



REPORT TO: SPECIAL MEETING OF THE PLANNING AND REGULATORY SERVICES COMMITTEE ON 25 SEPTEMBER 2018

SUBJECT: MORAY LOCAL DEVELOPMENT PLAN 2020- RESPONSES TO MAIN ISSUES REPORT

BY: CORPORATE DIRECTOR (ECONOMIC DEVELOPMENT, PLANNING AND INFRASTRUCTURE)

1. REASON FOR REPORT

- 1.1 This report asks 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.
- 1.2 This report is submitted to Committee in terms of Section III (E) (2) of the Council's Scheme of Administration relating to the Review and Preparation of Strategic and Local Plans.

2. RECOMMENDATION

It is recommended that the Committee:

- (i) notes the extensive consultation undertaken on the Main Issues Report;**
- (ii) agree the recommended responses to submissions on the Main Issues Report and associated documents in Appendix 1;**
- (iii) agrees, 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;**
- (iv) notes and agrees the updated Communications Plan in Appendix 4; and**
- (v) agree 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.**

3. **BACKGROUND**

- 3.1 The MIR was approved at a special meeting of this Committee on 15 December 2017 (para 3 of minute refers) and was then subject to a 12 week period of public consultation running from 8 January to 30 March 2018.
- 3.2 The consultation included a series of drop in exhibitions and used short films and interactive touch screen mapping for the first time to engage the public on the LDP. Neighbour notification was used to highlight development proposals to adjoining properties at the earliest opportunity. Presentations and exhibitions were also given to Community Planning Officers Group, Community Planning Board, Federation of Village Halls and the Joint Community Councils. The MIR is “discursive”, intending to draw views on main land use planning issues. Approximately 400 responses were received which have been broken down into 1775 comments from a wide range of stakeholders including developers, agents, landowners, members of the public and community councils. Responses have been summarised and analysed and further consultation with statutory consultees undertaken if required.
- 3.3 A number of appendices accompany this report;

- **Appendix 1-** a series of 24 report schedules which summarise the consultation responses and set out the proposed Council responses. These are collated according to geographic area or policy topic and are set out in “Schedule 4” format, which is the format required at the Local Development Plan Examination stage.

Each schedule summarises the comment made by the respondent, then sets out the proposed Council responses by policy topic or by its reference/name.

Appendix 1 also contains a summary of responses received to the Strategic Environmental Assessment.

- **Appendix 2-** Summary settlement (towns and villages) tables and maps setting out which development sites are recommended to be included in the Proposed Plan and which are recommended not to be included. Sites have been colour coded in a similar way to the MIR, with blue indicating sites to be taken forward and identified for development in the Proposed Plan and red indicating sites which are not supported by officers. The accompanying tables explain what the proposed land use is for each site. One site, at Speyview, Aberlour, remains “amber” with discussions ongoing regarding extent, access, connectivity and landscaping.

Members are asked to agree these development sites in principle to allow preparation of the Proposed Plan to continue timeously. Members should note that detailed information for each site (e.g. access and proposed capacities), ENV sites and greenspace connectivity mapping, Countryside Around Towns and other designations will be added along with a suite of policies and guidance to form the Proposed Plan.

- **Appendix 3-** Rural Groupings tables and maps as per above bullet point.
- **Appendix 4-** summary of the consultation process undertaken on the Main Issues Report is set out in an updated Communications Plan.

4. PROPOSALS

- 4.1 Responses on the MIR have been made on policy matters or proposed site designations or in response to a series of questions posed in the consultation document.

Main Issues

- 4.2 The main land use approach and preferred spatial strategy set out in the MIR were generally supported, with some minor changes proposed to the vision. In terms of the option to investigate a new town, some mixed feelings were expressed on this proposal with some responses considering there to be sufficient land available in the existing settlements.
- 4.3 The spatial strategy for the Proposed Plan is therefore proposed to be in accordance with the Growth Strategy set out in the MIR. A much greater focus has been placed on evaluating the effectiveness of sites and a number of currently designated sites are proposed not to be carried forward into the new Plan and a number of sites will be flagged as “under review” as part of the national drive towards a focus on delivery.
- 4.4 The baseline level of housing growth is set through the Housing Need and Demand Assessment, which was reported to a meeting of this Committee in June 2018 (para 9 of minute refers). The proposed generosity (flexibility) level of 30% and long term approach is generally supported, although some representations query why so much housing is required, but expressed strong support for providing affordable housing.
- 4.5 Developers continue to oppose the Council’s Accessible Housing Policy, stating that this need should be met from the 25% affordable proportion of housing and provided by the Council. This would simply add to demand for affordable, accessible housing and would not fulfil the aim of the policy, being to provide a supply of accessible housing in the private sector.
- 4.6 The proposed greater emphasis on quality placemaking is strongly supported, although one respondent considers the draft policy to be overly prescriptive and could stifle creative placemaking.

Employment land

- 4.7 The MIR identified the need to ensure an effective supply of employment land is identified and maintained to meet the shortfall in supply. The A96 dualling route options impact upon employment sites being considered in Elgin and Forres and additional sites are proposed to be identified to ensure land is available for existing businesses to expand and to support and attract new business to Moray. The preferred option is anticipated to be announced around the time when this Committee will consider the Proposed Plan.

Environmental Issues

- 4.8 The MIR proposed a review of Moray's Areas of Great Landscape Value (AGLV) and asked how the Local Development Plan and planning processes can promote biodiversity better. These aspirations are strongly supported and a review of local landscape designations has been undertaken. Planning for biodiversity will be embedded into the new policies of the Proposed Plan, which will also aspire to deliver multi benefit, well connected green spaces in new development.
- 4.9 Consultation responses will result in a number of minor policy changes being proposed as identified in **Appendix 1** and the new suite of policies are currently being "tested" by officers prior to being finalised and presented in the Proposed Plan to the special meeting of this Committee on 5th December.

Settlement Issues

- 4.10 Sites in Hopeman and Duffus attracted the highest number of representations, with responses in Hopeman opposed to a developer's bid (unsupported at MIR stage by the Council) to develop to the south of the village. The developers bid proposes the designation of 25 houses and an additional 50 in the longer term, incorporated into a development framework consistent with the character of Hopeman and the landscape to the south with further detail evolving through a masterplan approach. Approximately 140 responses were received opposing development to the south of the village on grounds of impact on character, landscape impact, flooding and transportation issues and being contrary to the Growth Strategy.
- 4.11 Representations in Duffus supported the Council's position in not promoting any further development in the village.
- 4.12 The summary tables and plans in Appendices 2 and 3 set out the sites proposed to be included in the Proposed Plan and those which are proposed not to be included. One site remains as "amber", Speyview, Aberlour, which is actively being discussed with a potential first phase of much needed affordable housing hopefully coming forward in the short term. Issues regarding access to the more elevated parts of the site, connectivity and landscape mitigation are being discussed with the developer to inform a final recommendation for this site.
- 4.13 The detailed settlement statements presented in the Proposed Plan will include details of the number of houses proposed, access points, known site constraints (e.g. archaeology, flooding etc) and key design principles. The sites proposed for inclusion in the Plan have been subject to detailed consultation with internal services and statutory consultees.
- 4.14 The settlement statements will include ENV designations, greenspace network mapping, infrastructure requirements and transport (TSP) network improvements. Detailed traffic modelling is currently being undertaken in Elgin and an update of the Forres Integrated Transport Study is continuing with additional work and consultation with the public and stakeholders underway funded by Sustrans Active Travel, the results of which are

anticipated next year. Consideration of traffic in both of these towns will be influenced by the preferred option for the A96 dualling.

Next steps

- 4.15 Officers will advise people who made representations to the MIR of the Council response and of the next steps in the LDP preparation process.
- 4.16 The Proposed Plan will be finalised and presented to a special meeting of this Committee on 5 December 2018, this will include;
- A suite of new policies for development management purposes
 - A series of settlement statements and Rural Groupings identifying development sites, greenspace mapping and ENV sites and infrastructure requirements.

And will be supported by;

- An Action/ Delivery Programme
 - A final Strategic Environmental Assessment
 - A Habitats Regulation Appraisal
 - An Equalities Impact Assessment
 - A Strategic Flood Risk Assessment
 - A Whole Plan Viability Study
 - A Strategic Trunk Road Impacts Assessment
- 4.17 The Proposed Plan will have a strong emphasis upon;
- Delivery of housing, especially affordable housing, to meet current and future demographic need;
 - Delivery of employment land to meet current and future demand;
 - An infrastructure first approach;
 - More place based and quality urban design;
 - Greenspaces and developments which are multi- functional, supporting health and well- being;
 - Embedding biodiversity planning into new developments;
 - Safeguarding Moray's outstanding environment, and
 - Promoting better siting and design of Rural Housing and directing more growth to Rural Groupings to reduce pressure on open countryside.
- 4.18 This Committee will be asked on 5 December to approve the Proposed Plan as the "settled view" of the Council, which will then be subject to public consultation for a 12 week period running to the end of March 2019. Any objections that are received and cannot be resolved will be referred to an Examination, where a Reporter from the Directorate for Planning and Environmental Appeals will arbitrate. The findings of the Reporter are binding on the Council.

5. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

The LDP is a vital aspect of supporting and facilitating the Community Planning Partnerships' priorities for a growing, diverse and sustainable economy, building a better future for our children and young people and empowering and connecting communities.

(b) Policy and Legal

The preparation of the LDP is a statutory requirement as well as the supporting Strategic Environmental Assessment and Habitats Regulation Assessment.

Scotland has a plan led system and all decisions on planning matters should comply with the provisions of the Development Plan unless material considerations suggest otherwise.

(c) Financial implications

Publishing the Proposed Plan, neighbour notification and consultations has an associated cost which will be met from the existing annual Local Development Plan budget of £10,000.

The cost for examination of the 2015 LDP was £50,763. The next Examination will result in a budget pressure in 2019/20.

(d) Risk Implications

If the LDP is not replaced within 5 years, this will be identified as a "red" outstanding action in the annual Planning Performance Framework and there will be a reputational risk. There is also a risk that there will be a shortage of effective land for housing and employment uses with an adverse impact upon the local economy and delivery of community planning partners' objectives.

(e) Staffing Implications

Preparing the LDP is a statutory requirement and therefore a priority for the Planning and Development section. At key stages of the process this can have a significant impact upon other workload commitments.

Preparation of the LDP and its subsequent delivery involves other services, particularly Transportation, Housing, Legal, Development Management and Consultancy which can impact upon their respective workloads and performance.

The Planning (Scotland) Act will have staffing implications for the Council with a much greater focus on proactive delivery of the LDP, an infrastructure first approach and potentially even more community engagement.

(f) Property

There are a number of representations which relate to Council owned property.

(g) Equalities/Socio Economic Impact

An equalities impact assessment will accompany the Proposed Plan when it is reported to a special meeting of this Committee on 5th December 2018.

(h) Consultations

The Corporate Director (Economic Development Planning & Infrastructure), the Head of Development Services, the Legal Services Manager (Property & Contracts), the Equal Opportunities Officer, Senior Engineer Transport Development, the Transportation Manager, Paul Connor (Principal Accountant), the Educational Resources Manager, the Housing Strategy and Development Manager, the Consultancy Manager, the Development Management Manager and Lissa Rowan (Committee Services Officer) have been consulted and their comments incorporated into the report.

6. CONCLUSION

6.1 The Moray Local Development Plan 2020 Main Issues Report attracted over 400 responses during the 12 week consultation period. Comments have been analysed and proposed responses set out in a series of schedules.

6.2 Members are asked to approve responses and to agree, in principle the development sites to be included in the Proposed Plan, which will be reported to a special meeting of this Committee on 5th December 2018. The Proposed Plan will then be subject to a further period of public consultation with unresolved objections considered through an Examination process.

Author of Report: Gary Templeton, Principal Planning Officer
Background Papers:
Ref: