

Issue 13c	ELGIN OTHER	
Development plan reference:	<p>Elgin Settlement Statement, page 152-175</p> <ul style="list-style-type: none"> • Objectives, page 152 • Transportation and TSP's, page 152 • Developer Contributions, page 152 • Elgin Town Centre, page 157 • Elgin High Street First – Action, page 157 • CC Commercial Centre Edgar Road, page 158 • Cemetery Search, page 164 • CF1 Dr Gray's, page 164 • CF2 Edgar Road, page 164 • CF3 Thornhill Road, page 164 • Cemetery search, page 164 • Elgin TSP, page 169-170 	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
<p><u>Objectives</u> Scottish Environment Protection Agency (0569)</p> <p><u>Elgin Town Centre</u> Elgin Community Council (0122) Elgin South Area Forum (0194) Elgin Benevolent Trust (0461)</p> <p><u>CC Commercial Centre Edgar Road</u> Asda Stores Ltd (0206)</p> <p><u>Elgin City for the Future and Moray Economic Strategy</u> Elgin Community Council (0122) Elgin South Area Forum (0194)</p> <p><u>Community Facilities</u> Presbytery of Moray (0865)</p> <p><u>CF1 Dr Grays</u> NHS Grampian (0300)</p> <p><u>CF2 Edgar Road</u> Scottish Environment Protection Agency (0569)</p> <p><u>CF3 Thornhill Road</u> Scottish Environment Protection Agency (0569) Craig Smith (0577)</p> <p><u>Transportation and TSP's</u> Elgin Benevolent Trust (0461)</p> <p><u>TSP20</u> Northern Property (1012)</p> <p><u>Western Link Road – TSP3, TSP4, TSP21, TSP22, TSP23, and TSP24</u> Network Rail Infrastructure Ltd (1041)</p>		

Adeline Collins (0583)
 Mr William Stewart (0596)
 Westfields Resident's Association (0597)
 Hilda MacKessack-Leitch (0750)

TSP25 and TSP31

Springfield Properties plc (0010)

New TSP

CJ and CRH Dunbar (Pitgaveny) (0908)

Access

Christine I Clerk (0685)

Developer Contributions and Health Care

NHS Grampian (0300)

Elgin Community Council (0122)

Elgin South Area Forum (0194)

School Capacity

Elgin Benevolent Trust (0461)

Elgin Community Council (0122)

Elgin South Area Forum (0194)

Cemeteries

Elgin Community Council (0122)

Elgin South Area Forum (0194)

Common Good

Elgin Community Council (0122)

Elgin South Area Forum (0194)

Provision of the development plan to which the issue relates:

Designations and strategy for retail development in Elgin and safeguarding town centre.
 Designations for safeguarding and provision of new community facilities in Elgin.
 Identification of transport improvements in Elgin (TSPs).
 Provision of infrastructure and community facilities in Elgin.

Planning authority's summary of the representation(s):

Objectives

Scottish Environment Protection Agency (0569)

Support the approach taken in the Elgin Settlement Statement where it states that a precautionary approach is required until the Flood Alleviation Scheme is complete.

Elgin Town Centre

Elgin Community Council (0122), Elgin South Area Forum (0194)

A commitment should be added to locate the tourist information centre on Elgin High Street. This is an intention of Elgin City for the Future and the information centre should be located where people arrive in the city not where they need to search for it.

Elgin Benevolent Trust (0461)

The plan refers to the Elgin High Street First Actions. These were recently the

subject of discussion at a Charrette. At the Charrette there was significant support for an alternative approach for some of the actions, such as the Lossie Green Development Brief, A96 junction improvements, relocation of the bus station and retaining local businesses on current sites. Unclear whether Charrette or Local Plan will take precedence.

CC Commercial Centre Edgar Road

Asda Stores Ltd (0206)

Support is given to maintaining and strengthening the retail hierarchy for Elgin by recognising the role Edgar Road Retail Park plays in the shopping habits of the local community through the retention of the retail allocation and its identification as a Commercial Centre.

Elgin City for the Future and Moray Economic Strategy

Elgin Community Council (0122), Elgin South Area Forum (0194)

Welcome cross referencing with Moray Economic Strategy and Elgin City for the Future. These strategies require to be implemented and actions firmed up and not allowed to get lost in piecemeal development. Short term fixes should be delivered within a strategic overview to ensure the long term vision is maintained.

Community Facilities

Presbytery of Moray (0865)

There is no provision in the Local Plan for a community facility such as a church in the New Elgin area. Provision should be made to provide an opportunity for this. Elgin High Church is working towards meeting this need in this growing area where there is currently no church.

CF1 Dr Grays

NHS Grampian (0300)

The retention of Dr Gray's Hospital for expansion of Community Facilities is commended.

CF2 Edgar Road

Scottish Environment Protection Agency (0569)

Investigations suggest site CF2 is likely to have groundwater dependent terrestrial ecosystems on or around them. It is recommended that applications are supported by the results of a walkover and photographic survey of habitats to assess the presence of potential wetlands.

CF3 Thornhill Road

Scottish Environment Protection Agency (0569)

Investigations suggest site CF3 is likely to have groundwater dependent terrestrial ecosystems on or around them. It is recommended that applications are supported by the results of a walkover and photographic survey of habitats to assess the presence of potential wetlands.

Craig Smith (0577)

Should be clearer what is proposed on site i.e. the site is either for housing or recreational facilities. Construction already commenced on north and building should not commence until consultation on Proposed Plan has ended and planning applications are approved.

Transportation and TSP's

Elgin Benevolent Trust (0461)

Whilst TSP's are identified and the need for Transport Assessment it should be clearer if the transport network and existing roads will be able to accommodate new development without impacting on the city's transport network.

TSP 20

Northern Property (1012)

There should be no requirement for either vehicular or pedestrian link between I1 and I6 before any future development of I6. This is evidenced by planning appeal decision PPA-300-2012 to conditions attached to consent 09/01479/OUT. The Moray Council conditions requiring a second point of access between I1 and I6 failed three of the six tests for conditions as set out in circular 4/1998. The link is not necessary for reasons of road or junction capacity. Acknowledge benefits of integration between sites but this is outweighed by negatives such as inappropriate "rat running", increased vehicle through movement at expense of pedestrian/cycle, and decrease in available capacity at junction with A96 roundabout which could prevent future development. Relevance to the development was in doubt. The condition was considered unreasonable and unjustified. Submit letter from consultants WSP showing no policy reason for link and also appeal decision (see supporting document SD1012c/1/002c).

Western Link Road -TSP3, TSP4, TSP21, TSP22, TSP 23, and TSP24

Network Rail Infrastructure Ltd (1041)

Support TSP21 but would go further to suggest the bridge is closed to traffic altogether, as pedestrian traffic will be provided for a short distance away. Full closure would offer more significant operational benefits for Network Rail.

Adeline Collins (0583)

Does not support the Western Link Road and the demolition of existing property all because the Council granted permission for housing and then realised there is a traffic management problem. There should be a proper bypass. Other towns have been bypassed without detriment.

Mr William Stewart (0596), Westfields Resident's Association (0597)

The Western Link Road is unsightly and in the wrong place cutting through residential areas. It has not been thought out and will devalue property. Residents of Fairfields were never advised of this when buying their houses. Will the Council pay the difference in value?

Hilda MacKessack-Leitch (0750)

Opposes the Western Link Road from Wittet Drive to Edgar Road. It is unnecessary given that the A96 is to be upgraded to dual status and will take traffic away from the town. Extra traffic will create noise impact on a peaceful residential area and the increase in traffic will make it more dangerous for pedestrians to cross. The street is too narrow for heavy lorries and the bridge design is brutal and does not fit with the surroundings. It is wrong to spend money at a time of austerity.

TSP25 and TSP31

Springfield Properties plc (0010)

This Transport Improvement TSP 25 and TSP31 need further clarification in terms of exactly how it impacts on developments associated with the south side of Elgin. There are a number of designations on the south side of the railway line and north which do not seem to be burdened with this particular junction improvement specifically in their settlement statements, and others where it is clearly stated.

New TSP

CJ and CRH Dunbar (Pitgaveny) (0908)

No access is shown onto Duffus Road. This is contrary to Policy T2 which seeks multiple access points. It will result in a large cul-de-sac from the adjacent development which does not maximise the opportunities for the wider R11, reduces permeability (a cornerstone of Designing Streets) and will be an inconvenience to residents of R11 and R5. Access onto Duffus Road should be designed in accordance with Designing Streets with sensitive consideration to existing woodland, the character of Duffus Road, and the approach to Elgin. The Proposals Map, Key Design Principles, TSP map and text should be amended to include access from R11 directly onto Duffus Road.

Access

Christine Clerk (0685)

More thought should be given to those without cars and there should be more routes to walk and cycle through Elgin and links to surrounding towns. There should be a link from Elgin to long distance footpaths. There should be a direct footpath to Rothes and connection to the Speyside Way. There should be footbridges over the main roads, especially Edgar Road.

Developer Contributions and Health Care

NHS Grampian (0300)

The identification of long term development is commended in terms of considering demand for health and retail facilities emerging over a greater time scale. Appropriate developer contributions should be agreed where applicable in order to enhance the service provided by NHS Grampian within Elgin and expand the specialist healthcare at Dr Gray's and Moray College.

Elgin Community Council (0122), Elgin South Area Forum (0194)

Input from NHS Grampian is important because allocating development for health care purposes to meet the geographic spread of Elgin and Moray would be a commitment from the NHS that should be followed through.

School Capacity

Elgin Benevolent Trust (0461)

The Local Plan does not refer to the capacity of Elgin's schools to accommodate children from the new houses proposed for Elgin, or within the catchment areas of Elgin schools.

Elgin Community Council (0122), Elgin South Area Forum (0194)

School capacity should be aligned with the outcome of the School Estate Review. No area with a school designation should be allocated for any other purpose.

Cemeteries

Elgin Community Council (0122), Elgin South Area Forum (0194)

Cemeteries are only mentioned in the Action Programme which mentions search for a new site. The issue has been under consideration for a number of years with no resolution and a firmer plan is needed. LONG2 may be suitable and it may be possible to develop part for natural burials. Would be five minutes walk from existing cemeteries.

Common Good

Elgin Community Council (0122), Elgin South Area Forum (0194)

Understand R6 is Common Good ground and other sites may be Common Good or some sort of unclaimed land. A map of Common Good land should be provided in the Local Development Plan with guidance on how plan for Common Good Land should be progressed and who has the say in what happens.

Modifications sought by those submitting representations:

Objectives

Scottish Environment Protection Agency (0569)

No change. Support approach taken to flooding.

Elgin Town Centre

Elgin Community Council (0122), Elgin South Area Forum (0194)

Amend plan to include commitment to relocating the tourist information to the town centre/High Street.

Elgin Benevolent Trust (0461)

The Plan should contain a statement referring to the ongoing and future discussions about the Elgin High Street First and associated strategies, and that other options may emerge to influence the Plan and future developments, so that the proposals listed in the Plan on page 157 are possibilities but are not the definitive list of developments for the area.

CC Commercial Centre Edgar Road

Asda Stores Ltd (0206)

No change. Support identification of Edgar Road as a commercial centre.

Elgin City for the Future and Moray Economic Strategy

Elgin Community Council (0122), Elgin South Area Forum (0194)

Implied amendment to include statement to ensure actions of strategies are no lost in piecemeal development and that development is delivered in strategic overview.

Community Facilities

Presbytery of Moray (0865)

Identify a site for a church in south Elgin.

CF1 Dr Gray's

NHS Grampian (0300)

Support identification of site. No change required.

CF2 Edgar Road

Scottish Environment Protection Agency (0569)

It is recommended that applications are supported by the results of a walkover and photographic survey of habitats to assess the presence of potential wetlands.

CF3 Thornhill Road

Craig Smith (0577)

The Proposed Plan should be clear as to what the allocation is to be used for to avoid confusion. The Proposed Plan should coincide with other planning applications which have previously been proposed.

Scottish Environment Protection Agency (0569)

It is recommended that applications are supported by the results of a walkover and photographic survey of habitats to assess the presence of potential wetlands.

Transportation and TSP's

Elgin Benevolent Trust (0461)

Include a reassurance that in principle transport networks are able to accommodate all traffic movements from identified sites, windfall sites and existing uses, subject to TSP, Transport Assessment and suitable traffic management.

TSP 20

Northern Property (1012)

Delete TSP20

Western Link Road -TSP3, TSP4, TSP21, TSP22, TSP 23, and TSP24

Network Rail Infrastructure Ltd (1041)

Close off TSP21 to all traffic, including pedestrian.

Adeline Collins (0583)

Drop plans for link road and replace with a proper bypass which goes around the town and not cut it in half.

Mr William Stewart (0596), Westfields Residents Association (0597)

Reconsider Western Link Road. It was meant to be a "relief road" not a major road and bridge.

Hilda MacKessack-Leitch (0750)

Do not proceed with Western Link Road.

TSP 25 and TSP31

Springfield Properties plc (0010)

Further clarification should be given on which sites are being asked to look at TSP25 when assessments are considered in future planning applications.

Give further clarification on which sites are being asked to look at TSP31 when assessments are considered in future planning applications and justification for those where no mention is made of this TSP.

New TSP

CJ and CRH Dunbar (Pitgaveny) (0908)

The illustrative settlement plan showing proposed TSPs at page 169 should be amended to include a TSP at a point on Duffus Road, immediately west of proposed site R11: Findrassie/Myreside, in order to enable access from the west of the allocation. The text included on page 170 of the Proposed Plan in support of the illustrative plan should be amended to include reference to a new TSP at a point on Duffus Road, immediately west of proposed site R11: Findrassie/Myreside, in order to enable access from the west of the allocation.

Access

Christine Clerk (0685)

Amend plan to show a footpath from Elgin to long distance footpaths including Speyside Way and to Rothes. Provide footbridges over main roads.

Developer Contributions and Health Care

NHS Grampian (0300)

Healthcare provision should be specified under Infrastructure within the Settlement Statement and promoted as a Developer Contribution.

Elgin Community Council (0122), Elgin South Area Forum (0194)

Implied amendment to continue to consult with NHS Grampian during plan delivery.

School Capacity

Elgin Benevolent Trust (0461)

Reassurance should be given that school capacities and zoning were taken into account in allocating the new housing numbers to Elgin.

Elgin Community Council (0122), Elgin South Area Forum (0194)

No area with a school designation to be allocated for any other purpose.

Cemeteries

Elgin Community Council (0122), Elgin South Area Forum (0194)

Identify site for new cemetery provision, suggest site at LONG2.

Common Good

Elgin Community Council (0122), Elgin South Area Forum (0194)

Provide a map of Common Good land within the Local Development Plan and confirmation of who has say in what happens on this land.

Summary of responses (including reasons) by planning authority:

Objectives

Support from the Scottish Environment Protection Agency in relation to taking a precautionary approach to flooding in Elgin is noted.

Elgin Town Centre

Relocation of the tourist information centre is included within the Plan at bullet point 4 on page 157 within the list of Elgin High Street First Actions. Support is given in principle to these actions. In any case Policy R1 Town Centre

Development supports mix of uses within the town centre including tourism. Identification of a site for the relocation of the tourist information centre is best explored through the Moray Economic Strategy (CD28) given the other non-planning related issues involved with relocation such as funding and delivery of service.

The Elgin High Street First Actions referred to on page 157 of the Proposed Plan are relatively broad and there is sufficient scope within these headings for more detailed proposals to emerge through the work of the Moray Economic Partnership on the strategy. The Local Development Plan only gives support to the principle of the actions and not the detail. Policy R1 Town Centre Development supports a mix of uses within the town centre so proposals coming forward are therefore likely to have policy support. The Moray Economic Strategy (CD28) would also be a material consideration when considering any planning application.

No modification is proposed.

CC Commercial Centre Edgar Road

The comments regarding Edgar Road are noted. Comments regarding Policy R2 Out of Centre Development of Retail, Commercial and Leisure Proposals and the table of “Retail Centres and Roles” are within Issue 10.

Elgin City for the Future and Moray Economic Strategy

Both Elgin City for the Future (CD29) and the Moray Economic Strategy (CD28) have been produced by the Moray Community Planning Partnership (MCP). As a land use planning document the Local Development Plan aims to provide a supportive framework for initiatives being promoted through these strategies. In many ways the purpose of the strategies is to ensure that individual projects are co-ordinated within the context of the wider vision.

No modification is proposed.

Community Facilities

Community facility sites are identified at Edgar and Thornhill Road. No detail of site requirements for the church have been provided and it is difficult to know if these sites would meet the needs of the church. There may be scope to accommodate a church on the OPP sites on Linkwood Road (OPP1 and OPP6). There may also be scope in the longer term to accommodate such uses within the LONG2 site. The Council will look to discuss further with the Church or provide comments on any sites being considered.

No modification is proposed.

CF1 Dr Gray's

The comments from NHS Grampian are noted.

CF2 Edgar Road

If the Reporter is so minded, the Council would not object to additional text requiring a walkover and photographic survey of habitats to assess for the presence of wetlands being added into the site designation text. The following

wording is considered suitable “a walkover and photographic survey of habitats is required to assess for the presence of wetlands.”

CF3 Thornhill Road

If the Reporter is so minded, the Council would not object to additional text requiring a walkover and photographic survey of habitats to assess for the presence of wetlands being added into the site designation text. The following wording is considered suitable “a walkover and photographic survey of habitats is required to assess for the presence of wetlands.”

Site CF3 has been carried over from the Moray Local Plan 2008. Decisions have therefore been made on the basis of the extant plan and there is no need to wait for the Proposed Plan to be adopted. The site has been subject to various planning applications and has been partially developed. The most recent application 13/01969/APP (BD/13c/01), on a part of the site formerly reserved for a school to the south of CF3, has been approved for 32 houses for older people.

The Council would have no objection if the Reporter were minded to make the modifications highlighted above in relation to habitats survey.

Transportation and TSP's

Consultation is undertaken with the Council Transportation section during the preparation of the Local Development Plan. The approach taken for identifying the TSP locations in various settlements has been to identify;

- a) existing locations on the transport network where connections to specific sites are anticipated in order to satisfy policy compliance with MLDP Policy T2 (maximise connections), Supplementary Guidance Urban Design (p4 Movement), and Designing Streets Policy;
- b) existing locations on the transport network where the development of specific sites would require the impact of the development traffic to be assessed in accordance with MLDP Policy IMP2 (b) and necessary mitigation/modifications to ensure the impact of new development to be delivered to adequately address the safety and efficiency of the transport network (walking and cycling infrastructure; bus stop infrastructure; passing places; road widening; junction enhancement; road drainage infrastructure).

TSP's are based on information available at 2013/14 and are intended to be of assistance to developers when considering proposals and to give an indication of what may be necessary to deliver a site. It is not possible to say that all the development within Elgin will have no impacts on the road network. However, through Policy T2 Provision of Access and IMP2 Development Impact Assessments appropriate mitigation/modification should be provided to existing transport networks to ensure the safety and efficiency of the transport network if development proposals have an adverse impact.

No modification is proposed.

TSP 20

There is a history of poor access to industrial sites in Elgin (single access) with subsequent problems for businesses and road users. Connections to specific sites are anticipated in order to satisfy policy compliance with Policy T2 Provision

of Access (maximise connections), Supplementary Guidance Urban Design (p4 Movement), and Designing Streets (CD30). This approach is also consistent with the recently published (SCOTS) National Road Development Guide which considers connections to wider networks and connections within places on page 32/33 (BD/13c/02).

It is noted that consent 10/00524/APP (BD/13c/03) for the formation of road and footpaths at I6 Linkwood East includes a connection to Linkwood Place. This application was approved on 20 May 2011 and the applicant did seek a review by the Local Review Body in light of the appeal decision referred to PPA-300-2012 (decision date 26 July 2011). However, the request for review by the LRB was subsequently withdrawn. Notification of Initiation of Development was submitted with works starting on 27 April 2012.

No modification is proposed.

Western Link Road -TSP3, TSP4, TSP21, TSP22, TSP 23, and TSP24

Several TSP's, including TSP3, TSP4, TSP21, TSP22, TSP 23, and TSP24, make up what is known as the Western Link Road. The Western Link Road project has three key aims and objectives, these are to provide an additional effective railway crossing in the west of Elgin, to relieve traffic on the existing New Elgin railway bridge; and to cater for planned and enable future development within Elgin. The Western Link Road is a key part of the overall Elgin Traffic Management Programme.

The Western Link Road and other identified road improvements are necessary to accommodate existing and continued residential and commercial developments within Elgin. The town requires a network of roads to allow traffic to efficiently distribute to the various parts. The Western Link Road will provide another crossing of the railway in the west and help the distribution of traffic in and around the town. The Western Link Road is not intended to be an A96 bypass. A bypass would not help distribute local traffic as it would have limited access off it. It is noted the Scottish Government has indicated a plan to create a dual carriageway between Inverness and Aberdeen by 2025.

The Local Development Plan sets out the principle of the Western Link Road and does not include detail of design. The Western Link Road is the subject of a planning application 14/00551/APP (CD31) which is currently pending consideration and the issues raised regarding amenity will be considered through the planning application process.

TSP21 currently provides vehicular access to a constrained scale of land use. The Housing Land Audit 2014 (CD18 page 50-56) shows sites R1 Bilbohall North, R3 Bilbohall South (R5 in extant plan), R4 South West of Elgin High School (R6 is extant plan) and R6 Hattonhill (R8 in extant plan) as constrained. The new allocation at R12 Knockmasting Wood is similarly constrained until the Western Link Road is provided. The Western Link Road does not immediately provide an alternative vehicular access to the existing dwellings and agricultural land. Therefore the connection will remain open to vehicles until there is an alternative access for all types of vehicles. Stopping pedestrian access would reduce permeability and it is noted that this route is currently a Core Path as shown on

map 10B (BD/13c/07). Stopping this up completely is not supported.

The principle of including TSPs in respect of the Western Link Road was considered at the Local Plan Inquiry into the Moray Local Plan 2008 (CD26 page 2.75). At this time the proposals were identified as TSP10, TSP11, and TSP12 and it was concluded that there was insufficient justification to remove these.

The Western Link Road has been identified as the strategic intent of the Moray Council in the Local Plan since 2000 (BD/13c/04) and was restated in the 2008 Local Plan following examination of the issue. It is the basis upon which the Proposed Plan is predicated. The decision of Economic Development and Infrastructure Services Committee on 18 December 2012 (BD/13c/05 and 06) was to progress the Western Link Road and therefore the plan reflects the strategic intent of the Council. The Compulsory Purchase Order and a Planning Application are currently being progressed for the Western Link Road. Removal of the Western Link Road from the plan would require a fundamental review to the approach taken to allocations in and around Elgin. More detailed background to the Western Link Road is summarised within the committee report to Moray Council on 29 January 2014 (CD16).

No modification is proposed.

TSP25 and TSP31

Consultation is undertaken with the Council Transportation section in respect of the Local Development Plan. The approach taken for identifying the TSP locations in various settlements has been to identify;

- c) existing locations on the transport network where connections to specific sites are anticipated in order to satisfy policy compliance with MLDP Policy T2 (maximise connections), Supplementary Guidance Urban Design (p4 Movement), and Designing Streets Policy;
- d) existing locations on the transport network where the development of specific sites would require the impact of the development traffic to be assessed in accordance with MLDP Policy IMP2 (b) and necessary mitigation/modifications to ensure the impact of new development to be delivered to adequately address the safety and efficiency of the transport network (walking and cycling infrastructure; bus stop infrastructure; passing places; road widening; junction enhancement; road drainage infrastructure).

At the scoping stage for a Transport Assessment the junctions that would need to be assessed would be clarified and this may include TSPs not specifically identified in the allocation text or junctions not identified as TSP's. The TSP locations are based on information available in 2013/14 and are intended to be of assistance to developers.

TSP 25 is specifically highlighted in sites: R7 and R9. After further review and if the Reporter was so minded the Council would not object to highlighting TSP25 in the text for the following sites R3; R4; and R13. See below for text that is considered appropriate.

The text for TSP31 highlights that the junction already shows insufficient capacity. All sites which would impact on this junction will be required to provide

improvement.

TSP31 is specifically highlighted in text for a number of sites adjacent and south of the junction: OPP1; OPP5; R7; R8; R9; CF3. After further review and if the Reporter was so minded the Council would not object to highlighting TSP31 in the text for the following sites R2, R3, R4, R10, R11, R12 and R13;. The following text is considered appropriate for sites R3, R4 and R13 “The impact on the following junctions must be considered TSP25 and TSP31.” For site R2, R10, R11 and R12 the following text is considered appropriate “The impact on the following junctions must be considered TSP31.”

The Council would have no objection if the Reporter were minded to make the modifications highlighted above.

New TSP

The lack of a TSP on Duffus Road does not prevent access being permitted at this location. However, creation of a new primary access onto Duffus Road for all users (including buses) is not supported due to the provision already being made for this type of access through R5 Spynie Hospital North. Preference is for R11 to maximise connections through R5 to this route in line with Designing Streets (CD30) and Supplementary Guidance on Urban Design. There are issues with provision of access onto Duffus Road directly from R11, including achieving speed reduction and the loss of mature trees. Speed reduction needs to take place in association with design measures as policing alone will not be acceptable. Given these issues it is not considered appropriate to identify a TSP at this location. The lack of TSP on the map or design principles does not mean an access is not possible or would not be permitted. It is considered this issue is best explored through the masterplan which the Council is working on collaboratively with the landowners and their design team. This is also subject to Architecture and Design Scotland Design Forum review.

No modification is proposed.

Access

Policy T2 Provision of Access bullet point one states that “Proposals must maximise connections and routes for pedestrians and cyclists, including links to active travel and core path routes, to reduce travel demands and provide safe and realistic choice of access.” Therefore new development should include links to existing networks. Policy T7 Safeguarding and Promotion of Walking, Cycling and Equestrian Networks promotes routes and would provide support if any of the projects raised were to come forward. It is also noted that the Moray Core Paths Plan 2011 contains a policy on network development, see policy 6 of Core Path Plan (BD/13c/08).

No modification is proposed.

Developer Contributions and Health Care

The support for the identification of long term growth and the assistance this gives to planning of infrastructure and services is noted. Policy IMP3 Developer Obligations refers to the impact upon existing infrastructure, community facilities or amenity. Infrastructure includes amongst other things health provision. The

forthcoming Supplementary Guidance Developer Obligations will provide further clarity. See Issue 11a. Dialogue is ongoing with NHS Grampian in respect of the Supplementary Guidance. The Council will continue to engage with NHS Grampian through implementation of the Action Programme.

No modification is proposed.

School Capacity

It is acknowledged that capacity is limited at schools within Elgin. The Education service has been consulted during the preparation of the plan. The Council are currently undertaking a Sustainable Education Review and planning officers have met with consultants undertaking the review to highlight the direction of growth for Elgin. The Local Development Plan cannot pre-empt this review. Policy IMP3 Developer Obligations refers to the impact upon existing infrastructure, community facilities or amenity. Community facilities include, amongst other things, school provision. Developers may therefore require to provide contributions where an adverse impact is anticipated from their development on school provision. The forthcoming Supplementary Guidance on Developer Obligations will provide further clarity.

No modification is proposed.

Cemeteries

Cemeteries are referred to on page 164 of the Proposed Plan under the heading "Cemetery Search". The Council is actively seeking to identify future cemetery provision but many issues have to be taken into account most notably ground conditions and watercourses. There are also issues of finding landowners willing to sell for this purpose. To date a suitable site has not been identified and planning officers will continue to work with other services to identify future provision.

No modification is proposed.

Common Good

From their response to the Main Issues Report it is understood that Oldmills Farm Partnership are owners of the site at R6 Hattonhill. However, it is acknowledged that part of the site is currently one of the plots identified within the Elgin Western Link Road Compulsory Purchase Order to be acquired.

In line with legislation a Schedule of Land Ownership is included within the Plan. This identifies land affected by any policies or proposals within the plan that the planning authority has ownership or interest in. This does not identify which sites are Common Good. There is no requirement to show all land in which the planning authority has an interest. The purpose of the Local Development Plan is to set out how places should change and the policies to be used to make planning decisions. Its purpose is not to identify landownership or Common Good land.

It is Council Policy to deal with Common Good matters as they arise e.g. when proposals come forward to lease, sell or develop land.

No modification proposed.

Reporter's conclusions:
Reporter's recommendations: