

Appendix 4

Moray Local Plan 2008 – Extracts



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 BE3: CONSERVATION AREAS

Development proposals within Conservation Areas will require to be submitted as full detailed planning applications and will be refused if they adversely affect the character or appearance of the Conservation area in terms of scale, height, materials, colour, detailed design and use.

All development within a Conservation Area should **preserve or enhance** the established traditional character and appearance of the area.

Development proposals involving the demolition of buildings within a Conservation area will be refused unless the building is considered not to **make a positive contribution to the character and appearance of the area**. Where redevelopment is proposed, consent to demolish will only be granted where there are acceptable proposals for the site. Conditions will be attached to any planning permission/conservation area consent prohibiting demolition until contracts have been let for the redevelopment of the site.

Boundary walls, fences and ground surfaces must relate to the individual building and to the established amenity of the Conservation area. Boundary walls and fences will not be permitted over the height of 1 metre in the interests of existing character, amenity and safety unless the character of the area suggests otherwise.

Shop Fronts and Security Devices

Shops in conservation areas should retain original signs where possible. Where archive drawings and/or photography exists the Council will encourage the reinstatement of the original shop fronts which have been lost. New shop fronts must be designed in relation to the whole elevation of a building so that the new shop front relates to established doors and windows; floor height and vertical alignment of buildings. They should be constructed in materials appropriate to the original building and be of painted timber construction. Security devices in the form of removable and/or fold away grilles are preferred although perforated roller shutters will be permitted provided that box devices do not project beyond the building line.

Satellite Dishes and Other Fittings

The Council will approve in principle external fixtures to important buildings, which are deemed to be essential to the use of that building e.g. satellite equipment, TV aerials, telecommunication cables, security boxes, CCTV where they do not adversely affect the character or fabric of the building.

Advertisements

Advertising within Conservation Areas will be permitted where it is sensitive to the historic nature of the area. New signage should respect the historic fascia line and height on the adjoining properties and be finished in a matt non reflective finish.

Illumination will only be permitted where an appropriate discreet projecting light source can be provided. No internally illuminated signage will be permitted. Projecting hanging signs should be fixed at fascia level and if illuminated this should be provided with a discreet projecting light source. Projecting light sources and internal illuminated signs will not be permitted. Internal illuminated plastic fascias will only be permitted if no alternative solution can be found.

POLICY H2: INDICATIVE LONG TERM HOUSING ALLOCATIONS

Indicative long term housing allocations are identified in the settlement plans for Elgin, Forbes, Buckie, Keith, Fochabers, Cullen, Rothes, Aberlour, Lhanbryde and Urquhart. They are embargoed from development during the period of the Local Plan, unless the Planning Authority is convinced that their early release is justified. The Council will evaluate the need for the early release of long term housing land, through the annual Housing Land Audit and Monitoring Report. The triggers for the early release will include a shortage of effective housing land, significant changes in development rates, infrastructure provision and structural landscaping provision.

JUSTIFICATION:

LONG term sites have been identified to provide a strategic view of the future direction of some settlements and to ensure that an effective housing land supply is provided to meet the requirements of the Structure Plan and SPP3. These sites are embargoed from development within the period of the Plan (2008-2012) unless the triggers for their release are met on a case by case basis. The 'triggers' for release of land under this policy has been agreed with Homes for Scotland and other stakeholders as part of the Housing Land Audit process. The identification of indicative long term housing allocations in the area's main towns allows the consideration of advanced works, such as infrastructure and structural landscaping. It also provides a reserve that could be brought forward if justified in terms of the supply and demand for housing within the area thereby reducing the potential for unplanned ad hoc development.

CONFORMS TO:

The policy conforms to SPP3 and PAN38 on the provision of an appropriate housing land supply.

POLICY CROSS REFERENCE/ADDITIONAL GUIDANCE:

Policy IMP4 Action Plan.

Housing Land Audit

POLICY H3: NEW HOUSING IN BUILT-UP AREAS

New housing within settlement boundaries will be acceptable if:

- a. it does not adversely impact on the surrounding environment, and
- b. adequate servicing and infrastructure is available, or can be made available.

JUSTIFICATION:

The development of brownfield housing meets many of the requirements of sustainability. It assists in reducing the need to release greenfield land, it helps to regenerate run down urban areas and encourages a more sustainable pattern of transportation. Infrastructure requirements such as schools, water, sewerage and roads are often already in place, although appropriate contamination assessments may need to be carried out. Susceptibility to flooding must be confirmed.

CONFORMS TO:

The policy conforms to SPP3 on the development of urban areas. PAN33 on the development of Contaminated Land.

POLICY CROSS REFERENCE/ADDITIONAL GUIDANCE:

Policy IMP1: Development Requirements,

Policy IMP2: Development Impact Assessments,

Policy IMP3: Developer Contributions,

Policy EP6: Control of Development in Flood Risk Areas.