

MORAY COUNCIL

Minute of Meeting of the Planning and Regulatory Services Committee

Tuesday, 25 September 2018

Council Chambers, Council Office, High Street, Elgin, IV30 1BX

PRESENT

Councillor George Alexander, Councillor David Bremner, Councillor John Cowe, Councillor Gordon Cowie, Councillor Paula Coy, Councillor John Divers, Councillor Claire Feaver, Councillor Louise Laing, Councillor Marc Macrae, Councillor Aaron McLean, Councillor Ray McLean, Councillor Amy Patience

APOLOGIES

Councillor Ryan Edwards

IN ATTENDANCE

Also in attendance at the above meeting were:

The Head of Development Services, Mr G Templeton, Principal Planning Officer, Ms E Webster, Senior Planning Officer (Development Planning and Facilitation), Mrs E Gordon, Planning Officer, Mr K Henderson, Planning Officer, Mr D Westmacott, Planning Officer, Mrs D Anderson, Senior Engineer (Transport Development), Legal Services Manager (Property and Contracts) as Legal Adviser and Mrs L Rowan, Committee Services Officer as Clerk to the Meeting.

1. Chair

The meeting was chaired by Councillor Bremner.

2. Declaration of Group Decisions and Members Interests *

In terms of Standing Order 20 and the Councillor's Code of Conduct, there were no declarations from group leaders or spokespersons in regard to any prior decisions taken on how members will vote on any item on the Agenda nor any other declarations of Members Interest in respect of any item on the Agenda.

3. Moray Local Development Plan 2020 - Responses to Main Issues Report

A report by the Corporate Director (Economic Development, Planning and Infrastructure) asked the Committee to consider the submissions received following consultation on the Moray Local Development Plan (LDP) 2020 - Main Issues Report (MIR), to agree responses to the representations and agree, in principle, the sites to be designated for housing and employment uses in the Proposed Moray Local Development Plan 2020.

Mr Templeton, Principal Planning Officer provided the Committee with a short

presentation which detailed the process required to bring forward the Moray LDP 2020, highlighting the stage the Council is currently at and paid tribute to other services within the Council such as Transportation and Consultancy that had assisted in bringing the suite of papers before the Committee. Mr Templeton further highlighted a number of amendments/clarification to the following schedules:

- Schedule 14 - current opportunity site at Spynie, Elgin - clarified that the OPP6 site being designated will include part of the R5 site, ownership issue;
- Schedule 17 - LONG1/ FR19, amendment - Lochyhill, Forres, the south west corner will be changed from blue to red and will remain as an ENV designation in the new Plan as per existing Plan;
- Schedule 17 - amendment - in respect of current OPP4 Cathay House, Forres it is proposed to change the status of this from blue to amber, reflecting that there is a live planning application for this site which will allow re-consultation with Forestry Commission Scotland. Final position to be included in the Proposed Plan;
- Schedule 22 - Hopeman, clarification - land to the south of Hopeman - although the Council is not supporting the HP4 bid, there is a consent for 22 houses at the south of Forsyth Street which will be reflected in the Proposed Plan;
- Schedule 23 - Corsemal Drive, Dufftown R1 - change status from blue to red, not being supported for inclusion in the Proposed Plan. This site has been developed in a piecemeal basis and after further discussion with transportation and flood team colleagues, there are significant concerns about any further development on this site.

During discussion, surrounding Elgin EL5 - Land at Oldmills, Councillor Divers raised concern regarding the use of the word "piecemeal" as planning applications are brought forward and considered on their own merit and use of word the word "piecemeal" could be misconstrued to mean something else.

In response, Mr Templeton, Principal Planning Officer advised that he was happy to discuss this further with Councillor Divers and amend the wording but still make it clear the aim was to avoid the character being eroded by how development comes forward.

During further discussion, reference was made to properties that are protected by Historic Environment Scotland (HES) but are undevelopable and in need of demolition and it was queried whether discussion could take place with HES to ask if consideration could be given to relaxing their regulations in these circumstances.

In response, Mr Templeton, Principal Planning Officer advised that he would discuss this issue with HES and include the outcome within the Delivery Programme for the Moray LDP which will be brought to Committee in December 2018.

In relation to R1 Knockomie (South), concern was raised that there was a recommendation to increase the density in that area from 85 to 100 houses as it was thought that Council policy was to reduce the density of houses on rural edges.

In response, Mr Templeton, Principal Planning Officer advised that the site size had increased which had in turn increased the capacity however agreed to change the

word "density" to "capacity" and assured the Committee that the density would decrease towards the rural edge in line with Council policy.

With regard to safeguarding and supporting biodiversity, it was noted that only trees and woodlands were protected as opposed to other habitats such as wetlands and it was queried whether any contributions towards biodiversity could be obtained from developers for off site creation, enhancement or restoration in these locations to address any impact on biodiversity.

In response, Mr Templeton, Principal Planning Officer advised that a policy on biodiversity was being developed and that consideration would be given to seeking developer contributions towards off site creation, enhancement or restoration of other habitats such as wetlands whilst liaising with other partners such as Scottish National Heritage regarding ways in which to deliver the proposal.

The Committee joined the Chair in commending Mr Templeton and his team for the considerable amount of work involved in preparing the Moray LDP 2020 to date and thereafter agreed:

- i. to note the extensive consultation undertaken on the Main Issues Report;
- ii. the recommended responses to submissions on the Main Issues Report and associated documents in Appendix 1 subject to:
 - o Schedule 17 - LONG1/ FR19, amendment - Lochyhill, Forres, the south west corner will be changed from blue to red and will remain as an ENV designation in the new Plan as per existing Plan;
 - o Schedule 17 - amendment - in respect of current OPP4 Cathay House, Forres it is proposed to change the status of this from blue to amber, reflecting that there is a live planning application for this site which will allow re-consultation with Forestry Commission Scotland. Final position to be included in the Proposed Plan;
 - o Schedule 23 - Corsemaul Drive, Dufftown R1 - change status from blue to red, not being supported for inclusion in the Proposed Plan. This site has been developed in a piecemeal basis and after further discussion with transportation and flood team colleagues, there are significant concerns about any further development on this site;
 - o Elgin EL5 - Land at Oldmills - removal of the sentence "Piecemeal erosion of this core green area must be avoided"; and
 - o R1 Knockomie (South) - change the word "density" to capacity.
- iii. in principle, the sites to be designated for housing and employment development in the Proposed Moray Local Development Plan 2020 as summarised in Appendices 2 and 3 subject to the amendments detailed in recommendation (ii) above;
- iv. and noted the updated Communications Plan in Appendix 4;
- v. that the Proposed Plan be progressed on the basis of decisions taken at (ii)

and (iii) above and that the Proposed Plan is considered at a special meeting of this Committee on 5 December 2018;

- vi. that discussion take place with Historic Environmental Scotland to ask if consideration could be given to relaxing their regulations for protected properties that are undevelopable and in need of demolition; and
- vii. that consideration be given to seeking developer contributions towards off site creation, enhancement or restoration of other habitats such as wetlands whilst liaising with other partners such as Scottish National Heritage regarding ways in which to deliver the proposal.