

In the event that a recommendation on this planning application is overturned the Committee is reminded of the advice contained on the front page of the agenda for Reports on Applications

The Proposal

Application for a new Link Road at site linking the A96(T) to Wittet Drive to Edgar Road (approximately 1.7km). The development comprises the following elements (from north to south):

- A new signalised junction with the A96 Trunk Road providing ‘toucan’ crossing facilities for pedestrians and cyclists.
- A new section of carriageway linking the northern end of Wittet Drive to the aforementioned signalised junction on the A96 Trunk Road including a shared footway/cycleway for pedestrians and cyclists.
- An amended junction layout at the A96 Trunk Road/Wittet Drive junction which allows left out only movements. The existing northern section of Wittet Drive will become a shared surface.
- A newly constructed junction to the Elgin R8 housing development site west of Wittet Drive.
- Demolition of two dwellings on Wittet Drive (No's 13 and 15).
- Carriageway improvement and road marking works, including a number of parking provisions and a shared footway/cycleway for pedestrians and cyclists along the existing length of Wittet Drive.
- Alterations to the existing major/minor priority junctions between Wittet Drive and Bruceland Road, Petrie Crescent and Mayne Road.
- A revised junction arrangement in the form of a signalised junction at Wittet Drive/B9010 Pluscarden Road, incorporating ‘toucan’ crossing facilities for pedestrians and cyclists (to replace existing roundabout).
- A newly constructed ‘toucan’ crossing facility for pedestrians and cyclists on Wittet Drive located between the existing junctions of Petrie Crescent and Mayne Road.
- An extension of the existing length of Wittet Drive via a new bridge over the Aberdeen to Inverness railway line and a shared footway/cycleway.
- Continuation of the new road in a south easterly direction beyond the newly constructed railway bridge towards Edgar Road.
- A crossing suitable for pedestrians and cyclists connecting Fairfield Avenue with The Wards wildlife site and wider path network.
- Continuation of the new road in a southerly direction providing a new junction and spur leading to the as yet to be developed Elgin R5 designation Bilbohall South.
- A newly constructed signalised junction incorporating toucan crossing facilities for pedestrians and cyclists with provision for connection to a proposed new Elgin High School access and associated land to the west at the signalised junction.

- An extension to the existing length of Edgar Road by way of new section of road in a south westerly direction from its current extent to the newly constructed signalised junction, incorporating an access to Greenwards Primary School.
- A newly constructed ‘toucan’ crossing facility for pedestrians and cyclists situated on Edgar Road, connecting Longwood Walk and The Wards Wildlife site.
- Carriageway improvement and road marking works on the existing section of Edgar Road with a small facility for off-street parking south of The Wards Wildlife site.
- Associated construction of SUDS ponds at the north and south end of the development.
- Provision of 6 noise barriers varying in height from 1.5m to 3m and a crash barrier at the northern end of the development adjacent to the A96 near the River Lossie Bridge.
- Provision of 5 signalled pedestrian crossing and 4 un-signalled crossing (with pedestrian islands).
- A variety of landscaping features are proposed which include small areas of scrub woodland, feature tree planting and shrubs at various locations throughout the scheme.
- The speed limit throughout the scheme shall be limited to 30mph apart from a section of the new road at the entrance to Greenwards Primary School where the limit will be 20mph.

The Site

- Other than the section of the proposed link road from its junction on the A96 until it meets Wittet Drive, the route is as positioned and shown in the Moray Local Plan 2008 settlement statement proposals map for Elgin.
- The site at its north end involves road works on the A96 (T) and in the field that lies below and south of the trunk road. This field is currently designated as Elgin R8 Hattonhill in the Moray Local Plan 2008.
- The site then climbs south east to join the bend towards the north end of Wittet Drive via land currently occupied by residential gardens and two dwellings which are proposed to be demolished.
- The site then occupies the length of Wittet Drive southward until its junction with Wards Road.
- The proposal then involves a bridge across the Aberdeen - Inverness railway line before crossing an area of scrub land bound to the west by Fairfield Avenue, Fairfield Way and Sunnyside Road and to the east by The Wards Wildlife site (Elgin ENV6). At this point the site occupies part of the Elgin R1 Bilbohall North on land which falls gently downhill from north to south.
- South east of Fairfield Avenue the site crosses into a field and continues south alongside the western boundary The Wards Wildlife site crossing housing designation Elgin R5 Bilbohall South (as yet to be developed) and community facility designation Elgin CF2 Edgar Road.
- At this point the route turns eastwards at a proposed junction leading towards Edgar Road between the northern edge of Greenwards Primary School (ENV5) and the southern side of The Wards Wildlife area. The proposed route continues east along Edgar Road past the junction with Glen Lossie Drive.

Policy / Objections-Representations / Consultations - See Appendix

History

13/01248/PAN - Proposal of Application Notice submitted for Western Link Road in June 2014.

04/00476/FUL - Erect dwellinghouses and associated roads/services etc at Bilbohall (R9), Elgin, Moray. Approved September 2005 and development commenced and partially constructed (Fairfield Avenue). Part of this site is covered by the proposed link road route and Bilbohall (R9) is now split into two designations R1 (North) and R5 (South). 60 houses were approved but only 40 could be built with access via the Mayne Farm Road with the remainder of the development not to progress until alternative access was provided.

06/00232/FUL - Delete condition No 4 and vary the terms of condition 11 from consent reference 04/00476/FUL (under Section 42 of the Town and Country Planning (Scotland) Act 1997) at residential development site Bilbohall (R9), Elgin, Moray. Refused and subsequently dismissed at appeal.

06/00202/OUT - Outline planning application for demolition of existing school and erection of new secondary school associated landscaping and car parking at Elgin High School, High School Drive, Elgin, Moray, IV30 3UE. Approved March 2007 and now expired.

05/01070/OUT - Outline planning application for partial demolition extension and alteration and associated landscaping and car parking at Elgin High School, High School Drive, Elgin, Moray, IV30 3UE. Approved in Oct 2006 but now expired.

14/01618/APP - Erect new secondary school with associated hard and soft landscaping energy centre (including sprinkler tank and bin store) external sports provision bus drop off car parking and the demolition of the existing school and including the alteration and extension of Edgar Road at Elgin High School, High School Drive, Elgin, Moray, IV30 6UD. Planning application recently submitted.

Advertisement

Advertised under Schedule 3 of Development Management Regulations, Neighbour Notification/land ownership purposes and under the relevant EIA Regulations.

Observations

Background

Following a report to the Economic Development and Infrastructure Services Committee on 18 December 2012 approval was granted for the outline design of the Elgin Western Link Road and to progress the proposal towards the submission of a planning application.

The evolution of this infrastructure project has been ongoing for a number of years as outlined in the submitted Pre-Application Consultation Report (PAC), which included consideration at Local Plan Public Inquiries (Moray Local Plan 2000 and 2008). A variety of possible solutions to infrastructure issues in South and West Elgin have been explored, many of these were dismissed by the relevant Committees following detailed consideration. However the current proposal constitutes the Council's preferred option for progression to the planning application stage.

The development was screened against the 2011 Environmental Impact Assessment Regulations to assess whether there would be any significant environmental effects. It was confirmed the proposal did not require an Environmental Impact Assessment (EIA) following screening by the Moray Council. The applicants have however supplemented the application with a 'voluntary' Environmental Statement (ES) along with a range of transport, design and economic assessments and other studies. Having volunteered an ES many of the requirements of the Environmental Impact Assessment Regulations apply (such as extended consultation with the public and consultees).

The application was also accompanied by a Design and Access Statement (D & AS) and has been subject to the pre-application consultation process, which included a public consultation event. The outcome of this consultation is summarised in the Pre-Application Consultation (PAC) report accompanying the application. The public consultation event was held over two days in late September 2013 at Elgin Library, Cooper Park and was attended by 377 members of the public.

Planning Assessment

Section 25 of the 1997 Act as amended requires applications to be determined in accordance with the development plan i.e. the approved Moray Structure Plan 2007 and the adopted Moray Local Plan 2008 unless material considerations indicate otherwise. In this case the main planning issues are considered below.

At various points in the report attention will be drawn to the status of the proposal with the Moray Local Plan 2008. While the proposal must comply with all relevant policies of the local plan its design, impact and location must be fully assessed. By virtue of the relevant Transport Improvement designations (TSP 10, 11, 12 & 23) the principle of the proposal in this location has been long established through its adoption in the Moray Local Plan 2008. For ease of reference these TSP designations are detailed in the local plan as follows:

TSP10 Edgar Road extension - Wittet Drive

The line of this road is indicative only and the Council, in consultation with SNH require a design which will avoid damaging impacts on the natural wetland areas at the Wards (ENV6)

TSP11 New Railway Bridge Wittet Drive/Edgar Road extension

TSP12 New roundabout A96/Wittet Drive

TSP23 Extension of Edgar Road

This is a logical extension from the end of Edgar Road which would provide a direct link from the commercial area of Edgar Road to a future bypass (see also CF2 regarding route of this link through that site).

The planning application assessment process does not extend to un-designating the TSP designations between Edgar Road and Wittet Drive where responses to the application have suggested this. The appropriate arena in which to consider the inclusion or exclusion of these proposed infrastructure transport designations would be as part of any local plan review.

Moray Structure Plan 2007

The 2007 Moray Structure Plan sets out the strategic planning framework for the next 15 to 20 years. It identifies a number of strategic aims inclusive of safeguarding the environment and the requirement for mitigation of any impacts caused by new development. It also aims to promote growth, economic opportunities and increase the population.

More specifically Policy 1: Development and Community refers to the promotion of strategic transport links identifying improvements to the A96 and A941. Policy 2: Environment and Resources focuses on ensuring that development is carried out so as to protect or enhance the natural and built environment. The specific aims of Structure Plan policies 1 and 2 do support the current proposal with the relevant local plan policies addressing the relevant issues in more detail below.

Moray Local Plan 2008

Traffic and road design issues (T1, T2, T6, IMP1 and national legislation)

Policy T2 Provision of Road Access refers to Scottish Planning Policy SPP17 Planning for Transport that has now superseded by the Scottish Planning Policy (SPP) 2014 which re-iterates in Paragraph 278 that new junctions onto the trunk road are not normally acceptable, unless the case for a new junction demonstrates that there would be economic growth or regeneration benefits. From the supporting Economic Assessment Report and other supporting documents made available Transport Scotland recommend conditional acceptance of the application.

While planning permission is required for a number of the local plan Elgin TSP transport improvements (namely TSP 10, 11, 12 and 23 for this application) other identified TSP transport improvements have already been proposed/undertaken elsewhere in Elgin related to the overall Moray Local Transport Strategy of the Council. The knock on effects of traffic re-distribution as a result of the proposed development is a matter for the Council as Roads Authority to address as they implement the various TSP designations throughout Elgin. The detailed traffic modelling, assessment of pedestrian movements, engineering and traffic management as contained within the various supporting documents conclude that the current proposal does tie in with the other TSP's. The consultation with the Transportation Section has raised no problems in this regard either.

The development has been designed to incorporate Designing Street principles where appropriate, such as at the northern end of Wittet Drive. The applicants state in the submitted Designing Streets Quality Audit that due either to physical space constraints on the route, or in order to ensure other requirements of the scheme are met, not all of the principles of Designing Streets have been applied. The objectives of the Designing Streets policy statement are not being applied to the whole development as it must be recognised that Wittet Drive is a 'C' classified road, has a function above that of adjoining unclassified streets and is one of the main access/egress points onto the A96 from the south due to its westerly position within the town. The road essentially already fulfils a role in distributing traffic within the west side of Elgin and a gradual increase in traffic numbers irrespective of the current proposal is predicted for Wittet Drive according to the predicted traffic flow volumes shown in Figure 4.2 of the Environmental Statement.

The above issues are fundamental to how the Designing Streets policy statement is applied to Wittet Drive, as the document states “Streets have to fulfil a complex variety of functions in order to meet people’s needs as places in which to live, to work and to move around. Their design requires a thoughtful approach that balances potential conflicts between different users and objectives”. It may not always be as simple as putting ‘people’ and ‘place’ before ‘movement’ as Designing Streets seeks to promote. The document also acknowledges that “Designing Streets is not a standard based document. Balanced decision making is at the core of this policy. Design led solutions must be employed”. To this end, given the aim within the Moray Local Plan to address deficiencies in the road network in the south west side of Elgin and to create additional network capacity a reasonable balance has been struck in the design of the scheme. The enhanced pedestrian and cycle facilities on Wittet Drive discussed below, traffic calming and application of Designing Streets features does achieve the balance referred to above.

The proposal is therefore compliant with above national policy and Designing Streets Principles.

Pedestrian Safety

The applicant’s have submitted predicted traffic flows which allow for a comparison of the anticipated amount of traffic forecast using Wittet Drive if the development were to proceed. The level forecast for Wittet Drive would be of 7000 movements per day, below that currently experienced on The Wards and Maisondieu Road and other roads surrounding Elgin town centre already experiencing twice that number such as Hay Street/Station Road and North Street. The scheme will provide 5 signalised toucan crossings and a further 4 unsignaled road crossings with central pedestrian islands upon the route. The increase in pavement provision on Wittet Drive, traffic calming design measures throughout the scheme and removal of the roundabout on Wittet Drive (with roundabouts widely acknowledged as not being pedestrian friendly) will all contribute to improving and making provision for pedestrian safety.

Traffic calming is proposed by the narrowing of Wittet Drive/Edgar Road at key points, and the narrowing of various junctions onto the link road to reduce traffic speeds and heighten the awareness of drivers as they approach junctions. Also improved signage such as ‘keep left’ bollards on the pedestrian islands will act to restrict vehicle speeds.

The design of the combined 3m cycle/footway accords with the Transport Scotland Guidance ‘Cycling by Design’ 2010 and has been used nationally. Pedestrians travelling to and from the west end of Elgin will have a more direct route to the Wildlife area, Edgar Road Retail Park and Elgin High School.

The proposal will see an overall redistribution of traffic relieving pressure on The Wards, Wards Road, Hay Street, Station Road, New Elgin Railway Bridge and other streets to the benefit of many pedestrians using these streets close to/from the town centre. These streets are also host to a number of manned school crossings.

Whilst the intentional increase in traffic upon Wittet Drive and Edgar Road will clearly be a concern for pedestrians, substantial efforts to mitigate this impact do demonstrate compliance with policy T2 and IMP1 in terms of ensuring safety and footpath provision for pedestrians.

Vehicular Safety

All new and amended junctions have been assessed by the Transportation Section and Transport Scotland to ensure the appropriate visibility splays have been provided. There are also many design features throughout the scheme to discourage speeding, such as the various traffic lit pedestrian crossing and traffic islands.

In terms of the design, vehicular safety and pedestrian safety the proposal complies with policy T2 Provision of Road Access subject to the conditions recommended.

Parking

A Parking Audit was carried out for Wittet Drive and Edgar Road as part of the scheme design which has taken into consideration the current pressures on parking on Wittet Drive. At the north end of Wittet Drive there are presently long sections of double yellow lines and a predominance of private driveways which reduces on street parking in these locations.

Whilst it has not been the applicant's intention for this scheme to remedy parking shortages for hospital staff/visitors in the west of Elgin, provision is made for residents parking in light of the fewer number of private driveways on the southern end of Wittet Drive and Edgar Road.

Local plan policy T5 Parking Standards is not directly applicable to the issue of on-street parking and the development itself does not trigger any additional requirement for public or private parking provision.

Impact on Noise/Vibration (EP8 and IMP1)

Policy EP8 Pollution requires that planning applications that are subject to significant pollution will require a detailed assessment report on the levels, character and transmission of the potential pollution to show how the pollution can be appropriately mitigated. To this end the Environmental Statement and its Appendix contain a detailed assessment of predicted noise and vibration levels during and post construction.

In terms of Planning Advice Note (PAN) 1/2011 Planning and Noise the guidance states that in relation to a development proposal local circumstances, particularly relating to the existing noise character of the area should influence the approach taken to the mitigation and to which mitigation solutions may be applicable. Where noise generated by traffic on Wittet Drive already exists due to it being a 'C' classified road (with traffic volumes currently over 5,100 movements a day) its noise character that would not significantly alter where the applicant's predict future traffic movements of 7,000 traffic movements per day.

The ES acknowledges that during both the construction and operation phases residences and Greenwards Primary School would experience an increase in noise levels and as such incorporates a number of measures into the design of the proposal to mitigate noise impacts. Other than the new junction at Edgar Road/Elgin Western Link Road where it would not be appropriate south of the CF2 designation (where the link road turns east) low road noise surfacing is to be provided throughout the whole scheme to further alleviate concerns over noise (this is covered in planning conditions recommended). The proposed mitigation measures also include six noise barriers of varying heights and lengths at key points in the scheme between areas of housing, Greenwards Primary School and new roadways. These will take the form of

close boarded timber fences and will, at some locations, be utilised in conjunction with shrubs, small groupings or rows of trees which in time will further assist in reducing noise levels. The ES does acknowledge that the noise benefit of the proposed tree planting will only become fully realised once the trees mature however this has not been relied upon in assessing the acceptability of the proposal.

The submissions by the applicant acknowledge that a large number of properties will experience an increase in noise, but a distinction needs to be made between what is in effect an increase in noise to a level above tolerable standards and where noise will increase but would still remain within accepted guidance levels. It is noted that some locations close to the proposed development currently benefit from low noise levels, such as Greenwards Primary School. This however does not mean that development resulting in an increase in noise should not occur, if the resultant levels still remain within acceptable guidance.

The Environmental Health Manager has assessed the application against the guidance levels set by the World Health Organisation and national planning and road design guidance. Attention has focussed on those properties where the predicted increase would bring noise levels above recognised limits.

Dwellings where the significance of impact is predicted as Major Adverse within the terms of the ES, and where the predicted facade level exceeds 59.5 dB L A 10 (18 hour) and is less than 68 dB L A 10 (18 hour) require particular attention. In order to ensure compliance with policy EP8 and Planning Advice Note 1/2011 a condition is recommended to ensure noise within individual properties identified in this noise range is suitably mitigated.

Properties falling within these noise levels shall be identified by following the road traffic assessment method within the Memorandum on the Noise Insulation (Scotland) Regulations 1975. Separate to the planning system, Regulation 3 of the Noise Insulation (Scotland) Regulations 1975 confers a duty on the Roads Authority (the Council or Transport Scotland) in certain defined circumstances to offer insulation to eligible residents affected by noise arising from a road scheme.

For construction it is a generally accepted principle within planning that disruption for a temporary period is inevitable but can be mitigated to a tolerable level through the imposition of a number of planning conditions. These cover hours of operation and the implementation of the Construction Environmental Management Plan (CEMP) and the Construction Traffic Management Plan (CTMP) which specifically seek to minimise noise during the construction phases.

The anticipated noise levels experienced at Greenwards Primary post development would still fall well below those experienced by many other primary schools in Elgin. However, the statement by the applicant within the ES that in order to keep noise levels within guidelines for new classroom windows could be kept shut is not deemed sufficient mitigation for this type of existing use following consultation with the Environmental Health Manager. Accordingly the applicant has now proposed increased noise mitigation measures near the school where the noise barrier north of the school along the edge of the playground is to be increased in height by 0.5m to 2.5m and low noise road surfacing are both conditioned to bring noise levels below 35dB within classrooms (with windows open). Conditions recommend provision of this additional mitigation and ongoing monitoring of noise levels to ensure that the noise limits are not exceeded throughout the lifetime of the development.

Construction works on existing streets are largely restricted to road and pavement reconfiguration and all properties on Wittet Drive/Edgar Road are set back from the roadway edge. The most significant construction work would be the formation of new sections of roadway and the bridge which would occur to only a few residential properties. The vibration assessment carried out by the applicants within Chapter 15 Noise and Vibration of the ES concludes that there will be no significant vibration impact during the works where appropriate mitigation measures are followed and no structural damage risk highlighted. The proposed Construction Environmental Management Plan (CEMP) and Construction Traffic Management Plan (CMTP) will also seek to minimise the impact of construction upon nearby residents.

The above measures would bring noise levels for the proposal and vibration to within acceptable levels to allow compliance with policies EP8 and IMP1.

Impact on General Amenity (IMP1)

Generally policy IMP1 Development Requirements requires all new development to be sensitively sited, designed and serviced appropriate to the amenity of the surrounding area. Recognition has to be given to the fact that the most affected residential areas namely Wittet Drive and Edgar Road are not going to be subjected to a new use being introduced into the area. The modification of the existing carriageway and pavements, introduction of traffic signals, all relate to the upgrading of public roads. The applicant's have made clear in their submission that the role and function of Wittet Drive and Edgar Road would be enhanced as a result of this transportation improvement.

Fundamentally, in terms of the character of Wittet Drive levels of traffic movements are already predicted to increase by 19% by 2029 without any TSP's carried out nearby. With the proposal in place traffic is predicted to increase from 5,100 up to 7,000 by 2029 which would equate to an additional 18% of traffic movements over and above what is already predicted to occur per day. This is not considered to significantly impact on its character to warrant a change in amenity to that currently experienced.

For Wittet Drive it is worthy of note that in terms of character and amenity the physical changes proposed to the road layout where they are confined to the existing carriageway are not considered to have a significant impact on the level of the amenity experienced by residents in the immediate and surrounding areas. Any disruption and disturbance effects are limited to the duration of the construction period.

For a number of houses west of the junction with Glenlossie Drive, Edgar Road ceases to become a through road leading only to the primary school. For this section of Edgar Road there will be a significant increase in traffic movements compared to those currently experienced. It is noted that the staff entrance to the school immediately in front of the north end of Longwood Walk would be repositioned further to the west between two noise barriers fronting onto the link road to the benefit of amenity from the front façade of the properties. However the traffic does increase steadily the further east you travel along Edgar Road due to other streets joining the traffic flow. With the proposed mitigation in place inclusive of the schemes for noise reduction for affected properties, low noise road surfacing and noise barriers there would be no significant or unacceptable adverse impact upon the general amenity of the areas affected.

On this basis it is considered that policy IMP1 has been complied with.

Visual Impact/Impact on landscape (IMP1, IMP2 & T2)

The ES in Chapter 12 identifies key receptor groups of houses or schools from which the impact of the development would be most noticeable or prevalent. These can reasonably be taken to be those residences closest to the proposal and at Greenwards Primary school.

The scheme has been designed to occupy as low a profile as possible within the landscape, whilst having to maintain adequate clearance above the railway line it crosses. To this end the new sections of road do not lie substantially above any residences or streets, with the only exception being the arrangement on the north side of the proposed railway crossing at the junction of Wards Road and Wittet Drive where the road rises up to gain sufficient clearance over the railway line.

As part of the overall scheme the applicant's landscape architects have proposed a variety of landscaping measures to minimise the impact of the scheme. The ES Statement in Chapters 11 Landscape and 12 Visual does acknowledge that the proposal will have a significant visual impact from properties close to the proposed road. The most significant visual impact or change will result from the newly constructed junction onto the A96 linking into the bend at the north end of Wittet Drive and the new bridge and section of roadway linking Wittet Drive to Edgar Road (which passes to the east Fairfield Avenue). While Wittet Drive forms the majority of the northern half of the site, any visual impact will be restricted to physical changes to the existing road and junctions.

The new junction onto the A96 will constitute a notable feature given the current location is a field lying below the A96 which slopes gradually downhill to the west towards the River Lossie. The junction and road will sit at a height comparable to the ground level of the plots to its east and south as it joins Wittet Drive. The provision of new scrub woodland and noise barriers 2.5m x 51m and 1.5m x 27m will further screen this new section of road from existing residences. The new junction onto the A96 will lie sufficiently far from and below properties to the north so as not to detrimentally impact upon their visual amenity. The presence of mature wooded gardens to the north further reduces any detrimental visual impact. Feature tree planting will also be provided along the western side of the new junction to reduce its visual impact when viewed from the western approach on the A96. The applicants have identified at the north end of the proposal for visual receptor areas 19 (Bruceland Road West) 21 (Sheriffmill Road) and 22 (Sheriffmill Road) that a significant visual impact would occur to varying degrees. Having considered the position/orientation of the affected houses, their distance and elevation from the proposed road and intervening features such as mature gardens and trees, whilst the impact has been referred to as significant, it would not in planning terms constitute an unacceptable detrimental impact on visual amenity (subject also to the mitigation proposed). This conclusion is in part reached on the established principle that loss of a view is not a material planning consideration; to be able to see a development does not in itself constitute grounds for refusal.

The properties on Wittet Drive, closest to the new junction onto Wittet Drive such as visual receptor area 17 (Wittet Drive) would be closer to the new road arrangement but however the new road is at a level comparable with the houses and benefits from the visual separation provided by the noise barriers 1 and 2 (see top cross section on the drawing entitled 'Cross Sections 2 of 5' which shows how the proposed levels would relate to 11 Wittet Drive, access to 17 Wittet Drive and the proposed road.) It is noted that the applicants own 11 Wittet Drive where a large portion of the garden is being removed.

The proposed bridge has been designed to minimise the impact where possible on the closest dwellings but clearly the bridge will constitute a notable presence near their curtilage. These properties have been identified as visual receptor area 12 (Wards Road and Wittet Drive junction) in the Environmental Statement and are identified as experiencing a significant visual impact from the development. The two dwellings between Mayne Road and Wards Road on the east side of Wittet Drive (76 and 78) would see the bridge abutment and pedestrian link path facing their front elevations. These two dwellings are under the ownership of the applicant, but irrespective of this the presence of the proposed retaining wall on their western boundary, would not be incomparable to an adjoining domestic extension/garage (approximately 2.0m to 3.0m above current ground levels). The submitted Scheme Plan 3 of 6 details the steps being taken to accommodate the works close to affected dwellings such as new screen fencing to gardens, use of masonry clad walls and retaining wall. The proposed works on the north side of the railway line would not tower above residences with the finished road level 2.7m at most above the southern end of Wittet Drive.

Residents on Fairfield Avenue, Fairfield Way and Sunnyside Road would lie close to the western embankments of the road as it descends southwards after the railway bridge crossing. Sound barriers 2m high x 190m and 3m high x 65m long will be placed along the western side of the new road and constitute a significant change to the aspect of residences facing east towards the development. Substantial planting of shrubs, scrub woodland and climbers species on the rear of the 2m high long barrier will reduce the visual impact of the noise barrier and embankments for all properties accessed off Fairfield Avenue. The 3m high section of noise barrier south-east of Fairfield Avenue will be substantial when viewed from the proposed new road, but as the barrier will lie approximately 30m east of houses on Fairfield Avenue and will have climbing plants on its west side to reduce the visual impact its appearance so as not be detrimental to constitute a departure from policy IMP1 Development Requirements.

The proposed noise barriers and landscaping will impact on a number of residences and Greenwards Primary School. The school does benefit from its relatively quiet position towards the edge of the town. As referred to in the noise section above a minor amendment to the height of the noise barrier as part of measures to decrease the noise impact on the school sees the screen increase in height to 2.5m from 2.0m. Given the distance from the school building to the screen (approximately 20m) this increase will not have a detrimental visual impact when viewed from inside the building. The introduction of a solid timber fence along the northern boundary of the playground will clearly be a more noticeable feature than the existing rural aspect.

Whilst the design of the fence itself is not unacceptable, the loss of a view is not a material planning consideration, and the extension of Edgar Road along the north side of Greenwards Primary is designated within the Moray Local Plan 2008, a change to this undeveloped area is an established prospect within this part of Elgin. This is stated within the context of the designated housing Elgin R5 Bilbohall South and Community Facility Elgin CF2 Edgar Road designations that lie west of Greenwards Primary School. It is also not unusual for primary schools within settlement boundaries to have more substantive and solid boundary enclosures. The benefits of the sound barrier in terms of noise reduction outweigh the loss of views or visual amenity that might still have been retained across the proposed link road to the wetland area and farmland to the north.

On balance assessing the visual impact of the development does not conflict with the requirements of local plan policies T2, IMP1 and IMP2 subject to the landscape mitigation proposed and as recommended in conditions.

Air Quality (EP12)

The ES in Chapter 14 Air Quality acknowledges that there will be slight adverse impact during the construction phase on air quality (mainly from dust near the site) but those levels will still fall within acceptable parameters. Once operational, air quality is predicted to remain well within any harmful thresholds and will not raise concern in terms air pollution. The benefits to residents (in terms of air quality) in other parts of Elgin where congestion will be alleviated and standing traffic reduced overall must also be taken into consideration (although these will be slight according the Environmental Statement).

Local plan policy EP12 seeks to ensure that developments that adversely affect the air quality in an area to a level which could cause harm to human health and wellbeing or the natural environment are appropriately mitigated. As the development will result in 7000 vehicle movements per day on Wittet Drive once established (comparable to present day Maisondieu Road) this will not result in a polluted street where air quality is an issue. The requirement for a Dust Mitigation Plan is included with the Outline CEMP for which details are conditioned to be submitted.

Flooding and Surface Water Drainage and Waterbodies (EP5, EP6 and EP7)

Extensive SUDS provision has been made for the scheme including the provision of 3 new SUDS ponds. A Drainage Impact Assessment was carried out for the scheme and has been considered by both SEPA and the Moray Flood Risk Management Team both of whom have raised no objection to the proposal. The consultation response from Moray Flood Risk Management refers to extensive pre-application discussions with Jacobs prior to submission of the planning application.

Responsibility for the maintenance of the SUDS will fall respectively to Transport Scotland and the Moray Council. Elements of its implementation are covered under the CEMP. Subject to a condition ensuring adherence to the SUDS scheme proposed (including maintenance arrangements) the proposal complies with the requirements of policy EP5 Surface Water Drainage: Sustainable Urban Drainage Systems (SUDS).

Impact upon existing designations (Elgin Settlement Statement R1, R5, R8 CF2, ENV5, and ENV6)

This development will impact upon the following Elgin designations:

- R1 Bilbohall North
- R5 Bilbohall South
- R8 Hattonhill
- CF2 Edgar Road
- ENV5 Sports Areas
- ENV6 Green Corridors/Natural/Semi Natural Greenspaces

These various housing, environmental and community facility designations within the local plan all make allowance for the inclusion of the link road to pass through them and on this basis, and in principle, the proposal is not considered to prejudice these designations. However further housing at Bilbohall North will be restricted as a result of the scheme, but this was evident in 2004 (under the Moray Local Plan 2000) when the planning application for housing was approved were all of the development could not be implemented until an acceptable alternative

access arrangement is provided. The extended section of road west from Edgar Road is proposed also to provide access to a replacement Elgin High School.

Wildlife (E2, Elgin ENV6 and IMP1)

The proposal has been kept to the west of The Wards Wildlife site, which shall remain intact. The generic mitigation proposed in ES Chapter 10 and Appendix Chapter 10 on Ecology would be sufficient to address concerns over wildlife and where possible provision made in the design to mitigate any impact such as the small mammal underpass). The impact on some wildlife such as roe deer entering the wildlife site is inevitable given the location of the proposed route along the west side of The Wards Wildlife site has already been identified in the Moray Local Plan 2008. The wildlife area's presence within the settlement boundary of Elgin has meant that its proximity to other designations for town expansion has been long established. The loss of access to a relatively small area of habitat for a limited number of species, such as roe deer would not however constitute a departure from the above nature conservation or implementation policies. The mitigation measures proposed, and avoidance of the Elgin ENV6 site mean that on balance no unacceptable adverse impact in terms of policy E2 Local Nature Conservation Sites and Biodiversity will occur.

A condition is recommended to ensure that an up to date bat survey for the two residential properties to be demolished is carried out and that any mitigation required is provided. Whilst bat surveys were carried out on the properties in 2012, if the application were to be approved, the surveys would require to be updated in 2015 to inform any mitigation required. The mitigation would need to satisfy the Council (as Planning Authority) that no harm would come to any roosts, or that the appropriate licence has been obtained from Scottish Natural Heritage. If a Licence were required then this would be separately administered by Scottish Natural Heritage and again, and up to date assessment of the building would be required.

Built Heritage (BE1 and BE2)

The ES concludes that there will be no impact upon the setting of any listed building or scheduled monuments. The curtilage of any listed buildings, such as Connet Hill on the north side of the scheme adjacent to the A96 (T) or 31 Wittet Drive is not being imposed upon. Originally the development would have required a small number of trees felled at the south east edge of the Connet Hill to increase the vehicular visibility from and to the Sheriffmill Road junction. However, separate to the planning application process, Transport Scotland have granted the Council as Roads Authority a relaxation to the visibility splay requirements at Sheriffmill Road such that the trees at Connet Hill will not require to be felled. Historic Scotland in their consultation raise no objection to the application.

A condition survey to record features of archaeological interest is included following consultation with the Aberdeenshire Archaeological Services used by Moray Council.

Economic Issues (T1, IMP1 and IMP2)

As with the consideration of previous committee reports such as the proposed extension to St Giles shopping centre in 2013, the Moray Economic Strategy is a material consideration relevant to the determination of this application. The Moray Economic Strategy identifies under the masterplan for Elgin the need to improve traffic flows between north and south Elgin and linkages to Edgar Road as part of an overall improvement to the road infrastructure in Elgin. This forms part of the overall key theme of the economic strategy to improve the transport

infrastructure for greater connectivity within Moray and to external markets. Clearly as a transportation hub within Moray, the road infrastructure within Elgin should not be a barrier to economic growth or business. This goal is shared in the policies and Elgin settlement statement of the Moray Local Plan 2008 where various infrastructure improvements within Elgin are promoted and more generally in the Elgin City of the Future report.

The economic assessment report summarises a cost benefit analysis of the project using an industry standard software and approach to assessing returns on road infrastructure projects. For this proposal the results predict that over a 60 year appraisal period for both a core and aspirational level of growth and road use, the scheme will provide a positive economic return inclusive of emissions benefits (benefiting the wider environment). The forecast benefits of the scheme in redistributing traffic movements and alleviating areas of congestion will clearly benefit vehicular movement through and within Elgin, to the benefit of its economy. If the development were not to proceed, the aims set out in documents such the 'Moray 2023 A Plan for the Future' where economic and population growth within Elgin and beyond are encouraged would be made more difficult and future growth in New Elgin may be delayed.

It is worth clarifying for the avoidance of doubt that the economic benefits of the scheme and the extent to which it will benefit the local economy (its economic rationale) are a material considerations but the decision of the Council (in terms of any budgetary decisions) to lodge the application is not a material planning consideration. Furthermore as many objectors question where the money for the project is coming from, it is not for the Planning Authority to question the financial backing or solvency of any applicant in its determination of planning applications. This is the case even where the application is made on behalf of the Council. The decision whether or not public money should be committed to such a project is separate from the planning application assessment which should be determined solely upon its planning merits.

Contaminated Land (EP9)

No contaminated land was found as part of the assessment of the site and consultation with Environmental Health Manager requires no further action.

Planning Obligations (IMP3)

As the development relates to an infrastructure project no contribution has been required.

Conclusions

The proposal accords with indicative route shown on the Elgin Proposals Map contained within the Moray Local Plan 2008, so significant weight must be attached to this. This must however be balanced with the design and details of the proposed road and how they will impact upon surrounding streets and residents.

The predicted increase in traffic movements along Wittet Drive and Edgar Road (east of Glen Lossie Drive) will not increase to the levels predicted by many of the objectors, and the significant improvements in connectivity for all modes of transport will benefit the population and economy. Also to be taken into account is the ever increasing congestion either side of the New Elgin railway bridge and the inadequacy of The Wards to cope with additional traffic flows both north and south in the west side of Elgin.

Taking into consideration all of the above identified material considerations such as the impact

upon residents, the scheme design and mitigations proposed (including those required by planning conditions) are sufficient to ensure that the proposed new road link is acceptable and accords with the development plan and relevant national guidance applicable.

Recommendation

Approval is recommended.

REASON(S) FOR DECISION

The Council's reason(s) for making this decision are:-

The proposal accords with the relevant policies and designations of the Moray Structure Plan 2007 and Moray Local Plan 2008 and there are no material considerations that indicate otherwise.

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APPENDIX

POLICY

Moray Structure Plan 2007 and/or Moray Local Plan 2008

Policy 1: Development and Community

The policy set out below identifies the strategic community development requirements for the delivery of the structure plan strategy-

The Moray Structure Plan Strategy will be supported by:

- a) the identification within the local plan of the business and industrial land allowances set out in Schedule 1 and the provision of strategic business locations at Elgin and Forres Enterprise Park and business park opportunities at Buckie, Keith and Lossiemouth;
- b) the encouragement of tourism development opportunities;
- c) the identification within the Local Plan of the housing allowances set out within Schedule 2;
- d) the provision of affordable housing in association with new housing development where a demand is identified in the Local Housing Strategy;
- e) the encouragement of low impact, well-designed development in the countryside to support local communities and rural businesses;
- f) sustaining the vitality and viability of town centres through the support of opportunities and proposals for retail and commercial development in accordance with the sequential approach;
- g) promotion of the strategic transport links as set out in Proposal 2;
- h) the protection and enhancement and new provision of facilities for community use, healthcare, sport and recreation;
- i) the inclusion within Local Plans of a policy requiring appropriate developer contributions towards healthcare and other community facilities.

Policy 2: Environment and Resources

The Moray Structure Plan Strategy will be supported by: -

- a) protecting international, national and local nature conservation and scenic designations from inappropriate development;
- b) protecting the wider natural environment and local biodiversity from inappropriate development and promote opportunities for environmental enhancement and restoration where possible;

- c) working in partnership with the Cairngorms National Park Authority and other interested parties to implement the objectives of the National Park;
- d) restricting development within coastal areas outwith settlements to only that in which social and economic benefits outweigh environmental impact;
- e) providing protection from development to the countryside around the towns of Elgin, Buckie, Keith, Forres and Lossiemouth;
- f) conserving and enhancing the areas built heritage resources and their settings;
- g) supporting proposals aimed at regenerating the area's natural and built environment including good design;
- h) providing waste management facilities to deliver Area Waste Plan and National Waste Plan objectives and ensuring that new development is designed to facilitate waste management practices and promotes the minimisation of waste;
- i) promoting sustainable urban drainage systems (SUDS) in all new developments;
- j) promoting schemes to alleviate flooding in a sustainable and sensitive way using natural ecosystems and features where possible and also restricting development within flood risk areas following the guidance set out in the Risk Framework in SPP7: 'Planning and Flooding' and promoting flood risk management schemes to tackle flooding that threatens existing development and considering development proposals against the Flood Risk Framework set out in Table 5;
- k) safeguarding the area from pollution and contamination;
- l) promoting opportunities for the sensitive development of renewable energy and promoting renewable energy in new development;
- m) safeguarding resources for the production of minerals, preferred forestry areas, and prime agricultural land.

H1: Housing Land Allocations

Land allocations for housing development to provide a minimum five year supply at 2012 are identified in the settlement plans as set out in Table 1. Proposals for development on all designated housing sites must include or be supported by information regarding the comprehensive layout and development of the whole site. This will allow consideration of all servicing, infrastructure and landscaping provision to be taken into account at the outset. It will also allow an assessment of any developer contribution or affordable housing needs to be made. Proposals will also require to comply with the site development requirements within the settlement plans and policies.

T1: Transport Infrastructure Improvements

The Council will promote the improvement of road, rail, air and sea routes in Moray and priority will be given to:

- a. dualling the A96 Aberdeen to Inverness route, including bypasses at Elgin, Fochabers/Mosstodloch and Keith.
- b. improving the A95 (Keith to Aberlour), A941 (Lossiemouth to Elgin to Craigellachie) and A98 (Fochabers to Cullen) routes.
- c. improving the Aberdeen to Inverness railway for passengers and freight by providing additional passing opportunities.
- d. improving harbour facilities for freight and leisure.
- e. improving access to air facilities, in particular through public transport

Proposals that compromise the implementation of these priorities will not be acceptable.

SPP17 details that there will be a presumption against new accesses onto a trunk road, and that the Scottish Executive will consider the case for such junctions where nationally significant economic growth or where regeneration benefits can be demonstrated.

Policy T2: Provision of Road Access

The Council will require that a suitable and safe road access from the public highway is provided to serve new development and where appropriate any necessary modifications to the existing road network to mitigate the impact of development traffic, and the provision of appropriate facilities for public transport, cycling, and pedestrians. Access proposals that have a significant adverse impact on the surrounding landscape and environment that cannot be mitigated will be refused.

SPP17 details that there will be a presumption against new accesses onto a trunk road, and that the Scottish Executive will consider the case for such junctions where nationally significant economic growth or regeneration benefits can be demonstrated.

T5: Parking Standards

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

T7: Cycling, Walking and Equestrian Networks

The Council will promote the improvement of the cycling, walking, equestrian and motorised sport path networks within Moray. It will give priority to the path networks and to long distance routes including the Aberdeen to Inverness National Cycle Route and the Speyside Way. Development proposals that adversely impact on the routes and cannot be adequately mitigated will not be acceptable.

Dependant on funding the Council will examine the possibility of an extension of the Elgin to Lhanbryde footpath network.

Policy CF2: Providing Recreational Land and Open Space

(i) Preparation of an open space strategy

The Council will prepare an open space strategy and this will be subject to consultation with stakeholders.

(ii) Provision of new sporting and recreational facilities

The Council supports proposals for new sporting and recreational facilities.

(iii) **Safeguarding existing recreational land and open space**

Development proposals, which impact on existing sporting and recreational facilities (i.e. playing field, sports pitch or other recreational open space), will not be permitted unless:

- a. The proposed development is required to enhance the principal use of the site as a sporting facility and will result in an overall improvement of its sporting and recreational potential, and not result in a negative impact upon its overall amenity value and its accessibility; OR
- b. The facilities are no longer required for their original purpose and there is clearly an excess of such sporting facilities in the wider area, taking into account long-term strategy.

E2: Local Nature Conservation Sites and Biodiversity

Development proposals which will adversely affect Local Nature Reserves, Sites of Interest to Natural Science, Ancient Long Established or Semi Natural Woodland, raised peat bog, wetlands, protected habitats or species or other valuable local habitats or conflict with the objectives of Local Biodiversity Action Plans will be refused unless it is demonstrated that;

- a. local public benefits clearly outweigh the nature conservation value of the site, and
- b. there is no suitable alternative site for the development.

Where there is evidence to suggest that a habitat or species of importance exists on the site, the developer will be required at his own expense to undertake a survey of the site's natural environment.

Where development is permitted which could adversely affect any of the above designated sites the developer must put in place acceptable mitigation measures to conserve and enhance the site's residual conservation interest.

Development proposals should protect and where appropriate, create natural and semi natural habitats for their ecological, recreational, landscape and natural habitat values.

E3: Tree Preservation Orders and Controls on Trees

The Council will serve Tree Preservation Orders (TPOs) on potentially vulnerable trees which are of significant amenity value to the community as a whole, 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 protection should be replaced, unless otherwise agreed with the Council.

The Council may attach conditions on planning consents ensuring that existing trees and hedges are retained or replaced. An applicant will be required to survey and identify those trees to be protected within the development site. A safeguarding distance should be retained between mature trees and proposed developments.

When imposing planting or landscaping conditions on certain developments especially in rural areas, the Council will specify the use of native species of trees and will prioritise the re-establishment and extension of hedgerows and/or shelterbelts.

Policy E4: Green Spaces

Development which would cause the loss of, or impact on, areas identified under the ENV designation in settlements and the 'Amenity Land' designation in rural communities will be refused unless:

- a. the proposal is for a public use that clearly outweighs the value of the green space; and
- b. the development is sited and designed to minimise adverse impacts on the recreational, amenity and biodiversity value of the site.

Development proposals on sites with an identified sporting or recreational function will also be considered against Policy CF2: Recreational Land and Open Space.

E5: Environmental Improvements

The Council will implement a rolling programme of environmental improvement projects in partnership with other funding bodies to improve Moray's built environment. These projects should promote community regeneration and the Council will involve the communities concerned in the design and implementation process. Hard and soft landscaping, lighting, street furniture provision, road and pavement design, recreation provision, signage, biodiversity, water features and long term maintenance will be addressed.

BE1: Scheduled Ancient Monuments and National Designations

National Designations

Development proposals will be refused where they will adversely affect Scheduled Ancient Monuments and nationally important archaeological sites or their settings unless the developer proves that any significant adverse effect on the qualities for which the site has been designated are clearly outweighed by social or economic benefits of national importance.

Local Designations

Development proposals which will adversely affect sites of local archaeological importance, or their settings, will be refused unless it can be demonstrated that;

- a. local public benefits clearly outweigh the archaeological value of the site, and
- b. there is no suitable alternative site for the development, and
- c. any adverse effects can be satisfactorily mitigated at the developers expense.

Where, in exceptional circumstances, the primary aim of preservation of archaeological features in situ does not prove feasible, the Council shall require the excavation and researching of a site at the developers expense.

The Council will consult Historic Scotland and the Regional Archaeologist on development proposals which may affect Scheduled Ancient Monuments and archaeological sites.

BE2: Listed Buildings

The Council will encourage the protection, maintenance, enhancement and active use of listed buildings.

Development proposals will be refused where they would have a detrimental effect on the character, integrity or setting of the listed building(s). 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.

The demolition of listed building(s) will not be permitted unless it is demonstrated beyond reasonable doubt that every effort has been exerted by all concerned to find practical ways of retaining the building and that the community would benefit from the redevelopment. All applications for the demolition of listed buildings should be supported by a report on the condition of the building, a study on the viability of retaining the building in active use, a report on the steps taken to advertise and market the building and, the proposals to recycle existing building materials into the future use of the site. Any proposed replacement of a demolished listed building should be of comparable quality in terms of construction and design.

Buildings which are allowed to fall into a state of disrepair may be placed on the Buildings at Risk Register and remedial works to buildings in disrepair may be enforced in the public interest.

Proposals should be in accordance with guidelines laid out in Historic Scotland's Memorandum of Guidance on Listed Buildings with regard to listed building consent applications.

EP5: Surface Water Drainage: Sustainable Urban Drainage Systems (SUDS)

Surface water from development should be dealt with in a sustainable manner that avoids flooding and pollution and promotes habitat enhancement and amenity. All sites should be drained by a SUDS system or equivalent. A Drainage Assessment will be required for developments of 10 houses, or greater than 100 sq metres for non residential proposals. Applicants must agree provisions for long term maintenance to the satisfaction of the Council, SEPA and Scottish Water.

EP6: Waterbodies

The Council will approve proposals affecting waterbodies where the applicant provides a satisfactory report that demonstrates that any impact (including cumulative) on river hydrology, sediment transport and erosion, nature conservation, ecological status or ecological potential, fisheries, water quality, quantity and flow rate, recreational, landscape, amenity, and economic and social impact can be adequately mitigated. The report should consider potential impacts up and downstream of the works particularly in respect of potential flooding. Opportunities for the enhancement of biodiversity and nature conservation should be considered. SNH and SEPA will be consulted on proposals.

EP7: Control of Development in Flood Risk Areas

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 National Guidance and be satisfactory to both SEPA and the Council is provided by the applicant. The assessment must demonstrate that any risk from flooding can be satisfactorily mitigated without increasing flood risk elsewhere. New development should not take place if it would be at significant risk of flooding from any source or would materially increase the possibility of flooding elsewhere.

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. The following limitations on development will also be applied to take into account the degree of flooding as detailed in National Guidance;

- a. in areas of little or 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. However, these areas will generally not be suitable for essential civil infrastructure such as hospitals, fire stations, emergency depots etc. Where such infrastructure has to be located in these areas or is being substantially extended, they must be capable of remaining operational and accessible during extreme flooding events.
- c. in areas of medium to high risk (0.5% or above)
 - i. in built up areas most development may be acceptable if flood prevention measures exist, are under construction, or are planned.
 - ii. essential civil infrastructure will generally not be permitted.
 - iii. undeveloped and sparsely developed areas are generally not suitable for additional development. Exceptions may arise if a location is essential for operational reasons.

Policy EP8: Pollution

Planning applications that are subject to significant pollution such as noise, including RAF aircraft noise, air, water and light will only be approved where a detailed assessment report on the levels, character and transmission of the potential pollution is provided by the applicant to show how the pollution can be appropriately mitigated. Where the Council applies conditions to the consent to deal with pollution matters these may include subsequent independent monitoring of pollution levels.

EP9: Contaminated Land

Development proposals on potentially contaminated land will be approved if:

- a. site specific risk assessments are undertaken by the applicant to identify any actual or possible significant risk to human health or safety, or to the environment and that any previous historic uses are not continuing to cause significant pollution to the water environment, and
- b. effective remediation measures are agreed to ensure the site is made suitable for any new use granted consent, and
- c. appropriate measures for the disposal of any contaminated material is agreed with the Council.

The Council will consult SEPA in respect of pollution of controlled waters and licensing issues arising from remediation works.

EP10: Foul Drainage

All development within or close to settlements (as defined in the Local Plan) of more than 2,000 population equivalent will require to connect to the public sewerage system unless connection to the public sewer 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 that investment to address this constraint has been specifically allocated within its current Quality and Standards Investment programme and the following requirements apply:

- i. systems shall not have an adverse impact on the water environment;
- ii. systems must be designed and built to a standard which will allow adoption by Scottish Water;
- iii. 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 identified in the Local Plan) of less than 2,000 population equivalent will require to connect to the public sewerage system except where a compelling case is made otherwise. Factors to be considered in such a case will include the size and dispersal of the settlement, the 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 to a risk of detrimental effect, including cumulative, to the natural and built environment, surrounding uses or the amenity of the general area. Consultation with SEPA will be undertaken in these cases.

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 the Technical Handbooks (which set out guidance on how proposals may meet the Building Standards set out in the Building (Scotland) Regulations 2004) should be explored prior to considering a discharge to surface waters.

EP12: Air Quality

Development proposals which, individually or cumulatively, may adversely affect the air quality in an area to a level which could cause harm to human health and wellbeing or the natural environment must be accompanied by appropriate provisions (deemed satisfactory to the Local Authority and SEPA as appropriate) which demonstrate how such impacts will be mitigated.

Some existing land uses may have a localised detrimental effect on air quality, any proposals to locate development in the vicinity of such uses and therefore introduce receptors to these areas (e.g. housing adjacent to busy roads) must consider whether this would result in conflict with the existing land use. Proposals which would result in an unacceptable conflict with the existing land use to air quality impacts will not be approved.

Policy ER3: Development in Woodlands

Development proposals within woodlands will be refused where this development would adversely affect the biodiversity or recreational value of the woodland or prejudice the management of the forest.

ER6: Agriculture

The Council will support the agricultural sector by

- a. presuming against irreversible development on prime agricultural land (Classes 1, 2 and 3.1).
- b. supporting farm diversification proposals in principle, and generally looking favourably on business proposals which are intended to provide additional income/employment on farms.

Proposals for agricultural buildings, despite having a locational requirement, will still be subject to visual impact and amenity considerations, and will be subject to relevant environmental policies.

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.

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 outwith designated Town Centres. 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.

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.

R1 Bilbohall North

This site is brought forward from the present plan, with recent planning permission for a housing development. The site is partially constrained by the proposals for a road link from Edgar Road to Wittet Drive (proposals TSP10). Access to the site must be south of the Health Services Property. Mayne Farm Road will require a raised profile south of the railway bridge to improve visibility and it must be widened to 5.5m with one footway from the bridge approach to the site entrance. Development proposals must provide a landscaped edge. A detailed flood risk assessment will be required for any planning application that is submitted for the site.

R5 Bilbohall South

This site has been brought forward from the Elgin South Masterplan which established the servicing arrangements and developer contributions. This 9.9 ha site can accommodate no more than 75 houses after landscaping requirements have been addressed. Due to the contours of the site, the prominent green knoll has been identified for open space and structural landscaping. This has therefore reduced the proposed housing allowance for the site. The site will require the 'South Side Road Improvements' as identified in the current plan to be in place, in particular TSP10-12 to provide adequate access. Additional improvements to specific capacity constraints may be required, given the size of the development and its potential level of impact. Extensions to speed limit areas and provision of footways and street lighting will be required. A detailed flood risk assessment will be required for any planning application that is submitted for the site.

The main concern for developments connecting into the sewer system in Elgin is the effect on the system with regard to sewer flooding. In addition, there is the potential effect of the flood prevention work on the sewer system and the potential requirement for major diversions and alterations. These effects will have to be assessed. An archaeological crop marks site is located in the northern part of the area, and will require evaluation.

R8 Hattonhill

This site is in principle, suitable for up to 20 houses, and will be subject to a development brief. Proposals must indicate by means of a Masterplan, the retention of non residential areas as open space and amenity land, and their availability for community use and enjoyment, by means of appropriate legal agreement. The release of this site, the total number of houses permitted, layout and landscaping will be dependent on the satisfactory resolution of road improvements which may affect this site, following decisions taken on the Elgin STAG Report and Elgin Traffic Model.

ENV5 Sports Areas

Greenwards School, Eastend School, Tyock/Pinefield playing field, New Elgin Road, Borough Briggs.

ENV6 Green Corridors/Natural/Semi Natural Greenspaces

The Wards, Lesmurdie, Bishopmill, Hamilton Drive, Waulkmill Grove, Morriston Playing Fields, Edgar Road.

CF2 Edgar Road

This site is to be considered in conjunction with site ENV5 for the redevelopment and configuration of Elgin High School and associated playing field/community sports fields. The design and layout for this facility must acknowledge and make provision for the potential requirements for a link road between Edgar Road and notional line of the bypass.

TSP2 Bypass Corridor (South option)

Line reserved - See (CAT map)

South Side Road Improvements

The current Plan continues to link the designation of development land in the south of the town, with road improvements designed to ease traffic circulation in and around New Elgin. The release of significant land holdings in the Barmuckity/Linkwood area is conditional upon specified road works being carried out, which will both improve traffic flows across the periphery of the town (from the A941 Rothes road to the A96 Fochabers road and from the

periphery of the town centre). The linkages into the town centre are designed to relieve the present congested route of New Elgin Main Street, and ultimately to provide additional railway crossings to remove the pressure from the single adequate bridge between the Laich Moray and Edgar Road roundabouts.

TSP10 Edgar Road extension - Wittet Drive

The line of this road is indicative only and the Council, in consultation with SNH require a design which will avoid damaging impacts on the natural wetland areas at the Wards (ENV6)

TSP11 New Railway Bridge Wittet Drive/Edgar Road extension

TSP12 New roundabout A96/Wittet Drive

TSP23 Extension of Edgar Road

This is a logical extension from the end of Edgar Road which would provide a direct link from the commercial area of Edgar Road to a future bypass (see also CF2 regarding route of this link through that site).

OBJECTIONS-REPRESENTATIONS

Two petitions have been received in relation to the proposed western link road. Both were originally submitted to the Council in 2012/2013 but following advice from the then Director of Environmental Services, it was advised to submit the petitions for consideration once any planning application had been received. These petitions have now been resubmitted and are accepted as representations to the current planning application irrespective of the timing of their original compilation.

The first petition contains over 1200 signatures and was originally submitted by the Elgin Designing Streets Action Group to the Council in 2013. The covering letter reads:

“The petition is against the above Elgin Western Distributer Road because the benefits have not been fully clarified. This road passes through residential areas and streets, impacting on the quality of life of the residents of these areas. The air quality and noise pollution will be significantly worse by the introduction of this road and will affect the safety of children. All of which outweigh the benefits.

The interest payments for meeting the cost of this road are to be borne by the people of Moray, in a time of council cuts and austerity.

There are cheaper more viable options, which should be reviewed again in conjunction with the dualling of the A96, which will affect traffic movement through the town and will affect junction types.”

It should be noted that the above petition contains many signatures from those who have subsequently now lodged their own individual representation.

The second petition has been received from pupils of Greenwards Primary School, with 90 signatures. They signed the petition for the following reasons:

- *“Moray Council want to build a road that will go past the main school gate taking 10-15 thousand vehicles past us each day.*
- *This will create lots of noise, pollutions and distractions.*
- *It will make it less safe for pupils to walk or cycle to school.*
- *Greenwards are trying to make the area around the school as traffic free as possible, this road will make this impossible.*
- *The road will also affect us in the future as well.*

A petition is a form that you can sign to say that you do or don't want something to happen. In this case we don't want this to happen.”

A large number of individual representations have been received (which predominantly oppose the application with a smaller number in support). Those parties who submitted representations (many objected twice or multiple objections from the same household) are listed below. Where several letters were received from one individual their name will only be listed once. Where no address is given this may reflect no address was offered or an email address withheld for data protection reasons.

There are 797 objectors and 10 supporting submissions for the application. The South Area Forum having made representation for the public for and against the proposal are being counted as both an objector and a supporting representation. Those who have made representation are listed below.

Mr Derek Abernethy, Varis House, Caroline Street, Forres, Moray, IV36 1AN
 Mr David Adams, 2 Ashgrove Cottages, Elgin, Moray, IV30 1UH
 Helen Adams, 5 Moray Street, Lossiemouth, Moray, IV31 6HU
 Mr Steve Adamson, Tayloch, Kennethmore, Huntly, AB54 4PF
 D Aitkenhead, Bramble Cottage, Tullochs Brae, Lossiemouth, Moray, IV31 6QY
 Mr Graeme Allan, 13 Station Road, Urquhart, Moray, IV30 8LQ
 J Allan, 3 Phones Cottages, Aberlour, Moray, AB37 9BG
 J Allison, 9 George Street, Avoch, Ross-shire, IV9 8PU
 Mr Aaron Alton, 15 St Peters Terrace, Buckie, Moray, AB56 1QN
 A Anderson, 8 Shildaig Road, Forres, IV36 1FY
 Mr & Mrs Carlyne & Keith Anderson, 6 Fairfield Avenue, Elgin, Moray, IV30 6BB
 Mr Dave Anderson, Pinz Bowling Ltd, 2 Moycroft Industrial Estate, Elgin, Moray, IV30 1XZ
 Mr Dennis Anderson, 28 Brodie Drive, Elgin, Moray, IV30 4LR
 Mr George Anderson, 8 Ordiequish Road, Fochabers, Moray, IV32 7HB
 M Anderson, Georgetown, Ballindalloch, Moray, AB37 9BA
 Mr & Mrs Robert & Christine Anderson, 32 Wittet Drive, Elgin, Moray, IV30 1SW
 Mr Robert JM Anderson, The Manse, Manse Brae, Rothes, Moray, AB38 7AF
 S M Anderson, Orchard House, Upper Whitefield, Mosstowie, Moray, IV30 8TX
 Mr Robert Andrew, 1 Plewlands Cottages, Duffus, Moray, IV30 5QU
 Mr Barrie Andrews, 30 Ernest Hamilton Court, Elgin, Moray, IV30 4GN
 Karin Annett, 15 Barlink Road, Elgin, Moray, IV30 6HN
 Mr Sandy Arbuthnott, 28 Springfield Drive, Elgin, Moray, IV30 6XZ
 Mr Ross Arif, 11 Cockmuir Place, Elgin, Moray, IV30 6YN
 Mrs M B Arnold, 3 Young Street, Elgin, Moray, IV30 1TG
 Mr Sean Atkin, 12 Ashgrove Court, Elgin, Moray, IV30 1UH
 Mr Callum Auchinachie, 23 Ashgrove Place, Elgin, Moray, IV30 1UJ
 J Bailey, Rosegarden, 10 Petrie Crescent, Elgin, Moray, IV30 1PE
 C Baillie, 12 Land Street, Elgin, Moray, IV30 6BL

Mr Alex Bamforth, 7 Hazel Court, Elgin, Moray, IV30 4BD
 Mr Thomas Banks, 19 Shieldaig Road, Forres, Moray, IV36 1FY
 Mr David Barclay, 75 Lesmurdie Road, Elgin, Moray, IV30 4HP
 Emma Barker, 87 Springfield Road, Elgin, Moray, IV30 6BZ
 Mr Stephen Barnett, 69 Burnhead Crescent, Gracemount, Edinburgh, EH16 6EN
 Mr Jason Barrett, The Craigs, 15 Victoria Street, Craigellachie, AB38 9SR
 Mr Michael Barron, 28 Land Street, Keith, Moray, AB55 5AW
 Mr Steven Barron, 5 Jamieson Drive, Elgin, Moray, IV30 6FS
 Mr Scott Dean Barry, 5 Denhead Terrace, Marypark, Ballindalloch, AB37 9BL
 Mr J Beagrie, 8 Manbeen Place, Elgin, Moray, IV30 6YF
 Mr Hugh Beattie, 5 Osprey Crescent, Nairn, IV12 5LB
 C Beetell, 45 Knockie Road, Turriff, AB54 4BG
 Ms Lauren Bell, 9 Barlink Road, Elgin, Moray, IV30 6HN
 A Belokucova, 97 Thornhill Drive, Elgin, Moray, IV30 6GS
 A Belokucova, 18 Findhorn Court, Elgin, Moray, IV30 4AX
 Belokucova, 18 Findhorn Court, Elgin, Moray, IV30 4AX
 Ms Louise Beresford, 18 McBeath Avenue, Elgin, Moray, IV30 6FW
 Kaiwan S Bhamgara, ksbhamgara@msn.com
 Mr Ian Birnie, Alkajaro, Lein Road, Kingston, Moray, IV32 7NW
 Ms Alison Birse, Lochside Cottage, Covesea Road, Elgin, Moray, IV30 5PT
 Mr Roger Biscombe, Thistle Cottage, Auchnarrow, AB55 4BU
 Mr T Blair, 102 Land Street, Rothes, Moray, AB38 7BB
 Grzegorz Blaszczyk, 39 Springfield Drive, Elgin, Moray, IV30 6XZ
 Myra Boa, 49 Langstane Place, Elgin, Moray, IV30 6DQ
 Mr David Booth, 21 Waulkmill Grove, Elgin, Moray, IV30 6HR
 Meg Booth, 21 Waulkmill Grove, Elgin, Moray, IV30 6HR
 Mr & Mrs Borton, 17 Hythe View, Lossiemouth, Moray, IV31 6TP
 Mr Jim Bowie, 124 Milton Drive, Buckie, Moray, AB56 1NZ
 Mr P Box, 25 Torridon Park, Forres, Moray, IV36 1FP
 Mr Gordon Boyne, 12 Slorachs Brae, Fochabers, Moray, IV32 7HT
 Mr Roger Bramley, Beaumont, 4 Brucelands, Elgin, Moray, IV30 1TS
 Mr Britton, 24 Fairfield Avenue, Elgin, Moray, IV30 6BB
 Ms Sandra Bromham, 25 Drainie Way, Lossiemouth, Moray, IV31 6SZ
 Mr Alistair CT Brown, 25 Wittet Drive, Elgin, Moray, IV30 1SW
 Mr Arthur M Brown, St Margarets, Balvenie Street, Dufftown, Keith, AB55 4AX
 Julieann Brown, 105 Reynolds Crescent, Elgin, Moray, IV30 6TR
 Dr Ken Brown, 9 Fleurs Place, Elgin, Moray, IV30 1ST
 M Brown, Buinach Lodge, Kellas, Elgin, Moray, IV30 8TS
 Mr Michael Brown, 7 Logie Avenue, Cullen, Moray, AB56 4TZ
 Mr Owen Brown, 28 Ashgrove Place, Elgin, Moray, IV30 1UJ
 Mr Richard Brown, Saorsa, Roseisle, Elgin, Moray, IV30 5YD
 Mr Scott Brown, 11 Barlink Road, Elgin, Moray, IV30 6HN
 Mrs Bruce Grasmere, 46 Springfield Road, Elgin, Moray, IV30 6BZ
 G Bruce, 60 Kingsmills, Elgin, Moray, IV30 4BU
 Mr Michael Bruce, Viewfield, 7 Seafielld Crescent, Elgin, Moray, IV30 1RE
 Mr Davy Burgess, 27 Kirkland Hill, Lhanbryde, Elgin, IV30 8QH
 Mr Kevin Burnett, 16 Seafielld Road, Lintmill, Buckie, Moray, AB56 4XS
 Mr Paul Burnett, 58 Seafielld Street, Portsoy, Banff, AB45 2QT
 Mr & Mrs G L Burnie, 57 Wittet Drive, Elgin, Moray, IV30 1TB
 Mr Marc Burton, 11 Moray Street, Hopeman, Moray, IV30 5SA
 Mr Stephen Calder, Finfan Farms, Garmouth, Fochabers, Moray, IV32 7LG

Miss Kelsey Cameron, 49 Wittet Drive, Elgin, Moray, IV30 1TB (Petition covering letter)
 Mrs Muriel Cameron, 46 Mayne Road, Elgin, Moray, IV30 1PD
 Mr Simon Cameron, 19 Sigurd Street, Burghead, Moray, IV30 5GE
 Mr Dave Campbell, 2 Fairisle Place, Lossiemouth, Moray, IV31 6RN
 Mr George Campbell, 9 Burns Road, Lhanbryde, Moray, IV30 8PH
 H Campbell, 34 Mill Crescent, Buckie, Moray, AB56 1LN
 Mr Sean Cant, 3 Linksfield Road, Mosstodloch, Moray, IV32 7LB
 Mr Sean Cantlie, 6 Bayview, Burghead, Moray, IV30 5GA
 Mr Stuart Carnegie Brown, 2 Bridge Street, Elgin, Moray, IV30 4DE
 Mr Paul Carter, email submission, no address given
 Mr Tommy Castle, 7 Forbes Court, Shaw Place, Elgin, Moray, IV30 1ZE
 Mr Gavin Catto, 20 Woodlands Crescent, Turriff, AB53 4DD
 Carol Chalmers, 82 Provost Christie Drive, Rothes, Moray, AB38 7BU
 Doreen E Chalmers, 65 Springfield Drive, Elgin, Moray, IV30 6XZ
 Mr Euan Chalmers, Ben Eighe, Turriff, Aberdeenshire, AB53 5TD
 Freda Chalmers, 40 Gordon Street, New Elgin, Moray, IV30 6EF
 Miss Leigh-Ann Christina Chalmers, 4 Forestry Cottages, Mosstodloch, Moray, IV32 7LL
 Keith Chesner, 4 Lochwood Park, Kingseat, KY12 0UX
 J Cheyne, 28 Hill Street, Newmill, Keith, AB56 6TY
 Audrey Christie, 14 Logie Court, Forres, Moray, IV36 1GP
 Mr Bert Christie, Wester Whyntie, Whyntie Lodge, Boyndie, Banff
 D Christie, c/o 27 Redcraig, Mundole, Forres, IV36 2JR
 Mr Gary Christie, 42 Penneld Road, Glasgow, GS2 2QG
 Mr Graeme Christie, 22 Ben Aigan View, Rothes, Moray, AB38 7BF
 Mr David Clarihew, West Unthank Farm, Duffus, Moray, IV30 5RN
 A Clark, 28 Pinefield Crescent, Elgin, Moray, IV30 6HZ
 Mr Fraser Clark, 20 Den Crescent, Keith, Moray, AB55 5JZ
 Mr Fraser Clark, 57 Den Crescent, Keith, Moray, AB55 5JZ
 Mr Gordon Clark, 4 Marchfield Place, Elgin, Moray, IV30 6YR
 Mr Graham Clark, 4 Newfield Place, Elgin, Moray
 Leslie Clark, 50 Anderson Drive, Elgin, Moray, IV30 6EN
 Diana Clarke, 6 Glassgreen Brae, Elgin, Moray, IV30 6JF
 A Clayton, 157 Kingsmills, Elgin, Moray, IV30 4BS
 Mr Paul Colby, 35 Beils Brae, Urquhart, Moray, IV30 8XQ
 Mrs Seonaid Colderick, c/o 19 Wittet Drive, Elgin, Moray, IV30 1SE
 D Collie, 22 Springfield Road, Elgin, IV30 6NZ
 Mr Derek Collie, Lencol, Garmouth Road, Lhanbryde, Moray, IV30 8PD
 Mrs Elizabeth Collie, 5 Ballantine Circle, Miltonduff, Elgin, Moray, IV30 8TH
 Mr Malcolm Collie, 4 Elmfield Road, Elgin, Moray, IV30 6HQ
 Mr Roy Collie, 22 Springfield Road, Elgin, Moray, IV30 6BZ
 Mr Roy Collie, 5 Ballantine Circle, Miltonduff, Moray, IV30 8TH
 W J Collie, 52 Springfield Road, Elgin, Moray, IV30 6BZ
 Mr David Comber, 11 Wiseman Road, Elgin, Moray, IV30 1SY
 Mr James Conley, 4 Lochview, Campbeltown, Argyll, PA28 6FN
 Mr James Connolly, 43 Hossack Drive, Elgin, Moray, IV30 6JY
 Mr John Connolly, 7 Riverside Drive, Elgin, Moray, IV30 4AP
 Miss Rachel Connolly, 7 Burns Road, Lhanbryde, Moray, IV30 8PH
 Yvonne Connolly, 29 Innes Court, Lhanbryde, Moray, IV30 8PL
 Jordon Cook, A36 Silver Sands Leisure Park, Covesea Road, Lossiemouth, Moray, IV31 6SP
 WGG & JM Cook, 6 Conon Crescent, Elgin, Moray, IV30 1SZ
 Mrs Shona Cooper, B10 Burghead Caravan Park, Burghead, IV30 5RP

Carol Cormack, 23 Hendry Terrace, Buckie, AB56 1NS
 Ms Mary Cormack, Dowalls Croft, Craigellachie, Aberlour, AB38 9RJ
 Mr Neil Cormack, 3 Tochieneal Corner, Lintmill, Buckie, AB56 4XR
 Mrs Sylvia Cormack, 3 Tochieneal Corner, Lintmill, Buckie, Moray, AB56 4XR
 Mr Aaron J Cory, Coularbank House, Coularbank Road, Lossiemouth, IV31 6ED
 Mr Alan Cory, Coularbank House, Coularbank Road, Lossiemouth, IV31 6ED
 Sandra Cory, Coularbank House, Coularbank Road, Lossiemouth, IV30 6ED
 Mr David Coull, Flat 5 Campbell House, 25 North Deskford Street, Cullen, AB56 4XH
 Mr William Coutts, 68 Birnie Place, Mosstodloch, IV32 7JW
 Mr Ron Cowe, 41 Alba Place, Elgin, Moray, IV30 4JN
 D Cowie, 23 Bryson Crescent, Buckie, Moray, AB56 1TQ
 Miss Jennifer Cowie, 151 Edgar Road, Elgin, Moray, IV30 6UQ
 Tom & Patricia A M Coyle, 39 Brucelands, Elgin, Moray, IV30 1TS
 Mr Euan Craig, 6 Macroberts Reply, Lossiemouth, Moray, IV31 6TR
 Ms Victoria Cranna, 16 Glen Elgin Drive, Elgin, Moray, IV30 6JH
 Gillian Crombie, 22 Muirfield Road, Elgin, Moray, IV30 6DE
 Mrs Joan Crowley, 20 Fairisle Place, Lossiemouth, Moray, IV31 6RN
 Mr John Crowley, 20 Fairisle Place, Lossiemouth, Moray, IV31 6RN
 Mr Mark Crowley, 45 Boyd Anderson Drive, Lossiemouth, Moray, IV31 6RS
 Mr Michael Crowley, 22 Waulkmill Road, Elgin, Moray, IV30 6HJ
 Paula Crowley, 22 Waulkmill Road, Elgin, Moray, IV30 6HJ
 A Cruickshank, 16A Reidhaven Street, Portknockie, Moray, AB56 4LS
 D Cruickshank, 2 Easter Unthank Farm Cottages, Duffus, Moray, IV30 5RN
 Jan Michele Cruickshank, 2 Easter Unthank Farm Cottage, Duffus, Moray, IV30 5RN
 Mr Peter Cue, 65 Elgin Road, Lossiemouth, Moray, IV31 6HD
 Fiona Cumming, email submission, no address given.
 J Cunningham, Milnor Farm, Cabrach, AB54 4GG
 Mrs Morag Curry, c/o 19 Wittet Drive, Elgin, Moray, IV30 1SE
 Mrs Fiona Davidson, 22 Fairfield Avenue, Elgin, Moray, IV30 6BB
 Mr Fred Davidson, 19 Earlsland Crescent, Forres, Moray, IV36 1QS
 Mr Ian Davidson, 22 Fairfield Avenue, Elgin, Moray, IV30 6BB
 Mrs Nicola Davidson, 73 Robertson Road, Lhanbryde, Moray, IV30 8JQ
 Mr Ronald Davidson, 73 Robertson Road, Lhanbryde, Moray, IV30 8JQ
 Mr Stephen Davidson, 1 Mannachie Gardens, Forres, Moray, IV36 2WP
 Ms Susan Davies, 70 Wittet Drive, Elgin, Moray, IV30 1TB
 Mr Peter J Davis, Corriegarth, Boghole, Auldearn, Nairn, IV12 5QQ
 Mr Ryan Deacon, 14 Birkenhill Place, Elgin, Moray, IV30 6EX
 Mr W Dean, Easter Clockeasy, Elgin, Moray, IV30 8LP
 Mr Neil Denoon, Carraburn, Orton, Fochabers, Moray, IV32 7QD
 Mr Ryan Denoon, 2 Springfield Gardens, Elgin, Moray, IV30 6XX
 Mrs Christine Dewhurst, 3 Birkenhill, Elgin, Moray, IV30 8SB
 Mr Robert Dick, 31 King Street, Burghead, Moray, IV30 5XA
 Mr Callum Dingwall, Shenval Farm, Glenlivet, Ballindalloch, AB37 9DP
 Christine Dodwell, email submission, no address given
 Mr Shane Donaldson, 60 Dunbar Street, Lossiemouth, Moray, IV31 6AN
 Moira Downie, email submission, no address given
 Mr Craig Dunbar, 27 Milton Drive, Buckie, Banffshire, AB56 1NW
 Mr Lewis Duncan, 16 Mackenzie Place, Burghead, Moray, IV30 5UU
 R Duncan, Woodside House, Birnie, Elgin, Moray, IV30 8RW
 S Duncan, Lagana, Rashcrook, Birnie, Elgin, Moray, IV30 8SW
 Mrs S Duncan, Gamecock, 105 Stotfield Road, Lossiemouth, IV31 6QT

Mr Steven Duncan, Quarryhill Cottage, Buckie, Moray, AB56 4AU
 Mr R Eddie, 4 Brinuth Place, Elgin, Moray, IV30 6YW
 Mr George Edwards, 24 Woodview Crescent, Lhanbryde, Moray, IV30 8JL
 Andrea Elder, owner of 66 Wittet Drive, Elgin Moray IV30 1TB
 Elgin Designing Streets Action Group, (Petition covering letter) c/o C S Webster, 20 Wittet Drive, Elgin, IV30 1SW
 Elgin South Area Forum c/o Rebecca Kail
 J & R Kail, 18 King Street, New Elgin, IV30 6BX
 Aileen Marshall, Glen Moray Drive, Elgin, IV30 6YA
 Objection and Support comment from Elgin South Area Forum.
 Mr Duncan Ellam, 62 Duncan Drive, Elgin, Moray, IV30 4NQ
 Mrs Jaki Ellam, 62 Duncan Drive, Elgin, Moray, IV30 4NQ
 Jessica Ellam, 62 Duncan Drive, Elgin, Moray, IV30 4NQ
 Mr Iain Emslie, 33 Robertson Road, Lhanbryde, Moray, IV30 8PE
 Mr Murray Esslemont, 39 Main Street, Newmill, Keith, AB55 6UR
 Mr G Michael Esson, Rosedale, 17 Seafield Street, Elgin, Moray, IV30 1QZ
 Mr Ross Esson, 47 Harrison Terrace, Elgin, Moray, IV30 4JW
 Mr David Ettles, 23 Golf View Crescent, Elgin, Moray, IV30 6JP
 Gwyn Evans, Driftwood Cottage, 62 Dunbar Street, Burghead, Moray, IV30 5XQ
 Mr Lance Evans, Highgate, 50 Land Street, Elgin, Moray, IV30 6BN
 Mr Sean Evans, 23 East Road, Elgin, Moray, IV30 1XG
 Mr Mark Ewen, 3 Distillery Cottage, Glenalachie, AB38 9LR
 Mr Stewart Ewen, 6 Cromarty Place, Lossiemouth, Moray, IV31 6ST
 Rachel Eyre, 37 Quarryhill, Keith, Moray, AB55 5AX
 Alison Fagan, 53 Wittet Drive, Elgin, Moray, IV30 1TB
 A Fairbairn, 28 Lochaber, Fortwilliam, PH33 6TN
 Leslie W Fairfoul, Rowanbank, Maud, Peterhead, AB42 5SU
 A C Farquhar, 127 Pluscarden Road, Elgin, Moray, IV30 1SU
 Davina Farquhar, 127 Pluscarden Road, Elgin, Moray, IV30 1SU
 Mr Dylan David Farquhar, 19 Twinning Link, Forres, Moray, IV36 2TP
 Mrs Edna Farquhar, 28 Birnie Road, Elgin, Moray, IV30 6EA
 G Farquhar, 2 County Houses, Lochhills, Urquhart, Moray, IV30 8LS
 Mr & Mrs David & Lynne, Farquharson, 6 Leonach Place, Elgin, Moray, IV30 6JT
 Karen Ferguson, 41 Birnie Place, Elgin, Moray, IV30 6EB
 A Ferrier, 49 Gordon Street, Elgin, Moray, IV30 6EF
 Mr M Fieldhouse, Redhythe Farm, Portsoy, AB45 2TT
 Mrs Evelyn Fordyce, 9 Springburn Place, Elgin, Moray, IV30 6EY
 Stefan Forret, 13 Ernest Hamilton Court, Elgin, Moray, IV30 4GH
 A Forsyth, Llama Cottage, Rothiemay, AB54 7NH
 D Forsyth, 60 South Guildry Street, Elgin, Moray, IV30 1QN
 Mrs Elizabeth Forsyth, Mount Georgia, Stotfield Road, Lossiemouth, IV31 6BJ
 Jill Forsyth, 13 Waulkmill Road, Elgin, Moray, IV30 6HJ
 Mr William Forsyth, Morar, Orton Road, Rothes, Moray, AB38 7AE
 Mr Darren Foster, 20 Jamieson Place, Elgin, Moray, IV30 6FJ
 Mr Grant Fraser, Braemar, Rafford, Moray, IV36 2RT
 Mr Michael Fraser, 15 Lawrie Drive, Nairn, IV12 5RS
 R Fraser, 1 Pinewood Walk, Lhanbryde, Moray, IV30 8QF
 Mr Neil Fyfe, 33 Petrie Crescent, Elgin, Moray, IV30 1PE
 Mr Greg Gallacher, 27 Robertson Drive, Elgin, Moray, IV30 6ET
 Tammy Gallagher, 24 St Margarets Crescent, Lossiemouth, Moray, IV31 6RG
 E Gammack, 33 Elgin Road, Lossiemouth, Moray, IV31 6HD

Mr Raymond Gauld, 11 Colleonard Court, Banff, AB45 1FP
 Diane George, Sma Ranch, Lossiemouth, Moray, IV31 6SG
 Mr Douglas George, 24 Croft Road, Elgin, Moray, IV30 6DR
 Mr John Gill, 2 Ardivot Farm Cottages, Lossiemouth, Moray, IV31 6RY
 Mr Stephen Gill, 13 Maxwell Street, Fochabers, Moray, IV32 7DE
 Mrs Edna Gillespie, 11 Marchmont Street, Cove, Aberdeen, AB12 3LZ
 R Gillespie, Castlehill, Birnie, Elgin, Moray, IV30 8SR
 Ms Susan Gillespie, 9 Fleurs Place, Elgin, Moray, IV30 1ST
 Mr Neil Gillies, Cadderhill, Sheriffmill Road, Elgin, Moray, IV30 1SB
 Mrs Sylvia Gillies, Cadderhill, Sheriffmill Road, Elgin, Moray, IV30 1SB
 Mr Allan Gordon, 26 Coulardhill Terrace, Lossiemouth, Moray, IV31 6LE
 Mr Michael Gradon, Callanish, Easter Manbeen, Milntonduff, Elgin, IV30 8TN
 Mr Alastair Grant, 74 Wittet Drive, Elgin, Moray, IV30 1TB
 Mr Jason Grant, Murrays Buildings, 18 Church Street, Lossiemouth, Moray, IV31 6EJ
 Patricia Grant, 8 Castle Court, Lossiemouth, Moray, IV31 6RJ
 Gray, Rosebank, Milntonduff, Elgin, Moray, IV30 8TG
 C Gray, Russell Cottage, Beach Road, Kingston, Moray, IV32 7NP
 Mr Edward Gray, Station House, Cullen, Banffshire, AB56 4ST
 Mr Robert Gray, 3 Logie Home Farm, Dunphail, Forres, IV36 2QN
 Mr Stevie Gray, Millhill, Fochabers, Moray, IV32 7LN
 Mr Donald Green, 38 Hill Street, Elgin, Moray, IV30 1AL
 Mr Norman Green, 2 St Catherine's Place, Elgin, Moray, IV30 1TN
 Pamela Green, 38 Hill Street, Elgin, Moray, IV30 1AL
 S Green, 9 Leonach Place, Elgin, Moray, IV30 6JT
 Mr Stephen Green, 9 Leonach Place, Elgin, Moray, IV30 6JT
 Evelyn Griffiths, 27 Redcraig, Mundole, Forres, IV36 2JR
 Mr P W Griffiths, 27 Redcraig, Mundole, Forres, IV36 2JR
 Mr Craig Grigor, 24 Councillors Walk, Elgin, Moray, IV30 6JL
 Patricia Grigor, 24 Councillors Walk, Elgin, Moray, IV30 6JL
 Gulay Gul, 6 Moravia Apartments, Pinefield Crescent, Elgin, Moray, IV30 6LN
 Yasin Gull, 6 Moravia Apartments, Pinefield Crescent, Elgin, Moray, IV30 6LN
 Mr Robert Gunn, 17 Hossack Drive, Elgin, Moray, IV30 6JY
 Mrs Heather Hagen, 23 Brucelands, Elgin, Moray, IV30 1TS
 Mr Douglas Hale, 25 Kyd Drive, Elgin, Moray, IV30 4GN
 Mr Martin Hall, 55 Wittet Drive, Elgin, Moray, IV30 1TB
 Mr Richard Hamilton, 16 Jamieson Place, Elgin, Moray, IV30 6FJ
 Mr Paul Harrison, Ashgrove Cottage, Edward Avenue, Craigellachie, AB38 9ST
 Mr Richard Harter, 7 Priory Place, Elgin, Moray, IV30 1RW
 Mr Charles Harvey, 42 Langstane Place, Elgin, Moray, IV30 6DQ
 N Harvey, 10 Leonach Place, Elgin, Moray, IV30 6JT
 Mr Craig Hay, 12 Kingsmills Court, Elgin, Moray, IV30 4EW
 Mr D Hay, Berwyn, 30 Seafeld Street, Elgin, Moray, IV30 1QZ
 Mr Grant Hay, 82 Kingsmills, Elgin, Moray, IV30 4BU
 Mr Alan Henderson, 11 Glebe Road, Mosstodloch, Fochabers, IV32 7JH
 Mr Brian Henderson, 78 Reid Street, Bishopmill, Elgin, IV30 4HH
 Mr Michael Henderson, 2 Oaklands Court, Main Street, Urquhart, Elgin, IV30 8GL
 Mr Gavin, Hendry, 18 Ben Aigan View, Rothes, Moray, AB38 7BF
 Mr Jamie Hendry, 6 County Houses, Clackmarras, Elgin, IV30 8RL
 Mr Duncan Hepburn, Midcoul Farm, Dalcross, Inverness, IV2 7JS
 Mr C Hew, 20 Brucelands, Elgin, Moray, IV30 1TS
 A Hislop, 192 Robertson Road, Lhanbryde, Moray, IV30 8QQ

Mr & Mrs Hood, 49 Wittet Drive, Elgin, Moray, IV30 1TB
 Mr David Hopkirk, 17 Cromarty Place, Lossiemouth, Moray, IV31 6ST
 R Horsley, Thorax Farm, Cornhill, Banff, AB45 2HT
 Mr John Howard, 18 New Row, Middleton St George, Darlington, Durham, DL2 1EN
 Mr Paul Howie, 40 Blantyre Place, Elgin, Moray, IV30 4DN
 Mr Albert Imlach, Woodhaven, Arradoul, Buckie, Moray, AB56 5BB
 Mr Kevin Ingram, 14 Pinefield Crescent, Elgin, Moray, IV30 6HZ
 Mr Murray Ingram, 13 Chapel Street, Keith, Moray, AB55 3AL
 Mr Alan Inkson, 21 New Elgin Road, Elgin, Moray, IV30 6BE
 Mr George Innes, 40 Community Way, Lossiemouth, Moray, IV31 6RL
 Mr James Innes, Plantation Cottage, Balnakeith, Forres, Moray, IV36 2SX
 Mr Duncan Isaac, 93 Macdonald Drive, Lossiemouth, Moray, IV31 6LU
 J R Motors, The Wards, Elgin, Moray, IV30 6AA
 Mr Stuart Jamieson, 36 Silversands Leisure Park, Lossiemouth, IV31 6SP
 Mr Tony Janetta, Ardoch Cottage, Deskford, Buckie, AB56 5XX
 Diane Johnson, 70 Main Street, Elgin, Moray, IV30 6BG
 Mr Alex Johnston, 39 Forteath Avenue, Elgin, Moray, IV30 1TF
 Mr Brian Johnston, Findheaven House, 16 Market Street, Forres, Moray, IV36 1EF
 I Johnston, 28 Birnie Place, Elgin, Moray, IV30 6EB
 Mrs Joan Johnston, Glendoune, 39 Forteath Avenue, Elgin, IV30 1TF
 Sarah Johnston, 11 St Andrews Road, Elgin, Moray, IV30 6HU
 W Johnston, 46 Hermes Road, Elgin, Moray, IV30 4LH
 Mr Nicholas Johnstone, 3 West End Drive, Lossiemouth, Moray, IV31 6SW
 Mr Paul Johnstone, 25 Waulkmill Grove, Elgin, Moray, IV30 6HR
 Mr Robert Johnstone, 17 Lodge View, Hopeman, Moray, IV30 5TS
 D Jonentz, Ordies Farmhouse, Alves, Forres, Moray, IV36 2RB
 P Jones, 54 Marleon Field, Elgin, Moray, IV30 4GB
 Mr Aaron Judge, 66 Castlehill Road, Fochabers, Moray, IV32 7LA
 Mr Michael Junor, 60 Spynie Street, Elgin, Moray, IV30 4JS
 Hatice Kahraman, 17 School Brae Place, Elgin, Moray, IV30 6FH
 Osman Kahraman, 17 School Brae Place, Elgin, Moray, IV30 6FH
 J & R Kail, 18 King Street, Elgin, IV30 6BX
 Eva Karasinska, 53 Hossack Drive, Elgin, Moray, IV30 6JY
 Linda Kay, 44 Forteath Street, Burghead, Moray, IV30 5XF
 Mr Douglas Keen, 14 Reid Terrace, Portgordon, Buckie, AB56 5RB
 Margarita R Kellaway, 53 Mayne Road, Elgin, Moray, IV30 1PD
 Mr Michael F Kellaway, 53 Mayne Road, Elgin, Moray, IV30 1PD
 Mr John Kelly, The Beeches, Ashgrove, Elgin, IV30 1UU
 Mr Lewis Kelly, Lower Spynie Cottage, Pitgaveny, Elgin, Moray, IV30 5PG
 Miss Deborah Kemp, 6 Marchfield Place, Elgin, Moray, IV30 6YR
 Mrs Alison Kennedy, 40 Springfield Road, Elgin, Moray, IV30 6BZ
 Mr Sandy Kennedy, 40 Springfield Road, Elgin, Moray, IV30 6BZ
 Mrs Jacqueline Kidd, 18 Mackenzie Place, Elgin, Moray, IV30 4EY
 Mr David King, 4 Strathcona Road, Forres, Moray, IV36 1QB
 Mr Steven Kirk, Wester Buthill Farm, Roseisle, Moray, IV30 5YQ
 Mr Stuart Kirkwood, 61 Sutors Avenue, Nairn, IV12 5AZ
 Mr Chris Knight, 77 North Port, Elgin, Moray, IV30 1EH
 Mr Stuart Knight, 35 Covesea Rise, Elgin, Moray, IV30 4PN
 Ilona Kryszak, 27 Doocot Court, Elgin, Moray, IV30 6LF
 T Kryszak, 27 Doocot Court, Elgin, Moray, IV30 6LF
 Mr John Kuapper, 58 Green Street, Rothes, Moray, AB38 7BD

Rimgaudas Kuprenas, Brumley Brae, Elgin, Moray, IV30 5PP
 Mr Brian Laing, 29B Beils Brae, Urquhart, Moray, IV30 8XQ
 Mr David Laing, Middlemoor , Kinloss, Moray, IV36 3UA
 Mr Gordon Laing, 14 Church Road, Duffus, Moray, IV30 5QQ
 P Laing, 14 Church Road, Duffus, Moray, IV30 5QQ
 Mr Graham Larrington, Inverugie Farm Cottage, Hopeman, Elgin, IV30 5YB
 Mr William Lasseter, 20 Birnie Crescent, Elgin, Moray, IV30 6JG
 L Latham, 14 Wiseman Road, Elgin, Moray, IV30 1SY
 Mr Mark Laughlan, 29 Christie Place, Elgin, Moray, IV30 4HX
 H Laurence, No postal address or email address given
 G S Lee, Tigh-Na-Bruaich, Elgin, Moray, IV30 8UD
 Mr Jeffrey Lee, 5 Church Street, Lossiemouth, Moray, IV31 6EF
 A Leitch, 8 Spynie Place, Elgin, Moray, IV30 4JT
 Mr Daniel Leslie, Redhill Farm, Mosstowie, Milntown, Elgin, IV30 8TU
 Mr John Leslie, E11 Burnside Caravan Park, Fochabers, Moray, IV32 7ET
 Artur Ligeuza, 35 Golf View Crescent, Elgin, Moray, IV30 6GP
 D Lineham, 19 Wiseman Road, Elgin, Moray, IV30 1SY
 Ms Adell Little, 53 Boyd Anderson Drive, Lossiemouth, Moray, IV31 6RS
 Linda Littlewood, 3 Fogwatt Lane, Elgin, Moray, IV30 6GG
 H J Lochore, Woodside Croft, Forres, Moray, IV36 2QU
 Mrs D Lockey, 3 Rowan Lea, Elgin, Moray, IV30 6FP
 Donna Logan, 36 Deanshaugh Terrace, Elgin, Moray, IV30 4ET
 Mr John Longmore, 22 Cuthil Road, Keith, AB55 5AS
 Mr Michael Looseley, 18 Wittet Drive, Elgin, Moray, IV30 1SE
 Mr Davie Love, 2 Lochinver Farm Cottages, Mosstowie, Milntown, Elgin, IV30 8TT
 Mr Douglas Low, Marchmont, 39 Wittet Drive, Elgin, Moray, IV30 1TB
 Shelley Low, 25 Kingsmills, Elgin, Moray, IV30 4BX
 Mrs Vikki Lowe, 20 Esmonde Gardens, Elgin, Moray, IV30 4LB
 Mr John Luckwell, Burnside Of Aultmore, Hill Of Maud, Deskford, AB56 5YX
 Mr Bill Lundie, 54 Mayne Road, Elgin, Moray, IV30 1PD
 Liz Lyall, Creel Cottage, High Shore, Macduff, AB44 1SN
 Elaine Macbeth, 112 Findhorn, Forres, Moray, IV36 3YJ
 Mrs Alison MacDonald, 51 Deanshaugh Road, Elgin, Moray, IV30 4HT
 Mr Colin C Macdonald, Lyndhurst, 11 Hay Street, Elgin, Moray, IV30 1NQ
 D MacDonald, 13 Torridon Park, Forres, Moray, IV36 1FP
 Mr Dave MacDonald, 4 Ryvoan Place, Forres, Moray, IV36 1FX
 Mr David MacDonald, 7 Brinuth Place, Elgin, Moray, IV30 6YW
 Mr Donald MacDonald, 21 Doune Carloway, Isle Of Lewis, HS2 9AZ
 Mr H J Macdonald, 60A Pluscarden Road, Elgin, Moray, IV30 1SX
 Jean MacDonald, 7 Brinuth Place, Elgin, Moray, IV30 6YW
 M MacDonald, 22 High School View, Elgin, Moray, IV30 6UF
 Mr William MacDonald, 12E Burnside Caravan Park, Fochabers, IV32 7ET
 Mr Matthew MacDonell, Stoneyford, Rafford, Forres, Moray, IV36 2RR
 Mr Hugh Macdougall, 29A Wittet Drive, Elgin, Moray, IV30 1SW
 Mr K MacDougall, 29 Wittet Drive, Elgin, Moray, IV30 1SW
 Mr Iain Macfarquhar, 19 Wittet Drive, Elgin, Moray, IV30 1SE
 Mr Alex MacGillivray, 18 Land Street, Elgin, Moray, IV30 6BN
 Mr Colin MacKay, 15 Argyle Street, Lossiemouth, Moray, IV31 6PS
 P Mackay, 3 Clarendon Court, Elgin, Moray, IV30 6TA
 Captain Andrew C MacKenzie, 5 South Castle Street, Cullen, AB56 4RT
 Mr Blair MacKenzie, 33 Victoria Crescent, Elgin, Moray, IV30 1RQ

Mr Graham Mackenzie, 65 Pinefield Crescent, Elgin, Moray, IV30 6HY
 Keri Mackenzie, 38 Glenlossie Drive, Elgin, Moray, IV30 6YH
 Lorna MacKenzie, 5 Leonach Place, Elgin, Moray, IV30 6JT
 M MacKenzie, Toll Brae South, Hardmuir, Auldrean, IV12 5QG
 Suzanne Mackessack-Leitch, Carden House, Elgin, Moray, IV30 8UP
 Mr Scott Mackie, Pinegrove, Craigellachie, Aberlour, Moray, AB38 9SD
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 J A & M T MacLeod, 16 Wiseman Road, Elgin, Moray, IV30 1SY
 Mr Craig Macmillan, 32 Fairfield Avenue, Elgin, Moray, IV30 6BB
 Kieran Macpherson, 26 Westburn Road, Dufftown, Moray, AB55 4EG
 Mr Matt MacPherson, 4 Forestry Houses, Forness, Nairn, IV12 5JG
 Mr Michael MacPherson, 17 Robertson Road, Lhanbryde, Elgin, IV30 8PE
 Mr Neil MacPherson, 26 Westburn Road, Dufftown, Moray, AB55 4EG
 Mr Sean MacPherson, 26 Westburn Road, Dufftown, Keith, AB55 4EG
 Mr Ally Main, 16 Convener Street, Elgin, Moray, IV30 6BW
 Mr Dan Main, 33 Murray Street, Elgin, Moray, IV30 1BT
 Mr Kevin Main, 18 Chandlers Rise, Elgin, Moray, IV30 4JE
 Fiona Mair, 26 West Covesea Road, Elgin, Moray, IV30 5QF
 J Mair, 45 Muirfield Road, Elgin, Moray, IV30 6DB
 J Malcolm, 2 Anderson Crescent, Forres, Moray, IV36 1ND
 Dorothy Mallarkey, 5 School Road, Ruthven, Huntly, AB54 4SG
 Mr Brian Mallon, 12 Calder Avenue, Coatbridge, ML5 4HP
 Mr David Marquardt, 13 Leonach Drive, Elgin, Moray, IV30 6JS
 Mr & Mrs Stephen & Sara Marsh, 2 Findrassie Crescent, Elgin, Moray, IV30 6AR
 Mr Grant Marshall, 19 Rinnes Place, Dufftown, Moray, AB55 4BQ
 Mr John Martin, Gleniffer, Burghead Road, Kinloss, Moray, IV36 3UA
 Mr W Martin Chelidon, School Road, Keith, Moray, AB55 5ES
 W Marwick, Cowfords Farm, Mosstodloch, Fochabers, Moray, IV32 7LJ
 Isla Massie, 26 Ashgrove Place, Elgin, Moray, IV30 1UJ
 Mr Dennis Masson, 60 High Street, Forres, Moray, IV36 1PQ
 Elizabeth Jane Masson, Gateside Farm House, Alves, Forres, Moray, IV36 2RB
 Mrs Jan Masson, Valhalla, Alves, Forres, Moray, IV36 2RB
 Louise Masson, 43 Hossack Drive, Elgin, Moray, IV30 6JY
 Mr Scott Masson, Gateside Farm House, Alves, Forres, Moray, IV36 2RB
 Ms Carol Mata, 1 Millbuie Street, Elgin, Moray, IV30 6GE
 A Matheson, 23A Greyfriars Street, Elgin, Moray, IV30 1LF
 Mr Derek Matheson, 47 Wittet Drive, Elgin, Moray, IV30 1TB
 Mr Wayne Maver, 23 Cromarty Place, Lossiemouth, Moray, IV31 6ST
 S McAleney, 11 Mcmillan Avenue, Elgin, Moray, IV30 6GH
 C A McAllister, 84 Anderson Crescent, Forres, Moray, IV36 1NE
 Mr James McAra, 23 Maclennan Place, Dufftown, Moray, AB55 4EF
 Fiona McBain, Parkhead, Knockando, Aberlour, Moray, AB38 7RX
 Dr Ian McBain, 75 Duncan Drive, Elgin, Moray, IV30 4NH
 Mr & Mrs Douglas & Katrina McCallum, 23 Fairfield Avenue, Elgin, IV30 6BB
 Mr W McConnachie, 15 McVeagh Street, Huntly, AB54 8BN
 Mr George McCutcheon, 65 Mayne Road, Elgin, Moray, IV30 1PD
 Mr Allan McDonald, Almacit Engineering, Mosstodloch, IV32 7LH
 Mr David McDonald, 46 St Davids Street, Brechin, DD9 6EQ
 Helen McDonald, 4 Manbeen Place, Elgin, Moray, IV30 6YF

Mr John McDonald, 4 Manbeen Place, Elgin, Moray, IV30 6YF
 Maureen McDonald, 8 Willow Place, Elgin, Moray, IV30 4BQ
 Mr Scott McDonald, 24 Maxwell Street, Fochabers, Moray, IV32 7DE
 Mr Aaron McGettrick, 18 Academy Street, Elgin, Moray, IV30 1LP
 Mr Alex McGettrick, Scottsbank, 20 Hawthorn Road, Elgin, Moray, IV30 1PG
 Mr Mark McHale, 51A Elliot Street, Dunfermline, Fife, KY11 4TF
 Mr Bruce McHardy, 13 Bremner Drive, Elgin, Moray, IV30 4GJ
 Mr Jack McHardy, 13 Bremner Drive, Elgin, Moray, IV30 4GJ
 Mr Joe McHardy, 13 Bremner Drive, Elgin, Moray, IV30 4GJ
 G McHerty, 61 Hebenton Road, Elgin, Moray, IV30 4ER
 Mr Richard McInnes, Woodend Cottage, Deskford, Buckie, Moray, AB56 5UH
 C McKandie, 13 Brinuth Place, Elgin, Moray, IV30 6YW
 Eilidh McKen, 19 Bain Road, Elgin, Moray, IV30 6GD
 Mr Adam McKenzie, 83 Springfield Road, Elgin, Moray, IV30 6BZ
 Mrs E McKenzie, 83 Springfield Road, Elgin, Moray, IV30 6BZ
 Mr Graeme McKenzie, 9 Clarendon Court, Elgin, Moray, IV30 6TA
 J McKenzie, 83 Springfield Road, Elgin, Moray, IV30 6BZ
 R McKenzie, Rakiraki, Aultmore, Keith, Moray, AB55 6QU
 Mr Scott McKenzie, 8 Avon Walk, Elgin, Moray, IV30 4AR
 Lisa McKenzie-Young, 29 Springfield Road, Elgin, Moray, IV30 6BZ
 Mr Craig McMichean, 6 Glenesk Road, Lhanbryde, Moray, IV30 8PW
 Mr George McNairn, 26 Thornhill Drive, Elgin, Moray, IV30 6GT
 Mrs Wendy McNairn, 26 Thornhill Drive, Elgin, Moray, IV30 6GT
 Mr Stewart G McNeil, 45 Easter Road, Kinloss, Moray, IV36 3FG
 Mr Adam McPhee, 13 Langstane Lane, Keith, Moray, AB55 5FJ
 Guy McPhee, 9 Anderson Crescent, Forres, Moray, IV36 1ND
 Helen McPhee, 32 Fraser Road, Burghead, Moray, IV30 5YN
 Mr George McPherson, 35 Muirfield Road, Elgin, Moray, IV30 6DB
 Mr Hamish McPherson, 3 Main Street, New Elgin, Moray, IV30 6BQ
 Mr John McPherson, Mill of Muldearie, Keith, Moray, AB55 6RQ
 Mr Daniel McRobbie, 26 Milne Road, Fochabers, Moray, IV32 7HP
 Mr Les McTavish, 28 Kirkton Place, Elgin, Moray, IV30 6JR
 J Meddicks, 28 Garrabost Point, Isle of Lewis, HS2 0PW
 Dr Milind Mehta, 70 Pluscarden Road, Elgin, Moray, IV30 1SX
 Mr Jamie Melrose, 29 Inchbroom Avenue, Lossiemouth, Moray, IV31 6HL
 Mr R Miele, The Hollies, Clochan, Buckie, Moray, AB56 5HX
 Mr Ian Millar, 31 Wittet Drive, Elgin, Moray, IV30 1SW
 Diane Millican, 14 Argyle Street, Lossiemouth, Moray, IV31 6PS
 A Millington, 32 Land Street, Rothes, Moray, AB38 7BA
 Mrs Mandy Millington, 32 Land Street, Rothes, Moray, AB38 7BA
 Mr Gary Milne, 55 Pinefield Crescent, Elgin, Moray, IV30 6HZ
 R Milne, Speyview, Leslie Terrace, Craigellachie, Moray, AB38 9SY
 Mr Samuel Milne, Kennieshillock Farm, Lhanbryde, Moray, IV30 8LJ
 Mr & Mrs Wilma & Graham, Milne, 51 Wittet Drive, Elgin, Moray, IV30 1TB
 Louise & Raymond, Milne & MacIntosh, Crathie, 13 Birnie Road, Elgin, Moray, IV39 6JA
 Mr John Milton, 50 Wittet Drive, Elgin, Moray, IV30 1TB
 Misikiewicz, 10 Abbey Street, Elgin, Moray, IV30 1DA
 Mr & Mrs G Mitchell, 28 Wittet Drive, Elgin, Moray, IV30 1SW
 Vikki Mitchell, 4 Strathcona Road, Forres, Moray, IV36 1QB
 M Mohammed, 7 Elmfield Road, Elgin, Moray, IV30 6HQ
 Mr & Mrs Steven & Nicola, Morrice, 2 Sunnyside Road, Elgin, Moray, IV30 6FE

Mr Graeme Morrison, Joven, Longmorn, Elgin, Moray, IV30 8SL
 Mr Ian Morrison, 9 Moray Place, Elgin, Moray, IV30 1NR
 Mr James Morrison, 21 Maclellan Place, Dufftown, Moray, AB55 4EF
 Mr John Morrison, 26 Bruceland Road, Elgin, Moray, IV30 1SF
 Mr John Morrison, 3 Station Road, Urquhart, Moray, IV30 8LQ
 Mr Norman Morrison, 35 Berrywell Gardens, Dyce, Aberdeen, AB21 7BP
 Mr R Morrison, 21 Allardyce Crescent, Aberlour, Moray, AB38 9PQ
 S Morrison, 77 Robertson Drive, Elgin, Moray, IV30 6ET
 Mr Scott Morrison, Cunninghaugh Farm, Spey Bay, Fochabers, IV32 7PJ
 Mr Steven Morrison, 56 Woodlands Drive, Lhanbryde, Moray, IV30 8JU
 Mr David Morrow, 46 Hopepark Drive, Cumbernauld, Glasgow, G68 9FH
 A Mottram, Mont Bletton Cottages, Eden, Banff, AB45 3QR
 Mr Mike Muir, 9 Park Street, Hopeman, Moray, IV30 5SE
 Mr Allan Munro, 37 Society Street, Nairn, Moray, IV12 4PF
 Mr Ross Munro, 4 St Brydes Court, Lhanbryde, Moray, IV30 8PN
 Mr David Murdoch, 20 Pinefield Road, Elgin, Moray, IV30 1XQ
 Mr Kevin Murray, Burgie Mains, Forres, Moray, IV36 2QU
 Mr Max Murray, 2 Mayne Road, Elgin, Moray, IV30 1NY
 T Ross Murray, Kilcluan House, Urquhart, Elgin, Moray, IV30 8LA
 Ms Carol Murrie, 26 Seatown, Lossiemouth, Moray, IV31 6JJ
 Mr Nigel Mustard, New Alves Farm, Hardhillock, Mosstowie, IV30 8TH
 Susanne Mustard, Hillhead, Birnie, Elgin, Moray, IV30 8SU
 Szymon Muszddi, 53 Hossack Drive, Elgin, Moray, IV30 6JY
 Carol Mutch, 1 Duffus Crescent, Elgin, Moray, IV30 5PY
 Mr Colin Mutch, Leuchers Farm Cottage, Near Elgin, IV3 8NQ
 Mr G Mutch, 4 Milltown, Elgin, Moray, IV30 8ND
 Mr Graham Mutch, 5 Troon Place, Elgin, Moray, IV30 6LR
 Mr Peter Mutch, 2 Springfield Gardens, Elgin, Moray, IV30 6XX
 Aimee Naylor, 6 Tower Place, Aberlour, Moray, AB38 9PE
 Mr A Neil, 51 King Street, Burghead, Moray, IV30 5XG
 Mr John Nelson, 69 Quarrywood Road, Glasgow, G21 13T
 K Newlands, 7 St Andrews Square, Elgin, Moray, IV30 6HX
 J Newsome, Russell Cottage, Beach Road, Kingston, Fochabers, IV32 7NP
 K O'Hare, 72 Bruceland Road, Elgin, Moray, IV30 1SP
 Mr Stevie O'Hare, 4 Church Court, Church Street, Lossiemouth, IV31 6EF
 Owner/Occupier, 4 Briargrove Gardens, Inverness, IV2 5AH
 Owner/Occupier, 53 Hossack Drive, Elgin, Moray, IV30 6JY
 Owner/Occupier, 1 Mackenzie Court, Hill Street, Elgin, IV30 1AU
 Owner/Occupier, 1 Mitchell Street Lossiemouth, Lossiemouth, Moray, IV31 6QB
 Owner/Occupier, 19 High School Drive, Elgin, Moray, IV30 6UE
 Owner/Occupier, 16 Cairngorm Avenue, Grantown On Spey, PH26 3EX
 Owner/Occupier, 72 Reid Street, Elgin, IV30 4HH
 Owner/Occupier, 49 Hossack Drive, Elgin, Moray, IV30 6JY
 Owner/Occupier, 49 Hossack Drive, Elgin, Moray, IV30 6JY
 Mr Michael C Page, 22 St Gerardines Road, Lossiemouth, Moray, IV31 6LF
 Veronica Page, 22 St Gerardines Road, Lossiemouth, Moray, IV31 6LF
 Mr Kenneth Park, 17 Fife Street, Dufftown, Moray, AB55 4AL
 Mr Brian Parker, 32 Blantyre Place, Elgin, Moray, IV30 4DN
 Dr S Parkinson, 68 Wittet Drive, Elgin, Moray, IV30 1TB
 A Paterson, 110 Station Road, Cardenden, Fife, KY5 0BW
 Mr Craig Paterson, 1 Burn Place, Elgin, Moray, IV30 6HA

Mr Kevin Penman, 18 Gordon Crescent, Portsoy, AB45 2QA
 Mr Mike Perrie, 83 Duncan Drive, Elgin, Moray, IV30 4NH
 Mr Adam Peterkin, 11 Muirfield Road, Elgin, Moray, IV30 6DB
 Mrs K Petrie, 1 Crossways, Glen Elgin Road, Longmorn, Elgin, IV30 8SZ
 Mr Sean Petrie, 11 Birkenhill Place, Elgin, Moray, IV30 6EX
 Phillips, 44 York Street, Dufftown, Moray, AB55 4AU
 A Phillips, 18 Marleon Field, Elgin, Moray, IV30 4GB
 Gibby Phillips, 35 High School Drive, Elgin, Moray, IV30 6UE
 Mr Cameron A Philson, Kialora, James Street, Lossiemouth, IV31 6QZ
 Lisa Philson, Kialora, James Street, Lossiemouth, Moray, IV31 6QZ
 Mr T Philson, 27 Hutchison Drive, Scone, Perth, PH2 6GB
 Pietrzak, 32 Woodside Terrace, Elgin, Moray, IV30 4AZ
 Mr Charles Pirie, Glack Of Midthird, Drummuir, Keith, AB55 5SR
 Lorraine Pirrie, 14 Duffus Crescent, Elgin, Moray, IV30 5PY
 Mr Keith Plant, 67 Fraser Place, Keith, Moray, AB55 5EB
 Mr Robin Platts, 35 Taylor Court, Keith, Moray, AB55 5FE
 Mr Philip Poole, 31 Drainie Way, Lossiemouth, Moray, IV31 6SZ
 Lukasz Popis, 11 Forteath Street, Elgin, Moray, IV30 1PN
 Jayne Porter, 22 Grant Street, Elgin, Moray, IV30 1PH
 Linda Porter, 43 Christie Place, Elgin, Moray, IV30 4HX
 M Price, Ordies, Alves, Forres, Moray, IV36 2RB
 Mr & Mrs David & Gill Pritchard, Fairfield Way, Elgin
 Mr Derek Proctor, 1 Carden Close, Alves, Elgin, IV30 8FE
 Mr Richard Proctor, Moslea, Aultmore, Keith, Moray, AB55 6QY
 Mrs Netta Prossor, 5 Allan Lane, Lossiemouth, Moray, IV31 6ES
 Katie Quartly, Driftwood Cottage, Dunbar Street, Burghead, IV30 5XQ
 Mr Paul M Quick, 1 Longwood Walk, Elgin, Moray, IV30 6YZ
 Mr Mark Quilter, 14 Smithfield Place, Lossiemouth, Moray, IV31 6DG
 Mrs Angela Quirie, 43 Glenlossie Drive, Elgin, Moray, IV30 6YJ
 Mr Leslie Quirie, 43 Glenlossie Drive, Elgin, Moray, IV30 6YJ
 Majorie Rattray, Burnside Chalet, Boharm, Craigellachie, Aberlour, AB38 9RN
 Helen Ray, 14 Coxton Crescent, Elgin, Moray, IV30 6JU
 Paul Reed, 19 Ryvoan Place, Forres, Moray, IV36 1FX
 Mr Peter Reed, 110 Califer Road, Forres, Moray, IV36 1JB
 Mr Colin Reid, 22 Burnbank, Fochabers, Moray, IV32 7EQ
 L Reid, 13 Mannoch Court, Elgin, Moray, IV30 6YT
 Mr Ryan Reid, 134 High Street, Aberlour, Moray, AB38 9NX
 S Reid, SLR Auto Repairs, Springfield Yard, Unit 1 The Wards, Elgin, IV30 6AA
 Mr Sandy Reid, 28 Fraser Avenue, Elgin, Moray, IV30 4EX
 June Reynolds, 16 McIntosh Drive, Elgin, Moray, IV30 6AP
 Mr Steven Riddell, 49 Hebenton Road, Elgin, Moray, IV30 4ER
 Clare Riddoch, 8 Longmoor Crescent, Elgin, Moray, IV30 4HE
 Mr Gordon Riddoch, 8 Hossack Drive, Elgin, Moray, IV30 6JY
 Mr Owen Riddoch, 10 Ross Lane, Elgin, Moray, IV30 6JZ
 Mr David Ritchie, 60 Pluscarden Road, Elgin, Moray, IV30 1SX
 Mr Garry Ritchie, 66 Brodie Drive, Elgin, Moray, IV30 4LW
 Tanya Ritchie, Middleton Steading, Birnie, Elgin, Moray, IV30 8RR
 Mr Glenn Roberts, Shenandoah, Elgin Road, Lossiemouth, Moray, IV31 6HD
 Mr John Roberts, 23 Kirkland Hill, Lhanbryde, Moray, IV30 8QH
 Mr D Robertson, 81 Springfield Road, Elgin, Moray, IV30 6BZ
 Mrs Eileen Robertson, 42 Bailies Drive, Elgin, Moray, IV30 6JJ

Mr Glen Robertson, 2 Pansport Court, Elgin, Moray, IV30 1HN
 Mr John Robertson, 13 Tomnamuidh Road, Dufftown, Moray, AB55 4AT
 Mr Mathew Robertson, 13 Sandy Road, Elgin, Moray, IV30 6EQ
 Mr Ian Robinson, Valhalla, Alves, Moray, IV36 2RB
 Kayleigh Robinson, Wester Buthill Farm, Roseisle, Elgin, Moray, IV30 5YQ
 Mr Stephen Robinson, 77 Meadow Crescent, Elgin, Moray, IV30 6ER
 Abby Roger, Ingleueuk, Lein Road, Kingston, Moray, IV32 7NW
 Mr Graeme Roger, Ingleueuk, Lein Road, Kingston, Fochabers, IV32 7NW
 M Roger, Smiddy Cottage, Lochhills, Urquhart, Moray, IV30 8LT
 Mr Mark Roger, 8 Brinuth Place, Elgin, Moray, IV30 6YW
 Mr Michael Rogers, Tulloch Cottage, Buckie, Moray, AB56 5HE
 Mr David Ronald, 11 Forsyth Street, Hopeman, Moray, IV30 5ST
 Mr David Rooke, 31 Glenmore Place, Forres, Moray, IV36 1FS
 Mrs Tracy Rooke, 31 Glenmore Place, Forres, Moray, IV36 1FS
 D Ross, 131 Lossiemouth Road, Elgin, Moray, IV30 4LG
 Mr David Ross, 36 Victoria Crescent, Elgin, Moray, IV30 1RQ
 Mr Ian Ross, Coldhome Farmhouse, Dallas, Forres, Moray, IV36 2RZ
 Mr Keith Ross, 29 Kirk Street, Prestonpans, EH32 9DU
 R Rowinska, 75 Calcots Crescent, Elgin, Moray, IV30 6GL
 Mr Marco Paul B Roy, 59 Fogwatt Lane, Elgin, Moray, IV30 6GG
 M Royan, Home Farm, Urquhart, Moray
 Mr John Ruggeri, 81 Hardhillock Avenue, Elgin, IV30 6UG
 Miss R Rukmang, 10 Land Street, Elgin, Moray, IV30 6BL
 Pat Russell, 129 Edgar Road, Elgin, Moray, IV30 6UQ
 Mr Ron Russell, 129 Edgar Road, Elgin, Moray, IV30 6UQ
 Mr Stuart Russell, 11 Heldon Place, Elgin, Moray, IV30 6YS
 Mr Gerard Ryan, 113 St Margarets Crescent, Lossiemouth, Moray, IV31 6RF
 Mr David Saint, 8 Spencer Grove, Darlington, Co Durham, DL1 4HL
 Mr Bruce W Sangster, 18 High School Drive, Elgin, Moray, IV30 6UE
 Mr Barry Scott, The Woolmill, Dallas, Forres, Moray, IV36 2RZ
 Mr Colin Scott, Inchkeil, Roseisle, Elgin, Moray, IV30 8XN
 Mr Daniel Scott, 15 New Elgin Road, Elgin, Moray, IV30 6BE
 Mr Gordon Scott, 32 Community Way, Lossiemouth, Moray, IV31 6RL
 Mr Philip Scott, Cedarwood, Sheriffmill Road, Elgin, Moray, IV30 6UH
 Kevin Seivwright, 8 Causeway End, Aberchirder, AB54 7TF
 D Sekula, 97 Thornhill Drive, Elgin, Moray, IV30 6GS
 T Sekula, 97 Thornhill Drive, Elgin, Moray, IV30 6GS
 P Seleala, 52 Manitoba Avenue, Elgin, IV30 6RA
 Mr Alan Sellars, 57 Bailies Drive, Elgin, Moray, IV30 6JW
 A Shand, Castlehill Cottage, Mosstodloch, Moray, IV32 7LJ
 Mr Ewan, Shand, 3 Elmfield Road, Elgin, Moray, IV30 6HQ
 Mr Douglas Shanks, 9 North Street, Elgin, Moray, IV30 6BS
 C Shaw, 15 Blane Place, Elgin, Moray, IV30 4LT
 Mr Peter Shaw, 11 Johnston Road, Lawrence Kirk, AB30 1BR
 Mr R Shepard, 6 Croft Place, Craigellachie, Moray, AB38 9TE
 Mr Kevin W Shepherd, 2 Church Avenue, Inch, Aberdeenshire, AB52 6JZ
 Mr Gary Sim, 1 Reid Street, Elgin, Moray, IV30 4HG
 Mr George Sim, 83 Cockburn Place, Elgin, Moray, IV30 4HZ
 Mr Greig Sim, 48 Dunbar Street, Burghead, Moray, IV30 5XQ
 Mr & Mrs Steve & Jude Simms, Old Whitemire Farmhouse, 54 Whitemire, Forres, Moray, IV36 2TW

A W Simpson, Wester Coxton, Elgin, Moray, IV30 8QS
 Mr Allan Simpson, Morven, Calcots, Elgin, Moray, IV30 8NB
 Mr Iain Simpson, 44 Priory Place, Elgin, Moray, IV30 1RW
 Mr John Simpson, 8 Lonach Crescent, Rothiemay, Huntly, AB54 7LG
 Mr Tim Simpson, 66 Bruceland Road, Elgin, Moray, IV30 1SP
 Mr Scott Simson, 38 Gordon Street, Elgin, Moray, IV30 6DA
 Mr Blair Sinclair, 13 Fairway Avenue, Elgin, Moray, IV30 6XF
 Mr Steven Sinclair, 1 Loch View, Forres, Moray, IV36 2XH
 Mr George Singer, Lochnabo Cottage, Elgin, Moray, IV30 8QX
 Mr Charles Skene, 2 Stuart Place, Tomintoul, Ballindalloch, AB37 9HG
 Mr Frazer Charles Skene, 2 Stuart Place, Tomintoul, Ballindalloch, AB37 9HG
 Mr Kevin Skivington, 54 Mannachie Grove, Forres, Moray, IV36 2WG
 Kerry Slater, 3 Glassgreen Place, Elgin, Moray, IV30 6JE
 Mr Michael Slessor, 52 Marleon Field, Elgin, Moray, IV30 4GB
 Mr Mike Slessor, 21 New Street, Rothes, Moray, AB38 7BQ
 Mrs Edith Smart, 30 Wittet Drive, Elgin, Moray, IV30 1SW
 T Smela, 9 Springfield Drive, Elgin, Moray, IV30 6XZ
 A C Smith, Salterhill Farm, Elgin, Moray, IV30 5PT
 Mr Alexander G Smith, The Smithy, Hill Street, Dufftown, Keith, AB55 4AW
 Mr Andrew Smith, 39 Whitson Walk, Edinburgh, ED11 3BX
 Anne Smith, 22 Breich Street, Rothes, Moray, AB38 7BT
 Christine Smith, Salterhill Farm, Elgin, Moray, IV30 5PT
 Dr Christopher Smith, 28 Brucelands, Elgin, IV30 1TS
 E Smith, 15 King Street, Lossiemouth, Moray, IV31 6PZ
 Mr Eddie Smith, 53 Ashgrove Park, Ashgrove Road, Elgin, Moray, IV30 1UT
 Mr Ian Smith, 27 Birnie Place, Elgin, Moray, IV30 6EB
 Mr Ian Smith, 7 Fleurs Drive, Elgin, Moray, IV30 1SE
 Mr J Smith, 6 Pitgaveny Street, Lossiemouth, Moray, IV31 6NR
 Mr James Smith, 58 Wittet Drive, Elgin, Moray, IV30 1TB
 Mr James Smith, Firgilly, Longmorn, IV30 8RJ
 Mr John Smith, Paddockhaugh, Birnie, Elgin, IV30 8SU
 Mrs K Smith, Trinlen, Salterhill, Elgin, Moray, IV30 5PT
 Kreesha Smith, Park View, South Pringle Street, Buckie, Moray, AB56 1PX
 Lorraine Smith, 18 Bailies Drive, Elgin, Moray, IV30 6JJ
 Mrs Patricia Smith, Paddockhaugh, Birnie, Elgin, Moray, IV30 8SU
 S Smith, 44 Park Avenue, Swarthmoor, Cumbria, LA12 0HN
 Mr Sandy Smith, 25 Langstane Place, Elgin, Moray, IV30 6DQ
 T Smith, 30 Meadow Crescent, Elgin, Moray, IV30 6DS
 Mr William Smith, 12 Ontario Court, Elgin, Moray, IV30 6RX
 Mr Gary Spence, Belerion, Calcots, Elgin, Moray, IV30 8ND
 Mrs V Stables, 35 Birnie Crescent, Elgin, Moray, IV30 6JG
 Mr Stec, 66 Academy Street, Elgin, Moray, IV30 8QF
 Diane Stephen, 9 Barlink Road, Elgin, Moray, IV30 6HN
 Mr Gordon Stephen, 4 Longmoor Crescent, Elgin, Moray, IV30 4HE
 Mr A Stewart, 44B High Street, Elgin, Moray, IV30 1BU
 Mr Allan Stewart, 76 Meadow Crescent, Elgin, Moray, IV30 6DS
 Ms Amanda Stewart, 26 Westburn Road, Dufftown, Moray, AB55 4EG
 Fiona Stewart, 7 Dowans Road, Aberlour, Moray, AB38 9LG
 Mr G Stewart, 79 Moray Street, Lossiemouth, Moray, IV31 6JF
 Mr Garey Stewart, 30 Hill Street, Elgin, Moray, IV30 1AL
 Mr Graeme Stewart, 70 Coulardhill, Lossiemouth, Moray, IV31 6LD

Mr Hamish Stewart, 27 South Covesea Terrace, Lossiemouth, Moray, IV31 6NA
 J Stewart, Broadrashes, Newmill, Keith, Moray, AB55 6XE
 J Stewart, 6 Westmorland Street, Fochabers, Moray, IV32 7DT
 Mrs Jennifer Stewart, 51 Thornhill Drive, Elgin, Moray, IV30 6GS
 Mr John Stewart, 1 Castle Gordon Court, Fochabers, Moray, IV32 7HR
 Mr Kevin Stewart, 70 Coulardhill, Lossiemouth, IV31 6LD
 Lorna Stewart, 18 Laurel Road, Danestone, Aberdeen, AB22 8YU
 M Stewart, 6 The Pines, Coxton, Elgin, IV30 8QR
 Mr Michael Stewart, 7 Dowans Road, Aberlour, Moray, AB38 9LG
 Mr Peter Stewart, 22 Forth Place, Lossiemouth, Moray, IV31 6RQ
 Wendy Stewart, Lochinvar, Allan Lane, Lossiemouth, Moray, IV31 6DS
 Mr John Stoddart, 2 North Port, Elgin, Moray, IV30 1EH
 Mr Alan Strachan, 67 Land Street, Elgin, Moray, IV30 6BN
 Mr Ewan Strachan, 48 Wittet Drive, Elgin, Moray, IV30 1TB
 Norma Strachan, 8 Fleurs Drive, Forres, Moray, IV36 1NA
 Alice Strathdee, Muir Of Maverston Croft, Urquhart, Moray, IV30 8LR
 Mr Derryk Strathdee, 50 Spynie Street, Elgin, Moray, IV30 4JS
 Mr Gordon Strathdee, 25 Springburn Place, Elgin, Moray, IV30 6EY
 Mr Stuart Strathdee, 10 Eemins Place, Elgin, Moray, IV30 4PA
 A Stuart, 69 High Street, Aberlour, Moray, AB38 9QB
 Mr David Stuart, The Cottage, North Darkland, Lhanbryde, IV30 8LB
 Ms Diane Stuart, 12 Manitoba Place, Elgin, Moray, IV30 6TB
 Mr Phil Stuart, 11 Burns Road, Lhanbryde, Moray, IV30 8PH
 Mr William Stuart, 12 Manitoba Place, Elgin, Moray, IV30 6TB
 M Summerfield, The Royal, Tytler Street, Forres, IV36 1ED
 D Sutherland, 15 Kennedy Place, Elgin, Moray, IV30 4EL
 Elaine Sutherland, Riverside Kitchens, The Oakwood, Elgin, Moray, IV30 8UN
 Mr Gordon Sutherland, 18 Calcots Crescent, Elgin, Moray, IV30 6GL
 Mr Kevin Sutherland, 16 Thornhill Place, Forres, Moray, IV36 1LR
 Mr J Swanson, 2 Gean Cottages, Forres, Moray, IV36 2SG
 Mr Darren Symon, 30 Templand Road, Lhanbryde, Moray, IV30 8PP
 Mrs I Symon, 30 Templand Road, Lhanbryde, Moray, IV30 8PP
 Miss J Symon, 6 Innes Court, Lhanbryde, Moray, IV30 8PL
 Mr P Symon, 30 Templand Road, Lhanbryde, Moray, IV30 8PP
 G Tatters, 67 Duncan Drive, Elgin, Moray, IV30 4NH
 Mr Ian Taylor, 5 Chanonry South Road, Elgin, IV30 6NG
 Ian Taylor, 31 Land Street, Elgin, Moray, IV30 6BN
 M Taylor, 27 Golf Crescent, Hopeman, Moray, IV30 5TL
 Mr Robert Taylor, 42 Allardyce Crescent, Aberlour, Moray, AB38 9PQ
 Mr Gavin Tennant, 46 Gordon Street, Elgin, Moray, IV30 6EF
 Mr Thain, 26 Barlink Road, Elgin, Moray, IV30 6HL
 Mr Rob Thom, 12 Glenburgie Cottages, Forres, IV30 2QY
 C Thomas, Earrach, Alves, Elgin, Moray, IV30 8XB
 Mr David Thomas, 2 Coulardhill, Lossiemouth, Moray, IV31 6LB
 Mr Jack Thompson, 36 Hythehill, Lossiemouth, Moray, IV31 6LW
 Mr Neil Thompson, 26A Seaton, Lossiemouth, Moray, IV31 6JJ
 Cheryl Thomson, 17 Doocot Court, Elgin, Moray, IV30 6LF
 Mr Gerrard Thomson, 4 Kirkhill Court, Elgin, Moray, IV30 4AJ
 Mr Ian Thomson, 22 Young Street, Elgin, Moray, IV30 1TH
 Mr John Thomson, 56 Marleon Field, Elgin, Moray, IV30 4GB
 Mrs June Thomson, 163 Edgar Road, Elgin, Moray, IV30 6UQ

Mr Martin Thomson, Richmond Mills, Huntly, AB54 4PT
 Mr William Thomson, 47 Anderson Drive, Elgin, Moray, IV30 6EW
 Mr David Tierney, 72 Wittet Drive, Elgin, Moray, IV30 1TB
 Mr Jamie Todd, 40 Macdonald Drive, Lossiemouth, Moray, IV31 6LR
 Mr Donald Towns, Croft Farm, Cummington, IV30 5XY
 Mr Stafford Turnidge, 62 Mayne Road, Elgin, Moray, IV30 1PD
 Mr William A Tyson, 54 Robertson Drive, Elgin, Moray, IV30 6EU
 H Urquhart, Mill Of Boath, Auldearn, IV12 5TE
 Mr R Urquhart, 15 Findlater Drive, Cullen, Moray, AB56 4RW
 Ricardas Vaitekunas, 13 Birnie Drive, Elgin, Moray, IV30 6JB
 D Valentine, 3 Westerfolds Cottages, Elgin, Moray, IV30 5RH
 Mr Thomas Vasey, 8 Gilling Crescent, Darlington, DL1 4TH
 Mr Gary Vass, 5/12 Chanory South Road, Elgin, Moray, IV30 6NG
 G Walker, 2 Northfield Place, Garmouth, IV32 7NF
 Jacquie Walker, 32 Hardhillock Avenue, Elgin, Moray, IV30 6UG
 P Walker, Broadley Farm, Cawdor Road, Nairn, IV12 5QU
 R Walker, 12 Wiseman Road, Elgin, Moray, IV30 1SY
 Rachel Walker, 32 Hardhillock Avenue, Elgin, Moray, IV30 6UG
 S M Wall, 31 Birkenhillock Road, Forres, Moray, IV36 1FH
 Sheena Wallace, 88 Ashgrove Park, Ashgrove Road, Elgin, Moray, IV30 1UT
 Mr Konrad Wallach, 36 Fairfield Avenue, Elgin, Moray, IV30 6BB
 C Wallis, 12 Bremner Drive, Elgin, Moray, IV30 4GJ
 Mr George Watson, 4 Croft Place, Craigellachie, Moray, AB38 9TE
 Mr Jim Watson, 4 Addison Street, Portknockie, Moray, AB56 4NN
 Mr Scott Watson, Braylach, Fogwatt, IV30 8RW
 G Watt, 19 Dunbar Street, Burghead, Moray, IV30 5XB
 K Watt, 26 Conval Street, Dufftown, Moray, AB55 4AE
 Sarah Watts, 20 Lossiemouth Road, Elgin, Moray, IV30 4JP
 Mrs F Weatherly, 4 James Street, Lossiemouth, Moray, IV31 6AD
 A Webster, 26 Randolph Lane, Forres, Moray, IV36 1HF
 Caroline Webster, 20 Wittet Drive, Elgin, Moray, IV30 1SW
 Margaret Webster, 9 Reidhaven Street, Elgin, Moray, IV30 1QG
 C Weller, Mansefield House Hotel, 2 Mayne Road, Elgin, Moray, IV30 1NY
 Mr Stan Wells, 13 Ben Rinnes Walk, Elgin, Moray, IV30 6YX
 Mr John Wheeler, 54 Wittet Drive, Elgin, Moray, IV30 1TB
 John White, 2 Backmuir Cottages, Keith, Moray, AB55 5PE
 Mr Andrew Whittaker, 1 Leonach Place, Elgin, Moray, IV30 6JT
 Nicola Whittaker, 1 Leonach Place, Elgin, Moray, IV30 6JT
 Mr David Whyte, 21 Kynoch Terrace, Keith, Moray, AB55 5FX
 Lynne Widgrey, 13 Springburn Place, Elgin, Moray, IV30 6EY
 Mr Mike Wiles, 22 East Back Street, Elgin, Moray, IV30 4EQ
 Ms Adele Williamson, 20 Deanshaugh Terrace, Elgin, Moray, IV30 4EZ
 Mr Barry Williamson, 20 Deanshaugh Terrace, Elgin, Moray, IV30 4EZ
 Cheryl Williamson, 20 Deanshaugh Terrace, Elgin, Moray, IV30 4EZ
 Mr Douglas Williamson, Connet Hill, 1 Sherffmill Road, Elgin, Moray, IV30 1SB
 Linda Williamson, Connet Hill, 1 Sherffmill Road, Elgin, Moray, IV30 1SB
 Mr Nigel Williamson, 14 Jock Inksons Brae, Elgin, Moray, IV30 1QE
 W Willox, Windybrae, Craigellachie, Aberlour, Moray, AB38 9RB
 Laurie Wilson, 12 Manitoba Avenue, Elgin, Moray, IV30 6RB
 Mr Mark S Winn, 16 Cooper Street, Buckie, Moray, AB56 1DE
 Mr James Wiseman, 13 Waulkmill Road, Elgin, Moray, IV30 6HJ

Mr James Wiseman, 153 Edgar Road, Elgin, Moray, IV30 6UQ
Mrs E Wood, 75 Milnefield Avenue, Elgin, Moray, IV30 6EJ
Kieran Wood, 9 St Margarets Crescent, Lossiemouth, Moray, IV31 6RF
M Woodhouse, 45 Fraser Place, Keith, Moray, AB55 5EB
Mr David Wright, Birkenhill House, Elgin, Moray, IV30 8SB
Mrs J Young, Glaskyle, Dunphail, Forres, Moray, IV36 2QR
Zianeathmane, 15A King Street, Lossiemouth, Moray, IV31 6PZ
Mr Adam Zydek, 19 Provost Christie Drive, Rothes, Moray, AB38 7BT

SUPPORT

Scotia Homes c/o Emac Planning LLP Town Planning Consultants, Ballinard House, 3 Davidson Street, Broughty Ferry, Dundee, DD5 3AS
Mr Stephen Duff, 36 McMillan Avenue, Elgin, Moray, IV30 6GJ
Mr Ian Howland, 42 Bain Avenue, Elgin, Moray, IV30 6GB
Mr Alistair Kennedy, 5 Linksfield Court, Elgin, Moray, IV30 5JB
Mrs Aileen Marshall, 28 Glen Moray Drive, Elgin, Moray, IV30 6Y A
Mr John Marshall, 28 Glen Moray Drive, Elgin, Moray, IV30 6YA
Mr James May, emailed and no address given
Elgin South Area Forum c/o Rebecca Kail
Mr Robert Walker, 19 West Road, Elgin, Moray, IV30 1SA
Mr K Wood, Station Road, Garmouth

Those grounds raised in support of the application are summarised at the end the objections/representations section below.

Of the total number of representations received, over 700 were individually submitted and signed but are identical in their content, and given the number involved, the specific content of this letter is stated below. These have been treated and considered as individual objections contributing to the overall number of objections received.

There have however been a small number (7) of the generic objection letter type that have been removed as objections because following acknowledgement of the representation to the properties, those individuals have confirmed the representation was falsified and not from them or returned as the objectors name is not known at that address.

A further small number of acknowledgements were returned from the post office after properties refused to accept them or had indicated that the addressee had gone away but these representations have been taken into consideration.

The points raised by the generic letter are commented upon below alongside the other summarised representation comments. It reads as follows;

***“New and amended roadway, new and amended road junctions (including a new junction onto A96 (T) at West Road), new bridge across Aberdeen-Inverness railway line, various altered and new footpaths, associated drainage and landscaping at site linking A96 (T) to Wittet Drive to Edgar Road, Elgin, Moray.
Ref 14/00551/APP***

Having been advised on the content of the documentation submitted in support of the above application I wish to raise my personal OBJECTION to the proposals. I now understand the full impact of the proposals and it is my view that there are

significant impacts predicted as a result of building and operating the proposed link road.

Given the technical nature of the planning process I have been assisted in writing this objection letter and wish it to be viewed and recorded as a personal representation, and not as a 'template' style submission.

The reasons I believe the application should be refused are summarised below.

- There will be long term significant noise impacts on about 170 homes. Over 300 properties will experience an increase in nuisance levels, almost 60 of these experiencing double the existing nuisance levels.*
- There will be short term significant noise impacts on hundreds of homes during construction. It is suggested in the documentation that these will be short term and that good practice will help mitigate these impacts. However, there is no evidence to suggest that significant impacts can indeed be mitigated by using good practice. This is therefore an inappropriate and misleading conclusion and deems the assessment deficient. Full results of how, and if, construction noise can be kept below acceptable levels is required as soon as possible to inform any decision.*
- There will be significant noise and visual impacts on Greenwards Primary School. I understand that to deal with the significant noise impact the Council suggests never opening the windows at the school, which I feel is a wholly inappropriate suggestion. I also understand that the views the children and staff get over the open land will be blocked by a 2m high fence.*
- Over 50 homes will experience significant visual impacts, some being reported as substantial impacts.*
- The character of the local landscape will be impacted in a significant way.*
- There is no mention in the documentation about the deer that use the Wards Wildlife Site and how the road will stop the deer using this area. Assessment is needed to show how the scheme impacts their habitat and how they will be protected from the traffic.*
- There is no mention of what properties will experience unacceptable impacts given they will have both significant noise and significant visual impacts. This needs to be made public and, until it is, no decision should be made.*

The Council suggests in the supporting documents that the significant visual and noise effects reported are limited to specific locations and that these should be accepted given the "economic reasons of overriding public interest for the proposed scheme". I wholly object to this conclusion and do not accept that blighting the lives of hundreds of families is in any way acceptable. Nor do I agree that there is overriding public interest for the scheme and I ask that evidence is presented to demonstrate this statement.

Given the significant impacts reported in the application documents, along with the other likely significant impacts that the Council has not yet assessed, the proposal goes against key policies such as:

- Moray Local Plan 2008, Policy T2 -Provision of Road Access, which states:

"Access proposals that have a significant adverse impact on the surrounding landscape and environment that cannot be mitigated will be refused."

There is no question therefore that because of the hundreds of significant adverse impacts the application must be refused.

- Moray Local Plan Policy IMPl - Development Requirements, states that development must meet certain requirements relating to noise pollution. The proposals do not meet these noise requirements at hundreds of locations, so the application must be refused.
- Moray Local Plan Policy EP8-Pollution states that "Planning applications that are subject to significant pollution such as noise... will only be approved where a detailed assessment report on the levels, character and transmission of the potential pollution is provided by the applicant to show how the pollution can be appropriately mitigated." The application must be refused as it categorically fails in complying with this fundamental policy.
- Moray Local Plan Policy IMP2 -Development Impact Assessments indicates that it is designed to ensure "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." It is clear from the assessment that appropriate mitigation measures are not effective at hundreds of locations.
- Moray Structure Plan 2007 states a key objective is "...safeguarding and enhancing the natural and built environment". Because of the hundreds of significant adverse impacts reported the application must be refused.
- PAN 1/2011-Planning and Noise, states the Scottish Government wishes to "ensure that quality of life is not unreasonably affected" by new development. With so many sensitive receptors being subject to significant noise impacts as a result of the scheme this clearly demonstrates it is contrary to the overriding objective of the Government's advice.

Because of the significant environmental impacts, the deficiencies of the environmental assessment, and the breach of Council and Government policy I object strongly to the application and consider it should be REFUSED.

Yours sincerely.....”

In relation to the standard letter above it was noted that a large number were received from outwith Elgin and many more from outwith Moray. As with all objections, weight must be attached to the relevance of the grounds of objection to the individual representation. Therefore specific objections about matters such as noise and visual impact from outwith Elgin will have less weight attached to them than representations from those within Elgin and close to the proposal where the impact will clearly be more tangible. Clearly some of the more generic objections such as the lack of economic benefit from the scheme are legitimately raised by any residents within Moray. For those online representations where no residential address was specified, no presumptions have been made about their proximity to the proposed site.

Applicant's response to the standard objection letter

Noise

- In the Long-Term, with mitigation in place, there are predicted to be 82 Major adverse and 101 Moderate adverse noise impacts at dwellings, as shown in Table 15.23 of the ES. However, the assessment undertaken has demonstrated that the majority of these adverse impacts are associated with changes in road traffic flows (between the year of opening and design year) as a result of long term housing growth assumed to occur at the Findrassie site in the northern Elgin area (see section 15.6.17) and are not as a result of this scheme. Without the proposed scheme in place, there are still predicted to be 71 Major adverse and 57 Moderate adverse noise impacts at dwellings, as shown in Table 15.22 of the ES. Therefore, there would be 11 Major adverse and 44 Moderate adverse noise impacts at dwellings as a result of the proposed scheme itself. By comparison, using the same approach, there would be 13 Major beneficial and 10 Moderate beneficial noise impacts at dwellings as a result of the proposed scheme itself.
- Noise mitigation measures are outlined in Section 15.5 of the ES. The ES does not recommend the shutting of windows as a noise mitigation measure. Paragraph 15.6.7 states that there would be potential disturbance at Greenwards School, which is located in much closer proximity to the proposed scheme, if natural ventilation (by opening windows) is currently employed at the school. This is reiterated in Section 21.3.3 of the ES, but does not recommend the closing of windows as a mitigation measure.
- Subsequent consideration has been given to the height of noise barriers and road surfacing to minimise noise disturbance at Greenwards Primary School. A supplementary report was prepared by Jacobs and submitted to the Council in August 2014 and it has been established that with a 2.5m noise barrier in place, in combination with low noise road surfacing, internal classroom noise with windows open would be reduced to below the acceptable upper limit for both new build and refurbished classrooms, following best practice guidance outlined in "Building Bulletin 93. Acoustic Design of Schools, A Design Guide. Department for Education and Skills."

Visual impact

- Greenwards Primary School (receptor 10, as indicated on ES Figure 12.1b) would have views of the proposed noise barrier along the extension to Edgar Road. The visual impact of the scheme on the school is predicted to be Moderate in winter year of opening, reducing to Slight/Moderate in summer after 15 years. The barrier would screen views of

the majority of traffic on the road from the school, and the new line of trees planted immediately behind it will be partially visible. In winter, year of opening the trees will not be in leaf and, at approximately 2.5m high, relatively small in size, so will have limited impact on the view from the school. In summer 15 years after opening, the trees are expected to have grown considerably and become more prominent in relation to the noise fence, helping to reduce its apparent scale. The branches and foliage of the trees are expected to over-hang the fence over time and their canopy will provide screening of taller vehicles. In addition the species rich grassland is expected to become well established and to 'soften' the base of the barrier.

- It should be noted that the significance thresholds (Negligible, Slight, Moderate and Substantial) used in the assessment represent points on a continuum, and in this case the impact assessed for the school, is predicted to reduce from a low moderate to slight/moderate. It was indicated to us during public consultations that staff had a preference for a noise fence with planting being limited to the road side. This was taken into account in the reporting of appropriate mitigation at this particular location.
- The visual impact assessment (ES Chapter 12) has identified that 52 properties would be affected by significant (moderate or greater) visual impacts in winter, year of scheme opening. Mitigation measures including individual trees, tree lines, hedgerows and areas of woodland planting are proposed to reduce visual impacts. The number of significantly affected properties is predicted to reduce to 19 in summer 15 years after opening when mitigation planting will have become established, with the majority of affected properties experiencing a reduction in impacts over time. Given the built up nature of the area, the number of significantly affected receptors is relatively small for a scheme of this nature and the greatest impacts occur at dwellings in close proximity to the route, where opportunities for additional visual screening measures are limited.

Noise and visual

- Noise and visual cumulative impacts have been assessed in Chapter 21 (Cumulative Impacts) of the ES. Section 21.3 provides information on receptors that will experience cumulative noise and visual residual impacts. This includes a small number of properties on Wittet Drive, and Greenwards Primary School (following opening windows for natural ventilation). A small number of properties on Wittet Drive are anticipated to experience significant residual noise and visual cumulative impacts, and also Greenwards Primary School when natural ventilation is used through opening the windows.

Wildlife

- The SNH Handbook on Environmental Impact Assessment (2009) states that "the scoping stage explains that it may not be appropriate or necessary to study all possible ecological impacts to the same level of detail. Effort must be focused on those features or resources that are sufficiently important to merit more detailed consideration".
- SNH were consulted on the scope of the ecological surveys and associated methodologies to be used on 7th May 2013 and in a response on 15th May 2014 referring back to a letter dated on 20th December 2012 survey methodologies and species for consideration in the assessment were agreed. The scoping response did note

the presence of roe deer on the site and suggested measures including signage to minimise the risk of deer vehicle collisions. Further to this it makes reference to the fact that the 30mph speed limit on the road will assist with this. No requirement for further survey work or assessment was highlighted. In our professional opinion based on the nature conservation status of roe deer it was not considered to be a species for consideration within the Environmental Impact Assessment for this scheme.

- Further to this the design of the scheme will enable the continued access by deer to the Wards Wildlife Site as the fencing used in the design between the R5 Development Access (chainage 380.000) and the southern junction (chainage 30.000) has been primarily designed for badgers and will not be deer-proof. The scheme will only result in the loss of less than 1% of the habitat on the site, it is therefore highly unlikely that this would pose any impact on deer populations in the area as the resources available to them remain largely unaffected.
- It was beyond the scope of the ES to undertake a deer-vehicle collision (DVC) risk assessment. However as suggested by SNH in their letter of 20th December 2012 the provision of deer warning signage along the stretch of road adjacent to the Wards Wildlife Site and the enforcement of a 30mph speed limit along the length of the road will provide some protection to limit the potential for deer vehicle collisions.

All objections/representations have been read and where material, given the appropriate consideration prior to the recommendation being finalised. Given the large number of representations, the main grounds for objection/representation are summarised and categorised as follows;

Objection reasons selected by objectors from online objection/representation weblink menu are as follows:

- Noise
- Pollution
- Activity at unsociable hours/behaviour
- Affecting natural environment
- Contrary to Local Plan
- Drainage
- Inadequate plans
- Inappropriate materials/finishes
- Legal issues
- Parking
- Loss of privacy (being overlooked)
- Poor design
- Procedures not followed correctly
- Road access
- Road safety
- Traffic
- Dust
- Smell
- Height of proposed development
- Permitted Development

- Precedent
- Lack of landscaping
- Views affected
- Litter
- Reduction of natural light

Comment from Planning Officer (PO): When submitting comments online it is possible to select comments from a pre-defined list. In some cases no further remarks are made by the objector about the comment so it is not possible to fully consider/respond to the comments.

Traffic issues

Issue: This is fundamentally a proposal to divert traffic from the A96 Trunk Road through residential areas. It will be used by Trunk Road traffic coming from the west travelling southward and by other A96 traffic trying to avoid congestion between the Tesco and Pansport Roundabout to the detriment of residential areas along Reiket Lane, Ashgrove Road, Thornhill Road, Sandy Road, Glen Moray Drive, Wards Road and Wittet Drive. The route will be busier than forecast.

Comment (PO): The modelling carried out and detailed in the supporting documents does not predict that the suggested diversion would be created around the edges of the town. There is no evidence that demonstrates that the traffic flows using the proposed route will be higher than that predicted in the Environmental Statement and other supporting documents.

Issue: The baseline traffic data is flawed and inappropriate, which has implications for information relying upon it such as air quality analysis and any economic benefit. It should be fully interrogated to test its appropriateness. Any decision based upon this data could warrant grounds for judicial review.

Comment (PO): No details have been given of the specific flaws alleged and given the information has not been questioned by either Transport Scotland, JMC (consultants to Transport Scotland) or the Transportation Section of the Council there are no grounds upon which to presume the data is flawed. See also the applicant's response below.

Issue: The provision of traffic lights at the junction of Pluscarden Road and Wittet Drive will increase the amount of queuing traffic in all directions making it difficult for residents to access/egress from their driveways (inclusive of the lane serving the rear of properties on Wittet Drive accessed via Pluscarden Road).

Comment (PO): The proposed traffic lights will be designed to maximise the free flow of traffic. The predicted increase in traffic will not be so excessive to prevent residents from using their driveways.

Issue: Due to the new road layout and blocking up of the junction between Wards Road and Wittet Drive the surrounding streets to the north of Wards Road, inclusive of Pluscarden Road will see an increase in traffic. Petrie Crescent and Mayne Road will also become 'ratruns'.

Comment (PO): The distribution of traffic to neighbouring streets has been assessed as part of the traffic modelling carried out. It is not anticipated that the traffic volumes on surrounding streets would alter significantly.

Issue: As the route will provide access to numerous side roads and private driveways how will traffic flow faster and safer while allowing residents to try and get out of driveways and

junctions to go about their daily routines?

Comment (PO): The benefits from redistributed traffic flows come from the improved connectivity from different parts of the town and increased network capacity. The Transportation Section has not objected to the proposal on road safety grounds.

Issue: The increased traffic onto Wittet Drive, Edgar Road and surrounding streets will make driving in and out of driveways more dangerous.

Comment (PO): The increased levels of traffic will not result in unacceptably hazardous conditions for residents using their driveways on Wittet Drive. See the Observations section of the report regarding traffic and road design issues.

Issue: The scheme will see the introduction of between 10,000–15,000 vehicle movements per day passing by Greenwards Primary School where none occur at present. Staff and pupils will be impacted upon greatly by this proposal which will become a less safe environment (becoming especially congested at school opening and closing times).

Comment (PO): The implications of the road in terms of noise, safety and disturbance are discussed in the observations section of the report above. The proposed road is designated at this location within the adopted Moray Local Plan 2008 and would provide access also to other designation within the local plan on the west side of Elgin. Also the number of vehicle movements past the school is forecast to be between 6000 and 7000 movements per day and not as stated in the representation.

Issue: There is no consideration given to the effect of extra traffic on Edgar Road, Glen Moray Drive, Sandy Road, Birnie Road and eastwards along Thornhill Road toward the A96.

Comment (PO): The traffic assessments carried out and various options investigated have considered the wider traffic implications of the proposed scheme (such as the submitted traffic modelling report). Moray Local Plan 2008 beyond the various TSP's encompassed by the current application does propose other related TSP improvements in the south of Elgin.

Issue: Given the long straight that will be created, traffic will speed northward over the bridge towards the Pluscarden Road junction (as happens at present). The design will not do anything to reduce traffic speeds on the new road and the current roundabout does more to slow traffic than the proposed lights would (green lights will mean traffic does not slow).

Comment (PO): The proposed road design, pedestrian crossing islands, street markings and signage are designed to control traffic speeds. It is speculative to presume that traffic would be speeding on the new road and northward onto Wittet Drive.

Issue: The Cedarwood Day Centre will be at danger with more traffic on Edgar Road. This is particularly of concern where vulnerable groups use the building.

Comment (PO): It is speculative to presume that increased traffic at the west end of Edgar Road will result in danger to those using the Cedarwood Day Centre and the Transportation Section has not raised any objections to the predicted volumes of traffic or the proposed road design near the Centre.

Issue: The announcement about the dualling of the A96 materially changes the circumstances surrounding the options for the link road. The impact of the dualling and by-passing of Elgin would significantly change the traffic models upon which the current application is based. The contention that only 25% of traffic within the town is through-traffic is dubious and would significantly change if a by-pass were in place.

Objectors do not accept that the scheme is still required irrespective of the progression of the dualling of the A96.

Comment (PO): The current proposal seeks to address wider infrastructure issues such as traffic congestion north and south of the railway line. Furthermore the announcement on the A96 dualling is still at a preliminary stage and does not outweigh other adopted transport and economic strategies of the Council. The applicants' submission does consider the implications of the dualling of the A96 but still conclude the scheme is required as the proposal would address local traffic issues beyond any trunk road traffic.

Issue: This design does not solve the problem of the A96 and a bypass is supposed to bypass a town and not go through it.

Comment (PO): This is not, nor is it intended to be a bypass. The applicant's submissions and the local plan designation identify this proposed TSP as separate to any designated bypass route, or future dualled A96 that would have to lie well outwith the town.

Issue: The road layout clearly needs to be reconsidered due to the road safety concerns it raises and will significantly increase the amount of traffic on Wittet Drive. Wittet Drive was never designed to take this much traffic and will become the equivalent of a trunk road.

Comment (PO): The proposal was subject of various assessments relating to vehicular and pedestrian safety prior to the submission of the scheme now under consideration which has not been opposed by either Transport Scotland or the Council Transportation Section. The increase in traffic movements on Wittet Drive will not increase to the extent that many of the objectors expect. Traffic levels will still fall well below those experienced on other roads surrounding the town centre or the A96. See the Observations section under Traffic and Road Design Issues heading.

Issue: The proposed opening up of gaps in the wall between the rear lane behind several of the properties on Wittet Drive and the roadways surrounding cottages to the east of Pluscarden Road has been attempted before but was short lived and subsequently in-filled due to the difference in levels of the roadways on either side of the wall.

Comment (PO): The proposal to open up sections of this wall to aid rear access to properties on Wittet Drive arose following comments at the pre-application public consultation stage of the current application. It is noted, following a site visit, that the position of any opening will be restricted to where the difference in ground levels between the two sides of the wall are at their closest.

Issue: The proposals will result in more heavy goods vehicles on Wittet Drive.

Comment (PO): It is acknowledged that this will be the case along with a general increase in traffic.

Issue: The proposal will make it more difficult for residents to get onto Glen Moray Drive from adjoining streets.

Comment (PO): The increase in traffic will not be so significant as to make access onto Glen Moray Drive unacceptable.

Issue: Why have a turning area for refuse lorries at the bottom of the garden of 56 Mayne Road?

Comment (PO): The layout has been determined by the applicants. As the road would become a dead end, a turning area is necessary and beneficial for residents and service vehicles.

Issue: The proposal will result in increased traffic at Glassgreen making access to the medical centre and shops more difficult.

Comment (PO): The predicted traffic flows at Glassgreen do not show an increase if the development were to proceed.

Issue: The proposal will not improve the overall traffic flow through Elgin. As much of the west bound traffic on East Road is local traffic, how is the proposal going to help? The applicant does not appear to have carried out a traffic impact assessment.

Comment (PO): The extensive surveys, analysis and traffic modelling show that the scheme would improve overall traffic flows within many parts of Elgin.

Issue: The proposal will impact greatly on movement along the streets by over-providing for the passage of people on foot and cycle on the wide paths. This will in turn impact upon the character of a place, public health, social interaction and tackling climate change through reductions in carbon emissions.

Comment (PO): To the contrary, encouraging healthier, environmentally friendly modes of transport have proven to be beneficial to society.

Issue: It is contested that narrowing the carriageway to 6.6m on Wittet Drive will have a traffic calming effect, and is still sufficiently wide so as not to deter speeding. The current carriageway on Wittet Drive, whilst wider, does accommodate on street parking which currently has some impact on traffic speeds. The 6.6m wide carriageway with little or no on street parking will not deter speeding.

Comment (PO): The altered layout and design of Wittet Drive has been assessed by the Council's Transportation Section and Transport Scotland who have no objection to the proposed design. See the observations section regarding traffic and road design issues.

Issue: The planning application submissions are incomplete and misleading. The submission refers to the proposed link road providing the missing link and completing the Elgin road network in its south west quadrant. The Council as recently as 2009 acknowledged the existing road layout at Wittet Drive, The Wards, Glen Moray Drive and Sandy Road as being the distributor roads in the south west of Elgin. There is other misleading information relating to the unsubstantiated economic argument, shrinking construction costs and doom and gloom scenarios should the scheme not progress. The case for the new road has been over-hyped and over emphasised.

Comment (PO): The link road route has been a designated infrastructure improvement proposal since the Moray Local Plan 2000 and clearly streets such as The Wards fall below the standard of any distributor road. The supporting documents having been assessed by various consultees, both internal and external, have not considered them to be misleading. Objectors may not agree with the outcome of the various assessments and traffic modelling, but this does not provide any evidence that an intentionally deficient scheme has been promoted.

Issue: The proposed scheme will limit access to the town from surrounding streets. The connectivity between Wittet Drive and Wards Road will be diminished.

Comment (PO): Other than the loss of the junction at the bottom of Wittet Drive onto Wards Road for vehicles, little other connectivity will be lost. There is still adequate access for all travel modes westward from Wittet Drive. The new junction onto the A96 provides a significantly better access onto West Road for traffic turning east towards town.

Issue: The roadway south of Fairfield Avenue lacks detail.

Comment (PO): The Scheme Plan 4 of 6 gives ordnance datum heights of existing ground levels across the site and the Long Section Sheet 10 of 11 in the diagram on the bottom left corner gives comparative levels (existing and proposed) along the length of the road at 10m intervals running east to west. The Cross Section 5 of 5 includes one cross section of how the road would relate to Fairfield Avenue. These details are available on the Council's e-planning

webpage.

Issue: It is unclear why the proposed entrance way into R5 Bilbohall South is so close to and above the rear gardens of properties on Fairfield Avenue. It will cause unnecessary noise and disruption (especially to rear gardens) to residents on Fairfield Avenue when it could be located further south within the designation. If it were further south a rear garden could face a rear garden. The slope is such that cars would roll down the slope into the gardens if an accident were to occur.

Comment (PO): Whilst the objectors point is noted, the position of the road is a sufficient distance away from the neighbouring gardens to the north. It is noted that the spur turns south west as it terminates and moves away from properties to the north. The position of the access junction complies with visibility splay required by Moray Council.

Issue: Elgin does not have a current traffic problem and therefore money should not be spent on this improvement. Residents in the west end of Elgin have been travelling to and from the A941 via Edgar Road for years and do not experience traffic congestion.

Comment (PO): The Moray Local Plan 2008 does identify the need for these TSPs including the link road. It is also intended to accommodate future expansion of the town and increased vehicle movements beyond the current demands on the road network. Inadequacies of the public road network between west and south west Elgin and the need for the scheme are explained in the various application submissions.

Issue: Further development from Mayne Farm (Bilbohall South) should be accessed solely from Edgar Road.

Comment (PO): The benefit of linking Edgar Road to Wittet Drive beyond the need for access to housing designations is explained in the observations section of the report where the wider infrastructure of south west Elgin would be improved.

Issue: The occupants of 68 Wittet Drive will have to reverse down their new lane due to the lack of turning space at the top end.

Comment (PO): The issue of inadequacies of this rear lane in terms of lack of turning space is a current issue. The proposal includes opening up sections of the wall into adjoining lanes to improve access.

Issue: The proposal fails to address the potential development of public transport with any imagination. Such a route should only be considered where no other solutions to traffic congestion can be found.

Comment (PO): This proposal has arisen from a long design process where many other options were also investigated, with the current submission being the preferred option. Provisions for public transport links such as bus stops have been integrated into the scheme.

Issue: Intentions to have a Biomass fuel heating system at Glen Moray Distillery with 24 hour delivery of material and the re-opening of the quarry at Mosstowie will further add HGV's to the network passing by Wittet Drive or Greenwards Primary School.

Comment (PO): The proposal is designed to increase capacity on the roads network for such developments. The implication in terms of safety, noise and pollution of more HGV's is addressed in the observations section of the report where no adverse or unacceptable effects are anticipated.

Issue: Concern that the scheme links existing and proposed housing in a manner that does not reflect existing street patterns nor encourage permeability.

Comment (PO): The proposal would improve permeability in the west end of Elgin and there is no need to adopt the existing street pattern for such a development where the proposal is linking south west and west Elgin.

Issue: Traffic islands should not be used on the southern section as traffic calming measure, and these pinch points make the road more dangerous for cyclists.

Comment (PO): A 3m wide combined cycle/footpath is being proposed so cyclists should not need to travel on the motor vehicle carriageway.

Issue: The corner radii of the smaller side roads leading onto Wittet Drive/new sections of link road will be too wide allowing vehicles to turn quickly. This also makes the junctions unduly wide, a deterrent to pedestrians and cyclists and they do not accord with Designing Streets.

Comment (PO): The proposed junction radii have been designed in accordance with Moray Council Standards. The Transportation Section has not objected to the proposed junction arrangements.

Issue: The proposed access into Greenwards Primary does not show access into the school grounds for pedestrian/cyclists at the main gate.

Comment (PO): It is noted that a pedestrian/cycle link exists a short distance to the east and at the bottom of Longwood Walk. The pupil drop off point is to the south side of the school with the access in question being solely a staff vehicle entrance.

Issue: Traffic calming measures and pedestrian crossing should be created on Glen Lossie Drive prior to completion of the new link as this road crossing is already difficult.

Comment (PO): No specific phasing plan has been provided, but it would be envisaged that such crossing points would be in place prior to the link road being opened.

Issue: The shared cycle/footway should have been extended to link between the new junction onto the A96 and the existing Wittet Drive junction onto the A96 to improve access to the Sheriffmill Road (a desirable quiet route).

Comment (PO): The arrangements as proposed for pedestrians/cyclists and connectivity to Sheriffmill Road are acceptable to the various consultees including the Access Manager and Transport Scotland. The signalised crossing allows for safe access across the A96 from the new junction to Sheriffmill Road side.

Issue: A proposed crossing on Edgar Road will impede residents future desires to form driveways into their gardens. Residents on Edgar Road requested changes to the pedestrian crossing point which have not been taken on board.

Comment (PO): It is not possible to predict future requested private driveways and the road crossing points have been specifically selected according to a number of criteria which guide and dictate their position. Provision has been made to retain existing driveways.

Issue: The road safety audit has not been made available with the planning application.

Comment (PO): A wide number of supporting documents covering road safety issues have been submitted with the application. The Stage 3 Scheme Assessment Report Part 2 Engineering, Traffic and Economic Assessment March 2014 (para 7.1.19) and the Designing Streets Quality Audit make reference to the Stage 1 Road Safety Audit already carried out but it has not been provided with the supporting documents.

Issue: The closure of Batchen Street, allowing traffic to turn both ways from North Street onto Alexandra Road artificially impedes traffic flow in the town centre, a problem which the west

end of Edgar Road is expected to absorb.

Comment (PO): The closure of Batchen Street has little influence on the rationale behind the need to improve infrastructure in the south west and west of Elgin.

Issue: The proposal will result in a huge amount of problems for traffic on Edgar Road which is already very busy. It can already take 20 minutes to exit right out of Springfield Retail Park.

Comment (PO): The proposal has not been opposed by the Transportation Section. The increase in traffic movements on Edgar Road will not increase to the extent that many of the objectors expect. The traffic levels will still fall well below those experienced in the roads surrounding the town centre or the A96. See the Observations section under Traffic and Road Design Issues heading.

Issue: No construction traffic should be allowed to access the site from Fairfield Avenue given the narrow road and bridge serving it.

Comment (PO): This matter would be addressed under consideration of the Construction Traffic Management Plan (CTMP) which is recommended in conditions.

Issue: The developers of Bilbohall North (R1) whilst not objecting to the principle of the link road are concerned that the proposed alignment unduly restricts further housing development on the site. The level of restriction on the site was not clear when the site was initially developed (up to the first 40 units) as the precise alignment had not yet been determined. They have suggested and tried to negotiate an alternative alignment that would free up more of R1 where additional housing numbers are still designated and where the requirements of the link road could still be realised.

Comment (PO): At the time of writing this report, the applicants had not agreed to any realignment of the proposed road, and the application is to be determined as submitted. The proposal will affect the delivery of further development at Bilbohall North (as approved) unless the alternative access arrangement is provided.

Issue: Junction Inter-visibility Zone shown to cross resident's gardens has not been raised with residents before nor has this been the subject of any compulsory purchase.

Comment (PO): The zone in question is an illustrative demonstration on the plans of the inter-visibility between car stopping points at each of the four points on the new crossroads. It does not mean there will be any intrusive works required on gardens within those zones. The Transportation Section has not raised concerns over the information presented. Any discussion on compulsory purchase is a separate matter to the determination of the planning application.

Issue: Traffic calming and weight restrictions should be applied to Ashgrove Road.

Comment (PO): Such measures relate to land beyond the remit of the current planning application and should be raised separately with the Transportation Section of the Council.

Applicant's response to traffic objections

- Pluscarden Road/Wittet Drive - As with all signalised junctions, there will be some minimal delay when the traffic signal is in the red phase. A standalone junction assessment was undertaken for this junction and it showed that any queue that does develop during the red phase will clear during the next green phase. The traffic signal will be set to a defined cycle time, however could be vehicle active if it was deemed necessary.

- A narrowed 6.6m wide carriageway is proposed on both approaches to the bridge and throughout the wider scheme to assist in managing traffic speeds.
- In addition physical islands are also included along the route, including two on the link between the bridge and the junction with an extended Edgar Road which consequently forces drivers to adjust their speed accordingly in order to safely negotiate these features.
- The inclusion of regularly spaced junctions provide a physical break in the route which can effect driver behaviour and subsequently influence them to reduce their speed through the proposed route. Mayne Road and the R5 Development access junctions are located to the north and south side of the bridge respectively.
- Flawed traffic data - A detailed data collection programme was undertaken during 2011, which included the collation of traffic count and journey time data covering the key roads and junctions within Elgin. In addition, existing data was also obtained from both The Moray Council and Transport Scotland. Subsequently a local traffic model was developed in accordance with the Design Manual for Roads and Bridges (DMRB) Volume 12 Section 2 Part 1. The model was calibrated to reflect local conditions and validated using independent data in line with the guidance. The model uses industry standard software and techniques to reflect traffic levels and conditions within a base year of 2011. In line with standard appraisal processes, the model was used to test the proposed scheme to assess traffic impacts on the network. Information from the modelling informed the economic assessment of the scheme, and both the design and environmental review.

Parking

Issue: The proposed parking arrangements on Wittet Drive and Edgar Road will make it more difficult to park outside properties. The proposed parking bay provisions fall short of the amount of on-street parking required and will force some residents to park on the opposite side of the road from their houses. This will impact on resident's everyday lives.

Comment (PO): A parking audit was done as part of the wider assessment prepared for the project. It is noted that most of the residences on the north side of Wittet Drive have off-street parking where it is proposed to narrow the street and provide no on-street parking. It should be noted that there are no Council car parking standards that could be applied to this proposal. See the observations section regarding parking.

Issue: The pressure on parking on Wittet Drive, Pluscarden Road and other streets close to the hospital is made worse by the additional parking demand it creates. On occasion the traffic is limited to one way with oncoming traffic having to give way.

Comment (PO): The parking audit has taken into consideration the demands on Wittet Drive for parking. The proposed design of road includes a revision to the on-street parking arrangements.

Issue: The north end of Wittet Drive is proposed to see a reduction in parking to calm traffic and this will see a transfer of parking problems caused by the hospital onto other streets. The Roads Authority may at some point in the future impose further parking restrictions on Wittet Drive to improve link road journey times causing further parking difficulties on surrounding streets.

Comment (PO): See the observations section regarding parking.

Issue: Will Blue badge holders on Wittet Drive be allocated a designated space?

Comment (PO): Such a request would need to be the subject of a separate assessment. Any request for a dedicated parking space would be determined separately by the Council's Transportation Section.

Issue: The parking arrangements proposed for Edgar Road are unacceptable. The alternative parking is in a more remote less secure area across the road.

Comment (PO): The Council's Transportation Section have not raised any objection to the application in terms of the proposed parking arrangements on Edgar Road.

Issue: Existing off-street parking at Edgar Road was previously permitted by the Council and is now to be blocked or compromised. A condition should be attached ensuring access for existing properties.

Comment (PO): The proposal has been designed to retain access for all existing driveways on Edgar Road. The Transportation Section of the Council has raised no objection to the application in terms of the proposed parking arrangements at Edgar Road.

Issue: The scheme prohibits future disabled access to properties where driveways are being compromised. This is contrary to policies regarding disabled equality.

Comment (PO): The Council's Transportation Section has raised no objection to the application in terms of the proposed parking arrangements at Edgar Road. Where possible, parking provision is being made close to residences. The proposal has been designed to retain access for all existing off-street parking on Edgar Road.

Issue: The displacement of hospital staff parking onto surrounding streets beyond Wittet Drive, will cause annoyance, create resentment and impede emergency and service vehicles.

Comment (PO): The Council's Transportation Section has raised no objection to the application in terms of the proposed parking arrangements at Edgar Road. See the observations section regarding parking.

Applicant's response to parking issues

- The parking audit did take into account the parking pressures at the north end of Wittet Drive. The scheme does not propose any changes to the width of the road or to implement any parking restriction in this area. The proposed scheme is not expected to adversely impact on parking pressures in this area, and does not include an aim to resolve parking issues in Elgin. However elsewhere within the scheme Wittet Drive has been widened to the south of Pluscarden Road to allow for a degree of street parking, and parking bays will be provided to the western end of Edgar Road.

Pedestrian and cycling issues

Issue: With the revised road layout diverting more traffic onto Pluscarden Road, its narrow pavements will be more hazardous for pedestrians.

Comment (PO): The predicted traffic flow volumes on Pluscarden Road show only a very small increase in traffic movements.

Issue: The increased traffic will increase the risk of accidents between vehicles and pedestrians, especially children going to and from West End Primary and Elgin High School. The levels of traffic will deter anyone from taking a walk in their own surrounding area.

Comment (PO): It is acknowledged that there will be an increase in traffic movements in and around Wittet Drive but not to the level that pedestrian movement would be discouraged. The

proposals do however include various road safety measures and improvements such as signalised pedestrian road crossings on Wittet Drive. The scheme, in redistributing traffic within Elgin, will have benefits to pedestrians safely elsewhere in Elgin where current or forecasted congestion will be reduced. Also, the predicted level of traffic that would use Wittet Drive is less than the levels suggested by the objectors. See the observations section regarding pedestrian safety.

Issue: The number of controlled crossings will severely compromise pedestrian safety, especially with so many elderly and young in the area. These crossing will encourage drivers to speed up to get through the lights leading to accidents or fatalities.

Comment (PO): Controlled crossings improve pedestrian safety, and the proposed position of the crossings has been determined following detailed assessment of pedestrian movements in the area.

Issue: The combined cycle pedestrian pathway will be dangerous and residents coming out of the garden gates could be struck by cyclists.

Comment (PO): As with any footpath, residents would need to be mindful of other users of the footpath when entering onto it. 3m is a substantial width and should accommodate all users. The design of the combined cycle/footway accords with the Transport Scotland Guidance 'Cycling by Design' 2010.

Issue: The various crossings will increase driver stress as traffic will be held up at these points.

Comment (PO): The provision of dedicated crossing points will improve pedestrian safety, and it is speculative to suggest that such features decrease road safety as a result of driver frustration.

Issue: The reduction of pavement widths at some points on Wittet Drive will become an issue on refuse collection days when residents can each have several bins put out on the pavement at one time.

Comment (PO): Given the restricted space on Wittet Drive and the benefits of providing an integrated footpath cycleway on the street, the temporary obstruction of pavements for refuse collection is unavoidable.

Issue: The proposal will also increase traffic levels and make road crossings more dangerous at Glassgreen where elderly and children cross to the medical centre and shop.

Comment (PO): The predicted traffic flows at Glassgreen do not show an increase if the development were to proceed.

Issue: Edgar Road is already difficult to cross for pedestrians and the proposed scheme would make it worse.

Comment (PO): Several pedestrian crossing points are proposed at the west end of Edgar Road to aid pedestrians crossing.

Issue: Glen Moray Drive will become even more difficult for pedestrians to cross (especially school pupils) and where there is currently no Lollypop crossing.

Comment (PO): The predicted increase in traffic flows on Glen Moray Drive is not considered to detrimentally affect pedestrian safety.

Issue: The shared use footway has to give way at numerous points to side roads and driveways creating a discontinuous route that will be difficult and unsafe to use (like the one along Thornhill Road, Morriston Road). Recent Sustrans guidance suggests the cycleway should be given priority over side streets. An opportunity was missed to make a continuous, less disruptive

cycle route.

Comment (PO): The selection of this arrangement is in accordance with the design guidance document “Cycling by Design 2010” published by Transport Scotland. The Transport Manager and Moray Access Manager have not objected to the proposal as submitted.

Issue: The proposed road crossing Edgar Road would have been better placed outside the Cedarwood Day Centre.

Comment (PO): The Council’s Transportation Section has raised no objection to the application in terms of the proposed arrangements at Edgar Road.

Issue: The Council introduced a walk to school scheme using the footpath at The Wards Wildlife Site and as a safe way for children at the west end to attend Greenwards and Elgin High School. They would now have to cross a main road.

Comment (PO): Several signalled and unsignaled crossing points are being proposed near the school.

Issue: The signalled toucan crossing outside a house on Wittet Drive will obstruct access to their property.

Comment (PO): The crossing lies to the south east of the affected driveway and should not unduly impede access. The Council’s Transportation Section has raised no objection to the proposed crossing position.

Issue: The original proposed pedestrian/cycle underpass on Wards Road would be better than the now proposed signalled crossing over the road which will be heavily used and continually stopping traffic on Wittet Drive.

Comment (PO): Only the current submission is under consideration which makes no reference to a proposed underpass. The proposed crossing is acceptable to the Council’s Transportation Section.

Issue: Access to The Wards Wildlife site and a local neighbourhood woodland (Fairy Wood) will be restricted.

Comment (PO): Access to these areas will be preserved and enhanced as a result of the development. Access from the areas north of the Wards Wildlife site will be enhanced.

Applicant’s response to pedestrian and cycle issues

- The link road benefits pedestrians in several ways. In the town centre the benefits can be attributed to one of the objectives of the link road, to introduce a release of capacity on certain sections of the existing road network that have forecast capacity constraints including the existing railway crossings. These existing capacity constraints impact pedestrians by making certain crossing points difficult to negotiate at particular times of the day.
- A further objective of the link road is to create additional provision for walking and cycling trips in the area. The A96 West Road in particular will benefit from improved crossing facilities associated with the new signalised junction at the northern extent of the link road. This will replace the existing un-marked crossing of the A96 Trunk Road (West Road) from the south to north side of the road with a high quality toucan crossing facilities which cater for both pedestrians and cyclists.

- At Wards Road, the proposed design ensures that links between existing footways are retained with no existing pedestrian route being severed. Overall the proposed shared footway / cycleway provided along the length of the link road will allow greater connectivity to existing footways in residential areas and existing shared footway / cycleway facilities located in Elgin and consequently greater connectivity between residential areas and community features such as schools, The Wards Wildlife site and retail facilities on Edgar Road.
- The proposed 3.0m wide footway / cycleway shall be a shared space and not segregated by any demarcation. Due to the projected traffic figures and vehicle speed on the link road, this arrangement is considered to be the most appropriate. The selection of this arrangement is in accordance with the design guidance document “Cycling by Design 2010” published by Transport Scotland.

Noise

Issue: The proposed roadways, alterations to Wittet Drive and Edgar Road would result in an unacceptable long term significant noise impact upon residents in what is a relatively tranquil residential area. This will also affect their enjoyment of the home and gardens.

Comment (PO): The noise impact assessment identifies for each property within 300m of the development the anticipated increase in noise levels if development proceeds. Reference is made by some objectors that noise at some dwellings would double; such an increase however would only be unacceptable if the guideline figures were to be exceeded but this is not the case here. This aspect is considered in depth in the noise/vibration observations section of the report above.

Issue: Noise levels will be higher during construction, and there are no indications of how these would be minimised.

Comment (PO): Conditions are recommended limiting construction hours to occur outwith unsociable hours. For any development a temporary period of disruption during construction must be expected. The Construction Environment Management Plan (CEMP) also proposes further measures to be taken to minimise the disruption caused during the construction phase.

Issue: The development will result in unacceptable noise increases to Greenwards Primary School.

Comment (PO): Subject to the conditions as recommended and modification of the proposed barriers the noise levels at the school would fall within acceptable levels. See the observations section regarding noise/vibration above.

Issue: There is no mention of which properties will experience significant/unacceptable noise.

Comment (PO): The ES and its Appendix identify the anticipated noise impacts for individual residential properties and non residential properties. See also the Observations Section regarding noise/vibration above.

Issue: During the construction phase there will be significant noise impact upon Greenwards Primary School and Elgin High School and efforts should be made to minimise disruption during classes.

Comment (PO): The Construction Environmental Management Plan (CEMP) addresses issues and recommends mitigation measures and practices to be undertaken during construction.

Issue: Disruption to teaching would also occur once the road is opened and it would be unacceptable to expect windows to have to be closed to achieve non significant noise levels

from within the primary school.

Comment (PO): Following consultation with the Environmental Health Manager noise mitigation measures north along the side of Greenwards Primary are to be enhanced to ensure noise levels are kept to an acceptable level such that windows can be left open. See the observations section regarding noise/vibration above.

Issue: The various noise barriers with a collective length in excess of 500m, varying in height up to 3m would only remove 27 properties from the category of significant impact category. The benefit is therefore disproportionate to the visual impact these barriers would have.

Comment (PO): The benefits of the noise barriers are part of the overall noise mitigation strategy and contribute to reduction in noise levels.

Issue: The various signalled pedestrian crossings will beep when in operation disturbing residents.

Comment (PO): The noise levels generated by pedestrian crossings are not so high and temporary in duration so as to cause any loss of amenity to neighbouring properties.

Issue: The ES refers to construction works being carried out during normal working hours 'where possible'. This has not been specified.

Comment (PO): A condition is recommended giving specific times within which construction can occur.

Applicant's response to Noise issues

- The term "significant" has not been used in the Elgin ES Noise and Vibration chapter in relation to operational noise impacts. Section 15.2.49 of the ES provides guidance on the "level of significance" and its relevance to the decision making process. The DMRB assessment method does not consider absolute noise levels, only the change in noise levels. As such, Major and Moderate noise impacts could be experienced for properties with predicted noise levels below 59.5 dBA. Operational noise impacts are most accurately described ranging from No Change to Major impacts depending level of noise change with the proposed scheme. The recommended DMRB guidance, developed by the Highways Agency, does not refer to operational impacts specifically as "significant" impacts. Section 15.2.49 of the ES provides guidance on the "level of significance" and its relevance to the decision making process.
- Noise mitigation measures are outlined in Section 15.5 of the ES. The ES does not recommend the shutting of windows as a noise mitigation measure. Paragraph 15.6.7 states that there would be potential disturbance at Greenwards School, which is located in much closer proximity to the proposed scheme, if natural ventilation (by opening windows) is currently employed at the school. This is reiterated in Section 21.3.3 of the ES, but does not recommend the closing of windows as a mitigation measure.
- Subsequent consideration has been given to the height of noise barriers and road surfacing to minimise noise disturbance at Greenwards Primary School. A supplementary report was prepared by Jacobs and submitted to the Council in August 2014 and it has been established that with a 2.5m noise barrier in place, in combination with low noise road surfacing, internal classroom noise with windows open would be reduced to below the acceptable upper limit for both new build and refurbished classrooms, following best practice guidance outlined in "Building Bulletin 93. Acoustic Design of Schools, A Design Guide. Department for Education and Skills."

- In the Short-Term, with mitigation in place, 114 dwellings are predicted to see Moderate or Major adverse noise impacts, while 43 are predicted to see Moderate or Major noise benefits.
- In the Long-Term, with mitigation in place, there are predicted to be 82 Major adverse and 101 Moderate adverse noise impacts at dwellings, as shown in Table 15.23 of the ES. However, the assessment undertaken has demonstrated that the majority of these adverse impacts are associated with changes in road traffic flows (between the year of opening and design year) as a result of long term housing growth assumed to occur at the Findrassie site in the northern Elgin area (see section 15.6.17) and are not as a result of this scheme. Without the proposed scheme in place, there are still predicted to be 71 Major adverse and 57 Moderate adverse noise impacts at dwellings, as shown in Table 15.22 of the ES. Therefore, there would be 11 Major adverse and 44 Moderate adverse noise impacts at dwellings as a result of the proposed scheme itself. By comparison, using the same approach, there would be 13 Major beneficial and 10 Moderate beneficial noise impacts at dwellings as a result of the proposed scheme itself.
- Table 15.21 and section 15.6.13 show that, on scheme opening, with the benefit of the proposed mitigation, 18 fewer dwellings are predicted to experience Major noise impacts and 9 fewer dwellings would experience Moderate adverse noise impacts, compared to the proposed scheme with no mitigation. Table 15.23 and section 15.6.16 show that, in the Long-Term, with the benefit of the mitigation proposed, there would be 4 fewer dwellings experiencing Major adverse noise impacts and 25 fewer dwellings experiencing Moderate adverse noise impacts, compared with the proposed scheme with no mitigation.
- Noise nuisance assessment: it should be noted that the changes predicted in the short-term represent a larger percentage increase in nuisance levels, e.g. a 0.9 dB increase in noise level is equivalent to 20% increase in the noise nuisance level in the short-term. In other words, as noted in Annex 6 of HD 213/11 – Revision 1, people are more sensitive to abrupt changes in traffic noise than gradual changes. Therefore, the sensitivity to new schemes is an effect that can last for a number of years, when in fact gradual changes in noise levels can represent higher overall noise increases.
- At the time of undertaking the construction assessment for the ES, the exact plant and equipment to be used for each phase of the works was not known. As stated in sections 15.4.1 to 15.4.3 of the ES, an indicative construction assessment has been undertaken to identify if significant construction impacts are likely. Mitigation measures have been proposed for those construction activities considered to be significant, as detailed in sections 15.5.1 to 15.5.3.

Air Pollution

Issue: The additional standing traffic will increase air pollution on Wittet Drive resulting in low air quality. This will be compounded by the various controlled pedestrian crossings that will halt traffic. The poor air quality would be of severe detriment to vulnerable groups such as the elderly, babies and those with ailments such as Asthma.

Comment (PO): The air quality chapter of the ES concludes that there would not be a significant increase in traffic as to constitute an unacceptable increase in pollution. The predicted change in air quality has been assessed as not having a detrimental impact. Traffic

levels will not be close to the amount that would result in such unacceptable or adverse impacts.

Issue: Both Greenwards Primary School and the Cedarwood Day Centre will experience more pollution from the development.

Comment (PO): The Environmental Statement findings have not demonstrated that the redistribution of traffic within the west side of Elgin would result in increased pollution levels.

Issue: The conclusion that the scheme will result in an overall beneficial impact on local air quality cannot be taken seriously.

Comment (PO): The benefit is predicted as being slight and given that the scheme is designed to reduce traffic congestion and improve traffic flows within the town, such a conclusion is reasonable. See observations section above on air quality.

The applicant has provided no specific response to air pollution objections

Vibration

Issue: General disturbance will be caused by increased vibration from traffic post development and even more so during the construction phase. HGV's passing through Wittet Drive at night already cause severe vibrations. The damage to property could be substantial.

Comment (PO): The applicant's have stated that the proposal would not result in structural damage to buildings. The most significant construction work, in the form of the formation of new sections of road, will occur in locations away from residential properties. The proposed Construction Environmental Management Plan (CEMP) and Construction Traffic Management Plan will also seek to minimise the impact of construction upon nearby residents. See the observation section regarding vibration.

Issue: Condition surveys of properties before and after should be made available to the property owners and should repairs require to be undertaken the costs should be met by the Council.

Comment (PO): For the vast majority of Wittet Drive the works are restricted to road and pavement reconfiguration and all properties on Wittet Drive are set back from the roadway. The vibration assessment of the applicants within Chapter 15 Noise and vibration of the ES concludes that there will be no significant vibration impact resulting from the works where appropriate mitigation measures are followed and no structural damage risk highlighted.

Issue: All houses on Fairfield Avenue are built on Vibro Pile and investigations need to be carried out to ensure no lasting damage is done to nearby houses.

Comment (PO): The assessment as undertaken concludes that no damage would be done to nearby houses.

The applicant has provided no specific response to vibration objections

Loss of view

Issue: The proposed noise barriers at Greenwards Primary School and other locations will result in the loss of views of open land or beyond.

Comment (PO): The loss of a view is not a valid material planning consideration. The proposed barriers are sufficiently far from residences and schools so as not to restrict or adversely impact upon daylight.

Issue: The stationary traffic outside resident's homes on Wittet Drive will affect their view.

Comment (PO): There will not be prolonged periods of traffic sitting on Wittet Drive and nor

would any such visual impact be significant given the presence of traffic already on the street.

The applicant has provided no specific response to loss of view objections

Visual impact

Issue: Over 50 homes will experience significant visual impact with others experiencing a substantial impact.

Comment (PO): Following consideration no adverse or unacceptable visual impacts regarding the development will result, subject to the mitigation proposed. The assessment as to whether those impacts are unacceptable or detrimental is examined above in the observations section on visual impact. See also the applicant's response to visual impact objections below.

Issue: The character of the local landscape will be impacted upon in a significant way.

Comment (PO): As Wittet Drive is an existing public road no change in character will occur. The landscape at the new junction onto the A96 and the new section of roadway between Wards Road and Edgar Road will change these areas of undeveloped land. This route is however designated in the current Elgin Settlement Statement and as such the principle of a road in this location is designated in the local plan. The impact upon the landscape in these areas has been assessed in the context of the other local plan development designations upon the route or adjacent to it (Elgin R1, R5 and R8) and no unacceptable adverse impacts are considered to occur.

Issue: There is no mention of which properties will experience significant visual impacts.

Comment (PO): The ES in Chapter 11 and its related Appendix address this issue and refer to specific receptor locations.

Issue: While the significant visual impact is predicted to diminish for some receptors once the landscaping and tree planting becomes established, this is predicted to take 15 years to become fully established.

Comment (PO): As with any landscaping scheme the trees would need a number of years to mature and achieve their full benefit. This would not constitute a reason to refuse the application.

Issue: The ES refers to further benefits in reducing the visual impact from the landscaping proposed as part of the scheme. Only 33 properties are indicated as realising a benefit from this and it would take up to 15 years to start realising this benefit while the trees mature.

Comment (PO): As with any landscaping scheme the trees would need a number of years to mature and achieve their full benefit. This would not constitute a reason to refuse the application.

Issue: The proposed noise barriers will have significant visual impacts upon Greenwards Primary School which currently has an open aspect. The barriers will have a detrimental effect on the children who have to look at it and will detract from the school being a place of interaction where people gather.

Comment (PO): The provision of a solid boundary along the northern edge of the playground is not considered to constitute a detrimental impact. Many playgrounds are bound by high and solid boundary enclosures. The school building lies over 20m south of the proposed barrier and is sufficiently far from the proposed boundary such that the visual impact will not be excessive. As mentioned previously, the loss of a view is not a material planning consideration.

Issue: There was a lack of reference to the noise barriers in the Design and Access Statement or the Design Street Quality Audit and there is concern that they have not been clearly presented to the public in any public consultation or exhibitions. These barriers and banks adjacent to them will destroy the amenity of the streets in which they are located and be visually intrusive.

Comment (PO): Various plans and sections of the ES make reference to and describe the noise barriers at the various locations proposed. They would be located upon the newer sections of road and are not proposed on what is currently Wittet Drive but two barriers would exist at the north end of the development where the route diverts over the location of the dwellings to be demolished but not on the current street itself. Substantial planting of shrubs, woodland and climbers species on the rear of barriers will assist in reducing their visual impact.

Issue: Concern over the impact upon the houses that would be overshadowed by the new bridge. This will be a significant size of construction and be out of character with the area.

Comment (PO): The new bridge will only lie close to five houses at the south end of Wittet Drive. While the road leading to the bridge will rise higher than the current street level, the level of the proposed altered road, new walls and bridge parapets will not excessively overshadow the nearby houses. The applicant has sought to use sympathetic materials where possible to the setting of the bridge and the bulk of the structure will lie south of Wards Road across the railway line.

Issue: The new road would be right outside various properties which access via Fairfield Avenue, some of which have sun lounges facing towards the proposed link road. Similarly the proposed spur to the south of Fairfield Avenue will impact upon the street and cannot be screened for fear of overshadowing and becoming an eyesore.

Comment (PO): There is sufficient distance between the proposed development and dwellings accessed via Fairfield Avenue. The proposed noise barriers and landscaping would largely obscure views of the new road from residents.

Issue: Given the landscaping will take 15 years to establish, the tree planting should be carried out at the outset of the development if its proceeds.

Comment (PO): Given the nature of the ground works, it would only be practical to carry out the planting at a later stage of the development.

Applicant's response to visual impact

- The design of the Western Link Road has been carried out in such a way that any adverse visual impacts are avoided from the design as far as reasonably practical within the existing physical constraints and visual characteristics present, consideration of overall safety, and with the overall principle / objectives of the scheme in mind. As a result the visual appearance associated with a shared surface arrangement is not considered feasible for the design of the link road and as such the WLR cannot adopt this format.
- Notwithstanding this it is understood that the shared surface arrangement is only one element of the Designing Streets philosophy and as such the scheme does meet a considerable number of key attributes which are important to enhancing the visual appearance of such a development. Details which clearly demonstrate where the scheme adheres to the key attributes that are included in the Designing Streets document are as follows;
 - Pedestrian & Cycling Facilities: Streets should be designed in such a way that not only allow for walking/cycling but actively encourage it to take place. The design of

the WLR actively addresses this where footways and cycleways are provided along the full length of the scheme encouraging pedestrian and cyclist movement throughout. The WLR adopts the visual format of the Designing Streets philosophy by including these provisions.

- Planting: Street design should aim to integrate natural landscape features and foster positive biodiversity, therefore a variety of planting has been incorporated into the design in order to maintain the natural landscape and provide a sense of place as well as softening the street scene. In the north of the scheme, species rich grassland and trees shall feature along the route. South of the railway a mixture of scrub woodland, trees, hedgerows and species rich grassland will be used to compliment the surrounding area, in particular the Wards Wetlands to the east. Additional planting will be used in the vicinity of the SUDS ponds to create a natural appearance and allow the ponds to blend into the surrounding environment. The inclusion of planting throughout the scheme offers a distinctive character area for all users to enjoy.
 - Materials: Materials should be distinctive, easily maintained, provide durability and be of a standard and quality to appeal visually. On the southern section of the design, traditional metal road restraint systems have been replaced by 'Nature Rail' which is a road restraint barrier in timber form. This type of barrier is more aesthetically pleasing, offers similar performance and matches the surrounding natural characteristics of the Wards Wetlands. A sense of place is achieved by these unobtrusive timber units. In addition, all retaining walls are specified to be stone clad which is more aesthetically pleasing than concrete walls with the added benefit of blending into the existing surroundings with a similar stone type to the properties and boundary walls in the immediate vicinity.
 - Reducing Clutter: Street furniture should be located to ensure the maximum benefit and reduce pedestrian obstruction. Signs and street markings should also be kept to a minimum. The WLR addresses these elements to prevent a cluttered layout by only including street furniture if absolutely necessary which helps maintain the appearance of natural environment as far as practically possible.
 - SUDS: Designing Streets states that Sustainable Urban Drainage Systems should be applied whenever practical and technically feasible due the substantial environmental benefits in which they bring. The proposed scheme incorporates SUDS features into the drainage design where possible and the inclusion of swales and ponds not only serves to treat and attenuate storm water but provide a feature which complements the natural environment and is sympathetic to the local area. The proposed ponds will also offer an enriched natural habitat for wildlife and an enhancement to the local landscape.
 - Utilities: The accommodation of services should not determine the layout of streets and footways and this is something that has been adhered to throughout the design process where the route of the WLR and associated footways have been chosen without influence from the location of utilities. A number of utility diversions are required as part of the works and these are obliged to accommodate the features of the scheme to ensure the visual appearance is not compromised.
- The visual impact assessment (ES Chapter 12) has identified that 52 properties would be affected by significant (Moderate or greater) visual impacts in winter, year of scheme opening. Mitigation measures including individual trees, tree lines, hedgerows and areas of woodland planting are proposed to reduce visual impacts. The number of significantly affected properties is predicted to reduce to 19 (not 33 as stated in the objection letter) in summer 15 years after opening when mitigation planting will have become established, with the majority of affected properties experiencing a reduction in impacts over time.

Given the built up nature of the area, the number of significantly affected receptors is relatively small, for a scheme of this nature and the greatest impacts occur at dwellings in close proximity to the route, where opportunities for additional visual screening measures are limited.

- Greenwards Primary School (receptor 10, as indicated on ES Figure 12.1b) would have views of the proposed noise barrier along the extension to Edgar Road. The visual impact of the scheme on the school is predicted to be Moderate in winter year of opening, reducing to Slight/Moderate in summer after 15 years. The barrier would screen views of the majority of traffic on the road from the school, and the new line of trees planted immediately behind it will be partially visible. In winter, year of opening the trees will not be in leaf and, at approximately 2.5m high, relatively small in size, so will have limited impact on the view from the school. In summer 15 years after opening, the trees are expected to have grown considerably and become more prominent in relation to the noise fence, helping to reduce its apparent scale. In addition the branches and foliage of the trees are expected to over-hang the fence over time and their canopy will provide screening of taller vehicles. In addition the species rich grassland is expected to become well established and to 'soften' the base of the barrier. It should be noted that the significance thresholds (Negligible, Slight, Moderate and Substantial) used in the assessment represent points on a continuum, and in this case the impact assessed for the school, is predicted to reduce from a low moderate to slight/moderate. It was indicated to us during public consultations that staff had a preference for a noise fence with planting being limited to the road side. This was taken into account in the reporting of appropriate mitigation at this particular location.
- The applicant acknowledges that the noise barriers were not included in the aforementioned documents and as such this inadvertent omission was a simple oversight and not intended to mislead the reader. It should be noted however, that both the location and detail of the proposed noise barriers were included in the Planning Application Drawings and Environmental Statement, the latter holding significant substance for the purposes of a Planning Application.
- The noise barriers will be obvious elements along certain lengths of the route of the link road, however they will be located towards the back of the verge which will not result in clutter of the street and form an obstruction for pedestrians which is a key attribute of the Designing Streets policy, and are only located where considered absolutely necessary. In addition it is proposed that the noise barriers will be constructed from timber in order to utilise natural materials that are in keeping with the immediate landscape and soften the street scene.
- Landscape - The landscape assessment (ES Chapter 11) concludes that the proposed scheme would have Moderate impact on the Urban and Wetland Local Landscape Character Areas (LLCAs – mapped on ES Figure 11.1), during winter year of opening. As the proposed mitigation planting including standard trees, scrub woodland, mixed woodland and hedgerows becomes established, impacts would reduce gradually over time and by summer 15 years after opening they are predicted to be insignificant (between Negligible and Slight) for both LLCAs.
- Key impacts would occur at the corner of Wittet Drive and Wards Road as a result of the introduction of the proposed railway underbridge, and at the new junction with the A96. As the proposed mitigation planting including standard trees, scrub woodland, mixed woodland and hedgerows becomes established, impacts would reduce gradually over

time and by summer 15 years after opening they are predicted to be insignificant (between negligible and slight) for both LLCAs.

Environmental Impact

Issue: The Site of Special Scientific Interest (SSSI) will be disrupted.

Comment (PO): The nearest SSSI is 700m away from the site to the north west, therefore no disruption will occur. Some objectors suggest The Wards Wildlife area is a SSSI when in fact it is a local non statutory site and does not have SSSI status.

Issue: The proposal will result in the loss of mature trees.

Comment (PO): A relatively small number of trees either side of the railway line require to be removed as part of the development, and the scheme includes substantial areas of planted scrub woodland screening and feature tree planting.

Issue: Destruction of green areas of land and loss of habitat. The attractive natural environment will be lost by the development on the south side of the railway line. Why is The Wards Wildlife site not being more protected?

Comment (PO): The principle of the proposed route over farmland has already been identified in the Moray Local Plan 2008. Also the ecology chapter of the ES identifies that the proposed route is not in itself an important habitat. These surrounding areas are also already designated for housing and community facilities in the current local plan and the road lies intentionally outwith and west of the wildlife site.

Issue: The wetlands and surrounding area is host to many notable plant, animal and bird species will be surrounded on all four sides by roads. The green link to the countryside and quiet path through the nature reserve will be lost forever.

Comment (PO): The principle of the proposed route along the west side of The Wards wildlife site has already been identified in the Moray Local Plan 2008 as desired TSPs and will link in with other housing and community facilities proposed west of the wildlife area. The wildlife area's presence within the settlement boundary of Elgin has meant that its proximity to other designations for town expansion has been long established. The impact on wildlife is addressed within the observation section above under the Wildlife heading.

Issue: There has never been a proper environmental survey carried out.

Comment (PO): There are a number of ecological, drainage and other environmental assessments submitted with the current planning application.

Issue: The development will have a damaging effect on the sandstone buildings due to the increased exhaust fumes.

Comment (PO): The level of increase in traffic will not create the amount of pollution required to cause the damage described. See also the observations section regarding Air Quality.

Issue: No increase in flood risk should occur as a result of the development.

Comment (PO): Both SEPA and Moray Flood Risk Management are content with the drainage arrangements and were mindful of the implications downstream on Tyock Burn.

Issue: The development will lead to a problem with displaced rats from the development site and there already are rats in the Fairfield Avenue area.

Comment (PO): It is speculative to suggest that this development would create an infestation within the neighbouring area. If this did occur separate legislation exists to deal with the matter.

Issue: The enjoyment and benefit from the many users of The Wards Wildlife site will be ruined by the development.

Comment (PO): The proposal lies ouwith The Wards Wildlife site and connections for pedestrians and cyclists to the site are being maintained.

Applicant's response to Environmental Impact

- Cumulative impacts/ in-combination impacts have been assessed in Chapter 21 (Cumulative Impacts) of the ES, and includes a consideration of both the impacts of the proposed scheme on receptors, and the impacts of other 'reasonably foreseeable' projects. In accordance with DMRB HA205/08 (Highways Agency et al., 2008b) 'reasonably foreseeable', in the above definition has been interpreted to include other projects that are 'committed'. These include: trunk road and motorway projects which have been confirmed (i.e. gone through the statutory processes); and development projects with valid planning permissions as granted by the Local Planning Authority, and for which formal EIA is a requirement or for which non-statutory environmental impact assessment has been undertaken.
- Potential cumulative impacts are detailed in Section 21.3, and residual cumulative impacts, following mitigation, in Section 21.5. A small number of properties on Wittet Drive are anticipated to experience significant residual noise and visual cumulative impacts, and also Greenwards Primary School when natural ventilation is used through opening the windows.
- Where appropriate professional guidance and recognised survey methodologies were employed the scope of these was agreed in consultation with SNH. Habitat surveys followed standard methods (Appendix A10.2, paragraph 1.2.1 and 1.2.6).
- Protected species surveys were undertaken according to standard practices (Appendix A10.2, paragraph 1.2.9, 1.2.12, 1.2.15, 1.2.18, 1.2.20, 1.2.21, 1.2.24 and 1.3.1), and also as indicated in Chapter 10, paragraph 10.2.9. Assessments were carried out according to standard guidelines and practices (Chapter 10, paragraph 10.2.1, 10.2.2, 10.2.3).
- This potential impact relates to the risk of increased fine sediment, contaminated runoff and hazardous chemicals (from accidental spillages) entering the River Lossie during the construction works. This risk is greatest during the in-channel construction of the outfall. Throughout construction, this risk is expected to be adequately controlled through appropriate mitigation (e.g. through the implementation of a Construction Environmental Management Plan and task-specific method statements, and by following CIRIA and SEPA best practice guidance). However, the risk cannot be entirely eliminated; therefore the magnitude of the potential residual impact is considered to be minor adverse. The significance of the potential residual impact is moderate adverse because of the very high importance attributed to the biodiversity of the River Lossie. This importance is due to the river's designation under the Freshwater Fish Directive (FFWD) (2006/44/EC) as a salmonid water, a protected area under the Water Framework Directive.
- The impacts on water quality have been assessed and reported in Chapter 9 (Water Environment) of the ES. The water quality assessment concluded that there is the potential for a Moderate adverse impact on the biodiversity of the River Lossie during construction, however, these impacts will be short-term in nature. During operation, the

impact on the biodiversity of the River Lossie is expected to be of moderate beneficial significance; therefore, the water quality of the River Lossie is expected to benefit from the proposed scheme in the long term. This is because the road surface water runoff will undergo treatment (catch pit and two levels of SuDS treatment) prior to discharging into the River Lossie under the proposed design. At present, the existing drainage regime is assumed to discharge directly into this watercourse without any treatment or attenuation.

- Based on our ecology assessment the impacts to aquatic ecology are in fact of minor importance and low magnitude. This is assessed with respect to the potential impacts on species protected by the Wildlife and Countryside Act 1981 (as amended); and also species on the Scottish Biodiversity List. As stated above there will also be sufficient natural dilution of any sediments that may enter the River Lossie during construction to make this effect minimal. These features of the baseline environment are consistent with an assessment of impacts of minor importance for biodiversity. In addition, the mitigation of careful timing of works suggested in the ecology assessment as well as the water quality assessment's suggested avoidance of works in high flow periods, consistent with an assessment of impacts of minor importance. Working to avoid high flow periods is expected to occur in normal construction practices as there are safety issues involved. Also, the high level of dilution reduces the risk of any impacts on biodiversity regardless of any mitigation.

Wildlife (including The Wards Wildlife Site)

Issue: There is no mention in the documentation of deer that use the Wards Wildlife Site and therefore no mitigation offered to protect them or their access to the east.

Comment (PO): The Ecology Chapter (Chap. 10) of the ES and Outline Construction Environmental Management Plan (CEMP) propose generic mitigation that would benefit all wildlife accessing the site. Also, reference must be made to the wider development plan context where designations west of the proposed link road for housing and community facilities would inevitably impact upon the access of some wildlife to the wetland area. Following consultation Scottish Natural Heritage have not objected to the proposal.

Issue: The proposed mammal tunnel would benefit wildlife only as large as badgers with no provision for roe deer crossing the road. They will have their habitat disrupted and access to the wildlife site will be extremely difficult.

Comment (PO): The proposed scheme would see additional barriers to roe deer accessing the The Wards Wildlife Site to the west, although they do currently negotiate several fences bounding the wetland area and farm land nearby. Also, reference must be made to the wider development plan context where designations west of the link road for housing and community facilities would inevitably impact upon the access of some wildlife to the wetland area.

Issue: Once driven away by the construction work, much of the wildlife will not return.

Comment (PO): This objection is speculative and dependent upon the particular species. Mitigation measures and other measures are being put in place where possible to maintain access for wildlife, such as the mammal underpass.

Issue: Colonies of bats are going to be detrimentally affected by the development.

Comment (PO): Conditions are recommended to protect bats where necessary. See the observations section regarding wildlife.

Applicant's response to wildlife objections

- Neither roe deer nor Sitka deer are European protected species. Deer do not have statutory protection for their nature conservation interest in Scotland. Deer are protected under the Deer (Scotland) Act 1996 and under the Protection of Wild Mammals (Scotland) Act 2002. The 1996 act does not protect deer per se but defines the periods of the year when killing of deer is permitted (the open and close seasons). The 2002 act protects wild mammals (not just deer) from being hunted with dogs. Sitka deer are a non-native species. They were first introduced into the UK around 1860 from Japan. Sitka deer, in England and Wales, is listed on Schedule 9 of the Wildlife and Countryside Act (1981) as amended (WCA), which makes it illegal to release or allow to escape into the wild any animal on this list. In Scotland, the updated WCA allows that for any species outwith it is illegal to release or allow it to escape outwith its native range.
- The SNH Handbook on Environmental Impact Assessment (2009) states that “the scoping stage explains that it may not be appropriate or necessary to study all possible ecological impacts to the same level of detail. Effort must be focused on those features or resources that are sufficiently important to merit more detailed consideration”. SNH were consulted on the scope of the ecological surveys, survey methodologies and species for consideration in the assessment. SNH's scoping response did note the presence of roe deer on the site and suggested measures including signage to minimise the risk of deer vehicle collisions. Further to this it makes reference to the fact that the 30mph speed limit on the road will assist with this. No requirement for further survey work or assessment was highlighted.
- SNH were consulted on the scope of the ecological surveys and associated methodologies to be used on 7th May 2013 and in a response on 15th May 2014 referring back to a letter dated on 20th December 2012 survey methodologies and species for consideration in the assessment were agreed. Deer do not have statutory protection for their nature conservation interest in Scotland, roe deer are not listed on the Scottish Biodiversity List, a list of animals, plants and habitats that Scottish Ministers consider to be of principal importance for biodiversity conservation in Scotland, and was not listed on the previous version of the North East Scotland local Biodiversity Action Plan
- In our professional opinion based on the nature conservation status of roe deer it was not considered to be a species for consideration within the Environmental Impact Assessment for this scheme.
- Brown hares have no statutory protection for their nature conservation interest and are only included in the Wildlife and Countryside Act 1981 (as amended) with respect to protection from killing during the closed season. They are listed on the Scottish Biodiversity List and the previous version of the North East Scotland local Biodiversity Action Plan. A desk study search did not find any records for the species in the area, other than what was indicated in the management plant for “The Wards” and no incidental records of this species were recorded during site surveys therefore this species was not considered sufficiently important in the context of the area affected by the scheme for more detailed consideration within the Environmental Impact Assessment.
- Frog and slow-worm are included in the assessment in the Ecology chapter because they do receive specific protection in legislation as indicated in Table 10.9 in the chapter.

Neither species is assessed for its ecological value individually, but as part of their species group (i.e. Amphibians and Reptiles respectively).

Departure from the Structure Plan/Local Plan and other Council policies.

Issue: Contrary to Moray Structure Plan 2007, the proposal would not satisfy the key objective of safeguarding and enhancing the natural and built environment.

Comment (PO): The proposal is already identified as a specific infrastructure enhancement with the Moray Local Plan where development within the settlements is focussed. The resultant impact of the proposal is not considered to have an unacceptable impact or prejudice the natural or built environment.

Issue: The proposal departs from Moray Local Plan policy T2 Provision of Road Access as the scheme would have hundreds of significant adverse effects. The policy presumes against access proposals where adverse effect on the landscape or environment cannot be mitigated.

Comment (PO): The proposed new roadways and upgraded roads are designations within the local plan and, for reasons identified in the observation section, it is not considered to have a significant adverse impact. As the designated route was adopted in the same local plan as general policy T2, it has already been subject to scrutiny and involvement by the public, Elected Members and considered at Public Inquiry. Whilst local plan policy T2 should be used to assess the design and layout (in terms of landscape and environment) is not intended to override the principle of currently designated TSPs. The observations section of the report details why the proposal would not depart from landscape and environment impacts protected under policy T2.

Issue: The proposal does not comply with policy IMP1 regarding noise pollution at hundreds of locations and at Greenwards Primary where windows will have to be kept closed.

Comment (PO): This is incorrect, while noise levels will be increasing close to a large number of properties, the anticipated noise levels will not increase to the extent where national guidance on unacceptable increases would occur. There are a small number of properties where such an increase would occur and for those mitigation would be required. See the observations section regarding noise and the applicants response to objections on Greenwards Primary.

Issue: The proposal fails to comply with the requirement of local plan policy EP8 where appropriate mitigation for noise has not been demonstrated.

Comment (PO): Beyond the information submitted, and following discussion with the Environmental Health Manager, conditions are recommended to ensure compliance with this policy. See observations section on noise/vibration.

Issue: The proposal fails to comply with the requirements of policy IMP2 where the proposed mitigation measures are not effective at hundreds of locations.

Comment (PO): It is presumed that the reference to ‘hundreds’ of locations is an attempt to emphasise the impact as upon each individual location, rather than just refer to properties on a specific street. The various assessments lodged with the application relating to wide spread of disciplines and issues do not fail in their mitigation or conclusions to address the impact of the development.

Issue: The proposal is contrary to policy E2 Local Nature Conservation and Biodiversity where the proposal fails to make provision by way of a wildlife corridor for the roe deer population.

Comment (PO): The proposal does fall within the settlement boundary of Elgin, where development of green field designations at its edge will have some impact upon the presence of wildlife into these areas. Also, reference must be made to the wider development plan context

where designations west of the proposed link road for housing and community facilities would inevitably impact upon the access of some wildlife to the wetland area. That said, a condition will be recommended in line with policy E2 requiring mitigation measures specific to cover most wildlife to be submitted for approval by the Council in consultation with SNH.

Issue: The proposal departs from policy EP6 Waterbodies as the Environmental Assessment indicates that the criteria set out in the policy cannot be adequately mitigated against.

Comment (PO): This is not the conclusion reached in Chapter 8: Geology, Contaminated Land and Groundwater or Chapter 9: Water Environment of the Environmental Statement. Nor has SEPA objected to the application upon these grounds. The proposal is considered to comply rather than depart from policy EP6.

Issue: The proposal departs from local plan policy ER6 where a hectare of the site within the R8 Hattonhill designation would occupy what it currently designated prime agricultural land. While the housing allocation might set precedence to supersede the prime agricultural land, the current proposal has no precedence that could be applied in these circumstances.

Comment (PO): The Hattonhill designation, which lies entirely within the settlement boundary of Elgin, does refer to both housing and road improvements as possible developments upon the site. Its status as prime quality agricultural land to be protected from irreversible development has therefore clearly been superseded by its designation within the local plan.

Issue: The proposal departs from local plan policy ED3 which seeks to protect town centre retail areas. This scheme would deter custom from coming to the town centre.

Comment (PO): It is likely that the policy intended to be referred to is R1, R2 and R3 relating to the approach taken to safeguard town centre retail. The improvement of traffic links throughout Elgin would not detrimentally affect the town centre.

Issue: The proposal departs from local plan policy by virtue of the demolition of two residences.

Comment (PO): There is no specific policy requiring the retention of existing houses within settlements and therefore no departure is evident.

Issue: The development curtails access to properties which is contrary to planning policy.

Comment (PO): Examination of the plan details indicates how the proposal has made provision for individual accesses affected. No property will have its access curtailed.

Issue: The plan deviates from the local plan where it joins the A96 (via R8 Hattonhill).

Comment (PO): This designation specifically acknowledges the possibility that its housing capacity may be compromised by strategic road improvements and does not therefore depart from designation R8.

Issue: The proposal departs from the Elgin City of the Future Policy as it will impact negatively on the High Street.

Comment (PO): The proposal will have a positive impact upon Moray's economy. See the section of the observations on Economic Issues.

Applicant's response to departure issues

- The Elgin Western Link Road (WLR) has featured within the Council's Development Plan since 2000. The Development Plan identifies the principle of the scheme as a key strategic transport infrastructure improvement, which is required to address network deficiencies in the southwest quadrant of Elgin. Consequently traffic movement is

clearly an important function of this route, however, throughout the development of the design, the requirement to promote a sense of place has still been considered and the extent to which this has been achieved within the existing physical constraints present, consideration of overall safety, and with the overall principle / objectives of the scheme in mind, is included in the Designing Streets Quality Audit which formed part of the Planning Application submission.

- It is recognised in the Environmental Statement that the proposed works would result in the loss of some prime agricultural land at Brucelands Farm (LCA class 3.1 and 3.2). Given that this site is currently allocated for future housing development in the Local Plan (R8 Hattonhill) and the assessment in Chapter 16 (Community and Private Assets) of the Environmental Statement concluded that the farm had not been assessed as unviable as a result of the scheme, the works would not conflict with or compromise the provisions of Policy ER6. In regard to housing site R8 Hattonhill, the Local Plan states that upon resolution of road improvement issues which may impact the site, there is potential for the release of up to 20 houses. Accordingly the proposed scheme would assist in providing the necessary infrastructure to allow this site to be developed.
- EP6 Waterbodies - Throughout construction, the potential Moderate adverse impact on biodiversity in the River Lossie is expected to be adequately controlled through appropriate mitigation (e.g. through the implementation of a Construction Environmental Management Plan and task-specific method statements, and by following CIRIA and SEPA best practice guidance). However, the risk cannot be entirely eliminated; therefore the magnitude of the potential residual impact is considered to be Minor adverse. The significance of the potential residual impact is Moderate adverse because of the very high importance attributed to the biodiversity of the River Lossie. This importance is due to the river's designation under the Freshwater Fish Directive (FWFD) (2006/44/EC) as a salmonid water, a protected area under the Water Framework Directive.

Departure from national policy/guidance

Issue: The proposal departs from Planning Advice Note PAN 1/2011 Planning and Noise advice from the Environmental Noise Directorate (END) where the development would fail to ensure the quality of life is not unreasonably affected. Many sensitive receptors would be subject to significant noise impacts. The description of unwanted or harmful outdoor noise includes noise emitted by traffic.

Comment (PO): The proposal takes account of the PAN in its assessment of the noise impact and mitigation measures proposed to address noise impacts. See the observations section on noise and the applicant's response below.

Issue: The proposal does not comply with and contradicts Designing Streets (2010) by putting 'movement' before 'place' and 'people' rather than the other way round. It also promotes safe, pleasant, welcoming, resource efficient, adaptable and well connected streets that encourage positive interaction (none of which the current proposal does). The significant visual impacts are also contrary to Designing Streets. It is equally as applicable to existing streets subject of redesign as it to new roads. Wittet Drive is being treated as a road for the movement of vehicles rather than a street with importance placed on public realm functions beyond traffic. Designing Streets emphasis in putting 'place' before 'movement' means that Wittet Drive, which is a residential street, should have been discounted as a link road. Designing Streets suggests a maximum design speed of 20mph but the current design makes no attempt to achieve this on Wittet Drive, a residential street. All the road crossings, traffic lights, signage and

barriers detract from the residential nature of the street.

The new road south of Wittet Drive makes the same mistakes as Reiket Lane and lacks a sense of place and should incorporate more Designing Streets principles. Ideally houses should have been built up to and fronting onto the new road with access directly onto it. On street parking could have been used to reduce traffic speeds.

Comment (PO): The Designing Streets objectives have been applied where possible, given the site constraints present at locations such as Wittet Drive. Pedestrian safety features do not detract from the residential character of a street, but instead improve provision for residents on foot as encouraged in Designing Streets. See the observations section and the applicant's response below to Designing Streets.

Issue: The proposal is contrary to Scottish Planning Policy (SPP 17) Planning for Transportation guidance on traffic management, road safety and environmental factors state that economic development should not be focussed on roads.

Comment (PO): This policy guidance has been replaced by the 2014 Scottish Planning Policy (SPP) and the proposal is not considered to be contrary to this national guidance.

Issue: The proposal is contrary to Scottish Planning Policy SPP 2 Economic Development and The National Planning Framework for Scotland in which appropriate protection for natural heritage and landscape is to be afforded.

Comment (PO): This policy guidance has been replaced by the 2014 SPP and a National Planning Framework 3 (NPF3) is now in place. The proposal is not considered to depart from this guidance or NPF3.

Issue: The proposal is contrary to Scottish Policy, HM Government: Health, work and well-being – Caring for our future and their employers empowered to promote and protect their health

Comment (PO): The exact breach of the legislation has not been explained, and as the proposal seeks to encourage pedestrian and cyclist activity and maintains access to existing paths it is not considered to be detrimental to public wellbeing.

Issue: The scheme is contrary to Human Rights legislation where people have a right to enjoy their home and to peace and quiet. A safe, clean, healthy and sustainable environment is integral to the full enjoyment of a range of human rights. Protecting human rights helps to protect the environment. When people are able to learn about, and participate in, the decisions that affect them, they can help to ensure that those decisions respect their need for a sustainable environment. The Moray Council is in direct conflict with this right.

Comment (PO): The proposed scheme and its designation within successive local plans has been subject of extensive public consultation and scrutiny over the years. All key decisions have been made publically and by democratically elected representatives. The Scottish Planning System has been previously audited for compliance with Human Rights legislation and given its inclusive democratic structure has been confirmed as compliant. Planning decisions do not always go the way an applicant or objector wishes them to go but that does not constitute a breach of human rights legislation.

Issue: Department of Transport guidance would require a speed limit of 20 mph where there are vulnerable road users. This should apply to Edgar Road.

Comment (PO): The conditions recommended do impose a 20mph restriction 70m either side of the proposed access to the school.

Issue: The River Lossie is designated under the Surface Waters Amendment Regulations 2007 and has not been fully studied to take pollution from waste as the majority of the study area

comprises of residential areas.

Comment (PO): The Drainage Impact Assessment, Outline Construction Environmental Management Plan and Ecological mitigation measures have all been accepted by SEPA and Moray Flood Risk Management.

The applicant has provided no specific response to national policy/guidance other than where they respond to Designing Streets above in the traffic objections response.

General objections

Issue: A representation has been received from the Elgin South Area Forum. Its Members raised a number of concerns for and against the scheme which has been covered under the various objection headings or summarised under comments in favour of the proposal below.

Comment (PO): Noted.

Issue: The scheme is a waste of public money, especially in the current economic climate. The money would be better spent on other public services. It is not in the public interest and will only benefit a small group of retailers and property developers. Previous public opposition including a protest march has been completely ignored.

Comment (PO): Concern that the scheme might not realise economic benefits such as facilitating growth or improving transport links would be legitimate planning considerations. Objections on the basis that the Council are the applicant and should not be spending public money in this way are not a material planning consideration. The economic benefits and cost effectiveness of the scheme suggest that the investment in infrastructure is not a waste of money. The scheme will improve traffic flows and future road capacity throughout Elgin and benefit all residents. See the observations section of the report regarding economic issues.

Issue: The proposed scheme will blight hundreds of families and the suggested economic benefits to the public either do not exist or do not outweigh the blight that would be caused.

Comment (PO): The development would not blight hundreds of families.

Issue: The scheme will have a damaging and deleterious effect on the amenity and quality of life of residents near the road both in the west end of Elgin and New Elgin. This includes their human rights to enjoy their property.

Comment (PO): The scheme is designed to improve traffic flows throughout Elgin to the benefit of its residents and economy. The amenity impacts such as noise and visual impact are discussed in the observations section of the report and will not detrimentally impact upon the amenity of those near the development.

Issue: The feedback from public consultation events over the years has been ignored by the Council.

Comment (PO): The Pre application Consultation (PAC) Report details design changes that have been made in response to public feedback in the submitted proposal.

Issue: The Council determining its own planning application coupled with progressing the compulsory purchases does little to engage people.

Comment (PO): The Council fulfils roles as both Planning Authority and as Roads Authority and both functions are carried out independently. Any applications lodged by other departments of the Council to the Development Management Section are assessed fully and impartially as with any other planning application. Both processes referred to have involved discussions with the public and are subject to consultation with parties having a right to object if they wish to do

so.

Issue: Objectors question the Council's decision to provide a screening opinion in August 2013 stating that no EIA was required. They believe that under the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011 an EIA should have been required.

Comment (PO): The matter of the scoping opinion and its conclusions is not a material consideration relevant to the current planning application. Irrespective of the Opinion issued, the applicants still provided a voluntary Environmental Statement that triggered extended consultation and advertisement of the application in line with EIA Regulations. In summary, where the opinion clearly explains that the proposal would not occupy any national or international environmental designations, with only the local non-statutory designation adjacent to it, it would be unlikely have significant effects on the environment. The screening opinion has already been challenged by a third party and the Scottish Government having reviewed it have not queried its conclusions.

Issue: There is no assessment of in-combination or cumulative impacts. Conclusions are not drawn from the collective significant impacts of the proposal from across the various chapters of the ES (only individual impacts are concluded upon). The ES is therefore deficient and does not reach clear conclusions.

Comment (PO): The end of Chapter 17 of the ES does pull together and comment upon the overall cumulative impacts. The planning assessment has involved an assessment of all the various chapter headings in the Environmental Statement. See also the applicant's response to objections below.

Issue: The pre-application consultation report fails to mention the history of the project circa 2004 when a fundamentally similar project was rejected by the Council and was to be specifically excluded from future consideration. It also fails to properly reflect the views of the public which have been overwhelmingly to reject the proposal with very few speaking out in favour of the proposal. The reasons for requiring the scheme have changed over the years and there is concern that the Economic Development and Infrastructure Committee are unable to make an informed decision with reasons for it being required changing.

Comment (PO): This is the first time that the link road has been subject of a planning application. The pre application consultation report focuses upon the current proposal. The pre-application consultation displays and report include reference to the history of the link road project as far back as 2002 including specific reference to Committee recognising the overwhelming opposition to the proposal in 2004.

Issue: Will the disused space to the south of 62 and 64 Mayne Road become a piece of wasteland or a nuisance factor?

Comment (PO): It is speculative to presume this area would somehow become a nuisance. The future of this short section of road is as yet to be determined, however it is understood that some degree of access would need to be maintained for access to utilities.

Issue: The proposal would take trade away from the town centre towards the retail parks. Efforts to revitalise the town centre will be reversed by this development.

Comment (PO): The improvement of traffic links throughout Elgin would not detrimentally affect the town centre.

Issue: The proposed development and ongoing uncertainty over it occurring has de-valued objectors properties on Wittet Drive. This ongoing uncertainty for a decade has caused anxiety

and despair to residents.

Comment (PO): The potential loss of property value is not a material planning consideration.

Issue: Objectors would question the Council ownership of the wildlife area and their right to build upon it.

Comment (PO): The proposal does not involve building upon the wildlife area.

Issue: There is Common Good land at Bilbohall which has not been clearly identified.

Comment (PO): There is no common good land at the site, as confirmed by the Estates and Legal Sections of the Council. If there were, this would not be a matter preventing determination of the planning application.

Issue: Any compensation offered will not cover the inability to sell houses on (due to their location next to a link road) or mitigate the impact on amenity of increased traffic passing by.

Comment (PO): Any compensation scheme would be separate to the planning system where a scheme for mitigation is referred to above under the noise section. The noise mitigation measures have been assessed against their compliance with policy EP8 in terms noise pollution, and conditions recommended to further minimise noise.

Issue: The public voted the Councillors in to act for us all, and with so many people protesting against the scheme they should listen to the opposition.

Comment (PO): The application is to be determined by the Planning and Regulatory Services Committee following a hearing at which all those making representation will be invited to express their objections to the Councillors. A decision on the application must be made having regard to the development plan and relevant material considerations.

Issue: Residents will lose part of their garden or be forced to move. Other residents have been forced to move and had their residences compulsory purchased. This shows a disregard for human beings facing the loss of their homes.

Comment (PO): The Moray Council has already purchased those residences requiring demolition and those purchases, which were voluntary, do not constitute a disregard for humanity. Some portions of garden may require to be compulsorily purchased, but this would not constitute grounds to refuse the infrastructure project in planning terms. No one has been forcibly removed from their dwellings.

Issue: It is unclear why when a Stage 1 Road Safety Audit has been carried out, that the application is not supported by a Stage 2 Road Safety Audit. This should not take place post planning consent and is contrary to Designing Streets guidance.

Comment (PO): Both the Councils Transportation Section and Transport Scotland are content with the level of information submitted with the application, and have raised no objection on the grounds of road safety. Road Safety Audits are carried out under HD 19/03 and Stage 1 is at preliminary design “before planning consent where possible.” Stage 2 is after completion of detailed design (Works Commitment Stage) but before invitation to tender. Stages 3 and 4 are post construction. The current proposals have not yet reached stage 2.

Issue: An Elected Member recently stated that economic development is the top priority for the council and it certainly appears to be higher up his list of priorities than local communities or road safety are.

Comment (PO): This comment related to well documented strategic aims of the Council and this does not mean that progress must be at the expense of road safety or local communities. The Councillors Code of Conduct permits all members of the Council to comment on strategic

matters. Considerations of strategic issues does not prevent Members from subsequently considering detailed planning applications which they must do having regard to relevant planning considerations.

Issue: Proceeding with compulsory purchase orders prior to planning permission having been granted is putting the ‘cart before the horse’ and is perceived to be a ploy to force the scheme upon the public.

Comment (PO): Irrespective of the timing of compulsory purchasing this is not a material consideration to be taken into account as part of the planning application. Furthermore, it is common place for many developments to pursue compulsory purchase in tandem with other statutory processes given the timescales that such a process involves.

Issue: If this proposal were to be approved it would be an affront to democracy that the views of the electorate have not been listened to. It would raise the questionable belief that Moray Council decisions taken as if a Communist regime were in charge. Any Councillors who back this plan will incur the wrath of the local people.

Comment (PO): Irrespective of the level of opposition to a planning application representations that raise material planning considerations will be taken into account as part of the decision making process.

Issue: Proof is demanded of when the Moray Council purchased the land for the development and when the public consultation upon this took place and firm evidence of the facts. Failure to do so will render the planning application null, void, illegal and will subsequently be referred to the Sheriff Court.

Comment (PO): There is no legal requirement for any applicant to own the land for which they are making an application. The planning application makes clear that a number of land owners have been served notice as partially owning the application site. The issue of what land has been purchased in relation to the proposal is not a material planning consideration in its determination. The acquisition of land for development by any developer (the Council or any other party) is not a matter that would stop a planning application being determined nor would it mean the application was illegal in any way.

Issue: The development will only enable developers to build more unnecessary housing contributing to sewage and rubbish collection problems.

Comment (PO): The Moray Local Plan 2008 does identify the need for this development to accommodate future expansion of the town and increased vehicle movements beyond the current demands on the road network. Capacity problems with the public sewers or refuse collection would not constitute a reason to refuse this application.

Issue: The proposed road south of the railway track lacks any sense of place and will not be a pleasant or safe place to walk or cycle.

Comment (PO): The route is defined in the Moray Local Plan and will in time serve several housing areas and school related community facilities (yet to be developed). The wide cycle/footways and various crossing points will ensure the road is safe for pedestrians and cyclists.

Issue: One objector wishes all their objections from the Compulsory Purchase process to be reiterated as their planning objections.

Comment (PO): The two processes are not linked and the objector has already stated a number of objections to the planning application. It would fall to them to reiterate any objections as part of the planning application process.

Issue: Will compensation be offered to residents for the increased noise and pollution.

Comment (PO): There will be no notable increase in pollution (see observations section) and a scheme will be in place to mitigate/compensate for increased noise for those eligible.

Issue: There is a proposal to rebuild a house in front of those being demolished on Wittet Drive.

Comment (PO): The current proposal does not include any new dwelling houses.

Issue: A bridge will be getting built in one objector's garden losing them outdoor space which they will have to endure getting built and live with the aftermath. The 1.5 m high wall will be insufficient to protect their privacy.

Comment (PO): The submitted plans (Scheme Plan 3 Of 6) show the northern side of the bridge lying adjacent to the above property and details the implication of the development for the household. They will lose a narrow strip of garden on the eastern boundary and their garden wall with a retaining wall and 1.2m screening fence erected in its place (to increase privacy protection). The road level will be rising as it travels south past the property to meet the north abutment of the bridge which lies south of the objectors property.

Issue: The signalled toucan crossing will result in flashing lights disturbing residential properties nearby.

Comment (PO): The street is already artificially lit and given the occasional use of the crossing lights, which will be used even less often at night time, they will not have a detrimental effect on amenity.

Issue: The Design and Access Statement (p19) refers to traffic lights being sited following a consultation workshop. A Freedom of Information request has been made to on when this decision was taken but no records were provided. There is anecdotal evidence that the majority of people are against traffic lights and that the Council are promoting them for cost reasons.

Comment (PO): There are a large number of objectors concerned about the various traffic lights on Wittet Drive replacing the roundabout and elsewhere on the scheme. The extent to which the proposed use of traffic lights were the subject of public consultation is noted as a concern of objectors but would not be a determining factor for the planning application. The proposed lighting arrangements are considered acceptable.

Issue: If money should be spent on roads, then the A9 outside Elgin and Moray is a greater priority to save lives.

Comment (PO): Improvements to the A9 is a matter dealt with by the Trunk Roads Authority (Transport Scotland). This matter is not a material planning consideration as it does not relate to the current planning application.

Issue: It was difficult to view documents online and it would have been useful to see the other objections online.

Comment (PO): These matters are not material to the determination of the application but it is possible online to open various documents at one time, and gradually (because of the numbers involved) all representations received have now been published online.

Issue: Street lights on the new stretches of road will cause light pollution into existing residences.

Comment (PO): Street lights would be designed with light spillage to houses as a design factor. Also the new roads are some distance away from houses which are already street lit.

Applicant's response to general objections

- Regarding a weak conclusion that downplays the findings, the concluding paragraphs for the Policies and Plans Chapter of the ES. This chapter explains the context of the proposed scheme in relation to relevant policy documents and notes that the specific environmental effects which have been assessed elsewhere in the ES should be considered in the context of the overall environmental assessment findings and wider economic reasons of overriding public interest. The assessment of the scheme in relation to plans and policies does not only consider those policies which relate to environmental protection and so it is relevant to refer to the policy provisions which set out the overall economic benefits of the scheme. Throughout the ES, the outcomes of the assessments for each environmental topic are reported in a factual manner.

Supporting comments

Issue: Creation of an additional crossing point will minimise disruption if the other road bridge is closed for any reason. If New Elgin bridge had to close (which is not in good condition) Elgin would be grid locked.

Comment (PO): The proposal would, in providing a fourth crossing point over the railway line, make the road network in Elgin more robust and able to cope with road closures.

Issue: The link road provides an alternative route to The Wards, which has a poor surface, is narrow, lacking in pavements and seems unfit for the level of traffic using it.

Comment (PO): The inadequacy of The Wards and the level crossing as the westerly most point in Elgin for travelling north and south is part of the justification for this proposal.

Issue: The new bridge, unlike The Wards level crossing, would be unaffected by more frequent train services. As there is major investment proposed for the railway line £170 million recently agreed to increase capacity on the line, The Wards level crossing will only be subject to more disruption.

Comment (PO): A bridge would be less disruptive to traffic than a level crossing.

Issue: Share traffic more evenly throughout south Elgin – diverting some from the heavily used New Elgin Road/Main Street. Main Street and the New Elgin Road were not designed for the level of traffic they are now host to.

Comment (PO): It is the intention of the scheme to redistribute traffic more evenly in Elgin.

Issue: The development will allow more development (housing and commercial) and bring more trade/investment into Elgin.

Comment (PO): This is part of the reasoning for the development is to ensure future anticipated traffic capacity is catered for and to accommodate designated and future development in New Elgin.

Issue: The Elgin South Area Forum are pleased that the following suggested design details have been incorporated into the scheme:

- Change from roundabout to signalled junctions throughout.
- Ensure provision of signalled crossing.
- Reduce road width to reduce traffic speeds.
- Use of good design to minimise traffic speeds.
- Inclusion of mammal tunnel.

- Maintenance of pedestrian/cycle link to Fairfield Avenue.
- 30mph speed limit throughout.

Others supporting representations also comment that input and numerous opportunities to contribute to the design of the scheme can be seen in the current proposal.

Comment (PO): The applicants have also highlighted in their Pre-Application Consultation Report the changes that were made following public consultation.

Issue: The traffic congestion on the A96 and throughout Elgin is getting steadily worse and something must be done in the short to medium term to alleviate the problem. There have been too many delays with it already. If a bypass is waited for 2030 at the earliest, then the economy of Elgin and Moray will suffer.

Comment (PO): This is part of the reasoning for the development to ensure future traffic capacity is catered for. The scheme addresses wider infrastructure issues relating to traffic travelling north and south within Elgin and would address increase of traffic elsewhere on the A96 within Elgin.

Issue: Elgin has grown in size over recent years but with few corresponding enhancements. Areas of growth in the local plan, without the benefit of this proposed scheme, would lead to traffic congestion. Further development in south west Elgin relying on the current Wards and Elgin railway bridge crossings is unacceptable.

Comment (PO): This is part of the reasoning for the development is to ensure future anticipated traffic capacity is catered for and to accommodate designated and future development in New Elgin.

Issue: Whilst having a degree of sympathy with those residents who will be directly affected by the plan, one supporter considers their vociferous, articulate and well-resourced campaign to have had an influence out of proportion to the limited numbers concerned, particularly when coupled with opportunistic political intervention.

Comment (PO): Any member of the public is entitled to make representation and all representations submitted have been taken into account.

Issue: Failure to act will have a detrimental effect on the people of Elgin and the wider community by sending out a message to potential investors that Moray is not receptive to economic development.

Comment (PO): Infrastructure inadequacies would remain if the proposal were not to proceed.

Issue: Network Rail have stated their intention to close level crossings, and The Wards could be one of them.

Comment (PO): The proposed scheme would make Elgin's road network more robust in the event of such a closure, but this prospect is not a determining factor in the application and has not been raised by the applicant. This matter does not form part of the planning application submission and would be assessed and determined separately from the planning application process.

Issue: When the level crossing is closed emergency vehicles have to detour via the New Elgin Railway Bridge to get to south west Elgin.

Comment (PO): The proposal would improve connectivity between west and south west Elgin.

Issue: The other quadrants of Elgin have distributor roads in the form of Morriston Road, Lesmurdie Road and Reiket Lane/Thornhill Road. The south west quadrant of Elgin would be

provided for by this development.

Comment (PO): This infrastructure proposal would improve connectivity between west and south west Elgin.

Issue: Any new by-pass as promised by the government would not resolve the internal distribution problems within Elgin. Providing a link road to resolve internal congestion issues and assist the case for a bypass where this had been stumbling block in the past.

Comment (PO): This matter falls beyond the determination of the current application, so no comment is offered.

Issue: While there will be some people adversely impacted by this development, the need to build new infrastructure into pre-existing infrastructure was always going to be difficult and controversial but might have been helped by stakeholders being involved at a much earlier stage.

Comment (PO): Beyond the extensive consultation undertaken by the Council as Road Authority, the proposal was subject to consultation and democratic decision under the current and previous local plans in which it is designated.

Issue: The proposal accords with TSP 10, 11, 12 and 23 of the Elgin Settlement Statement within the Moray Local Plan 2008 and the Moray Economic Strategy. The commitment and development of the scheme was approved by the Economic Development and Infrastructure Services Committee in 2012.

Comment (PO): Accordance with the local plan is in part why the application is being recommended for approval.

Issue: At a special meeting of the Moray Council in January 2014 Members voted to keep the western link road in the emerging Development Plan. The committee report stated that “The inclusion and provision of the Western Link Road is fundamental for the release of housing land in Elgin”. The emerging plan also acknowledges in its spatial strategy that Elgin would be a primary centre where growth would be directed. The western link road would be essential to that.

Comment (PO): The application will be determined under the current local plan, and the emerging plan has yet to become a material consideration.

Issue: As per Section 25 of the Planning Act, applications should be determined against the local plan, which the plot accords with according to the applicants submissions. In terms of material considerations, the applicants identify other mitigation measures to address these issues.

Comment (PO): The application is being recommended for approval in line with Section 25 of the Town and Country Planning (Scotland) Act 1997.

Issue: Journey times and delays will be reduced.

Comment (PO): The proposal would achieve this according to the applicant’s submissions.

Issue: If the new high school entrance were to be off Edgar Road, the link road would provide an alternative route relieving traffic issues.

Comment (PO): The issue of any potential future access to a new high school is now subject of the recently received and pending planning application that will be considered by Committee at some point in the future.

Issue: Wittet Drive was the designated A96/A941 link prior to Hay Street taking that designation instead. Hay Street is now doing heavy traffic duty which may be relieved to some extent by the link road

Comment (PO): The link road would alleviate pressure on the west side of the town centre.

Issue: None of the alternative proposals suggested will do the job of the link road.

Comment (PO): The applicant's submission state that the current proposal is the outcome of a long design process in which numerous other proposals were considered.

Neutral comments and observations

Issue: The Wards (if the level crossing remains) where it meets Edgar Road and Glen Moray Drive could have an improved junction or roundabout to better streamline these junctions.

Comment (PO): Such a proposal is not subject of the current application and would be considered separately on its own merits.

Issue: The greatest benefit for the greatest number of people will be served by long-overdue improvements to neighbourhood traffic management.

Comment (PO): The applicants submissions imply that a variety of traffic solutions were considered in the assessment of traffic in Elgin which has led to the current scheme.

Issue: Is it intended in the future in the local plan to block the bridge crossing the railway from Mayne Farm to Wiseman Road? If so is the farm traffic to be diverted through Fairfield Avenue?

Comment (PO): Question over content in the next local plan should be directed to the Development Plans section. This matter is not material to the determination of the current planning application.

CONSULTATIONS

Elgin Community Council - Elgin CC have not objected on the basis that there was no definitive view on the project from its members or the public with views being expressed both against the scheme and in favour of it. The consultation response raises concerns of residents relating to; increased noise, pollution, traffic congestion (including blocked driveways), lack of parking, failure to apply designing streets consistently, the route should not be an alternative to the A96, the impact on deer and concern over the size of visibility splays from adjoining streets. Similarly, the response summarises the grounds for support received from the scheme, namely; the need to better distribution of traffic within west and south west Elgin, provision of a further rail crossing in Elgin, ease of commercial access onto Edgar Road, diversion of traffic away from Main Street New Elgin, opening up of development land in Elgin and improving drop off/collection points at schools.

Heldon Community Council - Object on various grounds relating to; lack of parking, noise, pollution, air quality and visual impact on residential properties, lack of suitable noise mitigation or specification of which properties will be affected, the impact on Greenwards Primary School, and on vehicular and pedestrian safety grounds. The scheme will have an adverse effect on flora and fauna at the Wards wildlife area and when the noise barrier is installed. The SUDs scheme could compound flood issues in the area around Tyock Burn and the scheme is contrary to the Moray Structure Plan and policies of the Moray Local Plan 2008 such as T2. The scheme if approved would only funnel traffic problems elsewhere in Elgin such as Edgar Road and wider road safety of Elgin should be reviewed. Heldon CC also believes the cost of the project has been underestimated and would cost far more.

Environmental Health – Approve subject to conditions related to noise and hours of construction. Discussion with the applicants during the course of the application required further detailed consideration to be given to noise mitigation at Greenwards Primary School and to a small number of properties where noise would exceed levels compatible with World Health Organisation guidance. The consultation did acknowledge that under legislation separate to planning and most likely post development, a scheme of compensation in terms of the Memorandum on the Noise Insulation (Scotland) Regulations 1975 would be applied.

Transport Scotland - No objection subject to conditions. These conditions relate to the proposed new junction on the A96 (T).

JMP Consultants LTD (agents to Transport Scotland) – A condition regarding the need for a Construction Stage Traffic Management Plan. This requirement has been incorporated into the condition also requiring a Construction Traffic Management Plan by the Council's own Transportation Section.

Contaminated Land – No objections.

Transportation – Approve subject to conditions and informatives. Conditions recommended include a Construction Traffic Management Plan.

Scottish Water – No objection, but liaison required over works likely to affect Scottish Water assets.

Moray Access Manager – No objections.

Moray Flood Risk Management – No objections. MFRM will also consider the detailed Construction Environmental Management Plan which is subject of a recommended suspensive condition.

Scottish Gas Networks – No objection but guidance of safe working distances for gas infrastructure in the locality of the site.

SEPA – No objections. Other regulatory advice passed onto applicants.

SNH – No objections, the proposed mitigation measures for wildlife are noted.

Aberdeenshire Archaeology Service – Approve subject to a condition regarding archaeological recording survey of any features lost or affected by the development.

Network Rail – No objections. They express support for the provision of the proposed bridge in that it would alleviate pressure on the Wards level crossing and suggest that the new bridge could trigger a review if whether the level crossing remains open. Further technical discussions relating to works at railway lines would be required to ensure compliance with railway safety guidelines.

Development Plans - No objection, the routes presence within the current local plan is noted and no departures are evident. Beyond the designation route itself, assessment against other policies will be required.

Estates Manager – No objection.

Health and Safety Executive – No objection.

Scottish and Southern Electricity – High and low voltage cables to be diverted where required. All costs of such cable diversions to be met by the Moray Council.

Building Standards – No Building Warrant required for the road, but a separate building warrant will be required for the demolition of the two houses.

Scottish Government (under EIA Regs) – Responses above from Historic Scotland and JMP Consultants have been referred to by the Scottish Government following consultation within their various departments. No objections raised.

Historic Scotland – No objection.

Planning Obligations Unit – No contribution sought for infrastructure project.