

**REPORT TO: SPECIAL MEETING OF ENVIRONMENTAL SERVICES  
COMMITTEE ON 15 JUNE 2006**

**SUBJECT: MORAY LOCAL PLAN REVIEW: CONSULTATIVE DRAFT**

**BY: DIRECTOR OF ENVIRONMENTAL SERVICES**

**1. Reason for Report**

- 1.1 This report asks Members to consider the representations made to the Consultative Draft Review of the Moray Local Plan and to agree to the proposed amendments being recommended. These amendments will then be incorporated into a final version of the Plan. Approval is then sought for the revised document to be subject of further consultation.
- 1.2 This report is submitted to Committee in terms of Section D(2) of the Council's Administrative Scheme relating to administrative procedures.

**2. Background**

- 2.1 The consultative draft of the Local Plan Review was approved at a special meeting of the Environmental Services Committee at its meeting on 1 July 2005 (Para 3 of the minute refers). It was then published and subject to a six week consultative period, from 15 August to 3 October 2005.
- 2.2 A large number of representations were received (approx. 2,000), and these are now summarised in the attached report document attached as **Appendix 1**, with recommendations on what action to take. They have been split into responses on:

- Local Plan Policies
- Town and Village Statements
- Rural Communities
- Strategic Environmental Assessment

Significant Unresolved Issues

- 2.3 A number of significant topics/issues are as yet not sufficiently resolved to allow full inclusion within the Local Plan Review process. In particular these include:
- **Elgin Traffic Study:** Due to a revision of the Study Remit, the findings and analysis of the STAG are now likely to fall behind the Local Plan timetable. As a result, the existing Local Plan proposals for transport and road improvements in Elgin (the TSP designations) will need to remain in place in order not to prejudice the Consultant's examination of options. The delay has, however, prejudiced the

ability of the Plan to reflect preferred proposals resulting from the draft consultation phase.

The final Plan will state that the Study is on-going, and will identify those junctions and routes that are aimed at resolving Elgin's traffic issues. The final outcome proposals may precipitate modification to the Plan before the likely time of the Inquiry, which may now be around February/March 2007.

- **RAF:** Whilst the medium to long term future of the bases has been resolved, there still is uncertainty about the timescale and staffing levels/changes, and the implications this might have for housing land in Lossiemouth, Kinloss and Elgin. It is anticipated that any increase in manpower (both military and construction) and in housing demand, will happen beyond the period of this Local Plan, but contingency provision may be required.
- **Flooding:** The Local Plan is unable to indicate the Flood Alleviation measures for Elgin and Forres, as these have still to get formal approvals. This restricts the ability to confirm the suitability or otherwise of some of the land/sites in these towns, and the impact of flooding generally. As with the Draft Plan, only general references rather than site specific guidance can be given. Similarly, as with the Elgin Traffic Study, the final outcome proposals may precipitate modifications.
- **Scottish Water:** A formal response on the Consultative Draft from Scottish Water has still to be received. On-going correspondence between officers has confirmed that some of the information on waste water treatment, and water supply capacities was out of date which may affect the release of land allocations in some settlements, and this may require a caveat in some instances, that planning consents will only be granted if Scottish Water are able to confirm capacity for the development. Information on this situation is still being received, but will hopefully be available before the final version of the Plan is advertised.

### 3. **The Proposals**

- 3.1 The proposed responses to the representations are given in the attached document. Recommendations have been made whether the comments should be accepted or rejected and whether the Draft Plan should be changed as a consequence.
- 3.2 It has not been possible, nor practical to totally re-print the Local Plan or Environmental Report showing the recommended changes. It is proposed that once the changes are agreed, that the Committee grants delegated powers to the Director of Environmental Services, to proceed with the re-printing and publishing of the Local Plan in its finalised form, for the next round of public consultations.
- 3.3 If this is acceptable then the following timetable for the rest of the Plan process might be:

June – August 2006:	make changes to plan; printing; make arrangements for final stage of consultation
4 September – 16 October 2006:	six week consultation period. Formal objections only invited.
October – December 2006:	consider and negotiate on objections; prepare modifications.
December – March 2007:	prepare for Public Local Inquiry in March.
March – June 2007:	Reporter considers findings; makes recommendations to Council.
July 2007:	promote any further modification.
August 2007:	Adopt Plan

- 3.4 It would be possible, after the September/October objection period, for the Council to use the uncontentious/unchallenged parts of the emerging plan, as “material considerations” when considering planning applications against the current Moray Local Plan 2000. This would require a resolution at that time by the Committee. The existing Moray Local Plan 2000 will be out of date by 18 months at that stage, and failing the National Performance Indicators for Local Plan coverage; it is therefore important to move towards implementation of the new Local Plan as quickly as possible.
- 3.5 It is proposed to publish a Supplementary Appendix to the Environmental Report to address the representations submitted during the consultation period. The Supplementary Appendix will be published at the same time as the Finalised Local Plan.

#### **4. Financial Implications**

- 4.1 The reprinting costs are covered by an existing budget allocation. There is no specific budgetary provision for the costs of a Public Inquiry. As far as possible these will be met within the existing budget for Development Services, but any unavoidable overspend will be reported to Committee as soon as it is identified.

#### **5. Staffing Implications**

- 5.1 All preparatory work can be covered through existing staffing arrangements, however the Council is required to appoint a “Programme Officer” for the duration of the Inquiry, and this temporary post should not, in the interests of open-ness, be met from existing staff.

#### **6. Environmental and Sustainable Implications**

- 6.1 A Strategic Environmental Assessment has been undertaken to confirm that policies and proposals have no adverse environmental impacts and are sustainable.

**7. Consultations**

- 7.1 Substantial consultation was carried out regarding the Consultative Draft. All internal services/departments were consulted. Comments received are incorporated within the report document.
- 7.2 This covering report has been subject of consultation with the Principal Solicitor (Commercial and Conveyancing) and the Principal Accountant, who concur with the contents.

**8. Corporate Plan**

- 8.1 The Review of the Development Plan is one of the priorities of the Corporate Plan.

**9. Recommendations**

**9.1 It is recommended that the Committee:**

- (i) considers the responses made to the consultative draft review of the Local Plan, and the Environmental Report**
- (ii) agrees to the changes as recommended in the report document**
- (iii) grants delegated powers to the Director of Environmental Services to make the agreed changes (along with other minor corrections of typing/graphical nature), and to proceed to print the Finalised Version of the Local Plan Review**
- (iv) agrees to the indicative timetable for the remainder of the process as contained in paragraph 3.3**
- (v) agrees to the preparation of a Supplementary Appendix to the Environmental Report.**

Author of Report: Mark Cross, Principal Planning Officer (Development Plans)  
Background Papers: Consultee responses; Landscape Appraisal of Additional Sites  
Ref: MMC/hml