



PLANNING PERFORMANCE **12** FRAMEWORK

ANNUAL REPORT 2022 - 2023





CONTENTS

Part 1	Qualitative Narrative and Case studies	2
	Quality of Outcomes	2
	Case Study 1 Delivering Housing Findrassie	2
	Case Study 2 Poundland Redevelopment Part 2	2
	Case Study 3 Infill Housing Forres	4
	Quality of Service and Engagement	4
	Governance	5
	Case Study 4 Review of Validation Standards	6
	Case Study 5 Planning, SEPA & Flood Risk Management monthly liaison meetings	7
	Case Study 6 Update on S.75 legal agreements process	8
	Culture of Continuous Improvement	9
	Case Study 7 Archaeological Training/ CPD on site	10
	Case Study 8 Engagement with Young People	12
	Case Study 9 Conservation Area Review & Conservation Grant Scheme	12
	Case Study 10 Town Centres Summit	13
	Case Study 11 Community Wealth Building Guidance to support NPF4	15
	Case Study 12 Carbon Assessment Guidance to support NPF4	16
	Case Study 13 Inclusive & Accessible Play Area Planning Policy Guidance	17
	Case Study 14 Moray Growth Deal - Dallas Dhu, Forres - Moving from Masterplan to detailed design	18
	Case Study 15 Business Needs Study	19
Part 2	Supporting Evidence	20
Part 3	Service Improvements	25
Part 4	National Headline Indicators (NHI's)	27
Part 5	Official Statistics	29
Part 6	Workforce Information	31
Part 7	Planning Committee Information	34



New development, Findrassie, Elgin

FOREWORD

As Chair of the Planning & Regulatory Services Committee, I am delighted to endorse the Planning Performance Framework 2022/23.

National Planning Framework 4 was adopted on 13 February 2023 and over the last twelve months this has added significant pressure to our planning teams in terms of responding to consultations, preparing new guidance and making decisions in accordance with a new development plan hierarchy. In this regard I have seen a significant number of major energy related developments being determined with Moray.

The fifteen case studies include a range of subjects including an update on the redevelopment of the Poundland site in Elgin town centre; delivery of affordable and private housing in Findrassie Elgin; a working group to cover the introduction of short-term lets; holding regular liaison meetings with SEPA and Moray's Flood Risk Management Team and an update on S.75 legal agreements.

There have been a number of major planning applications determined throughout 2022/23 and these include: large scale housing developments for Springfield Properties, Robertson's and Barrett/David Wilson Homes in Elgin; a new carbon zero distillery for Chivas Brothers Ltd at Milntown; a new sawmill at Mosstodloch for James Jones and Whisky warehousing in Portgordon for Chivas Brothers Ltd. The redevelopment of Poundland in the heart of Elgin town centre has been very much welcomed and is due to be completed in the early part of 2024.



There are a number of significant challenges ahead and I am very much looking forward to the work that is being carried on the next Moray Local Development Plan.

Councillor David Gordon
Chair of the Planning and Regulatory Services Committee
Moray Council

Part 1

Qualitative Narrative and Case studies

Quality of Outcomes

Case Study 1 Delivering Housing Findrassie

LOCATION & DATES:

Elgin 2022/23

ELEMENTS OF A HIGH QUALITY PLANNING SERVICE THIS STUDY RELATES TO:

Quality of Outcomes

KEY MARKERS: 3, & 13**KEY AREAS OF WORK**

- Placemaking
- Affordable Housing
- Planning Applications
- Masterplanning

STAKEHOLDERS INVOLVED

- Development Management
- Transportation & Housing services

OVERVIEW: Findrassie masterplan and a planning permission in principle application was approved on a site designated for Housing in the MLDP 2020. The developer had ambitious timescales in terms of delivering housing on the ground following the delays caused by covid. A processing agreement was signed to give certainty to committee dates and regular project meetings were set up to ensure that any material planning issues were addressed quickly. A quality audit was prepared and revised plans were submitted to address a number of design issues improving the overall quality of the housing scheme specifically key buildings, materials and landscaping.

GOALS: To determine approval of matters specified in conditions applications in a timescale to meet with the developers fast delivery programme.

OUTCOMES: The delivery of high quality private and affordable housing on the ground in a short-timescale.

NAME OF KEY OFFICER

Richard Smith, Principal Planning Officer

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Case Study 2

Poundland Re-development – Part 2



LOCATION AND DATES:

Elgin Town centre, 2022/23

ELEMENTS OF A HIGH QUALITY PLANNING SERVICE THIS STUDY RELATES TO:

Quality of Outcomes

KEY MARKERS: 3, & 13

KEY AREAS OF WORK

- Development Management Processes
- Design
- Regeneration
- Town Centres
- Affordable Housing

STAKEHOLDERS INVOLVED:

- Development Management
- Transportation & Housing services

OVERVIEW: The rebuilding of the Italianate ashlar stone façade at 161-163 High Street commenced in June 2023 with the stonework now up to just below ground floor cornice level. This work is demonstrative of the significant benefit this key corner building is going to bring to the character on the conservation area on completion. The reinstatement of an original door location on the High Street, to bring

compliant use to the upper two floors, which will house four apartments, has been a success without impacting on the new shopfront. The apartments will be exemplar for Elgin in terms of sustainable city centre living (each apartment is highly insulated and heated by ASHPs). Whilst the apartments are compact, the high ceilings and large double glazed timber sash and case windows will make a great living environment. The First Phase of works is due for completion in the first quarter of 2024.

GOALS: To support the delivery of this planning application in the heart of Elgin town centre and to ensure planning conditions are discharged timeously.

OUTCOMES: Regeneration of an important town centre location involving the replacement of a dangerous building, delivering retail and affordable housing.

NAME OF KEY OFFICERS

Pinny Muir, Associate Partner for LDN Architects
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Richard Smith, Principal Planning Officer
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Case Study 3

Infill Housing, Forres

LOCATION AND DATE:

Forres, 2021/22

ELEMENTS OF A HIGH QUALITY PLANNING SERVICE THIS STUDY RELATES TO:

Governance

KEY MARKERS: 1, 2 & 3

KEY AREAS OF WORK:

- Development Management Processes
- Design

STAKEHOLDERS INVOLVED:

- Development Management

OVERVIEW: This planning application proposed two small infill dwellings on a prominent and sensitive site adjacent to a Conservation Area. The original plans proposed a design and materials that would not have been supported in this location and revised plans were negotiated to ensure the character of the street scene was protected. High Quality materials were also requested to enable the surrounding setting to be preserved. The delivery of this scheme in the heart of Forres town centre demonstrates that development management processes ensure that development is delivered in the right place whilst protecting the surrounding environment.

GOALS: During the planning application process negotiations to secure high quality development are a key goal and the submission of amended plans to address concerns are an important part of the development management process.

OUTCOMES: The delivery of a high quality development of two small infill dwellings on a site close to the town centre adjacent to a Conservation Area.

NAME OF KEY OFFICERS

Emma Mitchell, Planning Officer

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QUALITY OF SERVICE AND ENGAGEMENT

Over the last 12 months hybrid working has become the settled way of working with Planning Officers working on rota in the office and the remaining time at home. With the introduction of NPF4, it has been a challenging time ensuring that decision-making continues in a consistent manner. Short-term working groups and liaison meetings have been a valuable tool in ensuring that changes in legislation are implemented effectively. The role of Legal services in preparing and ensuring S.75 legal agreements are signed, acknowledged and registered is fundamental to issuing decisions timeously on major planning applications.

GOVERNANCE

The Planning & Regulatory Services Committee has continued to meet more regularly over the last 12 months with more special meetings being arranged to ensure that delivery of major planning applications are not delayed with scheduled meetings only occurring every two months. Committee site visits have been re-introduced and the enhanced committee packs prepared during the temporary halting of sites are to continue on a permanent basis as they are considered to add value to the committee papers.

In terms of our performance during 2022/23, our average timescales have improved for major and local developments and maintained at the same level for householders. The rates are still below the Scottish average and a significant effort has been made to ensure decision-making is carried out timeously and avoiding appeals against non-determination.



Engagement with young people - Elgin Academy winners getting their prizes from Head Teacher Mr Scott

Case Study 4

Review of Validation Standards

LOCATION AND DATES:

June 2023

ELEMENTS OF HIGH QUALITY PLANNING SERVICE THIS STUDY RELATES TO:

Governance

KEY MARKERS: 1, 3 & 12

KEY AREAS OF WORK

- Development Management Processes
- Process Improvement
- Collaborative Working

STAKEHOLDERS INVOLVED

- Development Management
- Transportation
- Flood Risk Management

OVERVIEW: Following on from the Heads of Planning validation standards being adopted in 2017 a review of Moray's validation standards was undertaken. Following the adoption of NPF4 there are a number of new policy requirements that require extra supporting information to accompany major and local applications. In addition regulations have been updated and it is becoming increasingly difficult for customers to ensure their applications are validated at the first submission. A compliance statement setting out how the proposed development complies with the relevant policies contained in NPF4, Moray Local Development Plan 2020 and associated planning guidance is essential.

GOALS: To stream line service provision, make consistent decisions on validation and to increase the number of applications that are valid on first submission.

OUTCOMES: A workshop is to be held with local agents to run through new and old policy requirements making sure that submissions are able to demonstrate compliance with the development plan.

NAME OF KEY OFFICER:

Beverly Smith, Development Management & Building Standards Manager

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Case Study 5

Planning, SEPA & Flood Risk Management Monthly Liaison meetings

LOCATION AND DATES:

2022/23

ELEMENTS OF HIGH QUALITY PLANNING SERVICE THIS STUDY RELATES TO:

Governance

KEY MARKERS: 1, 3 & 12

KEY AREAS OF WORK

- Development Management Processes
- Process Improvement
- Collaborative Working

STAKEHOLDERS INVOLVED

- Development Management
- Flood Risk Management
- SEPA

OVERVIEW: Following on from Covid working practices the liaison meetings with SEPA, Flood Risk Management and Development Management Officers have continued with virtual monthly meetings. An agenda of items are circulated prior to the meeting and DM Officers are invited on a case by case basis. Senior Officers and Managers also attend which ensures decisions are made on critical issues and proportionate information is sought from applicants. This forum and way of collaborative working can be replicated with other services.

GOALS: To stream line service provision, making consistent decisions on flooding and surface water drainage issues within the Development Management process taking into account NPF4, MLDP 2020, & Adopted Supplementary Guidance.

OUTCOMES: The monthly meetings are an effective use of time and bring together key officers to discuss and agree flooding and drainage issues. This is to ensure policy requirements are complied with and that internal and external consultees work together on consultation responses avoiding confusing and conflicting advice being given to applicants.

NAME OF KEY OFFICER:

Clare Pritchett, Senior Planning Officer

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Will Burnish, Senior Engineer

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Case Study 6

Update on S.75 legal agreements Process

LOCATION AND DATES:

2022/23

ELEMENTS OF HIGH QUALITY PLANNING SERVICE THIS STUDY RELATES TO:

Governance

KEY MARKERS: 1, 2, 4 & 14

KEY AREAS OF WORK

- Development Management Processes
- Process Improvement

STAKEHOLDERS INVOLVED

- Legal Services
- Development Management
- Developer Obligations

OVERVIEW: S.75 legal agreements are fundamental to the Development Management process and the issuing of planning decisions. Ensuring that processes are in place and are subject of review can only go so far to ensure decision notices are issued within set timescales. Previous committee decisions with targets, processing agreements and procedures are necessary to ensure all departments are aware of their role on the process. Weekly updates are circulated to DM Case Officers, Developer Obligations Officers and the Legal Services Manager covering all cases over the statutory timescale including those subject to legal agreements. Any updates are logged keeping track of progress and where S.75 legal agreements are in terms of being subject to

modification requests, liaising with external legal teams, sending out for signing and ultimately registering in the process. Only 1 planning application waiting to be issued at the end of the 2022/23 reporting period.

GOALS: To prevent cases being stalled in the system due to S.75 legal agreements not being progressed.

OUTCOMES:

To continue to deliver planning decisions within the four month target agreed by the Planning & Regulatory Services Committee.

NAME OF KEY OFFICER:

[Aileen Scott, Legal Services Manager](#)

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CULTURE OF CONTINUOUS IMPROVEMENT

Training has taken place in relation to Archaeology on site during an excavation post decision, which allowed the team to see the importance of engaging input from our Archaeology team in Aberdeenshire at the pre-application advice stage. Workshops have been arranged by Building Standards on technical matters and these have been opened out to Development Management Officers which has highlighted a number of shared areas of interest. A site visit was arranged to be updated on the progress that has been made in relation to the re-development of Poundland in the centre of Elgin and enables officers to see the importance of working closely together with local architects and building standards colleagues.

The Employee Review Development programme plays an important part in identifying training opportunities and service improvements through regular review meetings and one to one sessions.

Delivering a high quality outcomes requires a team that continues to meet its Continuing Professional Development (CPD) requirements and training in-house and attending external events through teams has a high priority.

In 2023/23 Officers from the Planning service attended the following training/CPD Events:

- SEPA/Flood Risk management meetings – remote
- Leadership Forum (MC) – remote
- RTPi Chapter Events – In person/remote
- Brodies legal updates

Officers also Chaired and attended the following forums remotely:

- North of Scotland Development Plans Forum
- Heads of Planning Executive Meetings
- Heads of Planning Development Plans Sub-committee
- Heads of Planning Development Management Sub-committee
- Heads of Planning Energy Sub-committee

Archaeological Training





Case Study 7

Archaeological Training/CPD on site

LOCATION AND DATES:

March 2023/On site

ELEMENTS OF HIGH QUALITY PLANNING SERVICE THIS STUDY RELATES TO:

Governance

KEY MARKERS: 12 & 13

KEY AREAS OF WORK

- Skills Sharing
- Collaborative Working
- Archaeology

STAKEHOLDERS INVOLVED

- Aberdeenshire Archaeological Service
- Development Management

OVERVIEW: This training session was arranged by the Aberdeenshire Archaeological Services and brought together Development Management Officers, AOC Archaeology and the developer. Having the opportunity to experience a live dig across a major development site allowed Officers to see the extent of the dig, raise general awareness and increase knowledge of how an archaeological dig is progressed under the imposition of a

suspensive planning condition. In this case the pre-application process and consultation with Aberdeenshire archaeology was important to the developer in terms of timing. A significant amount of information was shared from the archaeological practice running the operation and this training will assist with understanding the importance of significant finds, the length of time development can be stalled for and also the cost to developers.

GOALS: To deliver CPD training on planning issues on site in a way that enhances understanding and importance of archaeology within the planning process.

OUTCOMES:

The training session delivered was the first time any of the Development Management team had experienced a live archaeological dig.

NAME OF KEY OFFICER:

Clare Herbert, Archaeologist

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Case Study 8

Engagement with young people

LOCATION AND DATES:

Elgin Academy 15th May 2023

ELEMENTS OF HIGH QUALITY PLANNING SERVICE THIS STUDY RELATES TO:

Quality of Service & Engagement with young people

KEY MARKERS: 6, 9, 12

KEY AREAS OF WORK

- Engagement
- Town centre regeneration
- Local Living
- Green spaces
- Carbon reduction

STAKEHOLDERS INVOLVED

- Elgin Academy pupils
- Elgin Academy teachers
- Colleagues in other Council services

OVERVIEW: This engagement session was hosted in partnership with Elgin Academy as an Interdisciplinary Learning Day based around sustainability with a focus on 20 minute neighbourhoods and town centre regeneration. In the morning all 600 first to fourth year pupils and all teaching staff attended short interactive workshops presented by council officers on topics including biodiversity and nature, climate change, community wealth building and active travel. The afternoon session put all this learning into practice when in small groups pupils were supported to redesign Elgin taking account of the principles of a 20 minute neighbourhood and come up with ideas to regenerate the town centre. In groups, pupils with additional support needs created fantastic models of their designs.

All groups gave a short presentation of their design concepts and the outputs of the day will be analysed and will inform our next place based plan.

GOALS:

To engage with Secondary school pupils on land use planning with a specific focus on town centre regeneration and 20 minute neighbourhoods.

OUTCOMES: Engagement with young people to ensure their views are taken account of the in the next Moray Local Development Plan. To understand the benefits of 20 minute neighbourhoods and identify local actions to address the climate and nature crises. To raise awareness of future careers in planning and other roles across the Council.

NAME OF KEY OFFICER:

Emma Gordon, Planning Officer

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Case Study 9

Conservation area reviews and Conservation grant schemes

LOCATION AND DATES:

Elgin, May 2023

ELEMENTS OF HIGH QUALITY PLANNING SERVICE THIS STUDY RELATES TO:

- Conservation Areas and Listed Buildings

KEY MARKERS: 9 & 12

KEY AREAS OF WORK

- Conservation Area
- Listed Buildings

STAKEHOLDERS INVOLVED

- Local residents
- Local architects

OVERVIEW: Within Moray there are 18 Conservation Areas which have been designated on the basis that these are areas of special architectural or historic interest where it is desirable to preserve and enhance their character and appearance. While there are many different aspects that contribute to the character and appearance of a conservation area, retention of traditional windows within both listed and unlisted buildings is extremely significant.

A first phase review of Conservation Areas was commissioned as part of the review of the Local Development Plan, undertaken by LDN architects working with officers from the Council's Strategic Planning and development and Development Management sections.

At the same time as the review was progressing, the Council launched a grants scheme for window and door replacement grants totalling £65k were distributed, with a maximum grant of £15,000 per property using funding from the Place Based Investment Fund.

The success of the project will be reported to the Council's Economic Development and Infrastructure Committee in September 2023 with a view to continuing the grant scheme subject to availability of external funding.

GOALS: To review Conservation Area boundaries and ensure they remained valid for the reasons they were originally designated
To provide a grant scheme to support property owners to repair or reinstate traditional windows

OUTCOMES:

First phase Conservation area review completed.
8 grants awarded with total value of £65,000.

NAME OF KEY OFFICER:

Keith Henderson, Planning Officer
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Case Study10

Town Centres Summit



LOCATION AND DATES:

May 2023, Elgin

ELEMENTS OF HIGH QUALITY PLANNING SERVICE THIS STUDY RELATES TO:

- Quality of Outcomes
- Cross sector engagement
- Regeneration

KEY MARKERS: 9, 12 & 13

KEY AREAS OF WORK

- Town centre regeneration
- Partnership working
- Conservation
- Economic Development
- Masterplanning
- Climate Change

STAKEHOLDERS INVOLVED

- Moray Chamber of Commerce
- Local Businesses
- Elgin Business Improvement District
- Community Councils
- Regeneration groups
- Highlands and Islands Enterprise
- Business Gateway

OVERVIEW: On 4th May 2023 Moray Chamber of Commerce and Moray Council jointly hosted a Town centre Summit in Elgin Town Hall which was attended by over 80 representatives from businesses, community groups and public sector gathered to discuss the future of Moray's Town centres. Speakers from Moray Council, Scotland's Towns Partnership, Midsteeple Quarter, Dumfries and Dufftown Regeneration Group presented and a number of break out workshops were held to discuss what was needed to regenerate the Centres to make them more attractive, functional and inviting places to live and visit.

A key focus was for this not to be a “one-off” event and for it to lead to more co-ordinated action through partnership working. In June 2023 the Moray Chamber of Commerce launched the Town Centre Task Force to bring together representatives from local public, private and third sectors to promote the development of a new vision for the town centre.

To support the work of the Task Force, Moray Council’s Strategic Planning and Development section are exploring the appointment of a 12 month Town Centres Officer post and exploring new grant funding opportunities to support initiatives to bring empty shops back into use and public realm projects.

GOALS:

- Improved partnership working and communication on Town Centre issues
- Town Centre regeneration

OUTCOMES:

- Increased footfall in town centres
- Reduced vacancy rates
- Better communication on town centre issues

NAME OF KEY OFFICER:

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Eily Webster, Principal Planning Officer

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Case Study 11

Community Wealth Building guidance to support NPF4

LOCATION AND DATES:

April to June 2023

ELEMENTS OF HIGH QUALITY PLANNING SERVICE THIS STUDY RELATES TO:

- Policy Guidance
- Economic Development

KEY MARKERS: 11, 12 & 13

KEY AREAS OF WORK

- National Planning Framework 4
- Economic Development
- Development Management

STAKEHOLDERS INVOLVED

- Economic Growth and Regeneration

OVERVIEW: To support implementation of Policy 25 in NPF4 and the Council's draft Community Wealth Building Strategy, the Strategic Planning and Development section drafted guidance setting out a requirement for a Community Wealth Building Plan to be prepared for applications falling within agreed thresholds. Applicants will be required to set out how they will promote employment and skills development opportunities within the local community, how they will maximise opportunities within the local supply chain and any opportunities for community ownership of assets.

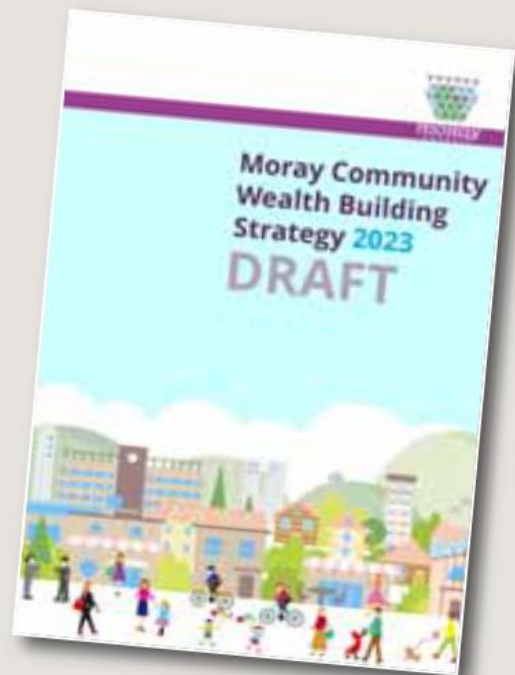
GOALS: To maximise opportunities for skills, employment and spend within the local area.

OUTCOMES: Agreed guidance to be delivered through the development management process.

NAME OF KEY OFFICER:

Gary Templeton, Strategic Planning and Development Manager

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Case Study 12

Carbon assessment guidance to support NPF4

LOCATION AND DATES:

April to June 2023

ELEMENTS OF HIGH QUALITY PLANNING SERVICE THIS STUDY RELATES TO:

- Policy guidance
- Net Zero

KEY MARKERS: 11, 12 & 13

KEY AREAS OF WORK

- Climate Change
- Development Management
- NPF4

STAKEHOLDERS INVOLVED

- Development Management

OVERVIEW: Climate Change Officers within the Strategic Planning and Development have written carbon assessment planning guidance to support implementation of NPF4 Policy 2. The guidance was approved by the Council's Planning and Regulatory Services Committee on 30th May 2023 and became operational on 1st July.

The guidance aims to support the development management process to determine planning applications against Policy 2 of NPF4, which requires that "development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible" and "development proposals will be sited and designed to adapt to current and future risks from climate change".

The guidance applies to;

- residential developments of 10 or more units
- commercial, industrial, retail, leisure, infrastructure developments where floor space is 1,000 square metres or more
- Energy related developments of 5MW or more (including battery storage, grid infrastructure and energy production).

GOALS: Consistent and proportionate implementation of NPF4 Policy 2

OUTCOMES: Carbon guidance for developers, overall outcome being reduction in carbon emissions from new development and earlier consideration of carbon management and longer term monitoring.

NAME OF KEY OFFICER:

George Gunn, Climate Change Officer

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Case Study 13

Inclusive and Accessible play area planning policy guidance

LOCATION AND DATES:

June 2022 to December 2022

ELEMENTS OF HIGH QUALITY PLANNING SERVICE THIS STUDY RELATES TO:

- Open Space
- Equalities and Inclusion
- Play Sufficiency

KEY MARKERS: 6, 9, 11 & 12

KEY AREAS OF WORK

- Open Space
- Inclusive Play Areas
- Planning Guidance
- Development Management

STAKEHOLDERS INVOLVED

- Parentable (a voluntary group of parents with children who have mental or physical health challenges)
- Open Spaces section

OVERVIEW: Policy PP1 in the Moray Local development Plan 2020 requires play areas to be inclusive, providing equipment so that the facility caters for every child/ young person regardless of ability. Policies DP1 and EP5 requires open space to be accessible for all generations and mobility including consideration of gradients and path surfaces) and provide diverse play facilities for a range of ages.



The guidance was produced to provide clarity on the requirements for the provision of inclusive and accessible play areas and establishes a consistent approach to the assessment of such. The guidance sets out minimum requirements for inclusive and wheelchair exclusive play equipment based on the park hierarchy as set out in Policy EP5 of the LDP. Clarification is also provided in respect of accessibility to and from the recreational spaces so as to avoid physical barriers to participation.

Examples are set out in the guidance which will assist in the design of play areas and established the requirement for a variety of equipment that meets the needs of different ages and abilities. Applications are required to be supported by a statement which demonstrates how the proposed play area meets requirements in respect of play equipment, types and values.

GOALS: Ensure provision of inclusive, accessible play equipment

OUTCOMES:

Clear guidance for developers to deliver more inclusive, accessible play equipment.

NAME OF KEY OFFICER:

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Emma Gordon, Planning Officer
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Case Study 14

Moray Growth Deal- Dallas Dhu, Forres, moving from Masterplan to detailed design

LOCATION AND DATES:

Forres, April 2023 - ongoing

ELEMENTS OF HIGH QUALITY PLANNING

SERVICE THIS STUDY RELATES TO:

- Delivery of affordable housing
- Overcoming barriers to delivery of housing
- Partnership working
- Delivery focus
- Climate Change

KEY MARKERS: 3, 9, 12, 13 & 14

KEY AREAS OF WORK

- Local Development Plan delivery
- Climate Change
- Sustainable design and construction
- Community Wealth Building

STAKEHOLDERS INVOLVED

- Altyre Estate
- Grampian Housing Association
- Local community
- Local supply chain
- Local developers/ architects

OVERVIEW: The Dallas Dhu housing development is a key first phase development within the Moray Growth Deal and is intended to be a showcase for innovative design and placemaking. The Masterplan previously featured in PPF11 and the project has now moved onto detailed design stage, with a view to a planning application being submitted in Autumn 2023.

A public engagement event was held in late June 2022 which was attended by over 50 people. As well as a first phase of affordable housing, the project involves a self-build element which is being shaped through consultation with interested parties and by trying to address barriers to affordable self-build. Opportunities to make maximum use of the local supply chain are being investigated and the design aims to be as carbon conscious as possible and act as a learning resource for other developments. All placemaking elements are being scrutinised to minimise carbon, explore local supply chain opportunities and minimise cost to ensure a high quality, carbon conscious and affordable design is consented.

GOALS: Planning application lodged by November 2023.

OUTCOMES:

- Quality, innovative design.
- First phase of development to showcase as an exemplar

NAME OF KEY OFFICER:

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Hilda Puskas, Project Manager

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Case Study 15

Business Needs Study

LOCATION AND DATES:

September 2022 - April 2023, Moray

ELEMENTS OF HIGH QUALITY PLANNING SERVICE THIS STUDY RELATES TO:

- Evidence Base
- Engagement

KEY MARKERS: 33, 7, 8, 11 & 12

KEY AREAS OF WORK

- Evidence of business needs
- Economic Development

STAKEHOLDERS INVOLVED

- Moray Chamber of Commerce
- Elgin BID
- Moray Speyside Tourism
- Moray Business Resilience Group
- Business gateway
- Federation of Small Businesses
- Skills Development Scotland
- Highlands and Islands Enterprise

OVERVIEW: Ryden LLP was commissioned to provide up to date information and analysis of the current and projected demand for commercial land and buildings to help inform the Evidence report for the new Local development Plan and the Regional Spatial Strategy.

The study includes;

- A review of the economic baseline and relevant economic policy
- A review of key sectors operating in Moray.
- A property market review including the stock of employment floor space and a review of supply and take up of industrial and office premises
- A review of the Council's industrial property portfolio

- A review of the annual employment land audit, including a review of the effectiveness of all sites against 8 scoring categories
- A summary of the results of the business survey and consultation undertaken as part of the study. This included an online survey of business property occupiers and stakeholder workshop with members of the Moray Business Resilience Group.

GOALS: Analysis of current and projected demand for commercial land and buildings to inform the Evidence Report

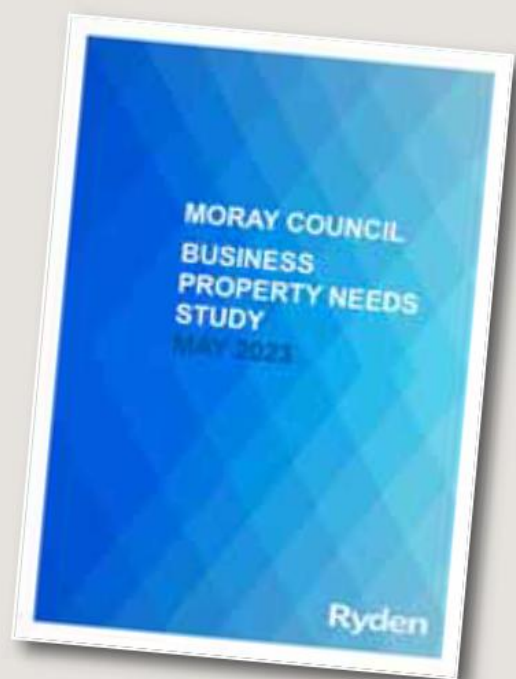
OUTCOMES:

Completed study reported to Planning and regulatory Services Committee in August 2023.

NAME OF KEY OFFICER:

Rowena MacDougall

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Part 2

Supporting Evidence

Part 2 of this report was compiled using evidence from a variety of sources including:

- Development Plan Services Service Plan
- A range of committee reports
- Case Studies
- Informal benchmarking
- Partnership working

Case Study Topics	Issue covered by case study	Case Study Topics	Issue covered by case study
Design	CS2, P2; CS3, P4	Local Living	CS8, P11
Regeneration	CS2, P3	Green Spaces	CS8, P11
Town Centres	CS2, P3; CS8, P11	Carbon reduction	CS8, P11
Masterplanning	CS1, P2; CS10, P13	Conservation Area	CS9, P12; CS10, P13
Affordable Housing	CS1, P2; CS2, P3	Listed Buildings	CS9, P12
Development Management Processes	CS2, P3; CS3, P4; CS4, P6; CS5, P7; CS6, P8; CS11, P16;	Climate Change	CS10, P13; CS12, P16; CS14, P18
Planning Applications	CS1, P2; CS12, P15	Economic Development	CS10, P13; CS11, P15
Collaborative working	CS4, P6; CS5, P7; CS7, P10; CS10, P13	National Planning Framework 4	CS11, P15; CS12, P16
Placemaking	CS1, P2	Open Space	CS13, P17;
Process Improvement	CS4, P6; CS5, P7; CS6, P8	Planning Guidance	CS13, P17
Skills sharing	CS7, P10	Inclusive Play Areas	CS13, P17
Archaeology	CS7, P10	Local Development Plan Delivery	CS14, P18
Engagement	CS8, P11	Sustainable Design and construction	CS14, P18
		Community Wealth Building	CS14, P18

To assist with the 15 key performance markers hyperlinks have been added in below and the four sub-headings demonstrate a high quality planning service is being delivered.

Quality of Outcomes

[Making a Planning Application – What Information is Required?](#)

[Supporting Information Checklist](#)

[Heads of Planning Scotland Guidance Note on National Standards for Validation and determination of planning applications and other related consents](#)

[Developer Obligations Supplementary Guidance](#)

[Flood Risk and Drainage Supplementary Guidance](#)

[Open Space Strategy – January 2018](#)

[Dallas Dhu Masterplan – 2020](#)

[Kinloss Golf Course Masterplan](#)

[Local Development Plan Additional Guidance](#)

[Elgin City Centre Masterplan](#)

[Buckie South Masterplan](#)

[Elgin South Masterplan](#)

[Business Needs Study](#)

[Carbon Guidance](#)

[Community Wealth Building Guidance](#)

[MyMoray website - Moray Growth Deal](#)

Quality of Service & Engagement

[Moray Local Development Plan Scheme – December 2022](#)

[Moray Housing Land Audit - 2023](#)

[Employment Land Audit 2023](#)

[Making a Preliminary Enquiry – local developments guidance and form](#)

[Planning Enforcement Enquiry Form](#)

[Processing Agreements](#)

[Moray Council Complaints](#)

[Planning Enforcement Charter – 2022-2023](#)

[Customer Care](#)

[Development Management Service Charter](#)

Governance

[The Moray Council Corporate Plan 2024](#)

[Scheme of Delegation](#)

[Committee Diary](#)

Culture of Continuous Improvement

[Economic Growth & Development Services Service Plan](#)

Performance Markers Report 2022/23

No.	PERFORMANCE MARKER	EVIDENCE
1.	Decision-making: authorities demonstrating continuous evidence of reducing average timescales for all development types	See National Headline Indicators in the PPF. All average timescales are lower than the average timescales for Scotland. Most major applications for processing agreements, 15 weeks for major, 6.3 weeks for local, 6.2 weeks for householder.
2.	Project management: offer of processing agreements (or other agreed project plan) made to prospective applicants in advance of all major applications <u>and</u> availability publicised on planning authority website	Offer and encourage use of a processing agreement as a project management tool for major applications. Template and guidance publicised on website under Pre-application advice section for Major Developments Website link: www.moray.gov.uk/moray_standard/page_105746.html
3.	Early collaboration with applicants and consultees: <ul style="list-style-type: none"> • Availability and promotion of pre-application discussions for all prospective applications; • Clear and proportionate requests for supporting information 	Offer of pre-application advice available on website with request form, guidance and scale of fees. All are logged in uniform. Website link: www.moray.gov.uk/moray_standard/page_41735.html
4.	Legal Agreements: conclude (or reconsider) applications within 6 months of 'resolving to grant'	Front loading of Heads of Terms and identifying timescales in processing agreements. See Case Study.
5.	Enforcement Charter updated/re-published	Enforcement Charter reviewed and republished in March 2022 with enhanced focus on monitoring planning conditions for major developments. Web site link: www.moray.gov.uk/downloads/file147262.pdf
6.	Continuous Improvement: <ul style="list-style-type: none"> • Progress ambitious and relevant service improvement commitments identified through PPF report 	See case studies and details of continuous improvement in the PPF.

No.	PERFORMANCE MARKER	EVIDENCE/COMMENTS
7.	Local development plan less than 5 years since adoption	Moray Local Development Plan 2020 adopted on 27th July 2020 - replaced within 5 years. www.moray.gov.uk/MLDP2020
8.	Development Plan Scheme demonstrates next LDP:	Development Plan Scheme was approved December 2022. National target is to have new style place based LDP's in place within 5 years of NPF4 adoption.
9.	Stakeholders including Elected Members, industry, agencies the public and Scottish Government are engaged appropriately through all key stages of development plan preparation	Very early engagement has started on the new local development plan, this has included raising awareness and registering interest in preparing local place plans, a series of engagement events, including specifically targeting young people (see case study 8) have been held throughout Moray seeking ideas to include within the Regional Spatial Strategy, Evidence Report and Local Development Plan. A series of workshops and briefings is being arranged for elected members to consider the emerging evidence in advance of formal consideration of the Evidence Report at full Council in March 2024. A series of stakeholders groups are being set up to support development of the Regional Spatial Strategy and to consider the Evidence report.
10.	Kept for data continuity	
11.	Production of relevant and up to date policy advice	See case studies, further additional policy guidance has been published on Carbon Assessments, Community Wealth Building and Accessible and Inclusive Play Areas. A review of Developer Obligations supplementary guidance is underway. http://www.moray.gov.uk/moray_standard/page_148973.html
12.	Corporate working across services to improve outputs and services for customer benefit (e.g: protocols; joined up services; single contact; joint pre-application advice)	Protocols are in place with the Cairngorms National Park Authority and Aberdeenshire Council covering Archaeology, Health Working groups, Scotland Forestry Liaison Meetings.

No.	PERFORMANCE MARKER	EVIDENCE/COMMENTS
13.	Sharing good practice, skills and knowledge between authorities Delivering Development	See PPF case studies Heads of Planning Executive, Development Planning, Development Management, Energy Committees. North of Scotland Development Plans Forum, North East Scotland Local Biodiversity Action Plan Partnership.
14.	Stalled Sites/legacy cases: conclusion/withdrawal of planning applications more than one-year-old	All cases over 1 year old covered by processing agreement
15.	Developer Contributions: clear expectations <ul style="list-style-type: none"> • set out in development plan (and/or emerging plan); and • in pre-application discussions 	Adopted SG on Developer Obligations. Report on Developer Obligations being considered at Planning and Regulatory Services Committee August 2023 with ongoing review of the Guidance.

Part 3

Service Improvements 2023/24

Service Improvements in the coming year:

- Review of Procedures relating to governance
- Review Delegation Scheme
- Ensure new planning policy guidance is embedded within Development Management decision making
- Identify further shared working opportunities with Building Standards and Development Management
- Set up stakeholder groups to support development of Regional Spatial Strategy and Evidence Report
- Establish stronger networks to support work relating to biodiversity networks
- Development session between Strategic Planning and Development and Economic Growth and Regeneration to identify further shared working opportunities
- Collate and review actions identified in Plans and Strategies
- Review developer obligations evidence base

Delivery of service improvements in 2022/23:

Looking back at our service improvements we identified in 2022/23 we have made progress with many of them.

Commitment: Continue to implement the legislative requirements from the Planning Act 2019

Progress: All implemented and further legislative requirements to be brought into force

Commitment: Review & Embed SPEA Triage Framework into procedures

Progress: Completed, see case study 5

Commitment: Meet agents to ensure lines of communication are effective

Progress: Completed

Commitment: Continue to implement Enforcement & Condition Discharging requests into Enterprise in Uniform

Progress: Completed

Commitment: Implement new discharge of conditions procedure in line with the Enforcement Charter 2022-24

Progress: Completed

Commitment: Meet with Homes for Scotland representatives to discuss NPF4 policies and any local issues

Progress: Officers from Strategic Planning and Development met with Homes for Scotland to discuss NPF4 and the timetable for the new Local Development Plan.

Commitment: Complete carbon literacy training for all planners

Progress: Completed

Commitment: Introduce Performance Indicators for completing Quality Audit in tandem with streamlining process

Progress: Report on updated Quality Audit to be considered at August 2023 meeting of Planning and regulatory Services Committee.

Commitment: Review Approach to regeneration and delivery of LDP projects

Progress: Completed.



Infill housing, Forres

Part 4

National Headline Indicators (NHI's)

A: NHI KEY OUTCOMES - DEVELOPMENT PLANNING	2021-22	2022-23
LOCAL & STRATEGIC DEVELOPMENT PLANNING <ul style="list-style-type: none"> • Age of local/strategic development plan(s) (full years) at the end of the reporting year. <i>Requirement: less than 5 years</i> • Will the local/strategic development plan be replaced by their 5th anniversary according to the current development plan scheme? (Y/N) • Has the expected date of submission of the plan to Scottish Ministers in the development plan scheme changed over the past Year? • Were development plan scheme engagement/consultation commitments met during the year? (Y/N) 	Two years MLDP 2020 Adopted Yes No Yes	Three years MLDP 2020 Adopted No No Yes
EFFECTIVE LAND SUPPLY AND DELIVERY OF OUTPUTS <ul style="list-style-type: none"> • Established housing land supply units • 5-year effective housing land supply programming • 5-year effective housing land supply total capacity • 5-year effective housing supply target • 5-year effective housing land supply (to one decimal place) • Housing approvals • Housing completions over the last 5 years • Marketable employment land supply • Employment land take-up during reporting year 	12,192 units 3,242 units 5,365 units 2,070 units 13 years 285 units 1,752 units 100.37 ha 4.74 ha	11,770 units 5,022 units 2,993 units 2,070 units 12 years 561 units 1,819 units 99.87 ha 1.24 ha

B: NHI Key Outcomes - DEVELOPMENT MANAGEMENT	2021-22	2022-23
DEVELOPMENT MANAGEMENT Project Planning <ul style="list-style-type: none"> Percentage and number of applications subject to pre-application advice Percentage and number of major applications subject to processing agreement Decision Making <ul style="list-style-type: none"> Applications approval rate Delegation rate Validation Decision Making Timescales Average number of weeks to decisions: <ul style="list-style-type: none"> Major developments Local development (non-householder) Householder developments Legacy Cases <ul style="list-style-type: none"> Number cleared during reporting period Number remaining 	5.7% 36 60% 3 95.3% 97.1% 58.3% 15.1 6.8 6.2 0 0	17.9% 101 7 94.4% 96.3% 17.8% 15 6.3 6.2 0 0
C: NHI Key Outcomes - ENFORCEMENT ACTIVITY	2021-22	2022-23
<ul style="list-style-type: none"> Time since enforcement charter published/reviewed Requirement: review every two years Cases Take up Notices served Reports to the Procurator Fiscal Prosecutions Number of breaches resolved 	5 months 302 3 0 0 241	17 months 313 15 0 0 334
ADDITIONAL DATA SET	NO. RECEIVED	
DISCON - Discharge of Conditions	190	
NMV - Non Material Variation	88	
ID - Informal Determination	407	
PEHOU - Preliminary Enquiry - Householder	12	
PELOC - Preliminary Enquiry - Local	83	
PEMAJ - Preliminary Enquiry - Major	6	
S.36 & S.37 ECU consultations	3	

Part 5

Scottish Government Official Statistics

A: Decision-making timescales (based on 'all applications' timescales) 2021/22

CATEGORY	TOTAL NUMBER OF DECISIONS 2022-23	AVERAGE TIME WEEKS 2021-22	AVERAGE TIME WEEKS 2022-23
Major Developments	10	15.1	15
All Local Developments	553	6.5	6.2
Local: less than 2 months	379	5.6	5.3
Local: more than 2 months	75	12.4	11.1
Local Developments (non-householder)	249	6.8	6.3
Local: less than 2 months	204	5.4	5.1
Local: more than 2 months	45	13.8	11.5
Householder Developments	205	6.2	6.2
Local: Less than 2 months	175	5.8	5.4
Local: more than 2 months	30	10.0	10.5
Housing	89	7.4	6.4
Local: less than 2 months	67	5.4	5.1
Local: more than 2 months	22	17.7	10.3
Business and Industry	109	6.2	6.3
Local: less than 2 months	91	5.4	5.0
Local: more than 2 months	18	10.8	12.7
Other Developments	29	6.3	6.4
Local: Less than 2 months	27	5.7	5.8
Local: more than 2 months	2	10.1	13.6
EIA developments	1	6.9	0
Other consents			
All Other Consents	85	6.1	6.6
Listed Buildings & Conservation Area	54	7.2	7.2
Advertisements	21	4.2	5.4
Hazardous Substances	0	7.0	-
Other consents and certificates	10	2.9	6.1
Planning/legal agreements**			
(major applications)	1	0	-
(local applications)	8	3.5	9.5

B: Decision-making: Local Reviews and Appeals

TYPE	TOTAL NUMBER OF DECISIONS	ORIGINAL DECISION UPHELD			
		2021-22		2022-23	
		No	%	No	%
Local reviews	15	6	40%	15	50%
Appeals to Scottish Ministers	0	1	100%	0	0%

Part 6

Workforce Information

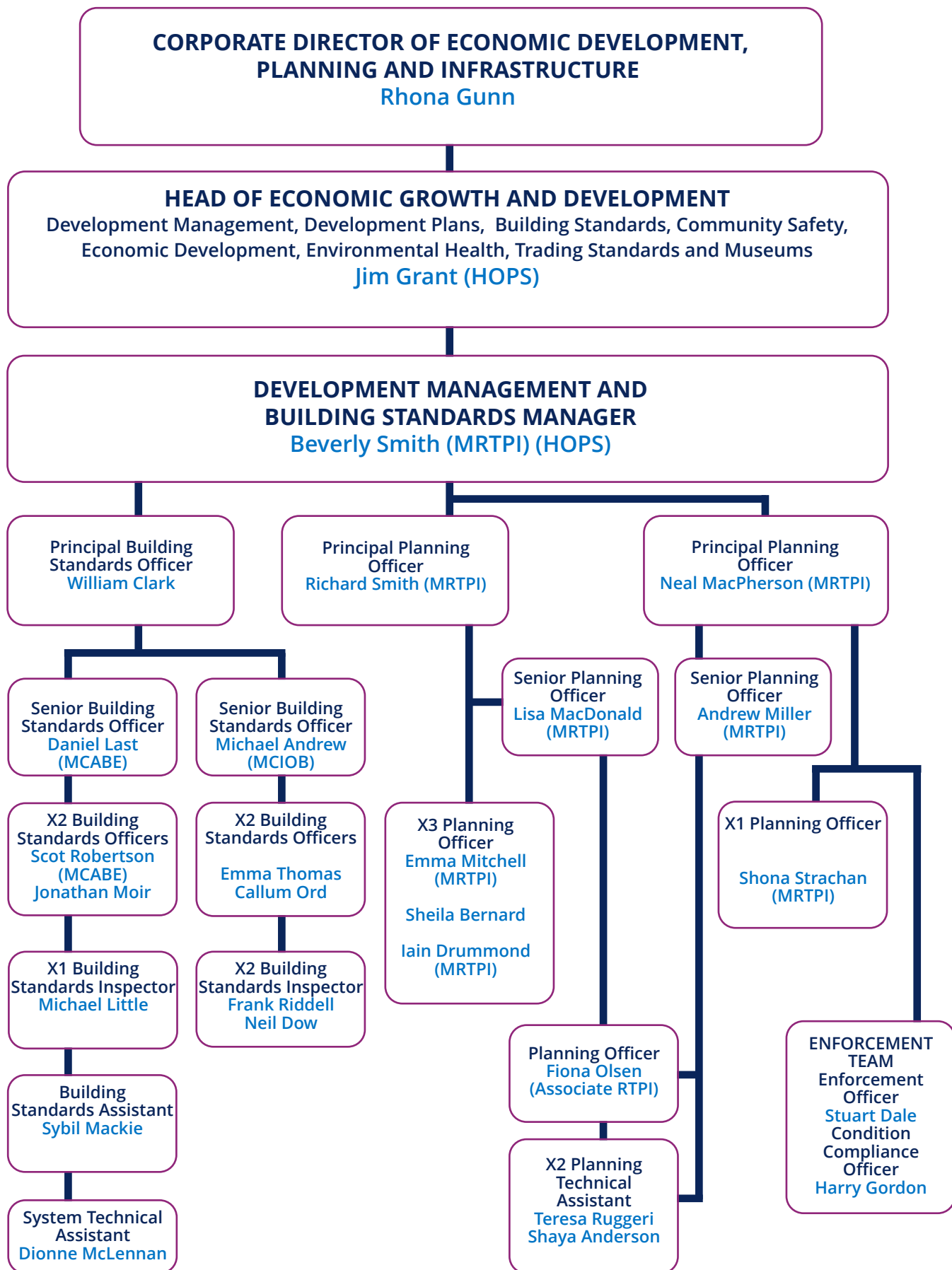
This information requested in this section is an integral part of providing the context for the information in part 1-5. Staffing Information should be a snapshot of the position on the 31 March 2023.

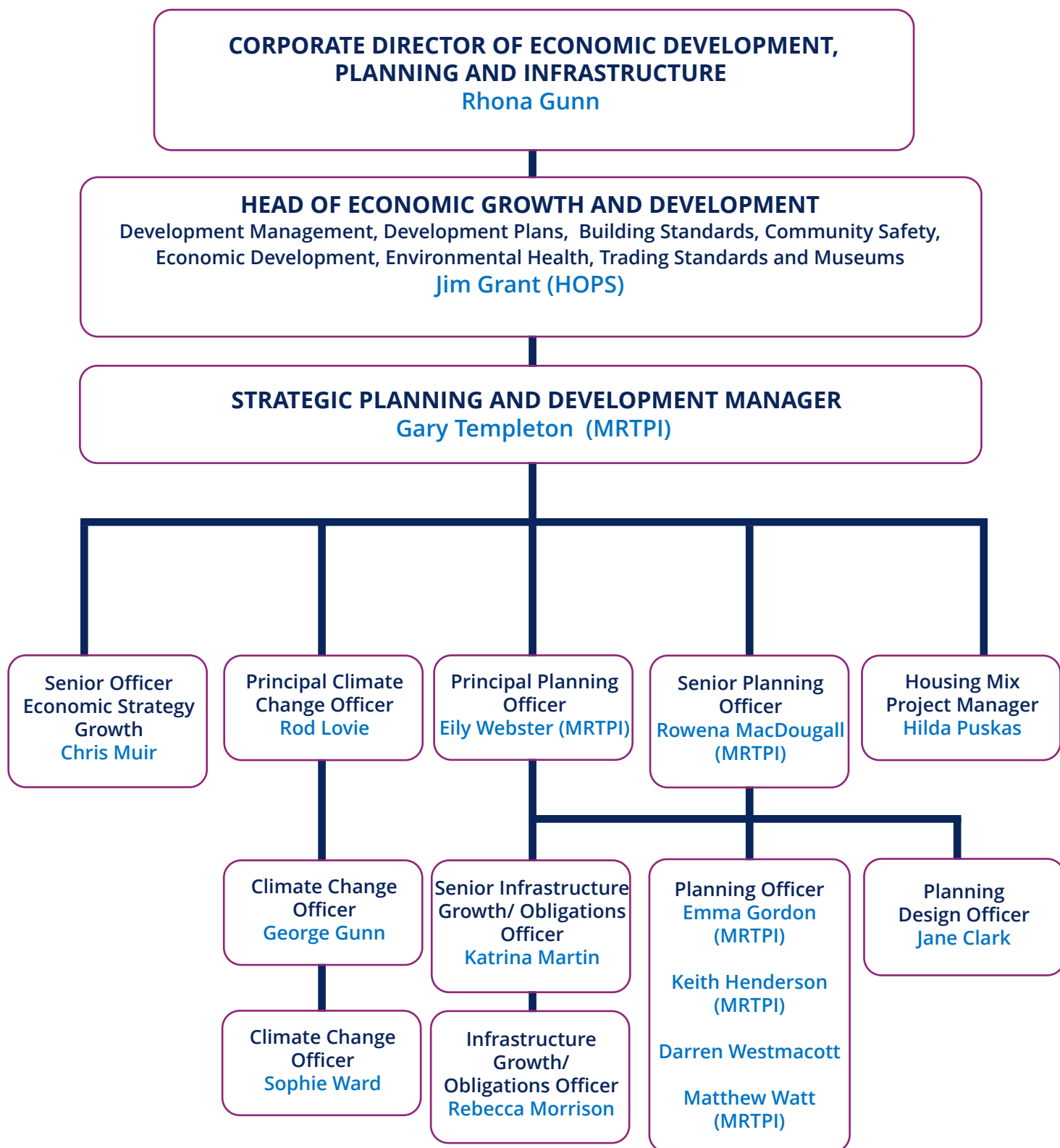
	TIER 1	TIER 2	TIER 3	TIER 4
Head of Planning Service			1	2

Note: Tier 1 = Chief Executive, Tier 2 = Directors, Tier 3 = Heads of Service, Tier 4 = Managers

RTPI QUALIFIED STAFF	HEADCOUNT
Chartered Staff	15

STAFF AGE PROFILE	HEADCOUNT
Under 30	3
30-39	4
40-49	6
50 and over	7





PART 7

Planning Committee Information

COMMITTEE & SITE VISITS*	NUMBER PER YEAR
Full council meetings	11
Planning committees	9
Committee site visits	4
LRB meetings*	6
LRB site visits	3

* This relates to the number of meetings of the LRB. The number of applications going to LRB are reported elsewhere.



Wind turbines Findhorn

