideration of the extent to which the proposal contributes to renewable energy generation targets, its effect on greenhouse gas emissions and net economic impact, including socio-economic benefits such as employment.



### b) Onshore wind turbines

In addition to the assessment of the impacts outlined in part a) above, the following considerations will apply:

#### i) The Spatial Framework

Areas of Significant Protection (Map 2): where the Council will apply significant protection and proposals may be appropriate in circumstances where any significant effects on the qualities of these areas can be substantially overcome by siting, design and other mitigation.

Areas with Potential (Map 1): where proposals are likely to be acceptable subject to Detailed Consideration.

#### ii) Detailed Consideration

The proposal will be determined through site specific consideration of the following on which further guidance will be set out in supplementary guidance and as informed by the landscape capacity study:

#### Landscape and visual impact:

- the landscape is capable of accommodating the development without unacceptable significant adverse impact on landscape character or visual amenity.
- the proposal is appropriate to the scale and character of its setting, respects the main features of the site and the wider environment and addresses the potential for mitigation.



**Cumulative impact**

- unacceptable significant adverse impact from two or more wind energy developments and the potential for mitigation is addressed.

**Impact on local communities**

- the proposal addresses unacceptable significant adverse impact on communities and local amenity including the impacts of noise, shadow flicker, visual dominance and the potential for associated mitigation.

**Other**

- the proposal addresses unacceptable significant adverse impacts arising from the location within an area subject to potential aviation and defence constraints including flight paths and aircraft radar.
- the proposal avoids or adequately resolves other impacts including on the natural and historic environment, cultural heritage, biodiversity, forest and woodlands and tourism and recreational interests - core paths, visitor centres, tourist trails and key scenic routes.
- the proposal addresses any physical site constraints and appropriate provision for decommissioning and restoration.

**iii) Extensions and Repowering of Existing Wind Farms**

The proposal will be determined through assessment of the details of the proposal against Part a) and Parts b) (i) and (ii) above. Detailed assessment of impact will include consideration of the extent to which:

- the proposal, for extensions, impacts on the existing wind farm(s) setting and the ability to sit in the landscape on its own should the existing wind farm be decommissioned before the extension.
- the proposal, for repowering, makes use of existing infrastructure and resources, where possible, and limits the need for additional footprint.

**c) Biomass**

Proposals for the development of commercial biomass will be supported if the following criteria are met.

- Applicants must confirm which form of biomass will fuel the plant and if a mixture of biomass is proposed then what percentage split will be attributed to each fuel source.
- Proposals must demonstrate that they have taken account of the amount of supply fuel over the life of the project.
- When considering wood biomass proposals, the scale and location of new development is appropriate to the volume of local woodfuel available. Sources of fuel must be identified and must be sustainable.
- The location must have suitable safe access arrangements and be capable of accommodating the potential transport impacts within the surrounding roads network.
- A design statement must be submitted, which should include photomontages from viewpoints agreed by the Council.
- There must be a locational justification for proposals outwith general employment land designations. The proposed energy use, local heat users and connectivity of both heat users and electricity networks must be detailed. Proposals which involve potential or future heat users will not be supported unless these users can be brought online in conjunction with the operation of the plant.
- Details of the predicted energy input and output from the plant demonstrating the plant efficiency and utilisation of heat must be provided.
- Where necessary, appropriate structural landscaping must be provided to assist the development to integrate sensitively.

The criteria set out in relation to all renewable energy proposals (part a) must also be met.

The Council will consult with Scottish Forestry to help predict potential woodfuel supply projections in the area.



**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 pipeworks 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.

The criteria set out in relation to all renewable energy proposals (part a) must also be met.

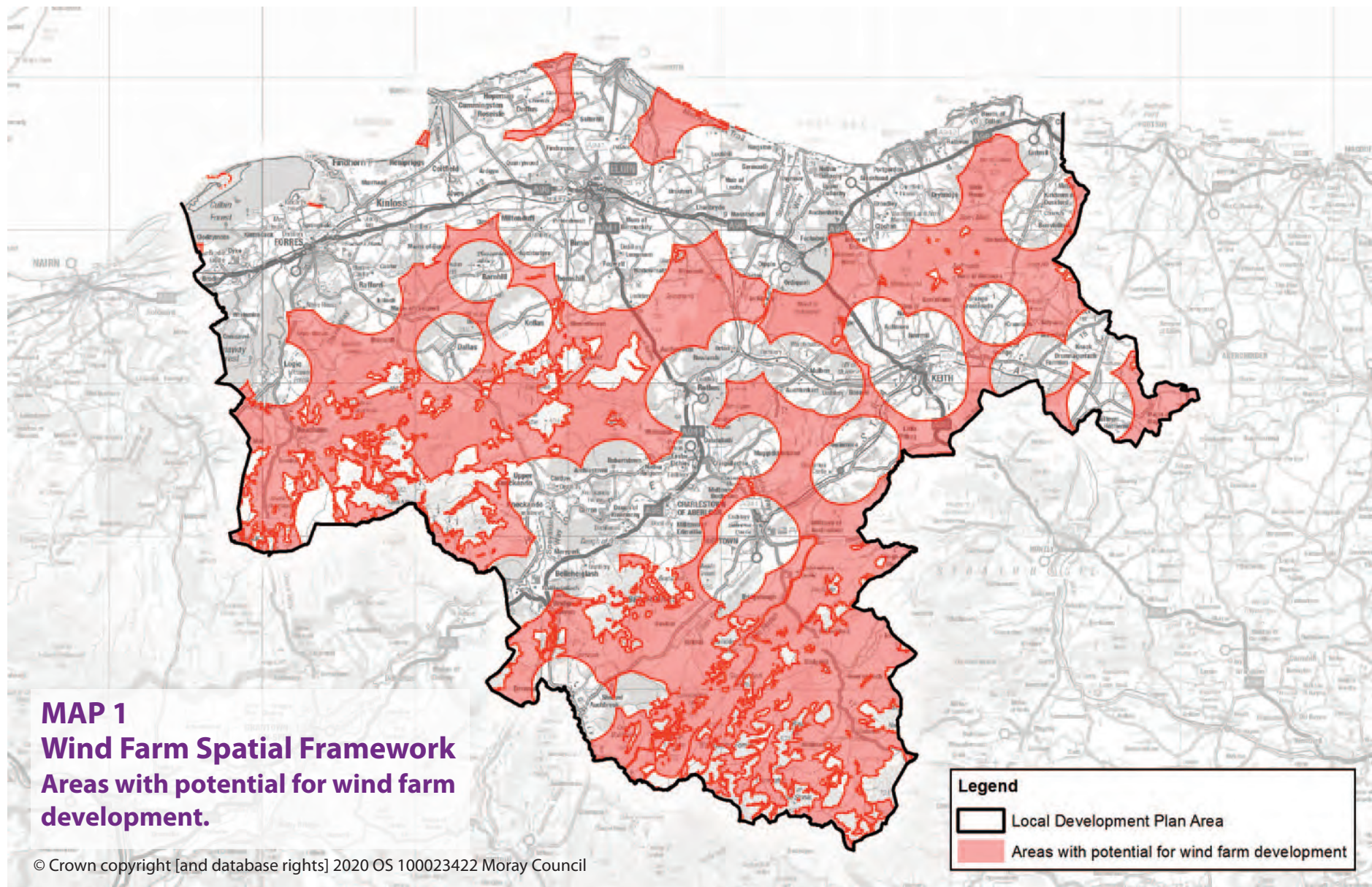
**Justification/ Notes**

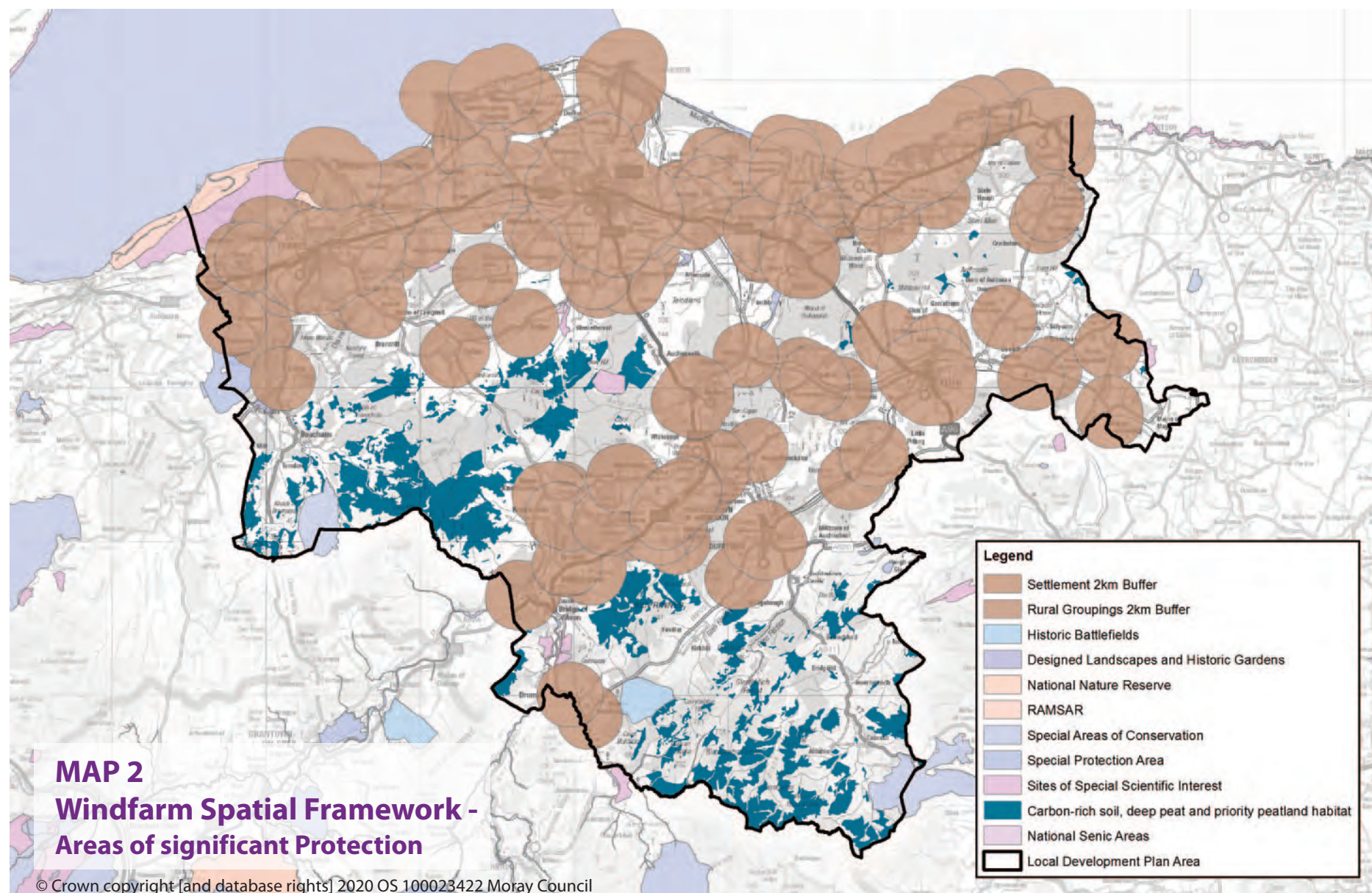
Renewable energy proposals can be in a variety of forms, including wind, hydro, solar, geothermal and biomass and bring a new technology approach to provision. Moray offers the potential for renewable energy proposals and this policy provides a range of criteria to consider applications against. Proposals for heat and power generation need to be carefully considered to avoid unacceptable significant adverse impacts upon the environment.

The onshore wind energy supplementary guidance provides further guidance on the council's approach to considering and determining applications and making observations, the information requirements and issues to be addressed at pre-application and application stages, and links to relevant detailed guidance.

The landscape capacity study is strategic level guidance and is a technical appendix to the statutory supplementary guidance – it does not replace the need to assess the landscape or visual impacts of individual wind farm proposals. Interpretation of the Landscape Capacity Study as part of the development management process will be applied on case-by-case basis by the Council's appointed Landscape Capacity Adviser.









*Cloddach Quarry restoration*



## DP10 MINERALS

### a) Safeguarding Mineral Reserves

The Council will safeguard all existing workable mineral reserves/ operations from incompatible development which is likely to prejudice it unless;

- There are no alternative sites for development, and
- The extraction of mineral resources will be completed before development commences.

### b) Mineral Operations

Proposals for mineral extraction will be acceptable in the following circumstances, subject to compliance with other relevant LDP policies;

- Extension to existing operation/sites.
- Re-opening of a dormant quarry.
- A reserve underlying a proposed development where it would be beneficial to extract prior to development.

Proposals for new and extensions to existing mineral sites, which contribute to the maintenance of at least a 10 years supply of permitted reserves of construction aggregates in Moray will be supported, subject to meeting the terms of Policy DP1 and other relevant policies.

Proposals for borrow pits will be supported, subject to compliance with other relevant policies, to allow the extraction of minerals near to or on the site of associated development (e.g. wind farm and roads construction, forestry and agriculture) provided it can be demonstrated that the operational, community and environmental benefits of the proposal can be evidenced. These consents will be time limited, tied to the proposal and must be accompanied by full restoration proposals and aftercare.

All mineral development proposals must avoid or satisfactorily mitigate impacts. In determining proposals, the Council will give consideration to the requirements of Policy DP1. Additional mitigation may be required for renewables at existing quarries.

Proposals must be accompanied by an extractive Waste Management Plan.

### c) Restoration and aftercare

Operators must provide details of their proposed programme of restoration (including the necessary financing, phasing and aftercare of the sites). In some circumstances, the Council may require a financial guarantee/ bond.

Restoration programmes must reinstate the site at the earliest opportunity when excavation has ceased. Restoration must be designed and implemented to the highest standard. After uses must result in environmental improvement and add to the cultural, recreational or environmental assets of the area.

#### Justification/ Notes

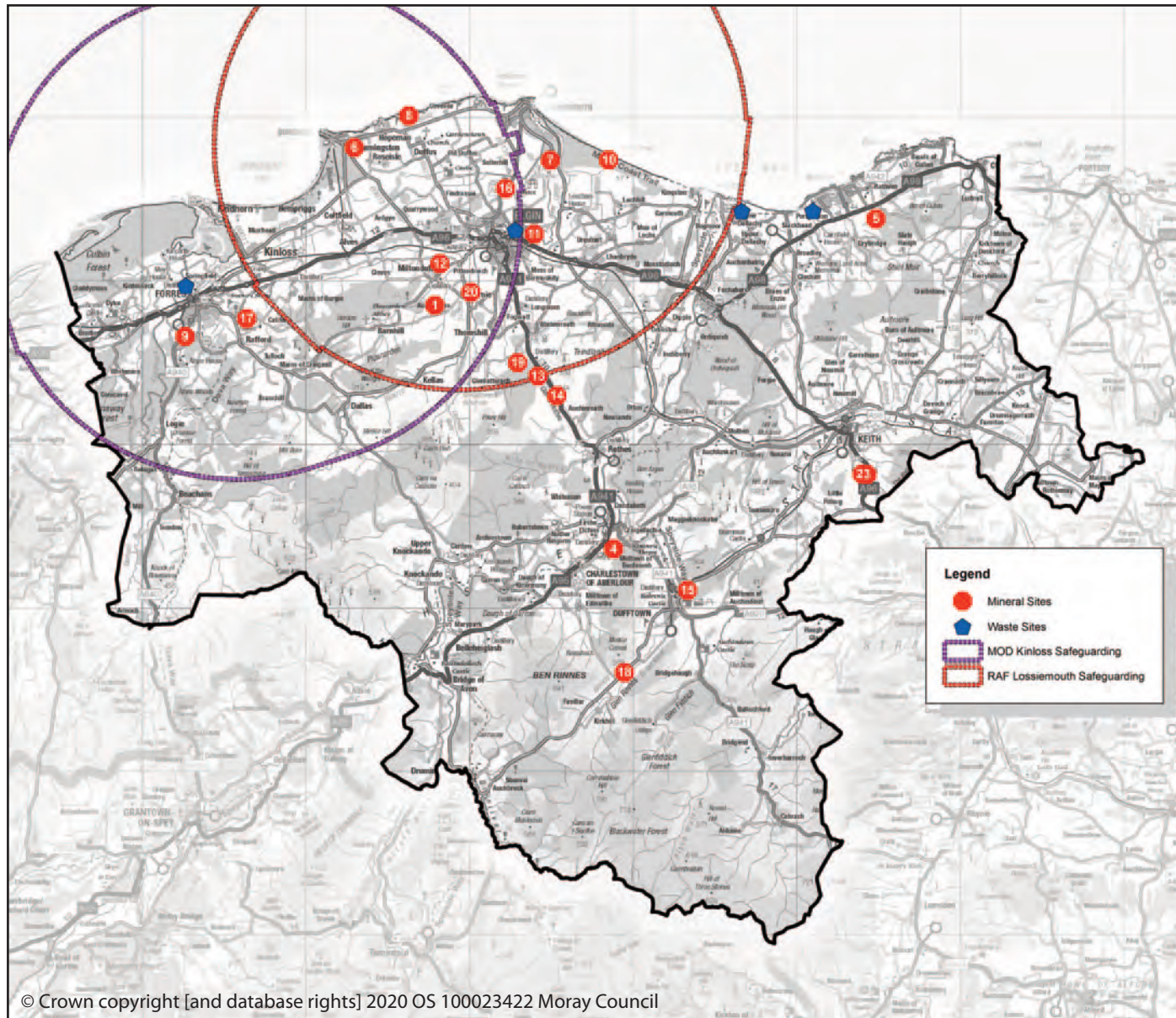
This policy aims to ensure that mineral reserves are safeguarded from development that may sterilise them. The availability of construction materials provides jobs and supports the local economy. The demand for and scarcity of consented reserves for building stone means that reserves should be safeguarded as they are important for the repair of existing buildings and as a new building material.

The policy aims to ensure that there is an effective supply of permitted reserves for construction aggregates. The Council prepared a Minerals Audit in 2017, in consultation with local quarry operators and is satisfied that there is in excess of a 10 year supply available, as required by Scottish Planning Policy.

The policy seeks to ensure that there are no adverse significant effects on the amenity of local communities, natural or cultural heritage interests. Extraction will only be permitted where impacts can be adequately controlled or mitigated.

Proper restoration and aftercare provision is essential to ensure land is restored to acceptable levels and protected against any adverse effects of extraction.





## SAFEGUARDED MINERAL RESOURCES

- 1 **Auchtertyre Quarry**  
Sand and Gravel
- 2 **Blackhillock Quarry**  
Limestone
- 3 **Cairdhill Quarry**  
Igneous & Metamorphic Rock
- 4 **Bluehill Quarry**  
Igneous & Metamorphic Rock
- 5 **Bogend Quarry**  
Igneous & Metamorphic Rock
- 6 **Clarkyhill Quarry**  
Sandstone
- 7 **Caysbriggs Quarry**  
Sand and Gravel
- 8 **Clashach Quarry**  
Sandstone
- 9 **Fairywoods Quarry**  
Sand and Gravel
- 10 **Innes Links Quarry**  
Sand and Gravel
- 11 **Kirkhill Quarry**  
Sand
- 12 **Lochinver Quarry**  
Sand and Gravel
- 13 **Netherglen Quarry**  
Igneous & Metamorphic Rock
- 14 **Roths Glen Quarry**  
Sand and Gravel
- 15 **Parkmore Quarry**  
Limestone
- 16 **Spynie Quarry**  
Sandstone
- 17 **New Forres Quarry**  
Igneous & Metamorphic Rock
- 18 **Lynemore Sand pit**  
Sand and Gravel
- 19 **Gedloch Quarry**  
Hard Rock
- 20 **Cloddoch Quarry**  
Sand and Gravel



**DP11 GYPSY/TRAVELLERS/TRAVELLING SHOWPEOPLE**

- a) Proposals for Gypsy/Traveller sites, whether halting or permanent, from both public and private sectors will be favourably considered where;
  - i) The proposal is in accordance with Policy DP1.
  - ii) There is an identified need and an accepted shortfall in provision.

Locations within Countryside Around Towns, Special Landscape Areas and immediately outside settlement boundaries are likely to give the greatest conflict with existing policies and established planning principles.

- b) Sites used by Travelling Showpeople should be safeguarded for that use, unless alternative provision is made available and all other relevant policies are complied with.

**Justification/ Notes**

The Council's Housing Need and Demand Assessment identifies the need for Gypsy/ Traveller sites and Scottish Planning Policy requires local development plans to identify suitable sites for these communities. To meet this requirement an action will be included in the Action Programme to identify suitable site(s).

Travelling Showpeople bring economic benefits to the area and have historically used the same sites for long periods of time. These sites should not be used for an alternative use unless alternative sites are secured for Travelling Showpeople to use.

## EP1 NATURAL HERITAGE DESIGNATIONS

### a) European Site designations

Development likely to have a significant effect on a 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 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 network is protected.

For European Sites hosting a priority habitat or species (as defined in Article 1 of the The Conservation (Natural Habitat & c.) Regulations 1994), prior consultation with the European Commission via Scottish Ministers is required unless the imperative reasons of overriding public interest relate to human health, public safety or beneficial consequences of primary importance to the environment.

### b) National designations

Development proposals which will affect a National Park, National Scenic Area (NSA), Site of Special Scientific Interest (SSSI) or National Nature Reserve will only be permitted where:

- i) The objectives of designation and the overall integrity of the area will not be compromised; or
- ii) Any significant adverse effects on the qualities for which the site has been designated are clearly outweighed by social, environmental or economic benefits of national importance.

**c) Local Designations**

Development proposals likely to have a significant adverse effect on Local Nature Reserves, wildlife sites or other valuable local habitats will be refused unless it can be demonstrated that;

- i) Public benefits clearly outweigh the nature conservation value of the site, and
- ii) There is a specific locational requirement for the development, and
- iii) Any potential impacts can be satisfactorily mitigated to conserve and enhance the site's residual conservation interest.

**d) European Protected Species**

European Protected Species are identified in the Habitats Regulations 1994 (as amended in Scotland). Where a European Protected Species may be present or affected by development or activity arising from development, a species survey and where necessary a Species Protection Plan should be prepared to accompany the planning application, to demonstrate how the Regulations will be complied with. The survey should be carried out by a suitably experienced and licensed ecological surveyor.

Proposals that would have an adverse effect on European Protected Species will not be approved unless;

- The need for development is one that is possible for SNH to grant a license for under the Regulations (e.g. to preserve public health or public safety).
- There is no satisfactory alternative to the development.
- The development will not be detrimental to the maintenance of the favourable conservation status of the species.

**e) Other protected species**

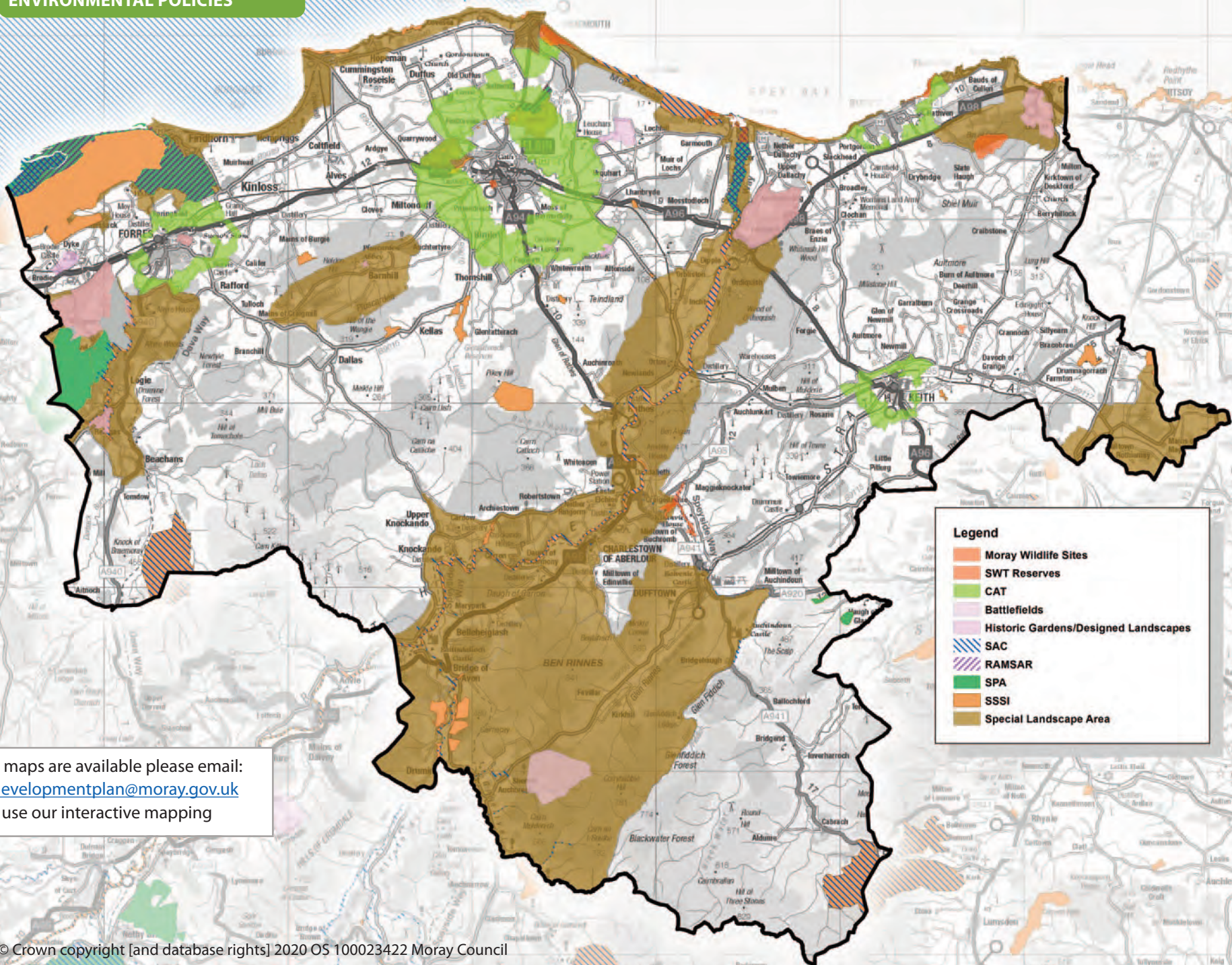
Wild birds and a variety of other animals are protected under domestic legislation, such as the Wildlife and Countryside Act 1981 (as amended in Scotland by the Nature Conservation (Scotland) Act 2004 and the Wildlife and Natural Environment (Scotland) Act 2011), Protection of Badgers Act 1992 and Marine (Scotland) Act 2010. Where a protected species may be present or affected by development or activity arising from development, a species survey and where necessary a Species Protection Plan should be prepared to accompany the planning application to demonstrate how legislation will be complied with. The survey should be carried out by a suitably experienced ecological surveyor, who may also need to be licensed depending on the species being surveyed for.

Proposals which would have an adverse effect on badgers or their setts must be accompanied by a Badger Protection Plan demonstrating how impacts will be avoided, mitigated, minimised or compensated for.

**Justification/ Notes**

The diversity of habitats and species in Moray contributes towards the overall high quality environment. The international, national and local designations and protected species are a valuable part of the area's nature conservation and need to be protected from inappropriate development. European Sites include designated and candidate Special Areas of Conservation (SACs) and Special Protection Areas (SPAs). There are a number of identified wildlife sites in Moray including a Scottish Wildlife Trust Reserve at Spey Bay, Local Nature Reserve at Findhorn Bay and non-statutory wildlife sites at the Wards in Elgin and the Lossie Estuary.





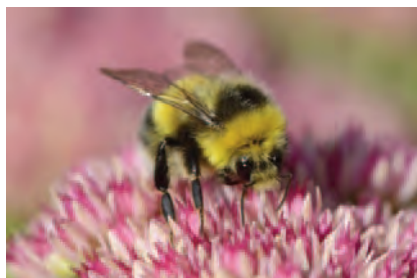
**Legend**

- Moray Wildlife Sites
- SWT Reserves
- CAT
- Battlefields
- Historic Gardens/Designed Landscapes
- SAC
- RAMSAR
- SPA
- SSSI
- Special Landscape Area

Larger maps are available please email:  
[localdevelopmentplan@moray.gov.uk](mailto:localdevelopmentplan@moray.gov.uk)  
 or use our interactive mapping

## EP2 BIODIVERSITY

All development proposals must, where possible, retain, protect and enhance features of biological interest and provide for their appropriate management. Development must safeguard and where physically possible extend or enhance wildlife corridors and green/blue networks and prevent fragmentation of existing habitats.



©Lorne Gill/SNH

Development should integrate measures to enhance biodiversity as part of multi-functional spaces/ routes.

Proposals for 4 or more housing units or 1000 m<sup>2</sup> or more of commercial floorspace must create new or, where appropriate, enhance natural habitats of ecological and amenity value.

Developers must demonstrate, through a Placemaking Statement where required by Policy PP1 which incorporates a Biodiversity Plan, that they have included biodiversity features in the design of the development. Habitat creation can be achieved by providing links into existing green and blue networks, wildlife friendly features such as wildflower verges and meadows, bird and bat boxes, amphibian friendly kerbing, wildlife crossing points such as hedgehog highways and planting to encourage pollination, wildlife friendly climbing plants, use of hedges rather than fences, incorporating biodiversity measures into SUDS and retaining some standing or lying dead wood, allotments, orchards and woodlands.



Where development would result in loss of natural habitats of ecological amenity value, compensatory habitat creation will be required where deemed appropriate.

### Justification/ Notes

Biodiversity encompasses a variety of biological life at more than one scale. It is not only the variety of species (both plant and animal) but the variety of genes within those species and variety of ecosystems in which the species reside. Scotland's biodiversity is under pressure from various sources including pollution, invasive species, and a lack of recognition of the value of nature and climate change.

This policy aims to deliver biodiversity enhancement by creating networks of high quality green spaces, including wildflower meadows, allotments, orchards and woodlands through towns and villages, connecting them to the wider Moray countryside. This will help promote new habitat creation and expansion and help avoid habitat fragmentation.

Incorporating biodiversity into design and layout of a development from the outset helps to create attractive places for people and nature. All development proposals must retain, protect and enhance features of biological interest and provide for their appropriate management. It should be noted that reference to compensatory habitat creation within the policy does not apply to woodland removal which must meet the requirements set out in Policy EP7 "Forestry, Woodlands and Trees."





## EP3 SPECIAL LANDSCAPE AREAS AND LANDSCAPE CHARACTER

### i) Special Landscape Areas (SLA's)

Development proposals within SLA's will only be permitted where they do not prejudice the special qualities of the designated area set out in the Moray Local Landscape Designation Review, adopt the highest standards of design in accordance with Policy DP1 and other relevant policies, minimises adverse impacts on the landscape and visual qualities the area is important for, and are for one of the following uses;

- a) In rural areas (outwith defined settlement and rural grouping boundaries);
  - i) Where the proposal involves an appropriate extension or change of use to existing buildings, or
  - ii) For uses directly related to distilling, agriculture, forestry and fishing which have a clear locational need and demonstrate that there is no alternative location, or
  - iii) For nationally significant infrastructure developments identified in the National Planning Framework,
- b) In urban areas (within defined settlement, rural grouping boundaries and LONG designations);
  - i) Where proposals conform with the requirements of the settlement statements, Policies PP1, DP1 and DP3 as appropriate and all other policy requirements, and
  - ii) Proposals reflect the traditional settlement character in terms of siting and design.
- c) The Coastal (Culbin to Burghead, Burghead to Lossiemouth, Lossiemouth to Portgordon, Portgordon to Cullen Coast), Cluny Hill, Spynie, Quarrywood and Pluscarden SLA's are classed as "sensitive" in terms of Policy DP4 and no new housing in the open countryside will be permitted within these SLA's.



Proposals for new housing within other SLA's not specified in the preceding para will be considered against the criteria set out above and the criteria of Policy DP4.

- d) Where a proposal is covered by both a SLA and CAT or ENV policy/designation, the CAT policy or ENV policy/designation will take precedence.

#### ii) **Landscape Character**

New developments must be designed to reflect the landscape characteristics identified in the Landscape Character Assessment of the area in which they are proposed.

Proposals for new roads and hill tracks associated with rural development must ensure that their alignment and use minimises visual impact, avoids sensitive natural heritage and historic environment features, including areas protected for nature conservation, carbon rich soils and protected species, avoids adverse impacts upon the local hydrology and takes account of recreational use of the track and links to the wider network.

#### **Justification/ Notes**

The aim of this policy is to protect landscapes from inappropriate development. The SLA's are identified on the Proposals Map and supported by special qualities set out in the Moray Local Landscape Designation Review 2018 . Moray enjoys a very high quality and diversity of landscapes and proposals which are likely to result in a significant adverse impact on the landscape will not be supported.

The policy also aims to ensure that all new development reflects the landscape quality of Moray and developments should be designed in accordance with the Landscape Character Assessment for Moray and Nairn 2019 which will be a material consideration. Hill tracks formed in association with rural development can have a significant adverse impact upon the landscape and need to be sensitively designed.

### EP4 COUNTRYSIDE AROUND TOWNS

Development proposals within the Countryside Around Towns (CAT's) areas identified around Elgin, Forres, Buckie, Keith and Lossiemouth will be refused unless they;

- Involve the rehabilitation, conversion, limited extension, replacement or change of use of existing buildings, or
- Are necessary for the purposes of agriculture, forestry, low intensity recreational or tourism use or specifically allowed under the terms of other Local Development Plan policies or settlement statements within these areas (excluding houses in all these cases), or
- Are a designated "LONG" term housing allocation released for development under the terms of Policy DP3.

Countryside Around Town areas are classed as "sensitive" areas in terms of Policy DP4 Rural Housing and no new rural housing will be permitted within them unless the above criteria is met.

#### **Justification/Notes**

The five main towns of Elgin, Forres, Buckie, Keith and Lossiemouth are subject to the highest development pressures and CAT's have been designated to prevent development sprawl into the countryside. Only certain types of development are appropriate within CAT's to protect their special character. New housing development (other than under criteria a) and any LONG designations released through Policy DP3) is specifically excluded from the types of acceptable development, to maintain and preserve the distinction with the built up area.



## EP5 OPEN SPACE

**a) Existing Open Space (ENV's and Amenity Land)**

Development which would result in a change of use of a site identified under the ENV designation in settlement statements or amenity land designations in rural groupings to anything other than open space use will be refused.

Proposals that would result in a change of use of an ENV4 Sports Area to any other use (including other ENV categories) will be refused.

The only exceptions are where the proposal is for essential community infrastructure required to deliver the key objectives of the Council and its Community Planning Partners, excluding housing, or for a site specific opportunity identified within the settlement statement. Where one of these exceptions applies, proposals must:

- Be sited and designed to minimise adverse impacts on the principal function of the space and the key qualities and features identified in the Moray Open Space Strategy Supplementary Guidance.
- Demonstrate that there is a clear excess of the type of ENV and the loss of the open space will not negatively impact upon the quality, accessibility and quantity of open space provision and does not fragment green

networks (with reference to the Moray Open Space Strategy Supplementary Guidance, green network mapping and for ENV4 Sports Area in consultation with SportScotland) or replacement open space provision of equivalent function, quality and accessibility is made.

The temporary use of unused or underused land as green infrastructure is encouraged, this will not prevent any future development potential which has been identified from being realised. Proposals that would result in a change of use of an ENV4 Sports Area to any other use (including other ENV categories) will be refused.



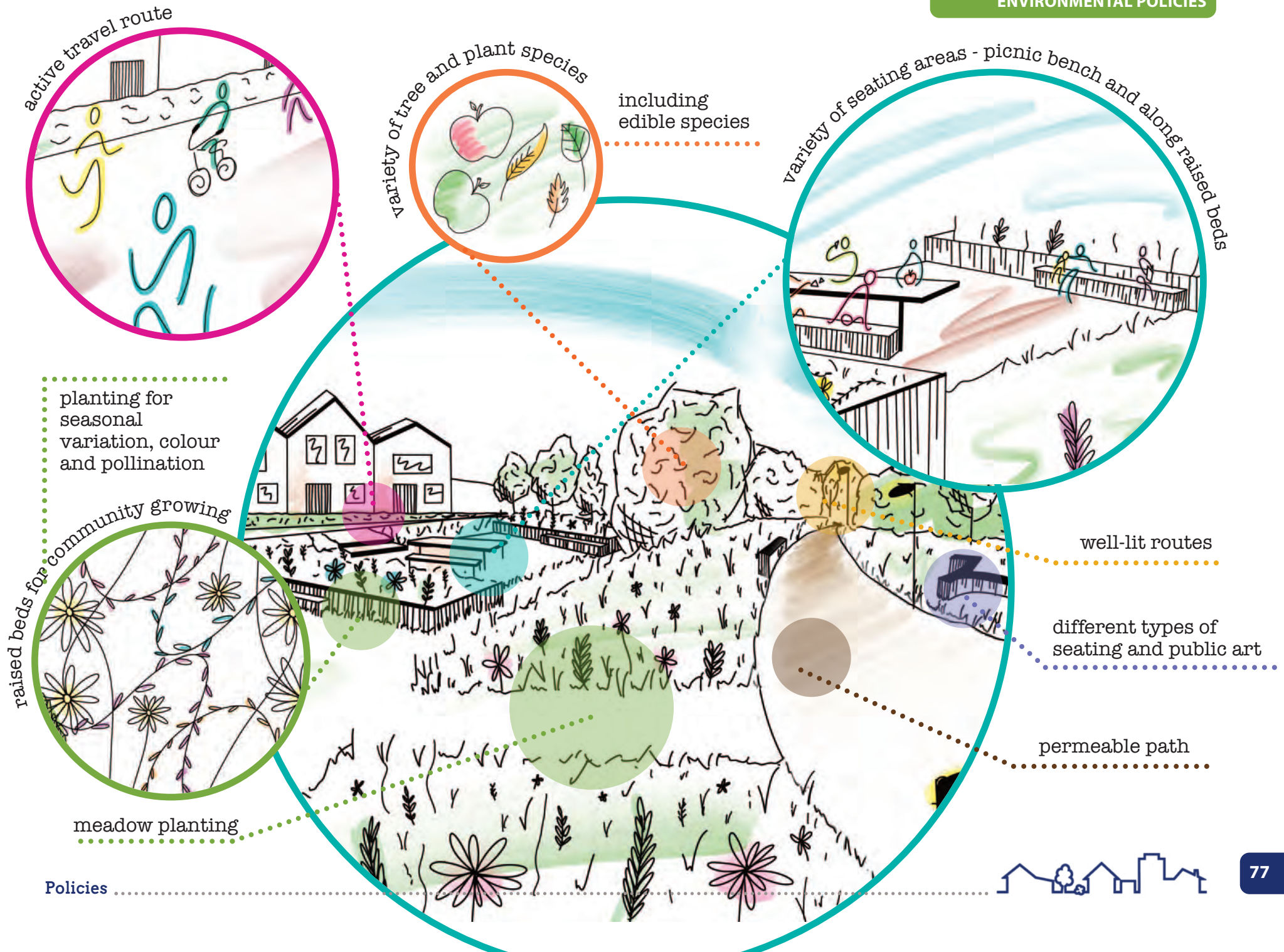
Proposals for allotments or community growing on existing open space will be supported where they do not adversely affect the primary function of the space or the key qualities and features identified in the Moray Open Space Strategy Supplementary Guidance and a locational requirement has been identified in the Council's Food Growing Strategy. Consideration will include related aspects such as access, layout, design and car parking requirements.

Any new/proposed extension to existing cemetery sites requiring an intrusive ground investigation must be undertaken in accordance with SEPA's guidance on assessing the impacts of cemeteries on groundwater before any development occurs at the site.

Areas identified in Settlement Statements as ENV are categorised based on their primary function as set out below. These are defined in the Open Space Strategy Supplementary Guidance.

<b>ENV 1</b>	Public Parks and Gardens
<b>ENV 2</b>	Amenity Greenspace
<b>ENV 3</b>	Playspace for children and teenagers
<b>ENV 4</b>	Sports Areas
<b>ENV 5</b>	Green Corridors
<b>ENV 6</b>	Natural/Semi-Natural Greenspace
<b>ENV 7</b>	Civic Space
<b>ENV 8</b>	Allotments
<b>ENV 9</b>	Cemeteries and proposed extensions
<b>ENV 10</b>	Private Gardens and Grounds
<b>ENV 11</b>	Other Functional Greenspace





**b) Green Infrastructure and Open Space in New Development**

New development must incorporate accessible multifunctional open space of appropriate quantity and quality to meet the needs of development and must provide green infrastructure to connect to wider green/blue networks. In Elgin, Buckie and Forres green infrastructure must be provided as required in the green network mapping. Blue drainage infrastructure will require to be incorporated within green open space. The blue-green context of the site will require to be considered from the very outset of the design phase to reduce fragmentation and maximize the multi-benefits arising from this infrastructure.



Open space provision in new developments must meet the accessibility, quality and quantity standards set out below and meet the requirements of policy PP1 Placemaking, EP2 Biodiversity, other relevant policies and any site specific requirements within the Settlement Statements. Developers must demonstrate through a Placemaking Statement that they have considered these standards in the design of the open space, this must include submission of a wider analysis plan that details existing open space outwith the site, key community facilities in the area and wider path networks.

**i) Accessibility Standard**

Everyone will live within a five minute walk of a publicly usable space of at least 0.2ha.

**ii) Quality Standard**

All new development proposals will be assessed and must achieve a very good quality score of no less than 75%. Quality will be assessed by planning officers at the planning application stage against the five criteria below using the bullet point prompts. Each criterion will be scored on a scale of 0 (poor) to 5 (very good) with an overall score for the whole development expressed as a percentage.

**Accessible and well connected**

- Allows movement in and between places, consideration to be given to reflecting desire lines, permeable boundaries, and multiple access points
- Accessible entrances in the right places.
- Accessible for all generations and mobility's, including consideration of gradient and path surfaces.
- Provide appropriately surfaced, inclusive, high quality paths.
- Connects with paths, active travel routes and other transport modes including bus routes.
- Offers connecting path network with legible waymarking and signage.

**Attractive and Appealing Places**

- Attractive with positive image created through character and quality elements.
- Attractive setting for urban areas.
- Quality materials, equipment and furniture.
- Attractive plants and landscape elements that support character, including providing seasonal and sensory variation and food production.
- Welcoming boundaries and entrance areas.
- Adequate bin provision.
- Long term maintenance measures in place.



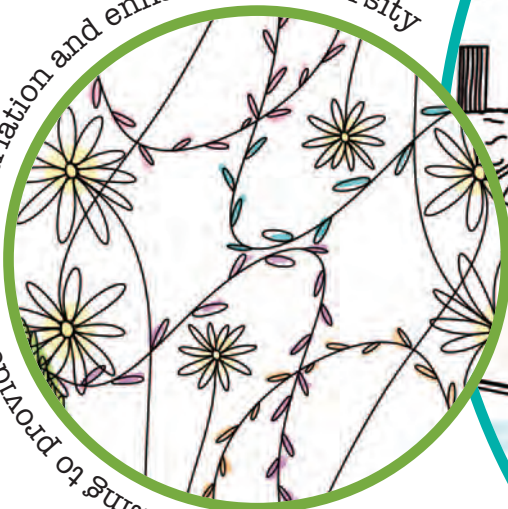
Well overlooked playspace easily accessible to housing



SUDs managed positively to create a feature



Planting to provide seasonal variation and enhance biodiversity





### **Biodiverse supporting ecological networks (see Policy EP2 Biodiversity)**

- Contribute positively to biodiversity through the creation of new natural habitats for ecological and amenity value.
- Large enough to sustain wildlife populations, including green/blue networks and landscaping.
- Offers a diversity of habitats.
- Landscaping and open space form part of wider landscape structure and setting.
- Connects with wider blue/green networks Provide connections to existing green/blue networks and avoids fragmentation of existing habitats.
- Ensure a balance between areas managed positively for biodiversity and areas managed primarily for other activities e.g. play, sport.
- Resource efficient, including ensuring open space has a clear function and is not “left over”.

### **Promotes activity, health and well being**

- Provides multifunctional open space for a range of outdoor physical activities reflecting user needs and location.
- Provides diverse play, sport, and recreational facilities for a range of ages and user groups.
- Providing places for social interaction, including supporting furniture to provide seating and resting opportunities.
- Appropriate high quality facilities meeting needs and reflecting the site location and site.
- Carefully sited facilities for a range of ages with consideration to be given to existing facilities, overlooking, and ease of access for users.
- Open space is flexible to accommodate changing needs.





**Safe, Welcoming and contributing to Character and Identity**

- Safe and welcoming.
- Good levels of natural surveillance.
- Discourage anti-social behaviour.
- Appropriate lighting levels.
- Sense of local identity and place.
- Good routes to wider community facilities e.g connecting to schools, shops, or transport nodes.
- Distinctive and memorable places that support local culture and identity.
- Catering for a range of functions and activities providing a multi-functional space meeting needs.
- Community involvement in management.

**iii) Quantity Standard**

Unless otherwise stated in site designations, the following quantity standards will apply.

- Residential sites less than 10 units - landscaping to be determined under the terms of Policy DP1 Development Principles to integrate the new development.
- Residential sites 10-50 units and new industrial sites- minimum 15% open space
- Residential sites 51-200 units- minimum 20% open space
- Residential sites 201 units and above and Business Parks- minimum 30% open space which must include allotments, formal parks and playspaces within residential sites.

In meeting the quantity requirements, only spaces which have a clear multi benefit function will be counted. Structure and boundary landscaping areas must make provision for public access and link into adjacent green corridors. The quantity standard must be met within the designation boundaries. For windfall sites the quantity standard must be new open space provision within the application boundaries.

Open Spaces approved in new developments will be classed as ENV spaces upon granting of consent.

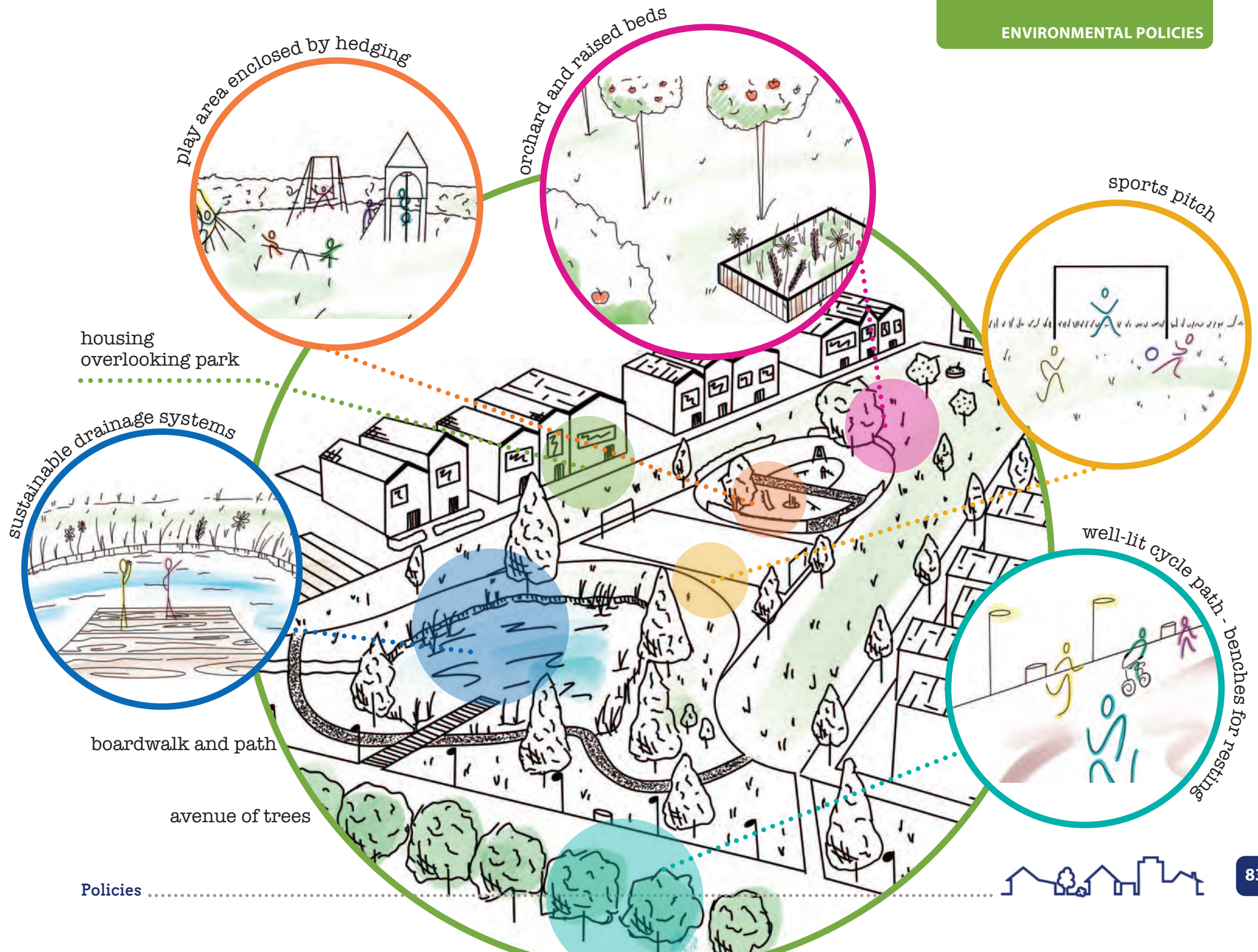
Proposals must also comply with the Council's Open Space Strategy Supplementary Guidance.

**Justification/Notes**

Open space and green/blue infrastructure provision is important for many reasons. It supports healthy and active lifestyles, as well as providing spaces to relax and unwind supporting mental health. It can have climate change related benefits including reducing flood impacts, providing space for sustainable drainage, and pollution mitigation. It can create habitat networks and connections and support biodiversity. Open space and green infrastructure play an important role in placemaking helping to create places with character, identity and a sense of place contributing to quality of life. Green infrastructure can help new development fit into the natural environment and landscape.

Policy seeks to protect our existing open spaces that are identified in the settlement statements and rural groupings. The policy sets out the requirements for the provision of open space within new developments and the standards for the quantity, quality and accessibility of new open space. This is to ensure the multiple benefits of open space outlined above can be realised. The drawings within the policy provide examples of how good quality multi-functional open space can be achieved within development.





## EP6 SETTLEMENT BOUNDARIES

Settlement boundaries are drawn around each of the towns, villages and rural groupings representing the limit to which these settlements can expand during the Local Development Plan period.

Development proposals immediately outwith the boundaries of these settlements will not be acceptable, unless the proposal is a designated "LONG" term development site which is being released under the terms of Policy DP3.

### Justification/Notes

Settlement boundaries are defined on the Proposals, Settlement Statement and Rural Groupings maps for the purpose of guiding development to the towns, villages and rural groupings, preventing ribbon development and maintaining a clear distinction between the built up area and the countryside.

## EP7 FORESTRY, WOODLANDS AND TREES

### a) Moray Forestry and Woodland Strategy

Proposals which support the economic, social and environmental objectives and projects identified in the Moray Forestry and Woodlands Strategy will be supported where they meet the requirements of other relevant Local Development Plan policies. The council will consult Scottish Forestry on proposals which are considered to adversely affect forests and woodland. Development proposals must give consideration to the relationship with existing woodland and trees including shading, leaf/needle cast, branch cast, wind blow, water table impacts and commercial forestry operations.

### b) Tree Retention and Survey

Proposals must retain healthy trees and incorporate them within the proposal unless it is technically unfeasible to retain these. Where trees exist on or bordering a development site, a tree survey, tree protection plan and mitigation plan must be provided with the planning application if the trees or trees bordering the site (or their roots) have the potential to be affected by development and construction activity. Proposals must identify a safeguarding distance to ensure construction works, including access and drainage arrangements, will not damage or interfere with the root systems in the short or longer term. A landscaped buffer may be required where the council considers that this is required to maintain an appropriate long term relationship between proposed development and existing trees and woodland.

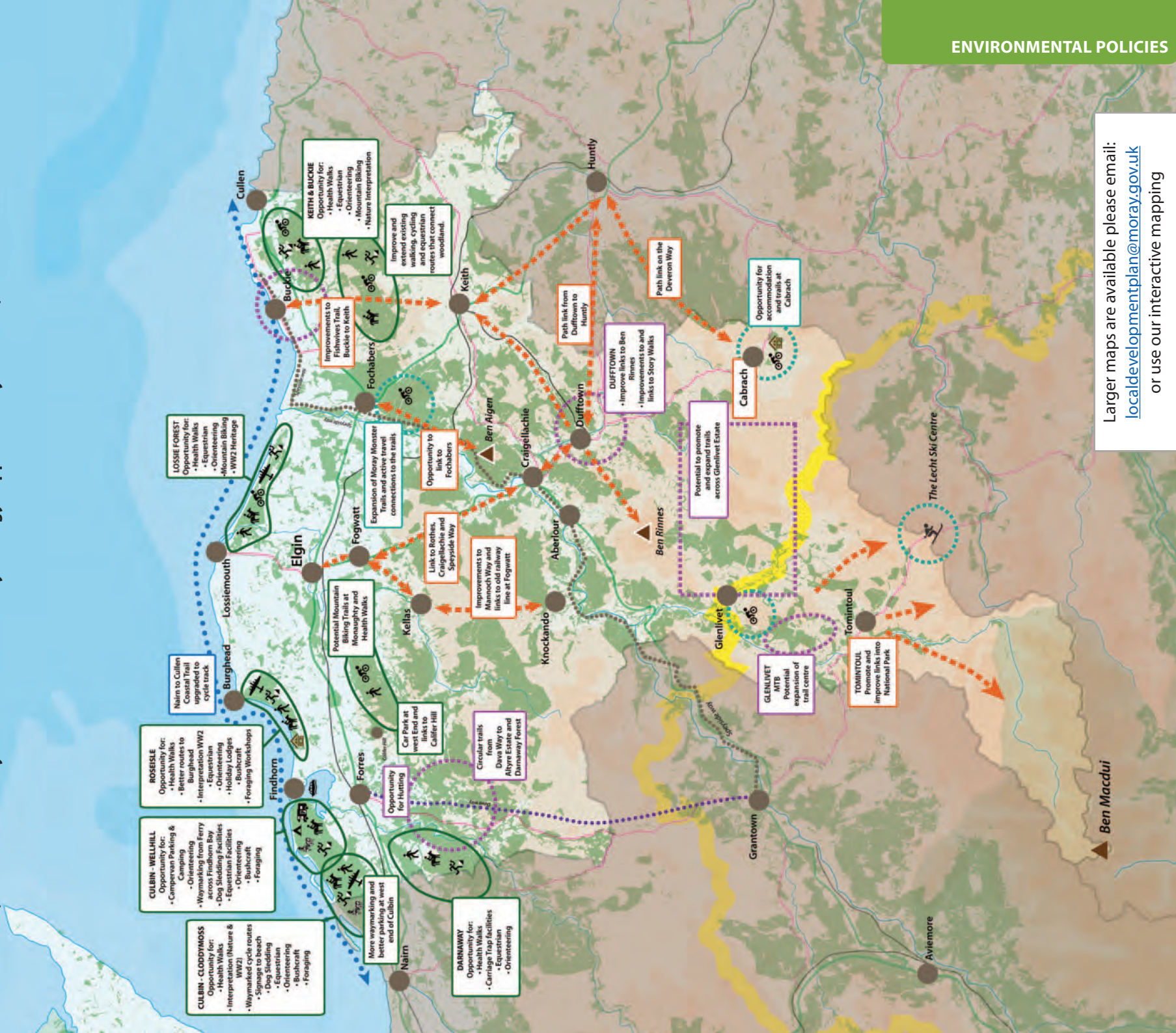
Where it is technically unfeasible to retain trees, compensatory planting on a one for one basis must be provided in accordance with (e) below.

### c) Control of Woodland Removal

In support of the Scottish Government's Control of Woodland Removal Policy, Woodland removal within native woodlands identified as a feature of sites protected under Policy EP1 or woodland identified as Ancient Woodland will not be supported.



Woodland/Forestry related tourism and recreational opportunities in Moray  
(Extract from Moray Woodland and Forestry Strategy Supplementary Guidance)



Larger maps are available please email:  
[localdevelopmentplan@moray.gov.uk](mailto:localdevelopmentplan@moray.gov.uk)  
or use our interactive mapping

In all other woodlands development which involves permanent woodland removal will only be permitted where it would achieve significant and clearly defined additional public benefits (excluding housing) and where removal will not result in unacceptable adverse effects on the amenity, landscape, biodiversity, economic or recreational value of the woodland or prejudice the management of the woodland.

Where it is proposed to remove woodland, compensatory planting at least equal to the area to be felled must be provided in accordance with e) below.

**d) Tree Preservation Orders and Conservation Areas**

The council will serve Tree Preservation Orders (TPO's) on potentially vulnerable trees which are of significant amenity value to the community as whole, trees that contribute to the distinctiveness of a place or trees of significant biodiversity value.

Within Conservation Areas, the council will only agree to the felling of dead, dying, or dangerous trees. Trees felled within Conservation Areas or subject to TPO must be replaced, unless otherwise agreed by the council.

**e) Compensatory Planting**

Where trees or woodland are removed in association with development, developers must provide compensatory planting to be agreed with the planning authority either on site, or an alternative site in Moray which is in the applicant's control or through a commuted payment to the planning authority to deliver compensatory planting and recreational greenspace.

**Justification/ Notes**

Moray is recognised for the quality of its scenery and natural heritage for which forests and woodlands play an integral part of. They are an important renewable and beneficial resource in terms of climate change, economic, landscape, recreational, biodiversity and tourism opportunities. In line with the Scottish Forestry's guidance document "The Right Tree in the Right Place", the council supports the good management of this resource to balance the potential economic benefits with protecting and enhancing forests and woodland from inappropriate development and uses.

The Scottish Government is committed to maintain and enhancing Scotland's forest and woodland resource. Preventing inappropriate woodland removal is a key policy within the Scottish Forestry Strategy February 2019, and the Control of Woodland Removal Policy (along with associated Implementation Guidance published in February 2019). Woodlands identified as Ancient Woodland are important not just for the trees, but for the soil structure, flora and fauna that rely on such woodlands. Ancient woodland ecosystems have been created over hundreds of years and are irreplaceable.

For the purposes of policy EP7, "woodland removal" under part c) is defined as the permanent removal of 0.1 hectares or more of woodland for the purposes of conversion to another type of land use. Proposals affecting a tree or trees covering an area less than 0.1 hectares will be considered against criteria b).

Development proposals which result in the permanent loss of woodland will be required to provide compensatory planting which will be of an appropriate species and will include the cost of management and establishment of the woodland/ greenspace. Further details of mechanisms to deliver compensatory planting are available from Moray Council. Compensatory planting requires to be agreed with Scottish Forestry before a felling licence is approved.

The Scottish Forestry, the Moray Access Manager and Scottish Natural Heritage will be consulted on issues relating to the recreational and biodiversity value of woodland.

Proposals for works to trees in Conservation Areas and trees covered by a TPO must be made in writing and be supported by a tree surgeon's report to provide justification for its removal.



### Trees and Development

Trees are an important part of Moray's towns and villages and surrounding countryside, adding colour and interest to the townscape and a sense of nature in our built environment. They contribute to the diversity of the countryside, in terms of landscape, wildlife habitat and shelterbelts. Trees also have a key role to play in terms of climate change by helping to absorb carbon dioxide which is one of the main greenhouse gases that cause global warming.



The cumulative loss of woodlands to development can result in significant loss of woodland cover. In compliance with the Scottish Government Control of Woodland Removal policy, woodland removal should only be allowed where it would achieve significant and clearly defined additional public benefits. In appropriate cases a proposal for compensatory planting may form part of this balance. Where woodland is to be removed then the Council will require

compensatory planting to be provided on site, on another site in Moray within the applicant's control or through a commuted payment to the Council towards woodland and greenspace creation and enhancement. Developers proposing compensatory planting are asked to follow the guidance for site assessment and woodland design as laid out in Scottish Forestry's "Woodland Creation, Application Guidance" and its subsequent updates, when preparing their proposal.



The Council requires a Tree Survey and Tree Protection Plan to be submitted by the applicant with any planning application for detailed permission on designated or windfall sites which have trees on them. The survey should include a schedule of trees and/or groups of trees and a plan showing their location, along with the following details;

- Reference number for each tree or group of trees.
- Scientific and common names.
- Height and canopy spread in metres (including consideration of full height and spread).
- Root protection area.
- Crown clearance in metres.
- Trunk diameters in metres (measures at 1.5m above adjacent ground level for single stem trees or immediately above the root flare for multi stemmed trees).
- Age and life expectancy.
- Condition (physiological and structural).
- Management works required.
- Category rating for all trees within the site (U, A, B or C \*). This arboricultural assessment will be used to identify which trees are suitable for retention within the proposed development.

\*BS5837 provides a cascading quality assessment process for categorisation of trees which tree surveys must follow. An appropriately scaled tree survey plan needs to accompany the schedule. The plan should be annotated with the details of the tree survey, showing the location, both within and adjacent to the site, of existing trees, shrubs and hedgerows. Each numbered tree or groups of trees should show the root protection area and its category U, A, B, C.

Based on the guidance in BS5837, only category U trees are discounted from the Tree Survey and Tree Protection Plan process. Trees in category A and B must be retained, with category C trees retained as far as practicable and appropriate. Trees proposed for removal should be replaced with appropriate planting in a landscape plan which should accompany the application. Trees to be retained will likely be set out in planning conditions, if not already covered by a Tree Preservation Order.



If a tree with habitat value is removed, then measures for habitat reinstatement must be included in the landscape plan. It is noted that in line with part b) of policy EP7 where woodland is removed compensatory planting must be provided regardless of tree categorisation."

A Tree Protection Plan (TPP) must also be submitted with planning applications, comprising a plan and schedule showing;

- Proposed design/ layout of final development, including accesses and services.
- Trees to be retained- with those requiring remedial work indicated.
- Trees to be removed.
- Location (and specification) of protective fencing around those trees to be retained based on the Root Protection Area.

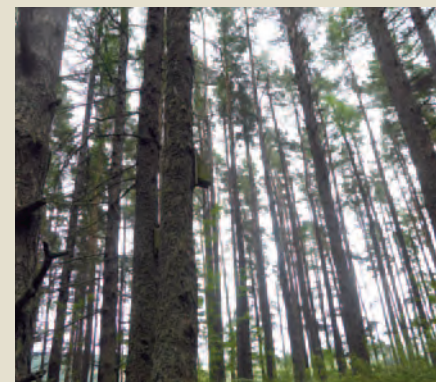
The TPP should show how the tree survey information has informed the design/ layout explaining the reasoning for any removal of trees.

### Landscape Scheme

Where appropriate a landscape scheme must be submitted with planning applications, clearly setting out details of what species of trees, shrubs and grass are proposed, where, what standard and when planting will take place. Landscape schemes must aim to deliver multiple benefits in terms of biodiversity, amenity, drainage and recreation as set out in policy.

The scheme should also set out the maintenance plan. Applicants/ developers will be required to replace any trees, shrubs or hedges on the site which die, or are dying, severely damaged or diseased which will be specified in planning conditions.

Tree species native to Scotland are recommended for planting in new development - Alder, Aspen, Birch, Bird Cherry, Blackthorn, Crab Apple, Elm, Gean, Hawthorn, Hazel, Holly, Juniper, Sessile Oak, Rowan, Scots Pine, Whitebeam, Willow.



## EP8 HISTORIC ENVIRONMENT

### a) **Scheduled Monuments and Unscheduled Archaeological Sites of Potential National Importance.**

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.

Development proposals will be refused where they adversely affect the integrity of the setting of Scheduled Monuments and unscheduled archaeological sites of potential national importance unless the developer proves that any significant adverse effects are clearly outweighed by exceptional circumstances, including social or economic benefits of national importance.



### b) **Local Designations**

Development proposals which adversely affect sites of local archaeological importance or the integrity of their settings will be refused unless;

- Local public benefits clearly outweigh the archaeological value of the site, and
- Consideration has been given to alternative sites for the development and preservation in situ is not possible.
- Where possible any adverse effects can be satisfactorily mitigated at the developer's expense.

The Council will consult Historic Environment Scotland and the Regional Archaeologist on development proposals which may affect Scheduled Monuments, nationally important archaeological sites and locally important archaeological sites.



### **Justification/ Notes**

The aim of this policy is to protect archaeological sites and Scheduled Monuments from development that would have an adverse impact on their integrity and setting.

Moray's archaeological heritage helps to define Moray's identity and sense of place. The Council recognises Moray's archaeological heritage for its tourism, leisure and educational value and wishes to conserve and enhance all archaeological sites of interest and their setting for future generations to enjoy.



## EP9 CONSERVATION AREAS

All development within a conservation area must preserve and enhance the established traditional character or appearance of the area. New development as well as alterations or other redevelopment will be refused if it adversely affects the character and appearance of the conservation area in terms of scale, height, massing, colour, materials and siting. This will typically require the use of traditional materials and styles to be used. Contemporary designs and materials can be acceptable and have a positive effect on the conservation area if the material finishes and design respect the architectural authenticity of the building and character of the conservation area.



Development proposals involving the demolition of buildings within a Conservation Area will be refused unless the building is of limited townscape value, its structural condition rules out retention at a reasonable cost, or its form or location makes it's re-use extremely difficult. The demolition of a building for redevelopment will only be considered where there are acceptable proposals and it can be demonstrated that a new building will preserve and enhance the character of the conservation area.



The Council has approved Conservation Area Character Appraisals which are material considerations and can be viewed at [www.moray.gov.uk/moray\\_standard/page\\_1861.html](http://www.moray.gov.uk/moray_standard/page_1861.html)

### Replacement Windows and Doors

For listed buildings there is always a presumption in favour of retention and repair over replacement. UPVC windows on a listed building are not acceptable.

For unlisted buildings within conservation areas, replacement windows must match the original windows in proportions and appearance and shall open in a traditional sash manner or be in the form of casements, whichever is appropriate. The installation of uPVC or metal framed windows may be deemed acceptable if it is of an appropriate traditional style and is not located on a principal elevation or on an elevation on a public view. However, the fundamental test will be if the replacement will have a detrimental effect on the character of the building and/or conservation area.

Advice on the type of windows and doors that are acceptable for listed buildings and buildings within conservation areas is set out in the Council's Replacement Windows and Door Guidance.



### Justification/ Notes

Conservation Areas are areas of special architectural or historic interest where it is desirable to preserve and enhance the character or appearance of the area. The designation does not mean that new development cannot take place but simply that new proposals display the highest standards of design and use materials and styles that are sympathetic to character of the conservation area.

The designation aims to protect and enhance all aspects of the area. This includes both listed and unlisted buildings, street layout, trees, open spaces, shopfronts and signage, and views both within and into/out of the conservation area. Minor inappropriate works to features such as boundary walls, fences, doors, external fixtures and advertisements can adversely affect its character.

Given the importance of assessing design matters, proposals for new buildings or significant alterations to existing buildings must be accompanied by a Design Statement. Applications for assessing planning permission in principle will not be accepted unless sufficient detailed information is provided to assess the potential impact of the proposal on the Conservation Area.

Unlisted buildings within a Conservation Area can have significant townscape value and make a valuable contribution to the overall character of the area. If a building in a Conservation Area has fallen into a state of disrepair then a positive attempt should be made to retain, restore or convert the building before proposals to demolish are seriously investigated.

## EP10 LISTED BUILDINGS

Development proposals will be refused where they would have a detrimental effect on the character, integrity or setting of a listed building. Alterations and extensions to listed buildings or new developments within their curtilage must be of the highest quality, and respect the original structure in terms of setting, scale materials and design.

No listed building should be demolished unless it can be clearly demonstrated that every effort has been made to retain it. Where the demolition of a listed building is proposed it must be shown that;

- The building is not of special interest or
- The building is incapable of repair.
- The demolition of the building is essential to delivering significant benefits to economic growth or the wider community.
- The repair of the building is not economically viable and that it has been marketed at a price reflecting its location and condition to potential restoring purchasers for a reasonable price.



New development must be of a comparable quality and design to retain and enhance special interest, character and setting of the listed building (s).

Enabling development may be acceptable where it can be shown to be the only means of retaining a listed building (s). The resulting development should be of a high design quality protecting the listed building (s) and their setting and be the minimum necessary to enable its conversion and re-use.

### Justification/ Notes

Listed buildings are an important part of Moray's heritage and contribute to its sense of place. The aim of this policy is to protect listed buildings from inappropriate development so that it is safeguarded for future generations.

Proposals to extend or convert listed buildings must retain their existing character as must proposals within the curtilage of listed buildings and demolition will only be considered as a last resort. Applications for the demolition of listed buildings must be supported by sufficient information to evidence that every effort has been made to safeguard it.

Enabling development to assist the retention of listed buildings is supported in principle. It should be noted however that the new development is to address the conservation deficit as opposed to funding the restoration and the preservation of the setting of the listed building will remain a key consideration.



## EP11 BATTLEFIELDS, GARDENS AND DESIGNED LANDSCAPES

Development proposals which adversely affect nationally designated Battlefields or Gardens and Designed Landscapes or their setting will be refused unless;

- a) The overall character and reasons for the designation will not be compromised, or
- b) Any significant adverse effects can be satisfactorily mitigated and are clearly outweighed by social, environmental, economic or strategic benefits.

The Council will consult Historic Environment Scotland and the Regional Archaeologist on any proposals which may affect Inventory Sites.

### Justification/ Notes

The aim of this policy is to protect Battlefields and Gardens and Designed Landscapes from inappropriate developments as their designation recognises the important contribution that they make to Moray's culture and heritage. Historic battlefields make a distinctive contribution to Moray's sense of place and the Battle of Glenlivet is a nationally important site.

An Inventory of Gardens and Designed Landscapes is compiled and maintained by Historic Environment Scotland.

An Inventory of Battlefields is compiled and maintained by Historic Environment Scotland.

## EP12 MANAGEMENT AND ENHANCEMENT OF THE WATER ENVIRONMENT

### a) Flooding

New development will not be supported if it would be at significant risk of flooding from any source or would materially increase the possibility of flooding elsewhere. For development at or near coastal locations, this includes consideration of future flooding that may be caused by sea level rise and/or coastal change eroding existing natural defences in the medium and long term.

Proposals for development in areas considered to be at risk from flooding will only be permitted where a flood risk assessment to comply with the recommendations of Scottish Planning Policy and to the satisfaction of Scottish Environment Protection Agency and the Council is provided by the applicant.

There are different levels of flood risk assessment dependent on the nature of the flood risk. The level of assessment should be discussed with the Council prior to submitting a planning application.

**Level 1** – a flood statement with basic information with regard to flood risk.

**Level 2** – full flood risk assessment providing details of flood risk from all sources, results of hydrological and hydraulic studies and any appropriate proposed mitigation.

Assessments must demonstrate that the development is not at risk of flooding and would not increase the probability of flooding elsewhere. Level 2 flood risk assessments must be signed off by a competent professional. The Flood Risk Assessment and Drainage Impact Assessment for New Development Supplementary Guidance provides further detail on the information required.



Due to continuing changes in climatic patterns, the precautionary principle will apply when reviewing any application for an area at risk from inundation by floodwater. Proposed development in coastal areas must consider the impact of tidal events and wave action when assessing potential flood risk.

The following limitations on development will also be applied to take account of the degree of flooding as defined in Scottish Planning Policy;

- a) In areas of little to no risk (less than 0.1%), there will be no general constraint to development.
- b) Areas of low to medium risk (0.1% to 0.5%) will be considered suitable for most development. A flood risk assessment may be required at the upper end of the probability range i.e. (close to 0.5%) and for essential civil infrastructure and the most vulnerable uses. Water resistant materials and construction may be required. Areas within this risk category will generally not be suitable for civil infrastructure. Where civil infrastructure must be located in these areas or is being substantially extended, it should be designed to be capable of remaining operational and accessible during flooding events.
- c) Areas of medium to high risk (0.5% or above) may be suitable for:
  - Residential, institutional, commercial and industrial development within built up areas provided that flood protection measures to the appropriate standard already exist and are maintained, are under construction, or are a planned measure in a current flood management plan.
  - Essential infrastructure within built up areas, designed and constructed to remain operational during floods and not impede water flow.
  - Some recreational, sport, amenity and nature conservation uses, provided appropriate evacuation procedures are in place, and
  - Employment related accommodation e.g. caretakers or operational staff.



Areas within these risk categories will generally not be suitable for the following uses and where an alternative/lower risk location is not available;

- Civil infrastructure and most vulnerable uses.
- Additional development in undeveloped and sparsely developed areas, unless a location is essential for operational reasons e.g. for navigation and water based recreation, agriculture, transport or utilities infrastructure (which should be designed to be operational during floods and not impede water flows).
- New caravan and camping sites

Where development is permitted, measures to protect against or manage flood risk will be required and any loss of flood storage capacity mitigated to achieve a neutral or better outcome. Water resistant materials and construction must be used where appropriate. Land raising and elevated buildings on structures such as stilts are unlikely to be acceptable.

#### b) **Surface Water Drainage: Sustainable Urban Drainage Systems (SUDS)**

Surface water from development must be dealt with in a sustainable manner that has a neutral effect on flooding or which reduces the risk of flooding. The method of dealing with surface water must also avoid pollution and promote habitat enhancement and amenity. All sites must be drained by a sustainable drainage system (SUDS) designed in line with current CIRIA guidance. Drainage systems must contribute to enhancing existing “blue” and “green” networks while contributing to place-making, biodiversity, recreational, flood risk and climate change objectives.



When considering the appropriate SUDS design for the development the most sustainable methods, such as rainwater harvesting, green roofs, bio retention systems, soakaways, and permeable pavements must be considered first. If it is necessary to include surface water attenuation as part of the drainage system, only above ground attenuation solutions will be considered, unless this is not possible due to site constraints.

If below ground attenuation is proposed the developer must provide a robust justification for this proposal. Over development of a site or a justification on economic grounds will not be acceptable. When investigating appropriate SUDS solutions developers must integrate the SUDS with allocated green space, green networks and active travel routes to maximise amenity and biodiversity benefits.

Specific arrangements must be made to avoid the issue of permanent SUDS features becoming silted-up with run-off. Care must be taken to avoid the spreading and/or introduction of invasive non-native species during the construction of all SUDS features. On completion of SUDS construction the developer must submit a comprehensive Operation and Maintenance Manual. The ongoing maintenance of SUDS for all new development will be undertaken through a factoring agreement, the details of which must be supplied to the Planning Authority.

All developments of less than 3 houses or a non-householder extension under 100 square metres must provide a Drainage Statement. A Drainage Assessment will be required for all developments other than those identified above.

### c) **Water Environment**

Proposals, including associated construction works, must be designed to avoid adverse impacts upon the water environment including Ground Water Dependent Terrestrial Ecosystems and should seek opportunities for restoration and/or enhancement, if appropriate. The Council will only approve proposals impacting on water features where the applicant provides a report to the satisfaction of the Council that demonstrates that any impact (including cumulative) on water quality, water quantity, physical form (morphology), river hydrology, sediment transport and erosion, coastal

processes (where relevant) nature conservation (including protected species), fisheries, recreational, landscape, amenity and economic and social impact can be adequately mitigated.



The report must consider existing and potential impacts up and downstream of the development

particularly in respect of potential flooding. The Council operates a presumption against the culverting of watercourses and any unnecessary engineering works in the water environment.

A buffer strip of at least 6 metres between any new development and all water features is required and should be proportional to the bank width and functional river corridor (see table on page 96). This must achieve the minimum width within the specified range as a standard, however, the actual required width within the range should be calculated on a case by case basis by an appropriately qualified individual. These must be designed to link with blue and green networks, including appropriate native riparian vegetation and can contribute to open space requirements.

Developers may be required to make improvements to the water environment as part of the development. Where a Water Framework Directive (WFD) water body specific objective is within the development boundary, or in proximity, developers will need to address this within the planning submission through assessment of potential measures to address the objective and implementation, unless adequate justification is provided. Where there is no WFD objective the applicant should still investigate the potential for watercourse restoration along straightened sections or removal of redundant structures and implement these measures where viable.

Width to watercourse (top of bank)	Width of buffer strip (either side)
Less than 1m	6m
1-5m	6-12m
5-15m	12-20m
15m+	20m+

The Flood Risk Assessment and Drainage Impact Assessment for New Development Supplementary Guidance provides further detail on the information required to support proposals.

#### Justification/ Notes

This policy seeks to direct development away from areas at risk from flooding and to ensure that potential risk from flooding is adequately considered. Where impacts are identified these must be satisfactorily mitigated and not materially increase the possibility of flooding elsewhere.

SUDS are a statutory requirement for almost all new development and need to be considered early in the design process to ensure adequate space is available within a development site. Well designed and managed SUDS that integrate with other land uses (such as active travel routes and open space) can reduce diffuse pollution and contribute to green and blue networks, enhance biodiversity and create attractive places for people to live and work.

This policy supports the protection and enhancement of the water environment in accordance with the WFD. The water environment is defined within the directive to include all wetlands, rivers, lochs, transitional waters (estuaries), coastal waters and ground water. New development must be set back from and planned around water features to create/extend green and blue networks that help to enhance biodiversity. Water features include all watercourses, waterbodies, drainage ditches, ponds, existing SUDS both natural and man-made.

Coastal changes caused by flooding, climate change driven increases in storm frequency and severity and/or development are not limited to coastal erosion. Sediment deposition (accretion) in coastal locations can also be an issue. Further information for developers is available on the National Coastal Change Assessment website [www.dynamiccoast.com](http://www.dynamiccoast.com)



## EP13 FOUL DRAINAGE

All development within or close to settlements (as defined in the Local Development Plan) of more than 2,000 population must connect to the public sewerage system unless connection is not permitted due to lack of capacity. In such circumstances, temporary provision of private sewerage systems may be allowed provided Scottish Water has confirmed investment to address this constraint has been allocated within its investment Programme and the following requirements have been met;

- Systems must not have an adverse effect on the water environment
- Systems must be designed and built to a standard which will allow adoption by Scottish Water
- Systems must be designed such that they can be easily connected to a public sewer in the future. Typically this will mean providing a drainage line up to a likely point of connection.

All development within or close to settlements (as above) of less than 2,000 population will require to connect to public sewerage except where a compelling case is made otherwise. Factors to be considered in such a case will include size of the proposed development, whether the development would jeopardise delivery of public sewerage infrastructure and existing drainage problems within the area. Where a compelling case is made, a private system may be acceptable provided it does not pose or add a risk of detrimental effects, including cumulative, to the natural and built environment, surrounding uses or amenity of the general area.

Where a private system is deemed to be acceptable, within settlements as above or small scale development in the countryside, a discharge to land, either full soakaway or raised mound soakaway, compatible with Technical Handbooks (which sets out guidance on how proposals may meet the Building Regulations) must be explored prior to considering a discharge to surface waters.

### Justification/ Notes

New development must connect to the main system whenever possible, however there may be some cases where this may not prove possible.

## EP14 POLLUTION, CONTAMINATION & HAZARDS

### a) Pollution

Development proposals which may cause significant air, water, soil, light or noise pollution or exacerbate existing issues must be accompanied by a detailed assessment report on the levels, character and transmission of the potential pollution with measures to mitigate impacts. Where significant or unacceptable impacts cannot be mitigated, proposals will be refused.

### b) Contamination

Development proposals on potentially contaminated land will be approved where they comply with other relevant policies and;

- i) The applicant can demonstrate through site investigations and risk assessment, that the site is in a condition suitable for the proposed development and is not causing significant pollution of the environment; and
- ii) Where necessary, effective remediation measures are agreed to ensure the site is made suitable for the new use and to ensure appropriate disposal and/ or treatment of any hazardous material.

### c) Hazardous sites

Development proposals must avoid and not impact upon hazardous sites or result in public safety concerns due to proximity or use in the vicinity of hazardous sites.



**Justification/ Notes**

The aim of this policy is to ensure that new developments do not create pollution which could adversely affect the environment or local amenity. Pollution can take various forms including run off into watercourses, noise pollution, air pollution and light pollution.

The policy aims to encourage proposals on previously used land while ensuring public health and environmental quality are not compromised. The Council will seek to ensure that appropriate mitigation or remediation measures are implemented prior to, or as part of, the development but the level of remediation can be limited to that required for the purpose of the specific intended use.

The Council will consider the proximity of major hazard sites to development proposals and apply the Health and Safety Executive Land Use Planning Web App for planning applications within the consultation distances around these sites. Formal consultations with the Health and Safety Executive and also the Scottish Environment Protection Agency (SEPA) will take place as appropriate.

There is a considerable presence of former MOD sites in Moray which may show signs of radioactive contamination. Radium 226 was used in WWII aircraft dials and may still be present at such sites. Development on such sites must include an assessment of radioactive contaminants, details of appropriate mitigation and monitoring to be agreed. SEPA should be consulted on any former MOD sites.

The decision as to whether a proposed development is likely to create "significant" pollution and require a detailed assessment report will be made in consultation with the Council's Environmental Health Section, the Scottish Environment Protection Agency (SEPA), Scottish Natural Heritage (SNH) and any other relevant statutory regulatory body. Development proposals in proximity to hazardous installations (ie pipelines, gas storage compounds and distilleries) may be subject to an element of risk. Consultation with the Health and Safety Executive will confirm this.

**EP15 MOD SAFEGUARDING**

Development proposals must not adversely impact upon Ministry of Defence safeguarding operations. Details of consultation zones for Kinloss Barracks and RAF Lossiemouth and development types which will be subject to consultation with the Defence Infrastructure Organisation are available from Moray Council. The outer boundaries of the zones are shown on the Proposals Map.

**Justification/ Notes**

Development proposals within some use classes within safeguarding distances around Kinloss Barracks and RAF Lossiemouth require to be subject of consultation with Defence Infrastructure Organisation. This policy applies to a wide range of development proposals which could have implications for the operation of airfields and includes aspects such as height of buildings/ structures, use of reflective surfaces, refuse tips, nature reserves and other proposals which might attract birds.



## EP16 GEODIVERSITY AND SOIL RESOURCES

Where peat and other carbon rich soils are present disturbance to them may lead to the release of carbon dioxide contributing to the greenhouse gas emissions. Applications should minimise this release and must be accompanied by an assessment of the likely effects associated with any development work and aim to mitigate any adverse impacts arising.

Where areas of important geological interest are present, such as geological Sites of Special Scientific Interest (SSSI) or Geological Conservation Review (GCR) sites are present, excavations or built development can damage, destroy and/or prevent access to the irreplaceable geological features. Development should avoid sensitive geological areas or otherwise demonstrate how the geological interests will be safeguarded.

For major developments, minerals and large scale (over 20MW) renewable energy proposals, development will only be permitted where it has been demonstrated that unnecessary disturbance of soils, geological interests, peat and any associated vegetation is avoided. Evidence of the adoption of best practice in the movement, storage, management and reinstatement of soils must be submitted along with any relevant planning application, including, if necessary, measures to prevent the spread of invasive non-native species.

Major developments, minerals and large scale renewable energy proposals on areas of peat and/or land habitat will only be permitted for these uses where:

- a) The economic, social and/or environmental benefits of the proposal outweigh any potential detrimental effect on the environment (in particular with regard to the release of carbon dioxide into the atmosphere); and
- b) It has been clearly demonstrated that there is no viable alternative.

Where development on peat is deemed acceptable, a peat depth survey must be submitted which demonstrates that the areas of deepest peat have been avoided. Where required, a peat management plan must also be submitted which demonstrates that unnecessary disturbance, movement, degradation or erosion of peat is avoided and proposes suitable mitigation measures and appropriate reuse. Commercial peat extraction will not be permitted

### Justification/ Notes

The disturbance of some soils, particularly peat may lead to the release of stored carbon and contribute to greenhouse gas emissions. Where peat and other carbon rich soils are present the likely effects associated with the development must be assessed and appropriately mitigated. Geological interests are created slowly over millions of years, so are irreplaceable historical records of the earth. Excavations or built development can damage, destroy and/or prevent access to important geological features found in geological SSSI's and GCR sites.



## EP17 COASTAL CHANGE

New development will not generally be supported in areas that are vulnerable to adverse effects of coastal erosion and/or wider coastal change as identified in Scotland's Dynamic Coast project (National Coastal Change Assessment).

In vulnerable areas, proposals for new developments will only be permitted if they demonstrate that they:

- are adaptive to anticipated coastal change, and
- avoid the need for coastal defence measures over their lifetime, and
- will not have a detrimental impact on coastal processes.

Beyond this, only in exceptional circumstances will proposals within areas vulnerable to coastal change be approved and only where it has been demonstrated that there are:

- no alternative solutions, and
- imperative reasons of over-riding public interest including those of a social or economic nature."

### Justification/ Notes

Moray has approximately 190 kilometres 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. The increasing effects of climate change, including the consequences of sea level rise, will continue to change our coastline and put existing and planned built development and infrastructure at risk. Around 60% of the Moray coastline is made up of soft material susceptible to erosion. The proportion of soft coastline experiencing erosion has tripled in recent years from 10% to 34%. A significant length of the coast has experienced substantial erosion, 13 kilometres of shoreline has retreated more than 30 metres since the 1970's and there is likely to be increased erosion and flooding to be managed in the future. Coastal settlements such as Kingston and Cullen are already experiencing issues. Further information on areas of the Moray coast affected and detailed mapping is available to view at <http://www.dynamiccoast.com/>.





## DEL1 DELIVERY OF EFFECTIVE SITES AND DELIVERY PROGRAMME

Landowners, agents and developers of sites designated for development in the LDP must produce an annual Delivery Strategy/ update and bi-annual reports on completions/ progress, which will be used to inform the LDP Delivery Programme and future infrastructure requirements. The Strategy should set out the steps and timescales associated with progressing the site through to development on the ground. Guidance and a template will be produced by the Council to assist with this process.

If evidence of delivery is not consistently provided to the satisfaction of the Council, then the effectiveness of the site will be re-evaluated in the next Local Development Plan.

### Justification/ Notes

There is a much greater focus on delivery and the Council wishes to ensure that sites are being brought forward for development. This information also helps inform future infrastructure planning.

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

The Council is committed to maintaining at least a 5 year supply of effective land for housing and employment uses. If a shortfall of land is identified through the annual housing or employment land audit, which cannot be addressed through the release of LONG designations, then the Council will pursue compulsory purchase of sites to support continued economic growth.

### Justification

In order to bring sites forward for development and ensure an effective supply of housing and employment land is available, the Council may have to use compulsory purchase powers to acquire designated sites which show no sign of progressing towards development, using the evidence from Policy DEL1.



## GLOSSARY OF TERMS

Term	Definition
<b>Active Travel</b>	Forms of travel involving physical activity, primarily walking and cycling.
<b>Affordable Housing</b>	Housing of a reasonable quality that is affordable to people on modest incomes.
<b>Accessible Housing</b>	Housing of a design that meets the existing and changing needs of most households, including those with temporary or permanent physical disabilities.
<b>Ancillary Retail Use</b>	A subsidiary or secondary use or operation closely associated with the main use of a building or piece of land.
<b>Biodiversity</b>	The whole variety of life encompassing all genetics, species and ecosystem variations, including plants and animals.
<b>Biological Interest</b>	Any individual part of an ecosystem including plants and animals.
<b>Brownfield Land</b>	Land which has previously been developed. The term may cover vacant or derelict land, land occupied by redundant or unused buildings and developed land within the settlement boundary where further intensification of use is considered acceptable.
<b>Commercial Centre</b>	Centres of strategic importance which have a more specific focus on shopping or shopping/leisure uses as distinct from the diverse mix of uses found in town centres.
<b>Comparison Retailing</b>	The retail of items not bought on a frequent basis, for example televisions and white goods (fridges, dishwashers etc).
<b>Constrained Housing Land</b>	Housing land which is not available for construction of housing due to development constraints.
<b>Contaminated Land</b>	Land that has been polluted or harmed in some way, making it unfit for safe development and usage unless cleaned.
<b>Convenience Retailing</b>	The retail of everyday essential items, such as food.
<b>Conservation Area</b>	An area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.
<b>Designation</b>	Land identified as appropriate for a specific land use.
<b>Developer Obligations</b>	Obligations may be required from developers towards new infrastructure to mitigate any impacts arising as a consequence of the proposed development.



<b>Effective Housing Land</b>	Housing land which is free, or expected to be free, of development constraints in the period under consideration and therefore available for construction of housing.	<b>Green/Blue Infrastructure</b>	The 'green' and 'blue' (water environment) features of the natural and built environments that can provide benefits without being connected.
<b>Environmental Designations (ENV)</b>	Natural environment identified for protection against inappropriate development.	<b>Hierarchy of Developments</b>	Hierarchy applied to all developments to enable applications to be dealt with in an appropriate way to their scale and complexity:-  National Developments – Development designated in the National Planning Framework (NPF) Major Developments – All development as defined in Regulation 2(1) and Schedule 1 of the Hierarchy Regulations 2009 Local Developments – All development which is neither national nor major.
<b>European Site</b>	A network of core breeding and resting sites for rare and threatened species, and some rare natural habitat types which are protected in their own right including Special Areas of Conservation (SAC's), Special Protection Area's (SPA's) and proposed SAC's and SPA's.	<b>Housing Market Area (HMA)</b>	A geographical area defined by household demand and preferences for all types of housing, reflecting the key functional linkages between places where people live and work.
<b>Flood Risk</b>	The combination of the probability of a flood and the potential adverse consequences associated with a flood, for human health, the environment, cultural heritage and economic activity.	<b>Infill Development</b>	Development of a relatively small gap between existing buildings.
<b>Functional Flood Plain</b>	Areas of land where water flows in times of flood, which should be safeguarded from further development because of their function as flood storage areas. For planning purposes, the functional flood plain has a greater than 0.5% (1:200) probability of flooding in any year.	<b>Listed Building</b>	A building of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.
<b>Greenfield Site</b>	A site which has never been previously developed.	<b>Masterplan</b>	A type of planning brief outlining the preferred usage of land and the overall approach to the layout of a developer. To provide detailed guidance for subsequent planning applications.



<b>Material Considerations</b>	A matter that should be taken into account in determining a planning application or an appeal against a planning decision.	<b>Retail Park</b>	An out-of-town centre group of three or more stores selling primarily non-food goods, with a shared car park.
<b>Mitigation</b>	Measures to avoid, reduce or offset significant adverse effects on the environment.	<b>Scheduled Monument</b>	Archaeological sites, buildings or structures of national or international importance, which it is desirable to preserve or enhance.
<b>Mixed Use</b>	Provision of a mix of complementary uses, such as residential, community and leisure uses, on a site or within a particular area.	<b>Site of Special Scientific Interest (SSSI)</b>	An area which is designated for the special interest of its flora, fauna, geology or geomorphological features.
<b>Neighbourhood Park</b>	Parkland area with several functions accessible to a neighbourhood.	<b>Special Areas of Conservation (SAC)</b>	An area which is designated for its European species and/or habitats of particular importance.
<b>Opportunity Sites</b>	Sites which are or may become available for redevelopment. Any uses indicated should be viewed as illustrative only and not taken as a definitive list of acceptable uses.	<b>Special Protection Area (SPA)</b>	An area which has been identified as being of international importance for the breeding, feeding, wintering or the migration of rare and vulnerable species of birds found within European Union countries.
<b>Out-of-Centre</b>	A location which is not in or on the edge of a town centre but not necessarily outside the urban area.	<b>Special Landscape Area (SLA)</b>	A landscape area which is designated for its special character and quality.
<b>Pocket Park</b>	Small parks easily accessible to immediate residential population.	<b>Supplementary Guidance</b>	Guidance which covers a range of issues, both thematic and site specific, and provides further detail of policies and proposals in the Local Development Plan.
<b>Prime Quality Agricultural Land</b>	Agricultural land identified as being of Class 1, 2 or 3.1 in the land capability classification for agriculture as developed by the James Hutton Institute.	<b>Sustainable Urban Drainage Systems (SUDS)</b>	A range of techniques for managing the flow of surface water run-off from a site by attenuation, settlement or treatment on site, and so reducing the flow to receiving watercourses and conventional piped drainage systems.
<b>Ramsar</b>	Designated wetlands that are of international importance.		



<b>Town Centre</b>	An area defined in the Local Development Plan's proposal map which provides a broad range of facilities and services and which fulfil a function as a focus for both the community and public transport.										
<b>Transport Assessment</b>	A comprehensive and consistent review of all the potential transport impacts of a proposed development or redevelopment, with an agreed plan to reduce any adverse consequences.										
<b>Typology of a Wind Turbine</b>	Single turbines or groups of turbines based on height:- <table> <tr> <td>Small</td><td>20-35m</td></tr> <tr> <td>Small/Medium</td><td>35-50m</td></tr> <tr> <td>Medium</td><td>50-80m</td></tr> <tr> <td>Large</td><td>80-130m</td></tr> <tr> <td>Very Large</td><td>130-150m</td></tr> </table>	Small	20-35m	Small/Medium	35-50m	Medium	50-80m	Large	80-130m	Very Large	130-150m
Small	20-35m										
Small/Medium	35-50m										
Medium	50-80m										
Large	80-130m										
Very Large	130-150m										
<b>Use Classes</b>	The categories in which uses of land and buildings are defined from the Town and Country (Use Classes) (Scotland) Order 1997.										
<b>Walkable Neighbourhood</b>	Street layouts should be configured to allow walkable access to local amenities for all street users										
<b>Windfall Site</b>	Sites which are not specifically identified as available in a Local Development Plan and become available for development unexpectedly during the life of the Plan.										

### Tree Technical Specification

Symbol	Definition	Girth cm	Height cm
1+0	1 year seedling	6-8	Light Standard
2+0	2 year seedling	8-10	Standard
0+1	1 year cutting	10-12	Selected Standard
0+2	2 year cutting	12 - 14	Heavy Standard
1+1	2 year transplant, 1x	14 - 16	Extra Heavy Standard
1+2	3 year transplant, 1x	16 - 18	Extra Heavy Standard
2+2	4 year transplant, 2x	18 - 20	Extra Heavy Standard
		20 - 25	Semi-Mature

Trees are specified by their girth in centimetres, measured at 1 metre above ground level. Clear stem height, that is, the distance from the ground to the lowest branch, is normally 1.8 to 2.0 metres between the size ranges 12 - 20cm girth.



## APPENDIX 2

### Parking Standards

Proposals for development must conform to the Council's current policy on parking standards.

### Justification

The application of parking standards supports the principles of sustainable economic development. The standards inform the design of development and also the implementation of appropriate traffic management. The standards recognise the flexibility needed when dealing with both new build development and the reuse/redevelopment of sites within town centres to support development to revitalise the existing town centres across Moray.

On May 19, 2015, the Planning and Regulatory Services Committee approved the use of the National Roads Development Guide as a material consideration in the determination of development proposals in Moray, subject to local variations. The following pages detail the Parking Standards for Moray. These standards must be read in conjunction with the National Road Development Guidelines (NRDG) as they form part of the regional variations to the National Road Development Guidelines.

For details of the design and layout of parking provision please refer to NRDG sections 3.5 to 3.6 and the variations noted in Table 2.

Where an exact match for the type of development is not available it is recommended that Moray Council Transportation are contacted at an early stage to agree use of an alternative standard or to agree a methodology for establishing appropriate parking rates. Assessments of comparative sites may be considered, where appropriate, to determine parking requirements.

The minimum requirement for disabled parking spaces shall be based on the maximum standard rate and the total required are in addition to the proposed number of standard parking spaces.

### Town Centre Zero Parking

Limited categories of redevelopment will not be required to provide off-street parking on development sites in the main town centres of Moray (Elgin, Forres, Buckie, Lossiemouth, Keith). Where development can provide some or all of its parking requirement within the town centre then it should do so. The guidance on town centre zero parking will be subject to the requirements of any future parking strategy for the relevant location.

**Table 1** Town Centre ZERO PARKING provision

Development Type		Scale (GFA)	Note
Class 1	Retail	Food up to 500m <sup>2</sup> Non-food up to 1000m <sup>2</sup>	
Class 2	Financial, Professional and Other	Up to 500m <sup>2</sup>	
Class 3	Food and Drink	Up to 500m <sup>2</sup>	
Class 4	Business	Offices up to 500m <sup>2</sup>	
Class 9	Houses and Flats	Renovation/change of use of existing building (no limit)	No allowance for new build
Class 10	Non Residential Institutions	Up to 1000m <sup>2</sup>	
Class 11	Assembly and Leisure	Up to 500m <sup>2</sup> or 160 seats	



### Electric Vehicle Charging Points

With the recent announcement by Westminster to halt the production of new petrol and diesel cars and vans by 2040 to cut pollution and the Scottish government pledge to phase out 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.

In order to support the policy direction of central government and to accommodate the increasing number of electric vehicles in Moray, this guidance seeks the provision of new electric vehicle charging infrastructure as part of development within Moray.

This guidance is not prescriptive but aims to encourage the provision of new infrastructure and also the potential for such infrastructure to be accommodated in the future.

Where developments provide communal or public parking they should demonstrate that they are providing for electric vehicle charging at a rate of one vehicle charging point for every 10 parking spaces. For on-plot parking at residential properties, one parking space must have access to a charging point (This can be external or within a garage if the garage has minimum internal clear dimensions of not less than 3 metres by 7 metres).

Where developments will attract significant numbers of vehicles and in particular those which require to undertake Transport Assessments, the provision of electric vehicle charging points is required. Consideration of the demand and type of facilities, taking into account the existing local provision will determine the number of charging points required.

The provision of additional charging points and the potential for the addition of charging points in other locations in the future supports the current policy aims of the government and will support greater use of vehicles in Moray which contribute towards cleaner air and reductions in the carbon consequences of motoring.



**Table 2 - National Road Development Guidelines – Moray Council Variations 2017**

Parking References	Standards, Design or Policy	Moray Council Variation
<b>PART 1</b>		
n/a	n/a	No variation
<b>PART 2</b>		
Pages 41-43 2.26 (d) Integrated Parking	Design	Note: Parking allocation and proximity to base or destination need to be considered to ensure parking will be effective for its proposed use.
Page 52 2.3.2 Adoption of Parking Areas	Policy	Where parking spaces are parallel, contiguous, demarcated, in lieu of on-plot parking and constructed to Moray Council standard then they may be considered for adoption. Where parking perpendicular to the road or not contiguous adoption will be considered on merit.
<b>PART 3</b>		
Pages 95-98 3.1.5 Servicing	Design	Note: Shared use of loading bays will be considered on a case by case basis where factors such as road safety, frequency and land use will be taken into consideration
Page 138 3.5.4 Parking Standards in Urban Areas	Standards	Moray Council use of Town Centre Zero Parking applies. Where parking is required e.g. new build housing then the standards are to be applied unless otherwise agreed in writing with Transportation.
Page 142 3.6.2	Standards	Desirable bay size = Minimum space dimensions
Page 141 3.5.11 Provision for Disabled Parking - Table	Standards	Note: in accordance with SPP the disabled parking requirements are additional to the number of standard spaces.
Page 149 3.6.4 Residential Parking Design (e) In-Curtilage	Standards	On plot parking spaces to be a minimum of 3.0m wide by 5.5m in length. Parking bays to be a minimum of 6.0m in length where located in front of an 'up and over' type garage door.
Page 149 3.6.4 Residential Parking Design (f) Garage Provision and size	Standards	Double garages to have minimum clear internal dimensions of 6.0 metres width by 6.5 metres length to be counted as 2 spaces.



## Parking Standards for Use Classes (Moray Council Variation)

### CLASS 1: SHOPS

Retail sale of goods, hairdresser, undertaker, travel and ticket agency, post office. Dry cleaner, laundrette, cold food consumption on premises. Display of goods for sale, hiring out of domestic goods or articles, reception of goods to be washed.

Type of Development	Vehicle Maximum (spaces per 100m <sup>2</sup> gross floor area, GFA)	Cycle Minimum	PTW (Powered Two Wheeler) Minimum	Disabled Minimum	Operational	Notes
Retail (food) > 1000m <sup>2</sup> (With or without Petrol Filling Station)	7.14	2 spaces + 1 space per 500m <sup>2</sup>	1 space + 1 per 20 car spaces (for 1st 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	200 spaces or less = 3 bays or 6% of total capacity, whichever is greater Over 200 spaces = 4 bays plus 4% of total capacity	1 loading bay up to 2000m <sup>2</sup> >2000m <sup>2</sup> additional loading bay requirement to be assessed. Pick up/ Drop off Public Transport e-shopping delivery bay requirement to be assessed	Notes Any proposed reduction in operational parking requirements will require an assessment of to be submitted and approved by Moray Council Transportation
Retail (food) > 500m <sup>2</sup> < 1000m <sup>2</sup>	7.14	2 spaces + 1 space per 500m <sup>2</sup>	1 space + 1 per 20 car spaces (for 1st 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	200 spaces or less = 3 bays or 6% of total capacity, whichever is greater Over 200 spaces = 4 bays plus 4% of total capacity	1 loading bay up to 1000m <sup>2</sup> Public Transport to be assessed	



Type of Development	Vehicle Maximum (spaces per 100m <sup>2</sup> gross floor area, GFA)	Cycle Minimum	PTW (Powered Two Wheeler) Minimum	Disabled Minimum	Operational	Notes
Retail (food) < 500m <sup>2</sup>	6	3 spaces	1 space + 1 per 20 car spaces	200 spaces or less = 3 bays or 6% of total capacity, whichever is greater Over 200 spaces = 4 bays plus 4% of total capacity	Impact of deliveries to site to be assessed	See town Centre Zero Parking
Retail (non food) > 1000m <sup>2</sup>	5	2 spaces + 1 space per 500m <sup>2</sup>	1 space + 1 per 20 car spaces (for 1st 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	200 spaces or less = 3 bays or 6% of total capacity, whichever is greater Over 200 spaces = 4 bays plus 4% of total capacity	1 loading bay up to 1000m <sup>2</sup> 1 loading bay per 2000m <sup>2</sup> additional area Pick up/Drop off Public Transport	Any proposed reduction in operational parking requirements will require an assessment of to be submitted and approved by The Moray Council'
Retail (non food) > 500m <sup>2</sup> < 1000m <sup>2</sup>	5	2 spaces + 1 space per 500m <sup>2</sup>	1 space + 1 per 20 car spaces (for 1st 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	200 spaces or less = 3 bays or 6% of total capacity, whichever is greater Over 200 spaces = 4 bays plus 4% of total capacity	1 loading bay	See Town Centre Zero Parking



Type of Development	Vehicle Maximum (spaces per 100m <sup>2</sup> gross floor area, GFA)	Cycle Minimum	PTW (Powered Two Wheeler) Minimum	Disabled Minimum	Operational	Notes
Retail (non food) < 500m <sup>2</sup>	4.5	2 spaces plus 1 space per 500m <sup>2</sup>	1 space + 1 per 20 car spaces	200 spaces or less = 3 bays or 6% of total capacity, whichever is greater Over 200 spaces = 4 bays plus 4% of total capacity	Loading bay requirement/ Impact of deliveries to site to be assessed	See Town Centre Zero Parking
Take away (food)	3.5	2 spaces plus 1 space per 500m <sup>2</sup>	1 space + 1 per 20 car spaces	Minimum of 1 bay + 1 bay per 20 spaces	Impact of deliveries to site to be assessed Home Delivery Parking requirements to be assessed	See Town Centre Zero Parking
Hairdressing	3 per Chair (>3 chairs then assess on merit)	Assessed on merit	Assessed on merit	Assessed on merit. Where parking provided = Minimum of 1 bay + 1 bay per 20 spaces		See Town Centre Zero Parking  Note: Single chair hairdressing businesses operated from a residential property will be assessed on merit.

**Note:** Large developments, multiple units, shopping centres, Retail developments etc will require specific assessment for individual elements and any shared parking provision. Impacts on and from adjacent development will also need to be considered.



**CLASS 2: FINANCIAL, PROFESSIONAL AND OTHER SERVICES**

Financial professional or any other service expected in shopping areas e.g. betting office, lawyers, accountants, estate agents, health centres, surgeries of dentists, doctors and vets (where the principal visitors are members of the public).

Type of Development	Vehicle Maximum (spaces per 100m <sup>2</sup> gross floor area, GFA)	Cycle Minimum	PTW (Powered Two Wheeler) Minimum	Disabled Minimum	Operational	Notes
Any	5	2 spaces plus 1 space per 500m <sup>2</sup>	1 space + 1 per 20 car spaces. (for 1st 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	200 spaces or less = 2 bays or 6% of total capacity, whichever is greater Over 200 spaces = 4 bays plus 4% of total capacity	Operational requirements to be assessed	See Town Centre Zero Parking

**CLASS 3: FOOD AND DRINK**

Restaurant, café, snack bar (use for sale of food or drink to be consumed on premises). \*Urban population - 3000 and above, rural less than 3000.

Pub	*20 in rural areas 10 in urban areas	2 spaces plus 1 space per 100m <sup>2</sup>	1 space + 1 per 20 car spaces (for 1st 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	200 spaces or less = 2 bays or 5% of total capacity, whichever is greater Over 200 spaces = 6 bays plus 2% of total capacity	Delivery requirements to be assessed	Where development is associated with a hotel the shared use of parking should be assessed. See Town Centre Zero Parking
Restaurant	*20 in rural areas 10 in urban areas	2 spaces plus 1 space per 100m <sup>2</sup>	1 space + 1 per 20 car spaces (for 1st 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	200 spaces or less = 2 bays or 5% of total capacity, whichever is greater Over 200 spaces = 6 bays plus 2% of total capacity	Delivery requirements to be assessed	Where development is associated with a hotel the shared use of parking should be assessed. See Town Centre Zero Parking



Type of Development	Vehicle Maximum (spaces per 100m <sup>2</sup> gross floor area, GFA)	Cycle Minimum	PTW (Powered Two Wheeler) Minimum	Disabled Minimum	Operational	Notes
<b>CLASS 3: FOOD AND DRINK CONT.</b>						
Cafe	1 space per 3 seats in rural areas. 1 space per 5 seats in urban areas	2 spaces plus 1 space per 100m <sup>2</sup>	1 space + 1 per 20 car spaces (for 1st 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	200 spaces or less = 2 bays or 5% of total capacity, whichever is greater Over 200 spaces = 6 bays plus 2% of total capacity	Delivery requirements to be assessed	Where development is associated with retail or hotel uses, the shared use of parking should be assessed. See Town Centre Zero Parking.
<b>CLASS 4: BUSINESS</b>						
Offices (Other than that specified under Class 2), research and development of products or processes, light industry						
Call Centre	8	2 spaces plus 1 space per 100m <sup>2</sup>	1 space + 1 per 20 car spaces (for 1st 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	200 spaces or less = 2 bays or 6% of total capacity, whichever is greater Over 200 spaces = 4 bays plus 4% of total capacity	Delivery requirements to be assessed	
Offices >2500m <sup>2</sup>	3.33	2 spaces plus 1 space per 100m <sup>2</sup>	1 space + 1 per 20 car spaces (for 1st 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	200 spaces or less = 2 bays or 6% of total capacity, whichever is greater Over 200 spaces = 4 bays plus 4% of total capacity	Delivery requirements to be assessed	



Type of Development	Vehicle Maximum (spaces per 100m <sup>2</sup> gross floor area, GFA)	Cycle Minimum	PTW (Powered Two Wheeler) Minimum	Disabled Minimum	Operational	Notes
<b>CLASS 4: BUSINESS</b>						
Offices <2500m <sup>2</sup>	3.33	2 spaces plus 1 space per 100m <sup>2</sup>	1 space + 1 per 20 car spaces	200 spaces or less = 2 bays or 6% of total capacity, whichever is greater Over 200 spaces = 4 bays plus 4% of total capacity	Delivery requirements to be assessed	See Town Centre Zero Parking.
Research & Development	5	2 spaces plus 1 space per 100m <sup>2</sup>	1 space + 1 per 20 car spaces (for 1st 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	200 spaces or less = 2 bays or 6% of total capacity, whichever is greater Over 200 spaces = 4 bays plus 4% of total capacity	Delivery requirements to be assessed	
<b>CLASS 5: GENERAL INDUSTRIAL</b>						
General Industrial (use for the carrying out of an industrial process other than one falling within the Class 4 (Business) definition).						
Industrial Premises (Factory)	4	1 space per 500m <sup>2</sup> for visitors	1 space + 1 per 20 car spaces (for 1st 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	200 spaces or less = 2 bays or 5% of total capacity, whichever is greater Over 200 spaces = 6 bays plus 2% of total capacity	Delivery requirements to be assessed	See Town Centre Zero Parking.



**CLASS 6: STORAGE OR DISTRIBUTION**

General Industrial (use for the carrying out of an industrial process other than one falling within the Class 4 (Business) definition).

Type of Development	Vehicle Maximum (spaces per 100m <sup>2</sup> gross floor area, GFA)	Cycle Minimum	PTW (Powered Two Wheeler) Minimum	Disabled Minimum	Operational	Notes
Warehousing (Wholesale Trading)	3	2 spaces plus 1 space per 500m <sup>2</sup> for staff + 1 space per 1000m <sup>2</sup> for visitors	1 space + 1 per 20 car spaces (for 1st 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	200 spaces or less = 2 bays or 5% of total capacity, whichever is greater Over 200 spaces = 6 bays plus 2% of total capacity	Delivery requirements to be assessed	
Warehousing (Storage and Distribution)	2.5	2 spaces plus 1 space per 500m <sup>2</sup> for staff + 1 space per 1000m <sup>2</sup> for visitors	1 space + 1 per 20 car spaces (for 1st 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	200 spaces or less = 2 bays or 5% of total capacity, whichever is greater Over 200 spaces = 6 bays plus 2% of total capacity	Delivery requirements to be assessed	Where storage will have public access an assessment of visitor numbers and frequency will be required. Where development will have very low staff numbers e.g. bonded warehousing parking requirements should be assessed on merit.



**CLASS 7: HOTELS AND HOSTELS**

Hotel, boarding and guest house, hostel.

Type of Development	Vehicle Maximum (spaces per 100m <sup>2</sup> gross floor area, GFA)	Cycle Minimum	PTW (Powered Two Wheeler) Minimum	Disabled Minimum	Operational	Notes
Hotel (no conference or public gym facilities)	1.2 spaces per guest room	Min 2 spaces for <10 staff then 1 space per 10 staff + 1 space per 10 bedrooms	1 space + 1 per 20 car spaces (for 1st 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	200 spaces or less = 3 bays or 6% of total capacity, whichever is greater Over 200 spaces = 4 bays plus 4% of total capacity	Delivery requirements to be assessed Coach parking requirements to be assessed.	Public facilities including Gym, swimming pools, conference or other facilities to be assessed on a case by case basis against individual class uses and as a shared facility.
Bed and Breakfast	1 space per non guest bedroom (up to 3 spaces) + 1 space per guest room	Min 2 spaces for <10 staff then 1 space per 10 staff + 1 space per 10 bedrooms	1 space + 1 per 20 car spaces	200 spaces or less = 3 bays or 6% of total capacity, whichever is greater Over 200 spaces = 4 bays plus 4% of total capacity	Delivery requirements to be assessed	
Hostel (e.g. Tourist/ Backpacking)	1 space per 4 staff plus customer parking on merit	Min 2 spaces for <10 staff then 1 space per 10 staff + 1 space per 10 beds	1 space + 1 per 20 car spaces	Minimum 1 bay per 10 car spaces up 30 spaces then 4% of total	Delivery requirements to be assessed	Public facilities including Gym, swimming pools, conference or other facilities to be assessed on a case by case basis against individual class uses and as a shared facility.



## CLASS 8 RESIDENTIAL INSTITUTIONS

Type of Development	Vehicle Maximum (spaces per 100m <sup>2</sup> gross floor area, GFA)	Cycle Minimum	PTW (Powered Two Wheeler) Minimum	Disabled Minimum	Operational	Notes
Hospital	1 space per 3 beds + 1 space per Doctor/Surgeon + 2 spaces per 5 staff	1 space per 4 staff. Visitors to be considered on a case by case basis	1 space + 1 per 20 car spaces (for 1st 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	Rate to be assessed on individual merits (Higher rates than business or recreational development use anticipated)	Delivery requirements to be assessed, Drop-Off and Pick-Up requirements to be assessed. Public Transport access, Ambulance and Patient Transfer facilities to be assessed.	Transport Assessment and Travel Plan required. Public Transport access provision to be provided if possible.
Residential Care Home (Elderly/Nursing)	1 space per staff member + 1 space per 3 residents	1 space per 5 staff	1 space + 1 per 20 car spaces (for 1st 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces))	Rate to be assessed on individual merits (Higher rates than business or recreational development use anticipated)	Delivery requirements to be assessed, Drop-Off and Pick-Up requirements to be assessed.	
Care Home (Children)	1 space per staff + 1 visitor space per 3 residents	1 space per 5 staff	1 space + 1 per 20 car spaces (for 1st 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	1 bay or 5% of total capacity whichever is greater	Servicing requirements to be assessed on merit	



Type of Development	Vehicle Maximum (spaces per 100m <sup>2</sup> gross floor area, GFA)	Cycle Minimum	PTW (Powered Two Wheeler) Minimum	Disabled Minimum	Operational	Notes
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#### CLASS 8 RESIDENTIAL INSTITUTIONS CONT.

Residential Education (School or College)	1 space per staff + 1 space per 10 guest beds	1 space per 5 staff + 1 space per 3 students	1 space + 1 per 20 car spaces (for 1st 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	1 bay or 5% of total capacity whichever is greater	Delivery requirements to be assessed, Drop-Off and Pick-Up requirements to be assessed. Coach access for set down and pick up.	Where centres will provide training for adults as well as children parking requirements to be assessed on merit.
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#### CLASS 9: HOUSES & FLATS

House occupied by a single person or a number living together as a family or household. Limited use as a bed and breakfast or guest house.

Type of Development	Vehicle Maximum (spaces per 100m <sup>2</sup> gross floor area, GFA)	Cycle Minimum	PTW (Powered Two Wheeler) Minimum	Disabled Minimum	Operational	Notes
4 Bedroom	3 per dwelling	Where houses and flats have communal external grounds 1 secure covered cycle parking space must be provided for each house/flat	n/a	n/a if parking is in curtilage of dwelling otherwise as visitor/unallocated	n/a	Flatted developments and communal parking should be provided at the rate + 1 additional space per 4 dwellings for unallocated visitor parking. Town Centre Zero parking for redevelopment/ conversion of existing buildings.



Type of Development	Vehicle Maximum (spaces per 100m <sup>2</sup> gross floor area, GFA)	Cycle Minimum	PTW (Powered Two Wheeler) Minimum	Disabled Minimum	Operational	Notes
<b>CLASS 9: HOUSES &amp; FLATS CONT.</b>						
2-3 Bedroom	2 per dwelling	Where houses and flats have communal external grounds 1 secure covered cycle parking space must be provided for each house/flat	n/a	n/a if parking is in curtilage of dwelling otherwise as visitor/unallocated	n/a	Flatted developments and communal parking should be provided at the rate + 1 additional space per 4 dwellings for unallocated visitor parking. Town Centre Zero parking for redevelopment/ conversion of existing buildings.
1 bedroom	1 per dwelling	Where houses and flats have communal external grounds 1 secure covered cycle parking space must be provided for each house/flat	n/a	n/a if parking is in curtilage of dwelling otherwise as visitor/unallocated	n/a	Flatted developments and communal parking should be provided at the rate + 1 additional space per 4 dwellings for unallocated visitor parking. Town Centre Zero parking for redevelopment/ conversion of existing buildings.



Type of Development	Vehicle Maximum (spaces per 100m <sup>2</sup> gross floor area, GFA)	Cycle Minimum	PTW (Powered Two Wheeler) Minimum	Disabled Minimum	Operational	Notes
<b>CLASS 9: HOUSES &amp; FLATS CONT.</b>						
Sheltered Housing/ Retirement Developments	1 per dwelling	1 space per 8 units for visitors	n/a	Minimum of 1 bay per 20 car parking spaces up to 5 bays then 1 bay per 30 spaces thereafter	Requirements to be assessed	Provision for mobility scooter parking to be provided as part of the development
Extra Care Housing	1 space per warden + 0.5 spaces per unit + 1 space per 4 units for visitor parking	1 space per 8 units for visitors	n/a	Minimum of 1 bay per 20 car parking spaces up to 5 bays then 1 bay per 30 spaces thereafter	Requirements to be assessed	
Houses in Multiple Occupancy	1 per Bedroom	1 space per 2 Bedrooms	n/a	1 bay or 5% of total capacity whichever is greater	Assessed on merit	See Town Centre Zero Parking

**Note:** Rates for housing apply to Flats and Houses and both Private and Affordable

- All rates for housing are minimum requirements unless otherwise indicated.
- Rates for housing are for all tenure types e.g. affordable (local authority and housing association) and private.
- Single garages with internal clear dimensions of less than 7 metres by 3 metres will not be counted towards the parking provision.
- Double garages must have minimum clear internal dimensions of 6.0 metres width by 6.5 metres length to be counted as 2 spaces.
- Flatted development require a minimum of 1 secure and covered cycle parking space per flat either within the building or externally within a separate structure or locker.
- Provision of additional unallocated on-street parking should be considered, and may be requested by Transportation to ensure street design is functional, and to minimise risk of disruption due to indiscreet visitor parking.
- For large residential developments unallocated parking/visitor parking should be incorporated into the streetscape to discourage ad-hoc parking. The quantity and layout of parking spaces must be agreed with the Planning and Roads Authority and should be considered at the early stages of design to ensure it is integrated into the proposals. As a guide the provision of unallocated parking should be a maximum of 0.25 spaces per dwelling.
- For town centres, where parking is constrained, disabled parking requirements and secure cycle storage provision will take precedent.



**CLASS 10: NON-RESIDENTIAL INSTITUTIONS**

House occupied by a single person or a number living together as a family or household. Limited use as a bed and breakfast or guest house.

Type of Development	Vehicle Maximum (spaces per 100m <sup>2</sup> gross floor area, GFA)	Cycle Minimum	PTW (Powered Two Wheeler) Minimum	Disabled Minimum	Operational	Notes
Day Nursery/ Creche/ Child Care	1 space per full-time equivalent (FTE) staff	1 spacer per 4 FTE staff + 1 space per 10 children	1 space + 1 per 20 car spaces (for first 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	1 bay or 5% of total capacity (whichever is greater)	Drop-Off/ Pick—Up facilities to be assessed.	
Day Care Centre	1 space per full-time equivalent (FTE) staff	1 space per 4 staff	1 space + 1 per 20 car spaces (for first 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	1 bay or 5% of total capacity (whichever is greater)	Drop-Off/ Pick—Up facilities to be assessed.	
Primary School	1 space per full-time equivalent (FTE) staff + 3 visitor spaces per 100 pupils	1 space per 5 full-time equivalent (FTE) staff + 15 spaces per 100 pupils	1 space + 1 per 20 car spaces (for first 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	1 bay or 5% of total capacity (whichever is greater)	Drop-Off/ Pick—Up facilities to be assessed. School Transport, Bus/Coach drop-off to be assessed. ASN parking needs to be assessed. Deliveries e.g.catering, supplies etc to be assessed.	Requirements for any attached Nursery or other facilities to be assessed separately. Visitor numbers are based on school pupil capacity



Type of Development	Vehicle Maximum (spaces per 100m <sup>2</sup> gross floor area, GFA)	Cycle Minimum	PTW (Powered Two Wheeler) Minimum	Disabled Minimum	Operational	Notes
<b>CLASS 10: NON-RESIDENTIAL INSTITUTIONS CONT.</b>						
Secondary School	1 space per full-time equivalent (FTE) staff + 3 visitor spaces per 100 pupils	1 space per 5 full-time equivalent (FTE) staff + 15 spaces per 100 pupils	1 space + 1 per 20 car spaces (for first 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	1 bay or 5% of total capacity (whichever is greater)	Drop-Off/ Pick—Up facilities to be assessed. School Transport, Bus/Coach drop-off to be assessed. ASN parking needs to be assessed. Deliveries e.g.catering, supplies etc to be assessed.	Requirements for any attached facilities to be assessed separately. Visitor numbers are based on school pupil capacity
Higher & Further Education >2500m <sup>2</sup>	1 space per 2 FTE Staff + *1 space per 15 students for student parking	1 space per 5 staff + 1 space per 3 students	1 space + 1 per 20 car spaces (for first 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	1 bay or 5% of total capacity (whichever is greater)	Drop-Off/ Pick—Up facilities to be assessed. Transport, Bus/Coach drop-off to be assessed. Deliveries e.g.catering, supplies etc to be assessed.	Parking Management Strategy. *Student parking figures should be assessed to take account of full-time/part-time attendance numbers.
Art Galleries, Museums, Public/Exhibition Hall	1 space per 30m <sup>2</sup> public display space + 1 space per 2 staff	10 spaces + 1 space per 10 vehicle space	1 space + 1 per 20 car spaces (for first 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	200 spaces or less = 3 bays or 6% of total capacity, whichever is greater Over 200 spaces = 4 bays plus 4% of total capacity	Operational Parking to be assessed on merit including Coach/Bus parking, Servicing, Deliveries.	See Town Centre Zero Parking



Type of Development	Vehicle Maximum (spaces per 100m <sup>2</sup> gross floor area, GFA)	Cycle Minimum	PTW (Powered Two Wheeler) Minimum	Disabled Minimum	Operational	Notes
<b>CLASS 10: NON-RESIDENTIAL INSTITUTIONS CONT.</b>						
Places of Worship	1 space per 10 seats/ places	1 space per 4 staff + visitor parking (individual merits)	1 space + 1 per 20 car spaces (for first 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	200 spaces or less = 3 bays or 6% of total capacity, whichever is greater Over 200 spaces = 4 bays plus 4% of total capacity	Operational Parking to be assessed on merit e.g. funeral vehicles	See Town Centre Zero Parking
Health Centre	1 space per 2 staff + 3 spaces per consulting room	2 spaces + 1 space per 15 staff	1 space + 1 per 20 car spaces (for first 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	Minimum of 1 bay per 20 car parking spaces up to 5 bays then 1 bay per 30 spaces thereafter 1 bay or 5% of total capacity whichever is greater	Drop-Off/ Pick-Up and public transport parking requirements to be assessed on merit.	
Dentist	4 spaces per consulting room	2 spaces + 1 space per 15 staff	2 spaces + 1 space per 80 car parking spaces	Minimum of 1 bay per 20 car parking spaces up to 5 bays then 1 bay per 30 spaces thereafter 1 bay or 5% of total capacity whichever is greater	Assessed on merit	See Town Centre Zero Parking

**Note:** The relationship between a school and the residential area is important and falls within the operational requirements of the school. Schools should represent the heart of the community and community facilities should be considered within the school site.

Special Schools parking/drop-off arrangements must be taken into consideration as generally extra staff are required and most pupils/students arrive by taxi or car. Coach parking and facilities must be considered for all D1 uses.



**CLASS 11: ASSEMBLY AND LEISURE**

Cinema, concert hall, bingo hall, casino, dance hall, discotheque, skating rink, swimming bath, gymnasium or for indoor sports or recreation not involving motorised vehicles or firearms

Type of Development	Vehicle Maximum (spaces per 100m <sup>2</sup> gross floor area, GFA)	Cycle Minimum	PTW (Powered Two Wheeler) Minimum	Disabled Minimum	Operational	Notes
Cinema	1 space per 5 seats	10 spaces + 1 space per 10 seats	1 space + 1 per 20 car spaces (for first 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	200 spaces or less = 3 bays or 6% of total capacity, whichever is greater Over 200 spaces = 4 bays plus 4% of total capacity	Drop-Off/ Pick-up facilities to be assessed. Servicing requirements to be assessed	
Theatre/Concert Venue	1 space per 5 seats		1 space + 1 per 20 car spaces (for first 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	200 spaces or less = 3 bays or 6% of total capacity, whichever is greater Over 200 spaces = 4 bays plus 4% of total capacity	Drop-Off/ Pick-up facilities to be assessed. Servicing requirements to be assessed	
Outdoor Sports Pitches	20 spaces per 5 pitch	>10 spaces	1 space + 1 per 20 car spaces (for first 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	200 spaces or less = 3 bays or 6% of total capacity, whichever is greater Over 200 spaces = 4 bays plus 4% of total capacity	Assessed on merit	This does not apply to stadium or venues with seating



Type of Development	Vehicle Maximum (spaces per 100m <sup>2</sup> gross floor area, GFA)	Cycle Minimum	PTW (Powered Two Wheeler) Minimum	Disabled Minimum	Operational	Notes
<b>CLASS 11: ASSEMBLY AND LEISURE CONT.</b>						
Stadium (>1500 seats)	1 space per 15 seats	Assessed on merit	1 space + 1 per 20 car spaces (for first 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	200 spaces or less = 3 bays or 6% of total capacity, whichever is greater Over 200 spaces = 4 bays plus 4% of total capacity	Drop-Off/ Pick-up facilities to be assessed. Coach/Bus and Servicing requirements to be assessed	Restaurant, Conference and event facilities assessed separately.
Sports Centres	Assessed on merit based on proposed facilities			200 spaces or less = 3 bays or 6% of total capacity, whichever is greater Over 200 spaces = 4 bays plus 4% of total capacity	Drop-Off/ Pick-up facilities to be assessed. Coach/Bus and Servicing requirements to be assessed	Parking assessment of a comparison site may be required.
Swimming Pools	1 space per 10 staff + 10 spaces per 100m <sup>2</sup>	10 spaces + 1 space per 10 seats	1 space + 1 per 20 car spaces (for first 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	200 spaces or less = 3 bays or 6% of total capacity, whichever is greater Over 200 spaces = 4 bays plus 4% of total capacity	Assessed on merit	



Type of Development	Vehicle Maximum (spaces per 100m <sup>2</sup> gross floor area, GFA)	Cycle Minimum	PTW (Powered Two Wheeler) Minimum	Disabled Minimum	Operational	Notes
<b>CLASS 11: ASSEMBLY AND LEISURE CONT.</b>						
Golf Clubs	10 spaces + 3 spaces per hole	Assessed on merit	1 space + 1 per 20 car spaces (for first 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	200 spaces or less = 3 bays or 6% of total capacity, whichever is greater Over 200 spaces = 4 bays plus 4% of total capacity	Drop-off/ Pick-Up, Provision for bus/ coaches	Restaurant, Conference and event facilities assessed separately.
Golf Driving Ranges	4.5 per 100m <sup>2</sup>	Assessed on merit	1 space + 1 per 20 car spaces (for first 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	200 spaces or less = 3 bays or 6% of total capacity, whichever is greater Over 200 spaces = 4 bays plus 4% of total capacity	Assessed on merit	



**SUI GENERIS USES**

Uses which do not fall within any use class and are considered 'sui generis'. Such uses include: betting offices/shops, pay day loan shops, theatres, houses in multiple occupation, hostels providing no significant element of care, scrap yards. Petrol filling stations and shops selling and/or displaying motor vehicles. Retail warehouse clubs, nightclubs, launderettes, taxi businesses, amusement centres and casinos

Type of Development	Vehicle Maximum (spaces per 100m <sup>2</sup> gross floor area, GFA)	Cycle Minimum	PTW (Powered Two Wheeler) Minimum	Disabled Minimum	Operational	Notes
Motor vehicle display	3	2 spaces plus 1 space per 500m <sup>2</sup>	1 space + 1 per 20 car spaces, then 1 space per 30 car spaces (over 100 car spaces)	200 spaces or less = 3 bays or 6% of total capacity, whichever is greater Over 200 spaces = 4 bays plus 4% of total capacity	Impact of delivery vehicles to be assessed	Delivery Management Plan to be submitted in support of proposed application
Vehicle Servicing	3 spaces per bay	1 space per bay	1 space + 1 per 20 car spaces, then 1 space per 30 car spaces (over 100 car spaces)	200 spaces or less = 3 bays or 6% of total capacity, whichever is greater Over 200 spaces = 4 bays plus 4% of total capacity	Assessed on merit	Servicing and sales to be assessed independently
Tyre/Exhaust Centre	2 spaces per bay		1 space + 1 per 20 car spaces, then 1 space per 30 car spaces (over 100 car spaces)	Min of 1 space for up to 4 bays	Assessed on merit	



Type of Development	Vehicle Maximum (spaces per 100m <sup>2</sup> gross floor area, GFA)	Cycle Minimum	PTW (Powered Two Wheeler) Minimum	Disabled Minimum	Operational	Notes
<b>SUI GENERIS USES CONT.</b>						
Petrol Filling Station	Minimum of 2 spaces per pump (up to 4 pumps, 1 space per pump thereafter)	<200m <sup>2</sup> Retail = 1 space. >200m <sup>2</sup> Retail requirement to be assessed for Retail Use	1 space + 1 per 20 car spaces, then 1 space per 30 car spaces (over 100 car spaces)	Min of 1 space per 4 pumps	Fuel delivery arrangements to be assessed	Retail >200m <sup>2</sup> to be assessed separately. Car wash and Jet Wash facilities to be assessed separately.
Jet Wash	Minimum 2 waiting space per wash bay	n/a	n/a	n/a	n/a	
Car Wash	Minimum 2 waiting spaces per car wash	n/a	n/a	n/a	n/a	





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We would like to thank the following:

Photos - Optimised Environments

Makar

Coast2Coast Architects

Grant and Geoghegan

SNH

RAF

Carol Anderson, Landscape Associates Ltd

Tulloch of Cummingston

Illustrations - Jana May Design



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