

## Introduction

Local Plans contain implementation policies to:

- achieve sensitive development through the development control process,
- respond to the identified impacts from development in relation to the environment, transport, town centres and drainage,
- provide appropriate infrastructure and facilities to service the development,
- ensure that the plan and its supplementary guidance is monitored and reviewed where required.

The approach to implementation is therefore to achieve high quality well-designed and appropriately serviced development in both urban and rural areas.

## Context

National policy guidance promotes the concept of sustainable development. This seeks to promote economic and social development and to safeguard the environment. The Scottish Executive have also in recent years put more emphasis on the achievement of good design as part of the development process.

## POLICY IMP1: DEVELOPMENT REQUIREMENTS

New development will require to be sensitively sited, designed and serviced appropriate to the amenity of the surrounding area. It must meet the following criteria:

- a. the scale, density and character must be appropriate to the surrounding area,
- b. the development must be integrated into the surrounding landscape,
- c. adequate roads, public transport, and cycling and footpath provision must be available, at a level appropriate to the development,
- d. adequate water, drainage and power provision must be made,
- e. sustainable urban drainage systems should be used where appropriate, in all new developments
- f. there must be adequate availability of social, educational, healthcare and community facilities,
- g. the development should, where appropriate, demonstrate how it will incorporate renewable energy systems and sustainable design and construction. Supplementary Guidance will be produced to expand upon some of these criteria,
- h. provision for the long term maintenance of public landscape and amenity areas must be made,
- i. conservation of natural and built environment resources must be demonstrated,
- j. appropriate provision to deal with flood related issues must be made, including the possibility of coastal flooding from rising sea levels and coastal erosion,
- k. pollution, including ground water must be avoided,
- l. appropriate provision to deal with contamination issues must be made, and
- m. the development must not sterilise significant workable reserves of minerals, prime quality agricultural land, or preferred areas for forestry planting.
- n. where appropriate, arrangements for waste management should be provided.

### JUSTIFICATION

The quality of development in terms of its siting, design and servicing is a priority consideration within the Plan. In the first instance development needs to be suitable to the surrounding built and natural environment. Development should be adequately serviced in terms of transport, water, drainage, power, facilities. Particular emphasis is placed on providing pedestrian, cycle and public transport access to the development, and the use of sustainable urban drainage systems and the incorporation of renewable energy equipment and systems, and sustainable design and construction into the development in order to promote sustainability within Moray. Flooding is an important consideration particularly within the Laich of Moray and needs to be adequately addressed. Similarly, pollution issues in relation to air, noise, ground water and ground contamination must be adequately addressed to provide proper development standards.

### CONFORMS TO:

The policy conforms to SPP1 on the Planning System and to national planning guidance and advice generally

### POLICY CROSS REFERENCE/ADDITIONAL GUIDANCE:

Other policy requirements generally.

## POLICY IMP2: DEVELOPMENT IMPACT ASSESSMENTS

The Council will require applicants to provide impact assessments in association with planning applications in the following circumstances:

- a. an Environmental Assessment (EA) will be required for all developments that are likely to have significant environmental affects under the terms of the EA regulations.
- b. a Transport Assessment (TA) is required for developments that raise significant transport implications such as additional peak hour traffic, traffic late at night in a residential area or road safety concerns. The indicative thresholds contained in the related guidance to SPP17 will be used. However it should be noted that Transport Assessments could be required no matter the size of the site. Moray Council will develop its own thresholds and promote these through Supplementary Guidance which will be subject to stakeholder consultation before adoption. Moray Council's Roads Service can assist in providing a screening opinion on whether a Transport Assessment will be sought.
- c. a full Retail Impact Assessment (RIA) will be required for all retail proposals of 1000 square metres gross or more. For smaller developments the Council may require a retail statement to be prepared by the applicant.
- d. where appropriate, applicants will be asked to carry out other assessments e.g. noise; air quality; flood risk; badger or bat surveys to confirm the compatibility of the development proposal.

### JUSTIFICATION:

Where a proposed development may have potentially significant environmental, transport or retail impacts on the surrounding area it will be appropriate for the applicant to undertake formal assessments so that the impacts can be quantified and appropriate mitigations identified.

### CONFORMS TO:

EAs are required as part of the Environmental Assessment regulations and PAN58 on Environmental Impact Assessment provides advice on the process.

TAs are required as part of the guidance from the Scottish Executive set out in SPP17: Planning for Transport.

RIAs are a requirement set out in SPP8 on Town Centres and Retailing.

Species of animal/bird/plant are afforded protection under national and international legislation.

### POLICY CROSS REFERENCE/ADDITIONAL GUIDANCE:

None.

## **POLICY IMP3: DEVELOPER CONTRIBUTIONS**

Contributions will be sought from developers in cases where, in the Council's view, a development would have a measurable adverse or negative impact on existing infrastructure, community facilities or amenity, and those contributions would have to be appropriate to reduce, eliminate or compensate for that impact.

Where the necessary contributions can be secured satisfactorily by means of planning conditions attached to a planning permission, this should be done, and only where this cannot be achieved, for whatever reason, the required contributions should be secured through a planning agreement

### **JUSTIFICATION:**

It is reasonable to expect developers to contribute towards infrastructure or facilities that emanate from the development. Sometimes, it is acceptable for both the developer and the Council if the appropriate contribution is made by way of a commuted payment thereby allowing the development to proceed.

Guidance on the use of Planning Agreements to secure developer contributions is contained in Circular 12/96. Any agreement should

- Serve a planning purpose
- Demonstrate a relationship to the proposed development
- Be related in scale and kind to the development
- And be reasonable.

### **CONFORMS TO:**

The policy conforms to Circular 12/1996 on Planning Agreements.

### **POLICY CROSS REFERENCE/ADDITIONAL GUIDANCE:**

None.

**POLICY IMP4: IMPLEMENTATION DEVELOPMENT PLAN MONITORING**

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The Council will work in partnership with agencies and organisations active within the Moray area to implement the provisions of the Development Plan. As part of this process an Action Plan is set out in Table 3. The Council will prepare a regular Development Plan Monitoring Report to assess progress, and dependent on progress will amend or review the Plan within 5 years or adoption.

**JUSTIFICATION:**

The Plan can only be successfully implemented if it receives support from the development industry and a wide variety of organisations responsible for services and infrastructure within the area.

As well as implementing the Plan policies, an Action Plan is set out to focus attention and support on key activities within the Plan Area.

Monitoring is an essential component of the plan making process and allows a regular assessment of the progress of the Plan to be undertaken.

**CONFORMS TO:**

The policy conforms to SPP1 on the Planning System, and PAN49 on Local Planning.

**POLICY CROSS REFERENCE/ADDITIONAL GUIDANCE:**

None.

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**TABLE 3 - ACTION PLAN**

**ECONOMIC DEVELOPMENT**

Action	Organisations Involved	Timescale
Promote provision of serviced sites for general business in Elgin, Forres, Buckie and Keith.	TMC, HIEM, MPDC, Private Sector	Short/Medium
Prepare strategy to promote provision of a strategic business park in Elgin.	TMC, HIEM, MPDC, Private Sector	Short
Promote the marketing of the strategic business park in Forres for inward investment, and civil service relocation.	HIE, HIEM, TMC	Short
Promote provision of small scale business parks at Lossiemouth, Buckie and Keith.	TMC, HIEM, MPDC, Private Sector	Short/Medium
Prepare a masterplan for Buckie Harbour area to promote new activities, redevelopment and regeneration.	TMC, HIEM, Private Sector	Short
Promote the improved marketing of the Moray area for business and tourism.	HIE, HIEM, Visit Scotland, TMC, MCC	Short

**RETAIL DEVELOPMENT**

Action	Organisations Involved	Timescale
Clarify development potential within Elgin Town Centre to promote opportunities to the market.	TMC, Private Sector	Short
Establish potential to promote and manage the opportunities within Elgin Town Centre, and the areas' secondary centres.	TMC, MCC, Private Sector	Short/Medium

**RESIDENTIAL DEVELOPMENT**

Action	Organisations Involved	Timescale
Further investigate and promote comprehensive master planning approach to the potential longer term allocations for residential development at Elgin North, Forres South, Lossiemouth, Buckie and Keith.	TMC, SEPA, Scottish Water	Short/Medium

## TRANSPORT AND ACCESSIBILITY

Action	Organisations Involved	Timescale
Promote upgrade and/or dualling of the A96 from Inverness to Fochabers.	Scottish Executive, Transport Scotland, TMC	Medium
Elgin by-pass – Prepare strategy to identify key tasks including feasibility appraisal, timetable and monitoring of progress.	TMC, HIEM, Scottish Executive and Transport Scotland	Short
Promote provision of by-passes for Fochabers/Mosstodloch and Keith.	Scottish Executive, Transport Scotland, TMC	Medium/Long
Provide route improvements to A941 and A98.	TMC	Medium
Promote increased capacity and improved timetables for the Inverness to Aberdeen rail line for freight and passenger services.	Scottish Executive, Transport Scotland, Network Rail and Rail operating companies	Short/Medium
Promote diversification of the commercial harbours at Buckie and Burghead.	TMC, HIEM, Harbour Boards, Private Sector	Short/medium
Promote improved access to Air Services.	HIAL, BAA, Scottish Executive, TMC, Highland Council, Aberdeen Council, Aberdeenshire Council	Short/Medium
Produce a Roads Hierarchy Plan for Elgin and Moray to identify a strategic approach to development capacity.	TMC	Short/Medium
Revise guidelines and specification for roads serving residential and industrial developments.	TMC	Short
Produce parking strategy for Elgin, Forres and Buckie.	TMC	Short/Medium
Provide a Core Path Network Plan for Moray.	TMC, Public Partners	Short

## ENVIRONMENT

Action	Organisations Involved	Timescale
Produce a Greenspace Strategy for Moray.	TMC, Public Partners, SNH, Private landowners	Short
Provide a long term Environmental Improvement Strategy Programme for implementation.	TMC, Public Partners, Private Landowners	Short
Review AGLVs and CATs.	TMC, SNH, Public Partners	Short
Prepare and implement flood alleviation scheme for Elgin, Forbes and Rothes.	TMC, Scottish Executive, Private Landowners	Short/Medium
Further investigate the potential for renewable energy and sustainable development at the domestic scale.	TMC	Short
Serve TPOs identified in the Plan.	TMC	Short
Investigate the potential for Conservation Area status at Duffus and North Quay, Burghead.	TMC, HS	Short

## SUPPLEMENTARY PLANNING GUIDANCE (SPG)

Action	Organisations Involved	Timescale
Finalise SPG on Design of Housing in the Countryside.	TMC	Short
Finalise SPG Parking Standards.	TMC	Short
Finalise SPG on Trees and Development.	TMC	Short
Finalise SPG on Development Requirements.	TMC	Short
Review SPG on Affordable Housing.	TMC, developers agents	Short
Review SPG on Forestry.	TMC, Forestry Commission, Forest Enterprise	Short/Medium
Review SPG on Wind Energy.	TMC	Short



<b>Notes</b>	Short time scale equates to	0 – 3 years
	Medium time scale equates to	4 – 7 years
	Long time scale equates to	8+ years

#### Abbreviations

TMC	The Moray Council
MPDC	Moray Property Development Company
HIE	Highlands & Islands Enterprise
HIEM	Highlands & Islands Enterprise Moray
MCC	Moray Chamber of Commerce
SEPA	Scottish Environment Protection Agency
HIAL	Highlands and Islands Airports Ltd
BAA	British Airports Authority
HS	Historic Scotland
SNH	Scottish Natural Heritage