

## Responses to Kinloss Golf Club Draft Master Plan

### Body or Person submitting a representation

000184	Moray Council Environmental Health
000504	Regional Archaeologist Aberdeenshire Council
000569	SEPA
001051	Moray Council Transportation
001136	Forestry Commission Scotland
001229	Anonymous
001247	Scottish Natural Heritage
001524	Scottish Water
001585	Dr Keith Fraser
001807	Dr Roger Gibbins
001947	Shona Marshall
001948	Ken and Mary McLennan
001949	Daz and Angie Turner
001950	Tom and Janette Hendry
001951	Stewart and Louise McNeill
001952	Mark and Rosemary Lawson
001953	Findhorn and Kinloss Community Council

### Planning Authority's summary of the representation(s)

#### Moray Council Environmental Health

**000184**

A significant proportion of the site is currently within the 66 to 72 dBA band associated with the MOD's Noise contours at the formerly titled RAF Kinloss. Noise Impact Assessments (NIA) are required for aircraft noise within the 66 to 72dBA contours at this runway in relation to residential housing development. Proposals for land use that is not a permanent residential amenity, i.e. the area designated for holiday accommodation identified within the Masterplan, will not require the provision of an NIA.

**Regional Archaeologist Aberdeenshire Council****000504**

Proposed plot 9 will have a direct impact upon an identified cropmark site and therefore is a requirement for appropriate mitigation measures to be undertaken ahead of construction works.

**SEPA****000569**

Supportive of as much of the development as possible connecting to a shared system. Discussions should be had with Scottish Water regarding adoption of such a system. With more isolated individual dwellings having their own private drainage system or isolated groups having a single shared private system and would welcome further agreement on the foul drainage proposals in line with this and this position being reflected in the Masterplan.

**Moray Council Transportation****001051**

Transport Statement – text to be included on page 8 making reference to the requirement for a Transportation Statement to identify the travel demands of the proposed development, any off site impact on the adjacent public roads and any required mitigation measures. Transport Statement to include an appraisal of traffic flows and accident data on the adjacent Public Roads leading to Kinloss and Roseisle (B9089) and the single track road to the west of the development leading to the A96 (C5E East Grange to Spindle Muir Road).

Access – the access onto the public road will require upgrading to ensure that a minimum visibility splay of 4.5 metres by 215 metres in both directions is provided, clear of any obstruction above 0.26 metres in height (measured from the level of the adjacent public carriageway). This will require the setting back of the existing fence line to a position behind the visibility splay and the clearance of trees and vegetation (all within the control of the Golf Club). Widening of the access is also advised, as approximately 11.8 metres back from the edge of the public carriageway into the car park there is a section where the access width is just less than the advisory 5.5 metres. It is noted that the internal road will be upgraded to enable access for refuse collection vehicles to service a communal refuse collection point. The road may also be required to enable the picking up of any school pupils associated with the proposed housing by a school bus. Considering designating the track from the development to the rear of Miltonhill (and the track leading to the club house) as a Core Path.

**Forestry Commission Scotland****001136**

The current proposal shows individual red line boundaries for the footprint of each development site along with an associated blue line boundary showing a wider area intended for sale with the built property / self-build plot. In a number of cases this blue line boundary includes an area of woodland. The document states that these blue lines (property boundaries) will be made clear on the ground using post and rail fencing and / or hedging. If this is the case we would consider that the entire area within the blue line is within the property curtilage, therefore it would be classed as a garden and lost as woodland as it would no longer be subject to the Forestry Act. FCS would like to see a clear balance sheet showing all the trees and woodland that will be lost through development and land use change and all the woodland gained through compensatory and additional planting, so that the net gain stated is demonstrated.

The area has a felling licence in place which has a condition for restocking an alternative area which also falls within the wider development red line boundary. This alternative area for restocking must be shown and considered as woodland area in the woodland loss calculations. If the area shown on the felling licence is not to be restocked in the currently proposed location then it must be covered by the compensatory planting proposal. Whilst the Masterplan states that the timing of development is uncertain it would be requested that the timing of woodland removal and the completion of compensatory and additional planting works are specified in the planning permission and that they are done as early on in the development as is reasonably possible.

**Scottish Natural Heritage****001247**

No comments. Welcome woodland retention/creation and the biodiversity ethos of the Masterplan

**Scottish Water****001524**

There is currently capacity at the Glenlatterach WTW to serve the proposed site. There are no public sewers in close proximity to the proposed site. SEPA should be consulted regarding the registration and licensing for septic tanks/treatment system for the proposed development. Prior to any development taking place further assessments of the development's impact on the local network need to be carried out. The Developer should submit a Pre-Development Enquiry (PDE) form (found at [www.Scottishwater.Co.Uk](http://www.Scottishwater.Co.Uk)) as early as possible. Water Impact Assessment (WIA) on the local network is required. A WIA may identify water infrastructure upgrades required to accommodate the development. Should this be the case, any upgrades would need to be funded and carried out by the developer.

**Findhorn and Kinloss Community Council****001953**

The B9089 is a very dangerous road and there has been a number of fatalities over the years. Coming out of the golf course from the track onto this road, if you look to the left less than 400 metres is a series of bends in the road, looking to the right about the same distance is the blind summit which has the vehicles coming from Roseisle. Vehicles do speed from both direction including agricultural ones. There will also be an increase of traffic going into the golf course with the traffic coming from the Kinloss direction possibly having a number of vehicles going into the golf course and thereby causing traffic to backup. There are no made up roads on the site. Although there are no current plans to have a road opening from the top right of the golf course, to the left and the A96 there could be access from the B9089 or from A96 and this is a small, narrow country road with 2 small bridges on bends, animals and blind driveways.

For a development of this size, shouldn't the whole development be on mains sewerage. Rubbish collection to the separate houses, each householder will be responsible for bringing their recycling and refuse to the site by the existing club house. Elderly or disabled residents may well find this an onerous task. No mention was made about whether the lodges were going to be managed by 1 company or if they would be individually owned. Whether they would have a 12 month tenancy or less like the other holiday parks in the area. Will they allow subletting if individual lodges are sold? The Golf Course Management should not be allowed to submit a new plan after failing to follow conditions of their previous plan. There was no mention in the plans about affordable housing. Where this number of houses are being built there should be provision for affordable housing.

**Dr Keith Fraser****001585****Shona Marshall****001947****Ken and Mary McLennan****001948****Daz and Angie Turner****001949****Mark and Rosemary Lawson****001952****Tom and Janette Hendry****001950****Dr Roger Gibbins****001807****Support for Masterplan**

Happy to support the further development and diversification of the Golf Course if this leads to a sustainable, long term and final position, therefore welcome the Masterplan

approach.

### **Viability**

The draft Masterplan is not accompanied by a business plan and confirmation that due diligence has been undertaken to ensure there is a business plan would provide some assurance.

### **Impact on Golf Course**

The plans will change the nature of the golf course considerably, to a smaller 9 hole course. This looks less likely to be an attraction for club membership or those seeking to maintain a handicap. On the other hand there may be a market for ‘pay and play’ in a golf club style environment. This may be a more seasonal proposition however.

### **Tourism Facilities**

When people go on holiday they expect more than just accommodation, they want a range of high quality activities for families on site. There are many alternative holiday parks in the area adjacent to beaches. Here would require a car journey, albeit short. It could be a good base for exploration of the wider area. This would require active marketing and may benefit from collaboration with other activity providers. A restaurant open in the evenings is likely to be expected by holiday makers, and would be attractive to residents here and further afield. The B9089 Burghead Road is a busy road with fast moving traffic. Those cabins adjacent to the road will need good screening to control noise and provide a sense of security. The floor plans on page 18 are at odds with the pictures on page 19. The plans appear to show plain but functional lodges, the pictures rustic and interesting cabins. What WC and shower/bath facilities are provided in the cabins? People will not expect to use a community toilet/wash facility in a modern development and from the glamping pods folk will simply not walk the distance to the communal block.

### **Social Interaction and Connectivity**

Emphasis on sustainability, but feel that this takes a too limited approach. Sustainability and quality of life does not just derive from the personal space, building design and natural environment but equally from the social space and opportunities for interaction and social cohesion. Suggest that layout of particularly the residential area is reconsidered to facilitate maximum opportunities for social and community interaction. Currently the residential area of the site is almost entirely divided between private housing plots. Each of these could be made smaller with a network of more interesting pathways and open spaces for ‘public’ use. Smaller plots will not result in lower retail price but would significantly increase overall community value. Pathways are mentioned but these seem of limited scope and don’t really lead anywhere. They could be expanded and link up the network of open spaces to create really interesting walkways throughout the site. The private track suitable for pedestrians to the southern boundary has been closed off with a locked gate. Perhaps discussion with Miltonhill Farm could come to an alternative arrangement. Previously residents of the Miltonhill area would also use this track to enjoy walking on the golf course, an option now closed off. Is it a ‘right of way’? Could it be requested it be designated as a pedestrian access point to and from the site.

Once fully developed there will be 26 families, and in our experience the number of permanent residents is well boosted by visiting family and friends. Expect specific open space to be included in a development of this size as a recreation area for families and play area for children (and adults!). This need not be a formal play area, but mixed open space in keeping with the rest of the environment for the activity of play and recreation, particularly for children and young people.

### **Phasing**

There is no mention in the plan for phasing of the development. Smaller ‘zones’ should be identified in order to minimize disruption to services and residents, and restrict construction activity to manageable areas of the site rather than the whole development. Any development of the site should be phased, rather than uncontrolled and possibly giving rise to a situation whereby plots regarded as being slightly less desirable are left undeveloped thereby jeopardising realisation of the full plan.

## **Infrastructure**

Improvements to infrastructure including road, access, broadband and water need to be more fully addressed in the plan and implemented before any development. The current broadband provision is pitiful, with BT only being able to provide 1MB at off-peak times. The site will be much more attractive to purchasers if something can be done to improve broadband speeds.

## **Biodiversity / Ecological Assessment**

What assessment has been done on impact on wildlife other than badgers and bats? As mentioned, sand martins are at risk. There may well be habitats for other endangered species at risk. Would suggest need for wider impact assessment.

## **Water Pressure**

The water pressure on the site is very low. Further development will only make it worse. This also needs to be resolved before further development.

## **Woodland Management**

Reducing the size of the course and returning it to farming land has resulted in a loss of tree cover. As the woodland on the golf course was partially funded with public money pleased to see that the masterplan incorporates a gain in wooded area. However, the existing woodland is in need of management as many of the trees have become overcrowded as they mature. There needs to be a clear management plan for the woodland, defining responsibilities and ensuring that tree removal is kept to a minimum. Conservation of the natural environment will ensure that this area continues to be rich in wildlife and act as a wildlife corridor. Construction companies tend to remove many more trees than necessary, just to make access to sites easier. Despite there being compensatory tree planting shown on the plan, it would be hoped that the Council would insist on a minimal amount of tree removal from plots.

## **Roads Infrastructure and Access**

The full length of the track should be upgraded to a standard suitable for domestic vehicles throughout the year. The access track also requires passing and turning places - to allow routine and emergency vehicle access throughout its length in the event of opposition traffic. All work necessary to bring the access track to standard should be done in advance of any building work and it should be maintained during construction and once development is complete. The current access slipway and visibility splay from/to the B9089 serving the Golf Course is insufficient in both directions and continually creates dangerous situations for drivers entering/exiting the B9089. Remedial work required on the slipway and visibility splay should also be carried out before any construction in order to mitigate the current situation. The improvements suggested in the master plan don't go far enough to initially improve, and then maintain, a decent road surface for all of the current residents during what will be a development taking a considerable length of time. The road system must surely be of a standard that will allow not only the current residents to access their properties without sustaining damage to their cars, but also allow emergency and delivery service vehicles, as well as construction traffic to be able to access plots. A decent road will make the sites much more attractive to potential buyers. The steep double bends above the clubhouse need to be surfaced in such a way as to prevent ice build-up in winter and allow heavy vehicles to climb the hill without constantly digging up potholes etc.

## **Design Code**

Fully support design code. This will be essential to ensuring the unique feel for the development. Roof heights will not exceed 6.75m is covered in overview bullet points but again specifically referenced for plots 5,6,7&8 and 1,2,3&4, and again 18,19&20. Why are these plots specifically referenced, and what is the implication for those plots not referenced (9 - 17)?

**Stewart and Louise McNeill**

**001951**

These proposals will impact upon our property, not happy with noise and traffic levels associated with the development. Chose this particular location for a house as it was not surrounded by other houses. Advised that more trees will be planted but how long will it be before they mature to create a buffer to reduce noise and disturbance to nearby properties.

## **Officer's Comments**

**Moray Council Environmental Health**

**000184**

The requirement for a Noise Impact Assessment to accompany planning applications for residential elements has been identified within the Masterplan.

### **Recommendation**

**No change.**

**Regional Archaeologist**

**000504**

The requirement for appropriate mitigation measures due to archaeological features at plot 9 has been identified within the Masterplan.

### **Recommendation**

**No change.**

**SEPA**

**000569**

The text within the Masterplan has been amended to reflect the approach advocated by SEPA in respect of drainage arrangements.

### **Recommendation**

**No change.**

**Moray Council Transportation**

**001051**

A draft transport statement has been prepared and included within the Masterplan text. The Masterplan also identifies required upgrading of the access onto the public road including visibility splays and road widening. There is a sufficient area around the golf club house to accommodate the pick-up/drop off of school pupils.

The Access Manager has been consulted in respect of the path to Miltonhill and has advised there is no recorded Right of Way on this site. Furthermore the track does not appear to meet all the criteria for being considered a Claimed Right of Way. The Core Paths Plan is being reviewed however it is beyond the consultation phase for new routes to be considered and there is doubt whether this track would meet the requirements set out in the Core Paths Plan to qualify as the Core Path.

### **Recommendation**

**No change.**

**Forestry Commission Scotland****001136**

Within the LDP 2015 there are compensatory planting policies to implement the Scottish Government Control of Woodland Policy. Any loss of woodland must be mitigated through additional woodland planting. Discussions with the Forestry Commission are ongoing and relate to how the proposed compensatory planting will be delivered and retained. This will be addressed within a Delivery Plan that is required to accompany the Masterplan. This delivery plan will include requirements for a woodland management plan which will clearly indicate trees to be retained, trees to be felled and areas of new planting with the net gain as requested by the Forestry Commission. The timing of woodland removal and the completion of compensatory and additional planting will be set out within the Delivery Plan required to support the Masterplan.

**Recommendation**

**A delivery plan/programme will be required to support the Masterplan. This plan/programme will include a Woodland Management Plan detailing the provision of woodland planting to the satisfaction of the Forestry Commission, timings and maintenance of proposed and existing planting. To protect existing trees a blanket Tree Preservation Order (TPO) is being proposed on the understanding that there will be tree removal to accommodate new development. This approach will also offer protection to the new woodland planting.**

**Scottish Natural Heritage****001247**

Comments noted.

**Recommendation**

**No change.**

**Scottish Water****001524**

Comments on capacity are noted. SEPA's approach in respect of foul drainage arrangements has been reflected within the Masterplan text. Scottish Water comments are noted. MAKAR has submitted the required form and is in discussions with Scottish Water regarding the implementation of the Masterplan.

**Recommendation**

**No change.**

**Findhorn and Kinloss Community Council****001953**

The Council's Transportation section has been consulted and raised no objections to the principle of development in this location. A number of road infrastructure improvements are required to facilitate the development including upgrading visibility and widening of the access road into the golf course. Access into the development from the B9089 will be via a private road/track. The developer will be required to ensure that the road/track is suitable for access by emergency services as a minimum. It is understood the development will be proposing works to the road/track to ensure that it meets and is maintained to an acceptable standard for use by residents, emergency services and other users. A connection onto the C5E East Grange to Spindle Muir Road will not be supported.

The tourism element of the development will have a shared system foul drainage system. Given the dispersed nature of the plots individual private systems are proposed elsewhere. Discussions are ongoing with Scottish Water. The Council's Transportation and Waste services have been consulted and raised no objections to the proposed communal arrangements.

The operational details of the tourism element of the development are not appropriate for inclusion within the Masterplan. It will be stipulated within the Masterplan that the

cabins, pods etc. will be restricted to holiday use only and cannot be used as permanent residential accommodation.

The site has a planning history and previous planning approval for cabins and housing. There are no outstanding enforcement issues in relation to the site. The Masterplan has been put in place to seek to support the diversification of the golf course. A commuted payment is being sought for delivery of affordable housing off site. 4 self-build plot opportunities have been identified on site however these do not meet the Council’s requirements to be considered as affordable housing.

**Recommendation**

**No change.**

<b>Dr Keith Fraser</b>	<b>001585</b>
<b>Shona Marshall</b>	<b>001947</b>
<b>Ken and Mary McLennan</b>	<b>001948</b>
<b>Daz and Angie Turner</b>	<b>001949</b>
<b>Mark and Rosemary Lawson</b>	<b>001952</b>
<b>Tom and Janette Hendry</b>	<b>001950</b>
<b>Dr Roger Gibbins</b>	<b>001807</b>
<b>Anonymous</b>	<b>001229</b>

Supportive comments in respect of the Masterplan approach are noted

**Viability**

The golf course owner has not been asked to provide a business plan. The planning authority is sympathetic of the need to diversify the business however the key consideration was addressing the landscape and visual impact associated with the build-up of housing in and around this location and the need to address this through the identification of a new rural grouping and supporting masterplan.

**Impact on Golf Course**

The intention of the tourist element of the Masterplan is to diversify the business and create an alternative income stream it is assumed that the golf course owner will have taken into account the impact of a reduced golf offer.

**Tourism Proposals**

The tourism element of the Masterplan is based upon the business plan of the landowner and aspirations to diversify the business to create a tourist attraction. It is not the remit of the planning authority to intervene and stipulate what types of facilities need to be provided on site. As part of the proposal there is reference to the provision of a games room and social area, indoor and outdoor seating areas, a playpark and bbq area. This is to be supplemented by the clubhouse and café bar and restaurant to create a focal point and hub for the development. The floorplans and drawings of the cabins are for illustrative purposes and intended to indicate what form these buildings could take and the actual detail will be provided and considered at detailed planning application stage. The issue with the provision of facilities is for the landowner to consider what is cost effective and attractive on this site. There is a significant shelterbelt proposed to buffer the development from the B9089 traffic and noise and the wind.



## **Social Interaction and Connectivity**

The development is seeking to integrate housing sensitively within a wooded site and there the plots have intentionally not been grouped together, but instead located in the most discreet areas of the site. There are significant areas of woodland planting around plots to create containment. The varied size of plots across the Masterplan is supported. Pedestrian routes have been identified creating a permeable layout. These paths offer the opportunity for social interaction there is also a play area and seating areas identified within the proposed tourism element of the development. The Access Manager has been consulted in respect of the path to Miltonhill and has advised there is no recorded Right of Way on this site. Furthermore the track does not appear to meet all the criteria for being considered a Claimed Right of Way. The Core Paths Plan is being reviewed however it is beyond the consultation phase for new routes to be considered and there is doubt whether this track would meet the requirements set out in the Core Paths Plan to qualify as the Core Path. Discussions are ongoing on the delivery of woodland planting that will result in the creation of a significant area of community owned woodland.

## **Phasing**

An indicative phasing plan has been set out within the Masterplan, it is accepted however that it is difficult to estimate market demand as this is a different offer from a conventional plotted development. Given the dispersed nature of the site, it is not considered that the construction of individual houses will have a detrimental impact on the amenity of residents.

## **Infrastructure**

Specifics of improvements to infrastructure are more appropriately dealt with at the detailed planning application stage. As part of the development of the Masterplan area fibre broadband will be brought on site and existing residents will be able to access it. There will be policy requirements within the LDP 2020 requiring fibre broadband in new development unless technically unfeasible.

## **Biodiversity / Ecological Assessment**

The final Masterplan is a concise version of all the information that has been gathered to support the masterplanning process. Ecological studies were commissioned and undertaken on site including badger and bat surveys. No significant impact on species or habitats was identified and therefore this is not highlighted as an issue within the Masterplan itself. Scottish Natural Heritage were also consulted and has raised no issues in terms of environmental impact

## **Water Pressure**

Scottish Water has provided information stating the water pressure on site is adequate to support the proposed level of additional housing development.

## **Woodland Management**

A woodland management plan is required to support the Masterplan and this should set out plans for the delivery of new planting and management of existing and new woodland. Discussions are still ongoing about the mechanisms for delivering the required woodland planting, its retention and maintenance and meeting the terms of the previous Forestry Commission grant. The management plan should also set out requirements for minimal tree removal and safeguarding of existing trees on site. The Masterplan will not be adopted until such time as these issues have been addressed.

## **Access**

Access into the development from the B9089 will be via a private road/track. The developer will be required to ensure that the road/track is suitable for access by emergency services as a minimum. It is understood that the developer will be proposing works to the road/track to ensure that it meets and is maintained to an acceptable standard for use by residents, emergency services and other users. It should be noted that due to the existing topography, sections of the access may be too steep to be used by wheelchair users. Visibility improvements to the access onto the public road will be considered as part of any planning application and are likely to include provision of a 4.5m x 215 metre visibility splay, clear of any obstruction above 0.6 metres in height, widening of the access to a minimum of 5.5 metres for the first 15 metres from the edge of the carriageway and a review of the access taper and radius. The land required to undertake the improvements is within the control of the developer.

### **Design Code**

Support for the design code is noted. The height restriction of 6.75m applies to all new houses the masterplan will be amended to make this clear.

### **Recommendation**

**A delivery plan/programme will be required to support the Masterplan. This plan/programme will include a Woodland Management Plan detailing the provision of woodland planting to the satisfaction of the Forestry Commission, timings and maintenance of proposed and existing planting. To protect existing trees a blanket Tree Preservation Order (TPO) is being proposed on the understanding that there will be tree removal to accommodate new development. This approach will also offer protection to the new woodland planting.**

**Stewart and Louise McNeill**

**001951**

The Council's Environmental Health section has raised no issues in relation to impact of the Masterplan proposals on the amenity of nearby residential properties. It is not considered that the small scale level development proposed will significantly increase traffic in this location.

### **Recommendation**

**No change.**