

THE MORAY COUNCIL**MINUTE OF SPECIAL MEETING OF THE ENVIRONMENTAL SERVICES COMMITTEE****TUESDAY 6 NOVEMBER 2007****COUNCIL OFFICE, ELGIN****PRESENT**

Councillors Councillors A Wright (Joint Chair : Planning & Environment) J Russell (Joint Chair : Transportation & Direct Services), A Bisset, J Divers, M McConachie, G McDonald, G McIntyre, F Murdoch, I Ogilvie, R Shepherd and I Young.

APOLOGIES

Apologies for absence were intimated on behalf of Councillors G Leadbitter, J Hamilton, A Mckay and P Paul.

IN ATTENDANCE

The Director of Environmental Services, the Head of Development Services, the Planning and Development Manager, the Principal Solicitor (Commercial & Conveyancing), M Cross Principal Planning Officer (Planning & Development) E Gordon & A Howard, Planning Officers (Planning & Development) R Gerring, Engineer (Transport Development) and the Senior Committee Services Officer, Clerk to the Meeting.

1. DECLARATION OF GROUP DECISIONS

In terms of the relevant Standing Order 20 and the Councillor's Code of Conduct the meeting noted that there were no declarations from Group Leaders or spokespersons in regard to any prior decisions taken on how members will vote on any item on the agenda.

2. MORAY LOCAL PLAN : REPORT ON OBJECTIONS TO FINAL VERSION

Under reference to Paragraph 10 of the Minute of this Committee dated 30 August 2007 there was submitted a report by the Director of Environmental Services inviting the Committee to consider objections submitted to the latest Schedule of Modifications, approved in respect of the Moray Local Plan Review. The report also provided an update on the various 'on-going objections' as well as advising on 'agreed positions' that have been reached in respect of earlier objections.

There was appended to the report, as Appendix 1 a summary of the objections, the recommended responses and the reasons for the responses. There were also appended to the report as Appendices 2 & 3 respectively, the proposed policy wording in respect of Forres OPP5 (Cathy), CF2 (Recreational Land and Open Space), E4(Green Spaces), ER3 (Developments in Woodlands) and EP6 (Control of Development in Flood Risk Areas) and details of the 'agreed positions' reached with objectors. The meeting also noted that a supplementary briefing note had been circulated to Members, prior to the meeting, on the ongoing objections in respect of the site at Mulben in light of the outcome of the Planning Application Hearing on 22 October 2007.

Prior to considering the report the Planning & Development Manager gave a brief introduction to the report, which sought Committee agreement on a number of issues which would assist/clarify the Council's position at the Public Inquiry commencing on Tuesday 13 November 2007, details of which were set out in Sections 3.3 to 3.5 of the report.

Following consideration, the Committee agreed:-

(i) **New Objections**

To approve the responses to the new objections received as detailed in Appendix 1 to the report.

(ii) **Ongoing Objections**

(a) To sustain its previous decisions to include the sites at Rosehall, Keith and Lintmill Nursery within the proposed Local Plan;

(b) To continue to oppose the inclusion of a new housing plot at Enzie on road access/road safety grounds;

(c) That in regard to the site at Mulben that:-

(i) Site B be reduced in extent and restricted to no more than 12 house. This would continue the level of housing investment previously allowed in Mulben (map 2);

(ii) Mr McPherson's site is not designated;

(iii) The Reporter be advised that Moray Council does not wish to support more than 12 houses during the Local Plan period. Any revisions to the Plan should acknowledge this, so that should an appeal against the outcome of the decision of the Hearing on 22 October 2007 be successful, additional housing on Site B should not be permitted.

(d) To approve the recommended amendment to the Buckie Settlement Boundary as detailed in Section 3.4.5 of the report;

(e) To approve the proposed modified text relative to the site designation Forres OPP5, as detailed in Appendix 2 to the report;

(f) To approve the proposed amendments to the text in respect of Policies CF2, E4, ER3 and EP6, as detailed in Appendix 2 to the report.

(iii) **Agreed Positions**

To approve the agreed positions in respect of Policies H9, IMP2, T2 and Site R2 Lossiemouth, as detailed in Appendix 3 to the report.

(iv) **Referral To Public Inquiry**

That the decisions set out in (i), (ii) and (iii) above be referred to the Public Local Inquiry commencing on 13 November 2007 as the Council's position on these issues.