



Planning and Regulatory Services Committee

Tuesday, 24 October 2023

NOTICE IS HEREBY GIVEN that a Meeting of the **Planning and Regulatory Services Committee** is to be held at **Council Chambers, Council Office, High Street, Elgin, IV30 1BX** on **Tuesday, 24 October 2023** at **09:30**.

BUSINESS

- 1 **Sederunt**
- 2 **Declaration of Group Decisions and Members Interests ***
- 3 **Written Questions ****
- Guidance Note** 5 - 6
- 4 **Planning Application 23/00314/APP** 7 - 26
Report by Appointed Officer

Erect cooerage including office staff facilities, storage yard and associated works on land adjacent to Kynoch Park, Keith, Moray for Isla Cooperage
- 5 **Proposal of Application - 23/01712/PAN** 27 - 32
Report by Depute Chief Executive (Economy, Environment and Finance)

Development of a cemetery, soft and hard landscaping, access parking and associated development on land opposite Linkwood Dairy, Elgin
- 6 **Proposal of Application - 23/01222/PAN** 33 - 38
Report by Depute Chief Executive (Economy, Environment and Finance)

Proposed residential development with retail units, landscaping and associated infrastructure on land east of Barhill Road, Buckie

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| 9 | Tree Preservation Orders
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304 |
| 10 | Question Time ***
Consider any oral question on matters delegated to the Committee in terms of the Council's Scheme of Administration. | |

Summary of Planning and Regulatory Services

Committee functions:

Town and Country Planning; Building Standards; Environmental Health; Trading Standards; Weights & Measures, Tree Preservation Orders, and Contaminated Land issues.

Watching the Meeting

You can watch the webcast live by going to:

http://www.moray.gov.uk/moray_standard/page_43661.html

Webcasts are available to view for 1 year following the meeting.

You can also attend the meeting in person, if you wish to do so, please come to the High Street entrance door and a member of staff will be let into the building.

GUIDANCE NOTES

* **Declaration of Group Decisions and Members Interests** - The Chair of the meeting shall seek declarations from any individual or political group at the beginning of a meeting whether any prior decision has been reached on how the individual or members of the group will vote on any item(s) of business on the Agenda, and if so on which item(s). A prior decision shall be one that the individual or the group deems to be mandatory on the individual or the group members such that the individual or the group members will be subject to sanctions should they not vote in accordance with the prior decision. Any such prior decisions will be recorded in the Minute of the meeting.

** **Written Questions** - Any Member can put one written question about any relevant and competent business within the specified remits not already on the agenda, to the Chair provided it is received by the Proper Officer or Committee Services by 12 noon two working days prior to the day of the meeting. A copy of any written answer provided by the Chair will be tabled at the start of the relevant section of the meeting. The Member who has put the question may, after the answer has been given, ask one supplementary question directly related to the subject matter, but no discussion will be allowed.

No supplementary question can be put or answered more than 10 minutes after the Council has started on the relevant item of business, except with the consent of the Chair. If a Member does not have the opportunity to put a supplementary question because no time remains, then he or she can submit it in writing to the Proper Officer who will arrange for a written answer to be provided within 7 working days.

*** **Question Time** - At each ordinary meeting of the Committee ten minutes will be allowed for Members questions when any Member of the Committee can put a question to the Chair on any business within the remit of that Section of the Committee. The Member who has put the question may, after the answer has been given, ask one supplementary question directly related to the subject matter, but no discussion will be allowed.

No supplementary question can be put or answered more than ten minutes after the Committee has started on the relevant item of business, except with the consent of the Chair. If a Member does not have the opportunity to put a supplementary question because no time remains, then he/she can submit it in writing to the proper officer who will arrange for a written answer to be provided within seven working days.

MORAY COUNCIL

Planning and Regulatory Services Committee

SEDERUNT

Councillor David Gordon (Chair)
Councillor Marc Macrae (Depute Chair)

Councillor Neil Cameron (Member)
Councillor Theresa Coull (Member)
Councillor John Cowe (Member)
Councillor John Divers (Member)
Councillor Amber Dunbar (Member)
Councillor Jérémie Fernandes (Member)
Councillor Donald Gatt (Member)
Councillor Sandy Keith (Member)
Councillor Scott Lawrence (Member)
Councillor Paul McBain (Member)
Councillor Derek Ross (Member)
Councillor Draeyk Van Der Horn (Member)
Councillor Sonya Warren (Member)

Clerk Name:	Lissa Rowan
Clerk Telephone:	07765 741754
Clerk Email:	committee.services@moray.gov.uk



**GUIDANCE NOTE PRODUCED FOR PLANNING AND REGULATORY SERVICES COMMITTEE
MEETING OF 24 OCTOBER 2023
REPORT ON APPLICATION**

“Note for guidance of the Committee where the decision of the Planning and Regulatory Services Committee is contrary to the recommendations of the Depute Chief Executive (Economy, Environment and Finance) in respect to a Planning Application.”

Any Councillor putting forward a motion to refuse an application, contrary to recommendation, shall clearly state the reasons for refusal. These reasons should be based on policies contained in the approved National Planning Framework 4 (NPF4), Local Development Plan or some other material consideration. Time should be allowed to ensure that these reasons are carefully noted for minuting purposes.

Where Councillors put forward a motion to approve an application, contrary to recommendation, an indication should be given of any specific matters which should be subject of conditions along with reasons which should be based on policies in the approved Local Development Plan or some other appropriate consideration.

Note for guidance where the decision of the Planning and Regulatory Services Committee is to depart from the Development Plan (NFP4 and or Local Development Plan)

Where a Councillor is convinced that there is reason to depart from Development Plan policy; then the Councillor's reasons for making the motion should be clearly stated for minuting purposes. Any matters which should be subject to conditions drafted subsequently by the **Depute Chief Executive (Economy, Environment and Finance)** should be indicated. If the Committee remains of a mind to approve such an application then the whole matter will be subject to statutory procedures as apply. In such cases, Councillors should be aware that the application may require to be advertised as a departure and any objections reported to the next available meeting of the Planning and Regulatory Services Committee. It also may be necessary to convene a hearing to consider the views of objectors.

There are three potential consequences if Committee takes a decision where the proper procedures have not been followed in whole or in part. Firstly, the person aggrieved by a decision may apply to the Supreme Courts in Scotland for an Order either compelling the Council to act according to law, quashing the decision altogether or declaring a decision to be unlawful coupled with an order to prevent the decision being implemented. A referral to the Supreme Courts in these circumstances is known as applying for Judicial Review.

Secondly, in addition to the application for Judicial Review when questions of alleged failure, negligence or misconduct by individuals or local authorities in the management of public funds arise and are raised either by or with the External Auditor of the Council and where an individual can be blamed the sanctions available are:-

- Censure of a Councillor or an Officer
- Suspension of a Councillor for up to one year
- Disqualification of a Councillor for up to five years

In the case of the Council being to blame, recommendations may be made to the Scottish Ministers about rectification of the authority's accounts. Ministers can make an order giving effect to these recommendations.

Thirdly, whilst the Ombudsman accepts that Planning authorities have the freedom to determine planning applications as they wish procedural impropriety may be interpreted as maladministration. This can also lead to recommendations by the Ombudsman that compensation be paid.

Consistent implementation of departure procedures maintains public confidence in the planning system and is consistent with the time and effort invested in preparing the **NPF4 and Local Development Plan**.

WARD 02_17

23/00314/APP
27th February 2023

Erect cooperage including office staff facilities storage yard and associated works on Land Adjacent To Kynoch Park Keith Moray for Isla Cooperage

Comments:

- The application is reported to the committee as the application raises matters of wider community interest.
- The application was advertised for neighbour notification.
- Two representations have been received.

Procedure:

- None.

Recommendation: Refuse – For the Following Reason(s):-

1. The proposal is contrary to National Planning Framework 4 policy 18 (a & b) Moray Local Development Plan Policy 2020 Policies Keith I2 and I4 PP3 (a)(iii), and DP5 as it fails to provide for a future connect to the Keith I11 and Keith LONG2 sites and would prejudice the future development of the I11 and LONG2 sites and restrict the future employment land supply in Keith.
2. The proposal is contrary to National Planning Framework 4 policy 18 (a & b) and Moray Local Development Plan Policy 2020 Policies Keith I2 and I4 PP3 (a (iii)), and DP5 as it fails to provide for a future connect to the Keith I11 and Keith LONG2 sites and as such would which would compromise the future vehicular infrastructure to the detriment of road safety in the area.
3. The proposal is contrary to National Planning Framework 4 policies 1 and 2 as the application has failed to provide sufficient information to demonstrate that adequate steps have been taken to address the nature and climate crises or that the development has been sited and designed to minimise lifecycle greenhouse gas emissions and to adapt to current and future risks from climate change.

LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT

Reference No.	Version No.	Title/Description
ICK-2305-LS		Landscaping plan
2845-LP		Location plan
2845-023	C	Site sections
8694-22	F	Drainage layout
2845-021	C	Elevations and sections
2845-020	D	Floor plan
2845-022	F	Site plan



PLANNING APPLICATION COMMITTEE SITE PLAN

Planning Application Ref Number:
23/00314/APP

Site Address:
**Land Adjacent To Kynoch Park
Keith**

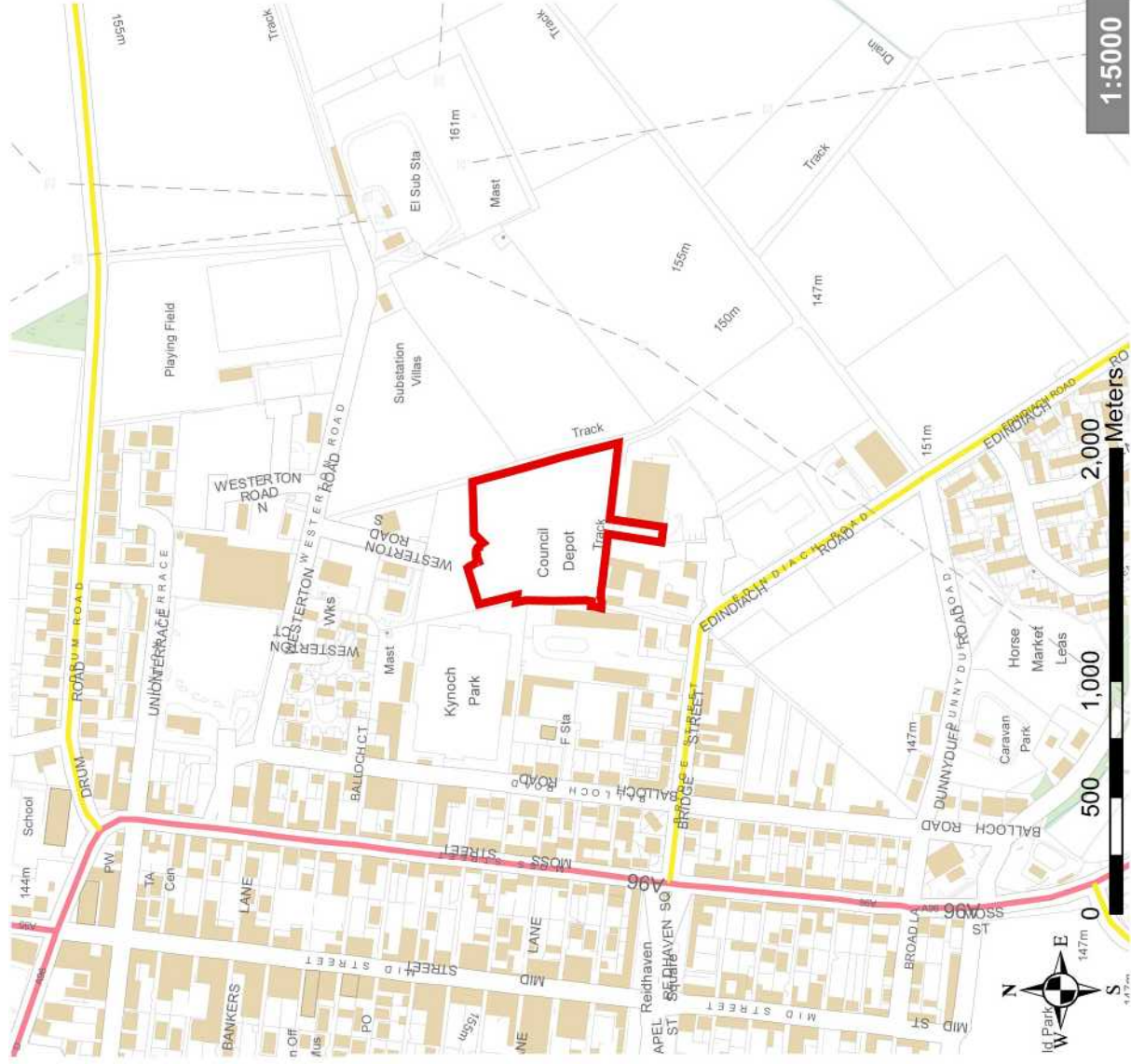
Applicant Name:
Isis Cooprage

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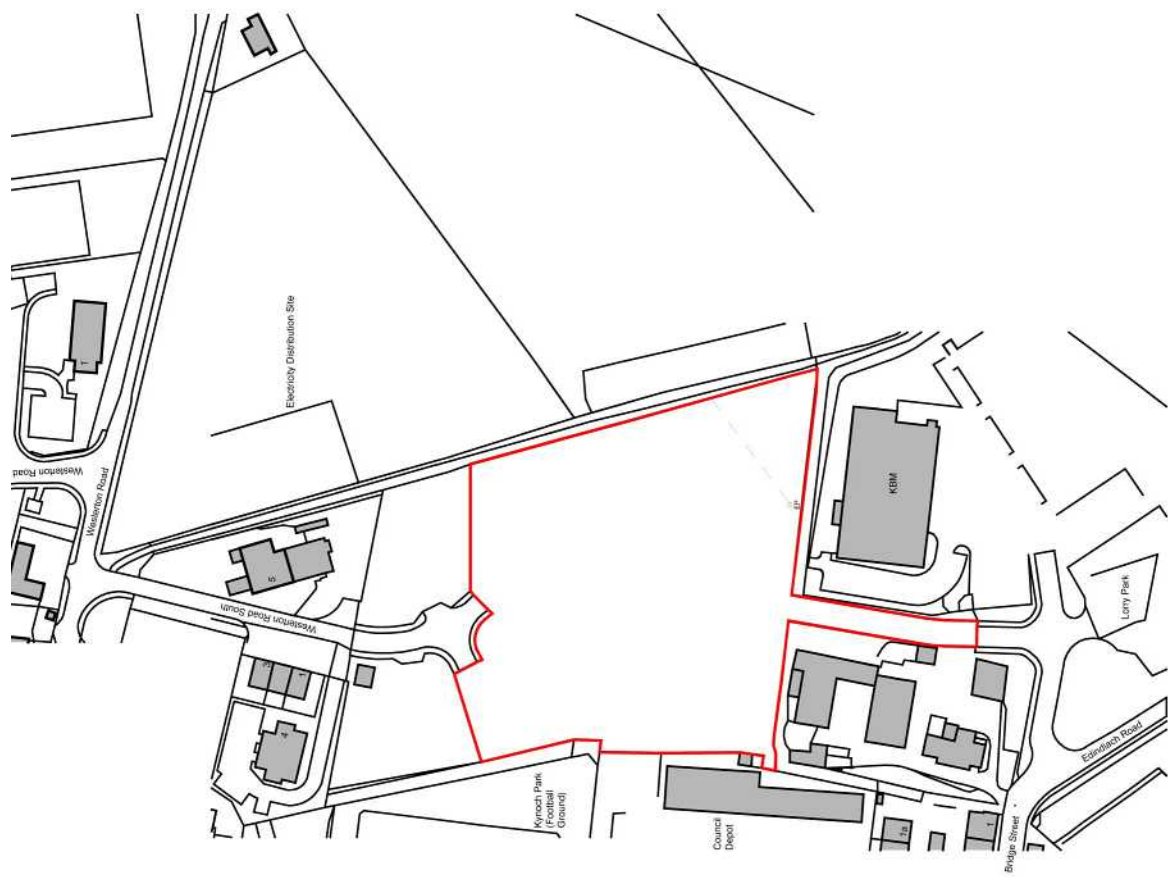
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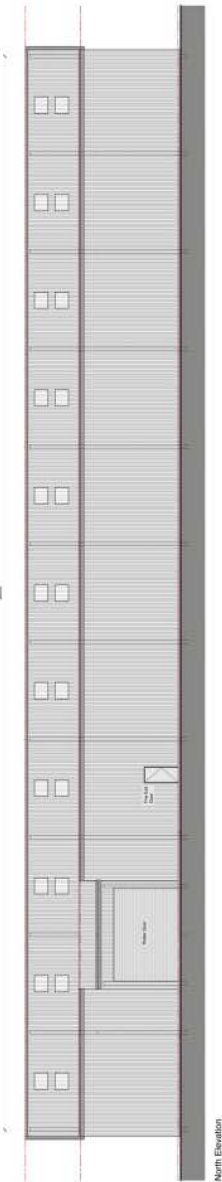
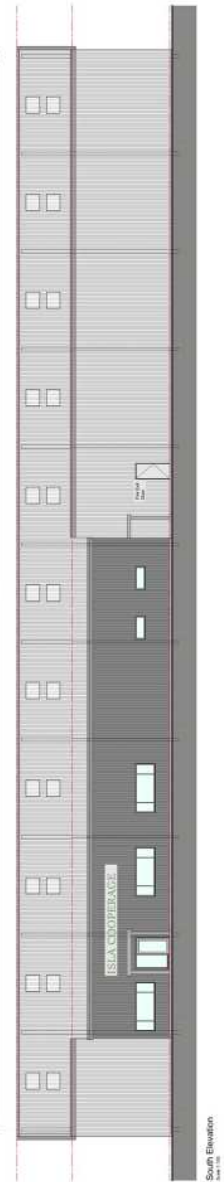
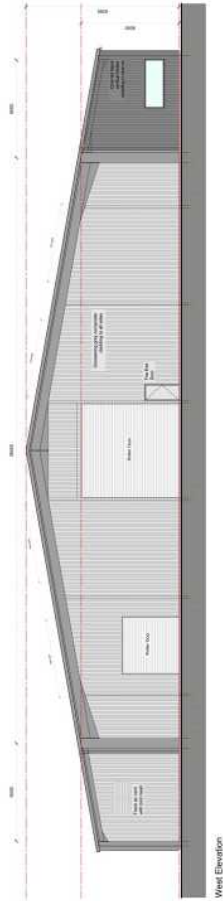
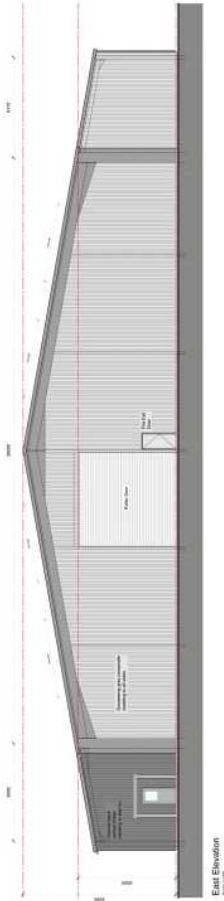
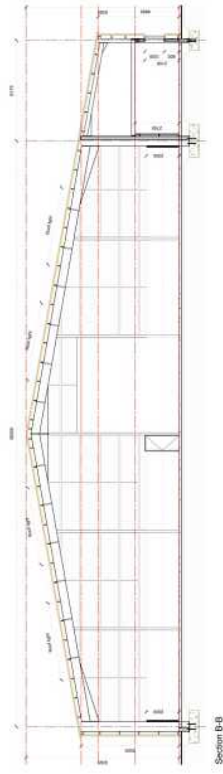
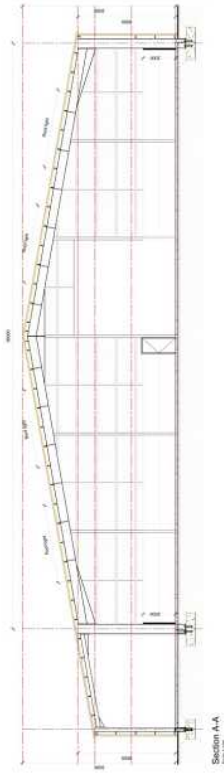
Location Plan



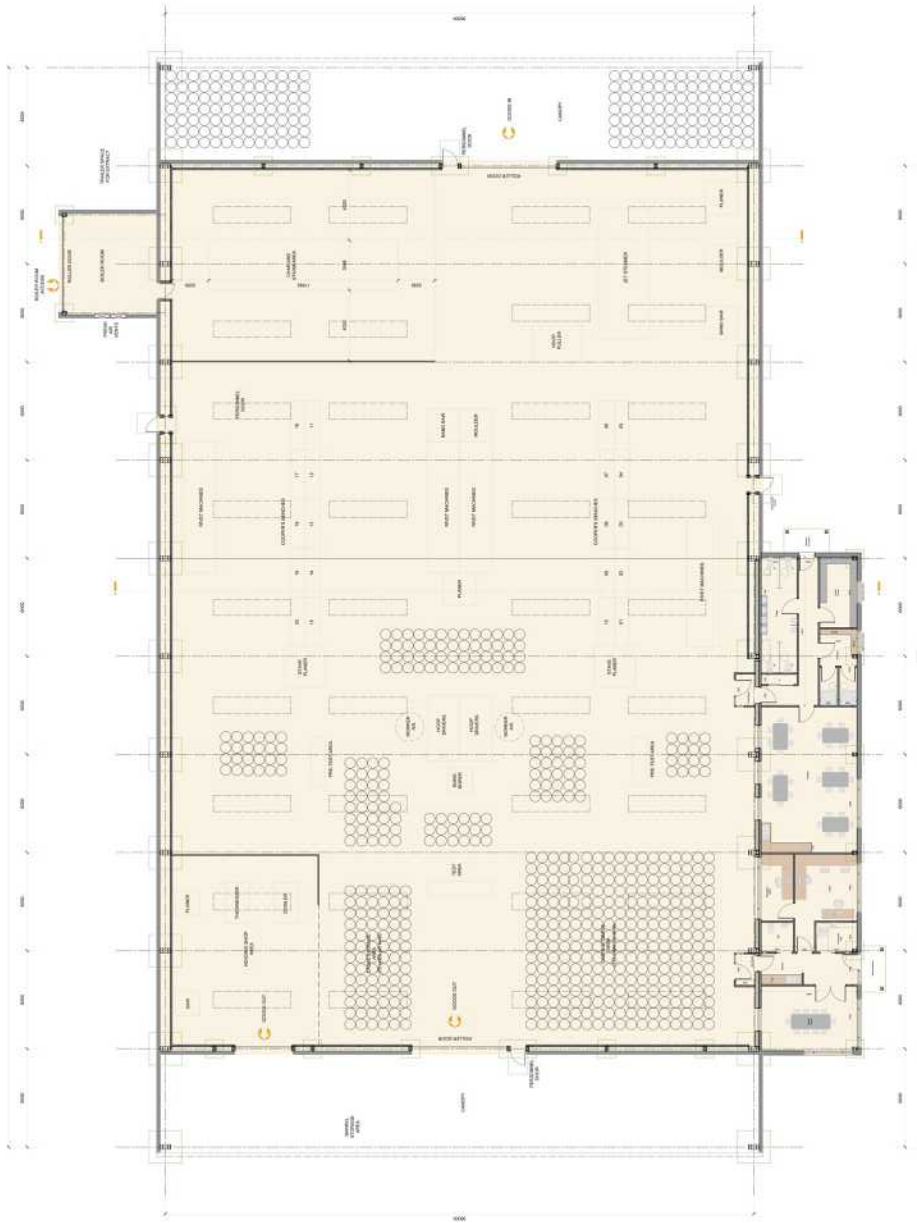
Site Location



Elevations



Floor plans



Landscape plan



Tree Planting: 1:1 - 1.5m

- 3 Bp. Betula pendula
- 7 Pp. Prunus avium/plena
- 1 Sa. Sorbus aucuparia

Wildlife hedging: 0.6 - 0.9 m

1.2m hedge, to be planted in a single row with three plants per metre, and comprising:

- 11 JSC - Cornus sanguinea
- 12 JSC - Ligustrum ovalifolium
- 13 JSC - Ligustrum vulgare
- 14 JSC - Ligustrum vulgare
- 15 JSC - Ligustrum vulgare

Private Hedging:

Ligustrum ovalifolium: 0.6 - 0.9m
 Ligustrum vulgare: 0.6 - 0.9m
 To be planted in two staggered rows, with rows 1.5m apart, and plants 1.2m apart.

SLIPS Hedging:

Wildlife SLIPS to be planted with 75 mixed natural and riparian parameters.

- 10 Adam root/round
- 11 Adam root/round
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- 75 Adam root/round

Notes: The signal of this drawing was produced in colour. Reproduction in grey is for reference only.

Planting Methodology

Trenching

A general purpose topsoil (to BS 1882) will be used for planting trees and shrubs. Topsoil should be free of weed seeds, perennial weed roots, weed stems, stones, bark, twigs, debris, rubbish or building materials. Topsoil should be stored in a clean, covered area, away from any buildings, and should be protected from rain. Topsoil should be stored in a clean, covered area, away from any buildings, and should be protected from rain.

Trees

Be supplied as root balled or bare root, depending on size and season.

Tree pits will be dug to a size which is at least 300mm wider and 200mm deeper than the root ball. The pits should be dug to a depth of 100mm below the root ball. The pits should be dug to a depth of 100mm below the root ball. The pits should be dug to a depth of 100mm below the root ball.

Compost

Compost will be used to backfill the root ball. The compost should be a high quality, well-rotted, garden compost. The compost should be a high quality, well-rotted, garden compost. The compost should be a high quality, well-rotted, garden compost.

Private Hedging

Private hedging will be planted in a single row with three plants per metre.

Wildlife Hedging

Wildlife hedging will be planted in a single row with three plants per metre.

Grass Seeding

Grass seed will be sown in a single row with three plants per metre.

Planting of Hedging

Hedging will be planted in a single row with three plants per metre.

Maintenance (Years 1 - 5)

Watering: Trees must be watered at times of drought. Watering should be carried out at this time to encourage good growth forms.

Replacement of Failed Trees

Any tree planting, which dies or becomes seriously damaged/lost within 5 years of the completion of the development, will be replaced in the next planting season. The replacement will be of a similar size and species.

Hedging

Year 1: Lightly trim in winter, cutting off stubs of new growth. Year 2: Lightly trim in winter, cutting off stubs of new growth. Year 3: Lightly trim in winter, cutting off stubs of new growth. Year 4: Lightly trim in winter, cutting off stubs of new growth. Year 5: Lightly trim in winter, cutting off stubs of new growth.

Grass (Monthly areas)

Grass areas will be mowed monthly between April and October. During the autumn months, the grass areas will be kept clear of fallen leaves which could be the new grass due to loss of light and 'smothering'.

PLANNING APPLICATION: 23/00314/APP

In the event that a recommendation on this planning application is overturned the Committee is reminded of the advice contained on the front page of the agenda for Reports on Applications

1. THE PROPOSAL

- The application seeks planning permission for a new cooperage.
- The proposals consist of a building which would house a workshop, office space and welfare facilities along with a storage area, an internal loop road, drainage and parking.
- The proposed building has a footprint of 2376m² and is 9.395m to the ridge. It has a simple rectangular footprint with lean-to projections on the north and south elevations. The walls will be clad in grey corrugated metal with projection on the southern elevation finished in charred timber. The roof will be covered in grey corrugated sheeting.
- The site will be enclosed by 2.1m high palisade fencing. Landscaping is proposed around the outside of the compound.
- Hedging is proposed on the eastern boundary and part of the western boundary.
- The application is supported by a Planning Statement, Transport Statement, Phase I ecological Survey, Drainage Statement, Noise Impact Assessment (NIA) and Visualisations.

2. THE SITE

- The site is vacant industrial land in Keith.
- The site is composed of part of the Keith I2 and Keith I4 industrial designations as identified in the MLDP 2020 (see appendix 1).
- The currently undeveloped I11 and Long 2 designations are immediately to the east.
- The established Westerton Road Industrial Estate is to the north.
- There are commercial and agricultural buildings immediately to the south.
- Kynoch Park football ground and a Council depot are to the west.
- The nearest houses are to the south west on Bridge Street and are approximately 70m away from the application site boundary.
- Two accesses to the site are proposed. The principal access will be from the south via Edindiach Road and will run between the agricultural buildings and Keith Builders Merchants. A second access is proposed from the north via Westerton Road South. The application states that this would generally be locked and used only for maintenance.

3. **HISTORY**

13/00056/APP – Road extension to existing road with footpaths drainage lighting and hammerhead at Westerton Road South, Keith granted 16/04/13.

4. **POLICIES**

Sustainable Places

- 1 – Tackling the climate and nature crises
- 2 – Climate mitigation and adaption
- 3 – Biodiversity
- 4 – Natural places
- 5 – Soils
- 12 – Zero waste
- 13 – Sustainable transport

Liveable Places

- 14 – Design, quality and place
- 18 – Infrastructure First
- 22 – Flood risk and water management
- 23 – Health and safety

Productive Places

- 26 – Business and industry

Moray Local Development Plan 2020

Primary Policies

- PP1 – Placemaking
- PP2 – Sustainable Economic Growth
- PP3 – Infrastructure and Services

MLDP 2020

- PP1 Placemaking
- PP2 Sustainable Economic Growth
- PP3 Infrastructure and Services
- DP1 – Development Principles
- DP5 – Business and Industry
- EP1 – Natural Heritage Designations
- EP2 – Biodiversity
- EP12 – Management and Enhancement of the Water Environment
- EP13 – Foul Drainage
- EP14 – Pollution, Contamination and Hazards

Keith I2 Westerton Road South Industrial Estate
Keith I4 Bridge Street Industrial Estate

5. **ADVERTISEMENTS**

- 5.1 Advertised for Neighbour Notification.

6. CONSULTATIONS

Keith Community Council - No response.

Strategic Planning & Development - Objection:

- The use is acceptable in principle.
- The proposed layout fails to include the required road links to adjacent industrial designations and give rise to road safety and amenity concerns contrary to NPF4 Policy 13 and MLDP Keith I2 & I4 and Policies PP3 (a) (iii), DP1 (ii) & DP5 (a).
- The layout provides limited low impact landscaping across the site contrary to NPF4 Policy 14 and MLDP Policies PP1 & DP1.
- Subject to a condition requiring the submission of a Community Wealth Building Strategy, the proposal complies with NPF5 Policy 25.
- Insufficient information has been provide to demonstrate how the proposed development minimises emissions or supports adaptation to climate change, contrary to NPF4 Policies 1 and 2.

Moray Flood Risk Management - No objection.

Moray Access Manager - No objection.

Estates - No objection.

Environmental Health - No objection subject to conditions relating to construction working hours, the provision of a Construction Environmental Management Plan (CEMP), operational working hours and noise.

Contaminated Land - No objection.

Transportation - Objection:

- The MLDP provided a strategic approach to accessing the site. The loss of the ability to connect the adjacent designations undermines this approach and results in more traffic from the overall development approaching from Balloch Road, with no other connectivity from Edindiach Road/Bridge Street.
- The proposed site layout permanently removes the opportunity to provide a future through route from Bridge Street to Westerton Road and removes the opportunity to provide connections to nearby vacant sites.
- If permitted, would therefore be likely to the detrimental to road safety and unacceptable adverse impact on the amenity of the area contrary to NPF4 policy 18 and MLDP policy PP3.

Scottish Water - No objection.

7. OBJECTIONS-REPRESENTATIONS

NOTE: Following the determination of this application, name and address details will be/have been removed (i.e. redacted) in accordance with the General Data Protection Regulations (paragraph 3 of Minute, Planning & Regulatory Services Committee 16 September 2014).

Mr Richard Ramsey - Balloch Road Keith AB55 5JY - O
Mr Brent A Bowie - Sandyknowe Lumsden AB54 4JH - O

Issue: Impact of traffic on residential streets and routes to school.

Response (PO): The proposed development has an access from the south via Bridge Street and a secondary access from the north via Westerton Road South. The supporting information states that the access from the north would only be used on an occasional basis for maintenance thus minimising the impact on residential streets providing access to the north. However, if this development went ahead it would prevent the formation an access to the adjoining designations (Keith I11 and Keith Long 2) to the east of the application site to provide access via Bridge Street. The potential increase of traffic using adjoining residential streets is a concern and for that reason it is imperative to maintain the option of forming an access to other industrial sites to the east via Bridge Street to avoid traffic heading north on residential streets.

Issue: This site is not suitable for industrial use as there will be an adverse impact on houses.

Response (PO): The application site consists of part of the Keith I2 and Keith I4 sites which are identified for industrial use in the MLDP 2020.

Issue: Houses will turn black.

Response (PO): The agent has stated that the development is sufficiently separated from houses to prevent this. Houses becoming blackened is associated with whisky maturation (and ethanol evaporation) rather than barrel production.

Issue: Impact on adjoining farm animals.

Response (PO): The land to the north and west is developed and not suitable for agricultural use. The land the east is identified in the MLDP as Keith I11 and Long 2 designations in the MLDP 2020.

Issue: There are other, more suitable sites that should be considered.

Response (PO): The proposal must be considered upon it merits, in the location sought by the applicant.

Issue: Drainage issues due to the ground conditions.

Response (PO): A drainage impact assessment has been provided and Moray Flood Risk Management (MFRM) have no objection.

8. OBSERVATIONS

- 8.1 Section 25 of the 1997 Act as amended requires applications to be determined in accordance with the development plan, namely the adopted National Planning Framework 4 and adopted Moray Local Development Plan 2020 (MLDP) unless material considerations indicate otherwise.

Principle of Development & Access (NPF4 Policy 13 & 26 MLDP Policies Keith I2 & I4 PP3, DP1 & DP5)

- 8.2 The application site is composed of part of the Keith I2 and I4 designations as identified in the MLDP Keith Settlement Statement. NPF4 policy 26 states that development proposals for business and industry uses on sites allocated for those uses in the LDP will be supported. MLDP policy DP5 elaborates on this stating that proposals on allocated sites must comply with policy DP1 and all the requirements of the settlement text and confirming that industrial sites are reserved for uses falling within class 4 (Business), 5 (general Industrial) and 6 (storage and distribution) of the Use Class Order. The proposal is for a traditional industrial use and is therefore suitably located on a site reserved for industrial and commercial uses.
- 8.3 The designation text for the I2 designation requires proposals to allow for a future connection to the nearby industrial I3 and I11 designations to the east while the I4 designation also requires to be connected to I11 along with Long 2 to the south east of the application site. A connection between I2 and I4 is also required. NPF4 policy 18 (a) requires development to provide (or contribute to) infrastructure in line with that identified as necessary in the LDP while 18 (b) states that development proposals will only be supported where it can be demonstrated that provision is made to address the impacts on infrastructure. MLDP policy PP3 requires mitigation to the existing transport network to address the impact of the proposed development in terms of safety and efficiency.
- 8.4 The proposed layout provides for a connection between I2 & I4 but does not allow any potential connection to the east. The I3 designation has been built out as an energy management facility therefore no connection is sought to this site. A single connection to the east to provide a potential route to both the I11 and Long 2 designations would be sufficient to meet the terms of the policies. The requirement is for provision to be made for a future connection in the form of a safeguarded corridor or similar. There is no requirement for the current developer to provide that connection themselves, but they should leave land free within the site to accommodate the future connection necessary. The current road layout consists of accesses from the north and south with a loop road around proposed building which is located in the southern portion of the site. One of two proposed SUDS basins is shown in the south eastern corner of the site and the landscape plan shows wildlife hedging along the eastern boundary. This layout prevents the possibility of a future connection to the east and is therefore contrary to the Keith I2 & I4 policies and MLDP policy DP5 and NPF4 policy 18. The applicant has suggested an alternative route coming off Edindiach Road on land between Keith Builders Merchants and L&I Eaton. However, this third party land is constrained by the presence of an underground

electricity cable. If it was on Council land or within the public road moving the cable as the developer suggests may be viable but this is private land and the utilities are protected by a legal agreement. There is no guarantee that such an access could be provided, where third party permission would be required.

- 8.5 The MLDP seeks to take a strategic approach to access across all the industrial designations in this area which reflects the fact that Balloch Road which provides the connection to Westerton Road to the north is constrained. Balloch Road has houses fronting directly onto the road and is subject to significant on-street parking on both sides of the street which can obstruct traffic movements. The lack of a connection to the east to avoid any additional burden on Balloch Road raises significant concerns in terms of road impacts and the Transportation Manager objects on that basis. The failure to provide adequate connection to the I11 and LONG2 designations would potentially give rise to restrictive and potentially unsafe road conditions by bringing more traffic onto Balloch Road. The MLDP seeks to ensure a connecting route from Bridge Street to Westerton Road for HGVs and other traffic associated with the industrial uses to avoid this. The I11 designation text highlights that access via Westerton Road is unlikely and recommends access from the west. The LONG2 also states that access must be provided via the I11 and I4/I5 sites. The connection to the east is required to ensure that the I11 and Long 2 sites remain available for a wide range of industrial and commercial uses. Access to these sites from the north via Balloch Road and Westerton Road is possible but as is noted above that route is constrained. The 2023 Employment Land Audit which was reported to committee in August found that the supply of general industrial land in Keith is more limited than in Buckie or Elgin and identified the LONG2 as one that could be drawn on in the event of a shortage. The I11 and LONG2 sites were included in the MLDP to ensure a healthy supply of employment land in Keith for the coming years. The access requirements proposed on the individual designations seek to take a strategic approach to access across all the sites. The current proposal undermines this. While the current proposal would not completely prevent development of the I11 or LONG2 sites it would significantly constrain the future access options to these sites thus reducing the range of employment land available in Keith. The proposals are therefore contrary to NPF4 policy 18 and MLDP policies Keith I2 and I4 and DP5. In giving rise to conditions that are potentially detrimental to road safety the proposal is also contrary to MLDP policies PP3 (a).

Economic Development NPF4 Policy 26 and MLDP PP2 and DP5

- 8.6 Policy 26 Business and Industry, PP2 Sustainable Economic Development and DP5 Business and Industry all support economic development within designated sites. Material weight is attached to the importance of supporting this local business, given its linkages with wider economy of Moray. However, this does not outweigh the significant concerns surrounding the lack of connections proposed with this development. This support must go hand in hand with ensuring that sites are appropriately accessed and do not comprise or limit wider economic growth set out in the Moray Economic Strategy, which seeks to ensure all industrial sites reach their potential.

Climate Change and Sustainability (NPF4 Policies 1 & 2)

- 8.7 NPF4 policy 1 requires that significant weight is given to the global climate and energy crises in the assessment of all planning applications. NPF4 policy 2 requires development to be sited and designed to minimise lifecycle greenhouse gas emissions as far possible and to be designed to adapt to current and future risks from climate change. The Council has produced guidance on complying with policy 2 which for developments such as this which have a floor area in excess of 1000m². The guidance requires the submission of an overview of the key carbon and climate considerations for the proposal, whole life carbon assessment, carbon management and reporting plan, carbon sequestration statement, renewable energy statement and barriers to net zero statement. The guidance came into force on 1 July which was after this application was validated however the application would always have been assessed against NPF4 policies 1 and 2 which were active parts of the development plan at the time the application was submitted. The Planning Statement submitted in support of the application addresses policies 1 and 2 in general terms highlighting that the building will be more energy efficient and have better low carbon credentials than the existing site and the site is in an accessible location. However, no details have been provided and the statement suggests further information could be provided by condition. The consideration of the climate and nature crisis and climate mitigation and adaptation must be integral to the design process. The information provided is generic and does not provide any indication of high level actions that might be taken to address the policies. The information provided to date does not provide sufficient confidence that the policy objectives will be achieved and the proposals are therefore contrary to NPF4 policies 1 and 2 and as such the application is recommended for refusal.

Design and Materials (NPF4 Policy 14 & MLDP DP1)

- 8.8 NPF4 policy 14 requires all development to be designed to improve the quality of an area, and to be consistent with the 6 qualities of successful places. MLDP policy DP1 requires the scale, density and character of all development to be appropriate to the surrounding area and create a sense of place.
- 8.9 The cooerage building is large structure that is shown on the southern part of the site. This would house the workshop along with office and welfare facilities for staff. The building has a footprint of 2376m² and would stand 9.395m at its highest point. It has a simple rectangular footprint with lean-to projections on the north and south elevations. The smaller projection on the north would house a boiler while the offices and staff facilities would form the entrance on the southern elevation. The walls will be clad in grey corrugated metal with projection on the southern elevation finished in charred timber. The roof will be covered in grey corrugated sheeting.
- 8.10 The building is of a scale and character that is in keeping with the surrounding commercial, industrial and agricultural buildings. It is a simple and functional building but the detailing and finish add additional character and will create a strong sense of place. The design and materials are acceptable in this setting and comply with NPF4 policy 14 and MLDP policy DP1 (i)(a).

Impact on Habitats, Protected Species and Biodiversity (NPF4 Policies 3 & 4 & MLDP Policies EP1 & EP2)

- 8.11 NPF4 policy 4 states that proposals must not have an unacceptable impact on the natural environment by virtue of the type, location or scale and both NPF4 policy and MLDP policy EP1 make clear that any development that is likely to have an adverse effect on European or other protected species will only be supported where the relevant legislation is complied with and appropriate mitigation is in place. NPF4 policy 3 requires all local level development such as this to include appropriate measures to conserve, restore and enhance biodiversity. This is in line with MLDP policy EP2 which requires all development where possible to retain, protect and enhance features of biological interest.
- 8.12 A Protected Species and Phase I Habitat Survey has been submitted in support of the application. The survey found some habitats suitable for breeding birds and evidence of nesting birds in a field shelter to the south west of the site. No evidence of European species was found but it was noted that bats roosting in surrounding buildings may use the site for foraging. The report makes recommendations in relation to the timing of site clearance, procedures in the event that a nest is found during construction and the provision of bird boxes of different sizes to accommodate a range of breeding birds and bat boxes. These matters would have to be controlled by condition in order to comply with NPF4 policy 4 and MLDP policy EP1.
- 8.13 Three different types of bird boxes are proposed as part of the mitigation of the impacts on breeding birds and these will also contribute to a biodiversity on site after development. A detailed landscaping plan has been submitted which shows planting throughout the site but specifically includes wildlife hedging along the eastern boundary of the site and tree planting around the suds basins which will provide a range of foraging options. These measures are considered to be commensurate with the scale of development proposed and are appropriate to the setting. In order to comply with NPF4 policy 3 and MLDP policy EP2 the provision of the proposed biodiversity enhancements would have to be controlled by condition.

Noise (NPF4 Policy 23 & MLDP Policy EP14)

- 8.14 NPF4 policy 23 and MLDP policy EP14 both require development to provide an assessment of noise impacts and state that developments that give rise to unacceptable noise issues will not be supported. A Noise Impact Assessment (NIA) has been submitted in support of the application. This was amended to take account of comments from the Environmental Health Manager. Following the changes the Environmental Health Manager has no objection to the proposal subject to conditions. The recommended conditions relate to construction working hours, the provision of a Construction Environmental Management Plan (CEMP) covering noise, dust and artificial lighting, the operating hours (0800-1900 Monday – Friday and 0800-1300 on Saturdays with no Sunday working) of the development when complete, the maximum level of noise that can be produced along with the sound reduction properties of the roller doors and their operation during noise generating activities.

The seven recommended conditions would ensure that the development complied with NPF4 policy 23 and MLDP policy EP14.

Drainage (NPF4 Policy 22 & MLDP Policies EP12 & 13)

- 8.15 NPF4 policy 22 and MLDP policy EP12 requires all proposal to manage surface water sustainably via SUDS. The application is supported by a Drainage Report which provides a detailed assessment of ground conditions and justification for the proposed drainage solution. Surface water drainage will be by means of two suds basins at the south east and south west corners of the site. These will discharge to the combined sewer which will require consent from Scottish Water. MFRM have been consulted and have no objection. Provided that the drainage arrangements were provided in accordance with the submitted drainage report and plans, the proposal would accord with NPF4 policy 22 and MLDP policy 22.
- 8.16 Development will be connected to the public water supply and sewer in accordance with MLDP policy EP13.

Community Wealth Building (NPF4 Policy 25)

- 8.17 NPF4 policy 25 states that development proposals which contribute to local or regional community wealth building strategies and are consistent with local economic priorities will be supported. The Council agreed guidance on Community Wealth Building for developments such as this which have a floor area in excess of 1000m². The Council did not implement policy 25 until the guidance came into force on 1 July which was after this application was validated. No information on community wealth building has been provided as part of this application and the agent has declined to provide a statement on this following the publication of the Council's community wealth building guidance. However, it is considered likely that a development of this nature would be able to comply with policy 25 due to the local job creation and the use of local supply chains. The agreed guidance requires this matter to be addressed prior to determination. In light of the fact that the application was submitted before the Council's community wealth building guidance was in place it is considered that this matter could be dealt with by condition in the event that planning permission were to be granted.

Conclusion and Recommendation

The proposed cooperation is an appropriate use for this site and the expansion of an existing local business is to be welcomed. However, the proposal fails to comply with the requirements of the Development Plan in that it fails to safeguard the required connection to the Keith I11 and LONG2 sites contrary to the Keith I2 & I4 policies, NPF4 policy 18 and MLDP policies PP3 and DP5.

The failure to provide for a future connection to Keith I11 and LONG 2 site undermines the MLDP's strategic approach to access to the industrial sites in this area and mean any traffic associated with the development of the I11 and LONG2 sites would have to use the constrained access route via Balloch Road. It would also potentially give rise to conditions that would be detrimental to road safety. Furthermore it does not address NPF4 requirements in relation to climate change and adaptation (policies 1 and 2). The proposals are contrary to the Development Plan and as such are recommended for refusal.

**Author/Contact
Officer:**

Lisa Macdonald
Senior Planning Officer

Ext: 01343 563479

**Beverly Smith
Development Management & Building Standards Manager**



Appendix 1 Site Designations

KEITH

Planning Application Reference Number:

23/00314/APP

Erect coopeage including office staff facilities
storage yard and associated works on Land
Adjacent To Kynoch Park Keith Moray



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**REPORT TO: PLANNING AND REGULATORY SERVICES COMMITTEE ON
24 OCTOBER 2023**

**SUBJECT: 23/01712/PAN - DEVELOPMENT OF A CEMETERY SOFT AND
HARD LANDSCAPING ACCESS PARKING AND ASSOCIATED
DEVELOPMENT ON LAND OPPOSITE LINKWOOD DAIRY,
ELGIN**

**BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, ENVIRONMENT AND
FINANCE)**

1. REASON FOR REPORT

- 1.1 To inform the Committee that a Proposal of Application Notice (PAN) was submitted on 25 September 2023 on behalf of Moray Council.
- 1.2 This report is submitted to Committee in terms of Section III (E) (1) of the Council's Scheme of Administration relating to exercising the statutory functions of the Council as a Planning Authority.

2. RECOMMENDATION

2.1 It is recommended that:

- (i) in noting the terms of this report, the Committee advise upon any provisional views/relevant issues that Members of this Committee (or any other Member(s) of the Council) wish to raise about the proposed development so that these matters can be recorded and thereafter fed back to the prospective applicant in order to inform the development of their proposed formal application for planning permission; and
- (ii) the matters raised by the Committee also be forwarded to consultees likely to be involved in any formal application for planning permission for the proposal.

3. BACKGROUND

- 3.1 Scottish Government has published guidance which encourages elected members to highlight any issues with a proposed development at the pre-application stage which they would wish to see taken into account within any formal application for planning permission.
- 3.2 Following consideration by this Committee on 11 November 2014 it was agreed that any PAN received after this date would be reported to Committee to give Members of the Committee, and the Council, the opportunity to identify any key issues/provisional views about the proposed development and that these matters be reported back to applicant (paragraph 4 of the Minute refers).
- 3.3 This current report is not about the merits of the proposed development but rather, based on local knowledge of local issues and wider concerns, etc. Members are invited to identify any matters relevant to the proposal. These will be reported back to the prospective applicant for their information and attention, and to inform the development of the proposed application. It is also proposed that, for information, Members' comments be forwarded to consultees likely to be involved in any formal application for planning permission for the proposal.
- 3.4 As described, this PAN relates to a proposal for the development of a cemetery with soft and hard landscaping, access, parking and associated development.
- 3.5 The site is located on land to the east of Linkwood Farm, to the south of Elgin. It is adjacent to Linkwood Road, and occupies an area of approximately 6.6 ha. A part of the site boundary also takes in a portion of the gas distribution station and Linkwood Road to the north west towards the recently completed housing development at Jasmine Drive. A location plan is shown in **Appendix 1**.
- 3.6 Planning permission is required for this proposal. The proposal would comprise development of an area that exceeds 2 hectares, therefore it would comprise a major development for planning purposes. As such, the proposal will be subject to PAN and pre-application consultation procedures with the local community. The applicant has used the Council's pre-application advice service to assist in identifying key issues and information that would be expected to accompany any formal application.
- 3.7 A formal response has been issued to the applicant's agent to confirm that the proposed arrangements for engaging with the local community are sufficient. The applicant proposes to consult with Innes Community Council and Fochabers/Lhanbryde ward members. In this case the applicant's agent has been advised that Elgin Community Council and Elgin City North and South ward members must also be consulted.
- 3.8 The PAN advises that a public event will be held in the New Elgin and Ashgrove Hall on 24 October 2023 and 28 November 2023. The events

require to be advertised locally in advance and allow an opportunity for feedback upon the proposal. For validation purposes for a major application, the applicant is required to submit a pre-application consultation report setting out the steps taken to consult with the local community together with details of comments made on the proposal and how the applicant has responded to all comments made on the proposal in the development of the application.

4. SUMMARY OF IMPLICATIONS

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

Identifying key issues at an early stage to assist with front loading major planning applications is a vital aspect of supporting and facilitating the Council's priority for economic development in Moray.

(b) Policy and Legal

Scottish Government guidance on the role of councillors in pre-application procedures affords elected members the opportunity to offer general provisional views on forthcoming developments which are the subject of a PAN where the details of the development have yet to be finalised. This is the position even where the applicant is the Council as is the case here.

(c) Financial implications

None.

(d) Risk Implications

None.

(e) Staffing Implications

None.

(f) Property

None.

(g) Equalities/Socio Economic Impact

None.

(h) Climate Change and Biodiversity Impacts

None.

(i) Consultations

Depute Chief Executive (Economy, Environment and Finance), the Head of Economic Growth and Development, the Legal Services Manager, the Development Management and Building Standards Manager, the Equal Opportunities Officer, the Strategic Planning & Delivery Manager, and Lissa Rowan (Committee Services Officer) have been consulted, and comments received have been incorporated into the report.

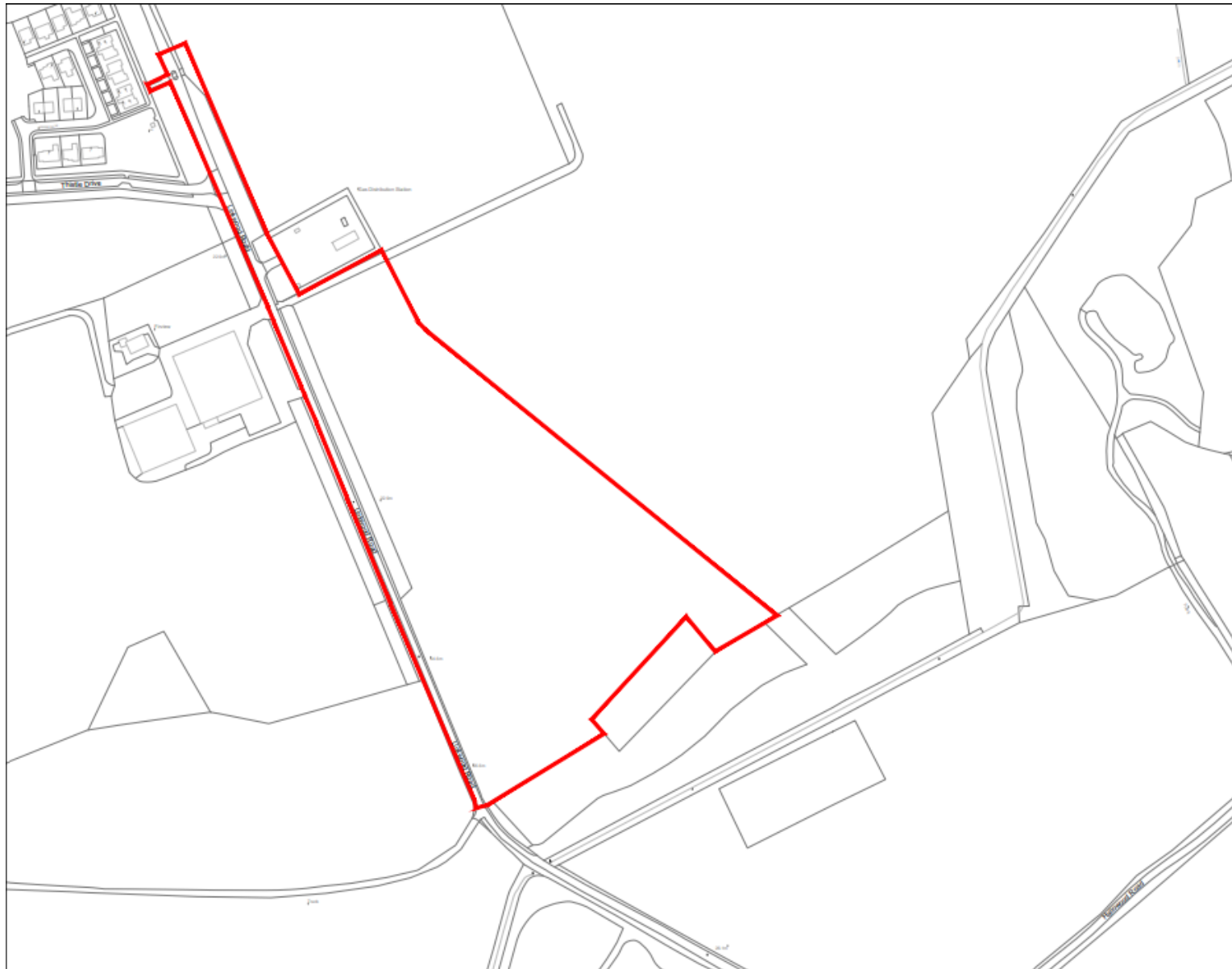
Members of Moray Council who are not on this Committee have also been consulted and any views received on the proposal will be made

known at the meeting

5. CONCLUSION

- 5.1 The Council has received a PAN intimating that a formal application for planning permission will be submitted for a major development proposal, in this case for permission for a cemetery to the south of Elgin. The Committee (and any other Member(s) of the Council) are asked to identify any provisional views/relevant issues which they would wish to see taken into account and inform the development of the proposal.**

Author of Report: Andrew Miller, Senior Planning Officer
Background Papers:
Ref:



Notes:
 Do NOT scale from this drawing.
 Any discrepancies or errors must be brought to the attention of Ironside Farrar Ltd.
 The drawings are to be read in conjunction with all relevant Landscape Architect, Consultant and Specialist drawings.

Legend:
 Site Boundary
 OS Grid Ref. [223752E, 860555N]

Rev	Description	Date

IronsideFarrar
 Environmental Consultants
 1000 High Street, Dundee, Scotland DD1 1AA
 Tel: 01307 200000 | Fax: 01307 200001 | Email: info@ironsidefarrar.co.uk

Project: 40186
 Title: New Elgin Cemetery
 Client: Moray Council
 Drawing: PAN Plan

Scale: 1:1250
 Date: 19.09.23
 Drawn by: AT
 Checked by: CG
 Approved by: BP

FOR INFORMATION S2
 40186-FL-XX-DR-C-00-001-P01



**REPORT TO: PLANNING AND REGULATORY SERVICES COMMITTEE ON
24 OCTOBER 2023**

**SUBJECT: 23/01222/PAN PROPOSED RESIDENTIAL DEVELOPMENT WITH
RETAIL UNITS, LANDSCAPING AND ASSOCIATED
INFRASTRUCTURE ON LAND EAST OF BARHILL ROAD,
BUCKIE.**

**BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, ENVIRONMENT AND
FINANCE)**

1. REASON FOR REPORT

- 1.1 To inform the Committee that a Proposal of Application Notice (PAN) was submitted on 27 July 2023 on behalf of Springfield Properties PLC.
- 1.2 This report is submitted to Committee in terms of Section III E (1) of the Council's Scheme of Administration relating to exercising the statutory functions of the Council as a Planning Authority.

2. RECOMMENDATION

2.1 It is recommended that the Committee:

- (i) in noting the terms of this report, advise upon any provisional views/relevant issues that Members of this Committee (or any other Member(s) of the Council) wish to raise about the proposed development so that these matters can be recorded and thereafter fed back to the prospective applicant in order to inform the development of their proposed formal application for planning permission; and
- ii) the matters raised by the Committee also be forwarded to consultees likely to be involved in any formal application for planning permission for the proposal.

3. BACKGROUND

- 3.1 Scottish Government has published guidance which encourages Elected Members to highlight any issues with a proposed development at the pre-application stage which they would wish to see taken into account within any formal application for planning permission.
- 3.2 Following consideration by this Committee on 11 November 2014 it was agreed that any PAN received after this date would be reported to Committee to give Members of the Committee, and the Council, the opportunity to identify any key issues/provisional views about the proposed development and that these matters be reported back to applicant (paragraph 4 of the Minute refers).
- 3.3 This current report is not about the merits of the proposed development but rather, based on local knowledge of local issues and wider concerns, etc. Members are invited to identify any matters relevant to the proposal. These will be reported back to the prospective applicant for their information and attention, and to inform the development of the proposed application. It is also proposed that, for information, Members' comments be forwarded to consultees likely to be involved in any formal application for planning permission for the proposal.
- 3.4 This PAN relates to a proposed residential development, landscaping and associated infrastructure. The number of units proposed has not been stated but in order to be a major application it will be in excess of 50.
- 3.5 The site extends to 6.87ha and is located on open farm land to the east of Barrhill Road in Buckie. This includes part of the Buckie R8 designation (indicative capacity 250 units) and part of the Buckie Long 1. Both these designations in the MLDP include land to the west of Barrhill Road but that does not form part of this proposal. The Buckie South Masterplan has been prepared to cover the long term strategic growth of the south west of the town. A notice of intention to grant consent has been issued following an appeal against the refusal of planning permission (21/01224/APP) for a proposed residential development with retail unit and associated infrastructure on the Buckie R8 site subject to a S.75 legal agreement (in the process of being concluded). The site is identified as prime agricultural land.
- 3.6 The site is on the southern edge of the settlement of Buckie as identified in the MLDP 2020 and the land to south and east is within the Countryside Around Town (CAT) around Buckie. Areas of surface water flooding are identified on the SEPA flood risk maps.
- 3.7 Planning permission is required for this proposal. The proposal is for a housing development of more than 50 units and where the site exceeds 2ha and therefore the proposal is a major development for planning purposes. The proposal will be subject to PAN and pre-application consultation procedures with the local community. The applicant(s) have been advised of the Council's pre-application advice service to assist in identifying key issues and information that would be expected to accompany any formal application.

- 3.8 A formal response has been issued to the applicant's agent to confirm that the proposed arrangements for engaging with the local community are sufficient. The applicant proposes to consult with Buckie and District Community Council. In this case the applicant's agent has been advised that no additional parties require to be notified with a copy of the PAN.
- 3.9 The regulations in relation PAC have changed (The Town and Country Planning (Pre-Application Consultation) (Scotland) Amendment Regulations 2021) refers) to require a minimum of two public events for all PANs submitted after 1 October 2022. The final event is primarily about feedback on the views gathered during PAC. In this case, the PAN advises that public events will be held at The Fishermen's Hall in Buckie on Thursday 17 August and Thursday 14 September 2023. Each event requires to be advertised locally in advance and allow an opportunity for feedback upon the proposal. For validation purposes for a major application, the applicant is required to submit a pre-application consultation report setting out the steps taken to consult with the local community together with details of comments made on the proposal and how the applicant has responded to all comments made on the proposal in the development of the application.

4. SUMMARY OF IMPLICATIONS

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

Identifying key issues at an early stage to assist with front loading major planning applications is a vital aspect of supporting and facilitating the Council's priority for economic development in Moray.

(b) Policy and Legal

Scottish Government guidance on the role of Councillors in pre-application procedures affords elected members the opportunity to offer general provisional views on forthcoming developments which are the subject of a PAN where the details of the development have yet to be finalised.

(c) Financial implications

None

(d) Risk Implications

None

(e) Staffing Implications

None

(f) Property

None

(g) Equalities/Socio Economic Impact

None

(h) Consultations

Depute Chief Executive (Economy, Environment and Finance), the Head of Economic Growth and Development, the Legal Services Manager, the Development Management and Building Standards Manager, the Equal Opportunities Officer, the Strategic Planning and Delivery Manager, and the Democratic Services Manger have been consulted, and comments received have been incorporated into the report.

Members of Moray Council who are not on this Committee have also been consulted and any views received on the proposal will be made known at the meeting

5. CONCLUSION

- 5.1 The Council has received a PAN intimating that a formal application for planning permission will be submitted for a major development proposal, in this case for a residential development with retail units, landscaping and associated infrastructure. The Committee (and any other Member(s) of the Council) are asked to identify any provisional views/relevant issues which they would wish to see taken into account and inform the development of the proposal.**

Author of Report: Lisa MacDonald, Senior Planning Officer
Background Papers: 23/01222/PAN
Ref:



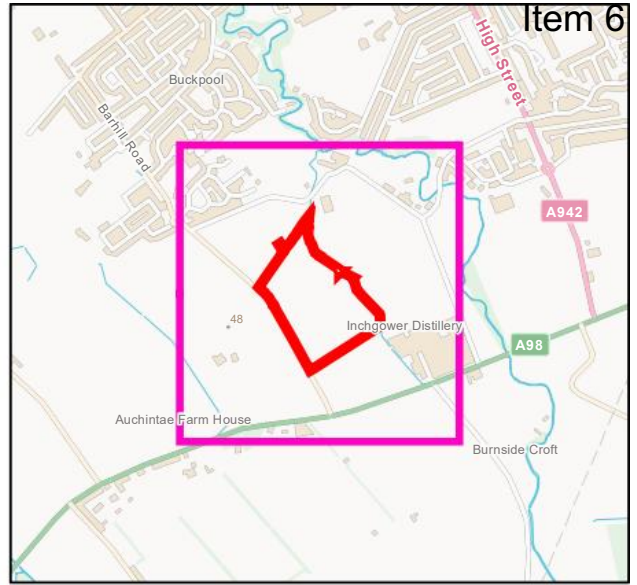
APPENDIX 1

BUCKIE

Application Reference Number:

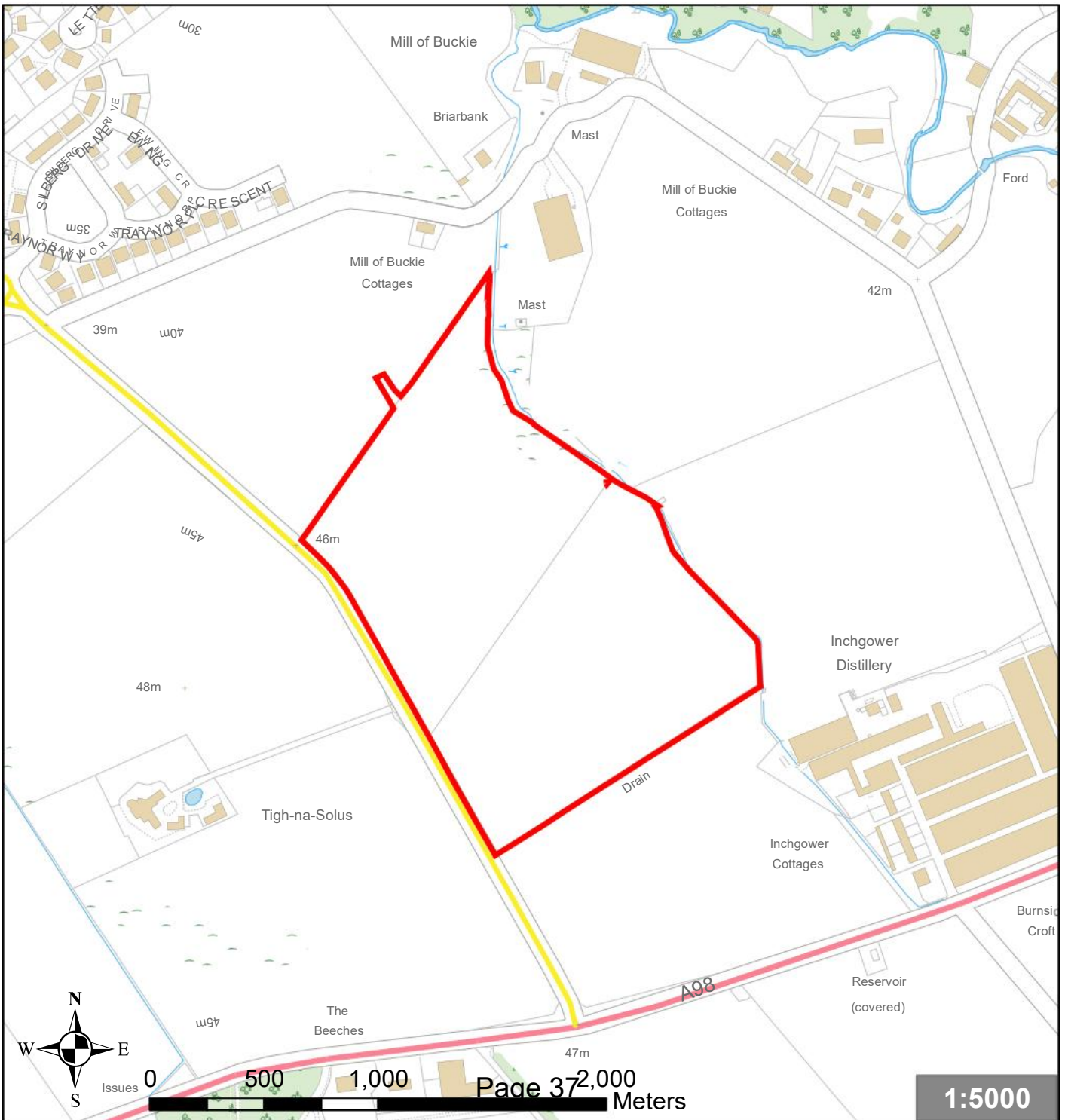
23/01222/PAN

Proposed residential development with retail units landscaping and associated infrastructure on Land East Of Barhill Road Buckie



Item 6

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**REPORT TO: PLANNING AND REGULATORY SERVICES COMMITTEE ON
24 OCTOBER 2023**

SUBJECT: CONSERVATION AREA DESIGNATION REVIEW 2023

**BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, ENVIRONMENT AND
FINANCE)**

1. REASON FOR REPORT

- 1.1 The report asks the Committee to consider the Cullen, Archiestown, Portknockie, and Findochty Conservation Area Character Appraisals, and thereafter agree to issue the appraisals and proposed boundary changes for public consultation. The report also asks the Committee to note the success of the Windows Repair and Replacement Windows Grant Scheme.
- 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 Local Development Plans.

2. RECOMMENDATION

2.1 It is recommended that the Committee;

- (i) approve the draft Cullen, Archiestown, Portknockie, and Findochty Conservation Area Character Appraisals and proposed boundary changes as set out in Appendix 1 for public consultation for a 12 week period;**
- (ii) agree that a further report on the consultation response be brought to a future meeting of this Committee with a view to adopting the appraisals as material considerations in the determination of planning applications and agree to final boundary changes; and**
- (iii) note the success of the Windows Repair and Replacement Grant Scheme.**

3. BACKGROUND

- 3.1 Local Planning Authorities (LPA's) have a statutory duty under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 to designate as conservation areas parts of their areas which are of special historic or architectural interest the character and/or appearance of which it is desirable to preserve and enhance, as well as to undertake reviews.
- 3.2 National Planning Framework 4 (NPF4) seeks to protect and enhance historic environment assets and places through Local Development Plans, and to enable positive change as a catalyst for the regeneration of places. In this regard LPA's should designate and review existing and potential conservation areas which should be supported by conservation area character appraisals. The review will also form part of the Evidence Report which is being prepared for the Moray Local Development Plan 2027.

4. CHARACTER APPRAISALS

- 4.1 The conservation areas (Cullen, Archiestown, Portknockie, and Findochty) discussed in this report have not been reviewed for some time, with several having not been reviewed since their initial designation. The Moray Council appointed built heritage consultants LDN to undertake a review of these 4 conservation areas.
- 4.2 Character appraisals have been prepared for each conservation area which provide an understanding of the special qualities of each area. While a character appraisal has previously been prepared for Cullen, it is important to have updated appraisals to keep them relevant and to take into account changes that may have occurred over time. The appraisals also provide updated design guidance to support good conservation practice for homeowners and agents, assist Development Management decision making, and to make recommendations on potential boundary changes (**See Appendix 1**).
- 4.3 The main aims of the draft character appraisals that have been prepared are;
- To identify the key components that contribute to the character and special interest of a conservation area;
 - To identify opportunities for enhancement and key challenges facing the area;
 - Provide design guidance to inform property owners on how to make appropriate changes and alterations to their properties;
 - To make recommendations on proposed boundary changes; and
 - To become material considerations in the determination of planning applications once fully adopted.

5. BOUNDARY CHANGES

- 5.1 The character appraisals that have been undertaken provide a thorough assessment of the special qualities of each conservation area as well as a

review of each boundary. The table below provides a summary of the proposed boundary changes. **Appendix 2** provides a map showing the current and proposed boundaries;

Archiestown	Removal of modern housing stock from the designation.
Cullen	<p>Split the existing large conservation area (named the Seatown conservation area) into two separate designations ie the Seatown conservation area and the Planned Town conservation area. This is based on their distinctive architectural character and heritage.</p> <p>The Planned Town conservation area will be extended to link with the existing Victoria Street conservation area.</p> <p>Modern housing stock will be removed from Victoria Street.</p> <p>Extend the boundary of the Planned Town Conservation area to take in the southeast side of Seafield Street and York Place.</p>
Findochty	Removal of Castle Street, Seafield Street, Mid Street, and Burnside Street from the conservation area. This section of the conservation area is severed from the rest of the conservation area by Strathlene Road and is detached from the rest of the conservation area.
Portknockie	No change.

- 5.2 It is proposed to undertake a 12 week public consultation on the proposed boundary changes starting on 1 November 2023. The character appraisals and proposed boundary changes will be published on the Council’s website and the consultation will be advertised through press release, social media, and emails. Historic Environment Scotland (HES) will be consulted as part of this process.
- 5.3 Properties that are being proposed to be included or removed from any conservation area will be notified.
- 5.4 Following the public consultation all comments received will be reported to a future meeting of this Committee along with proposed final changes to the boundaries for agreement.

6. WINDOWS REPAIR AND REPLACEMENT GRANT SCHEME

- 6.1 At a meeting of Moray Council on 10 August 2022 (para 20 of the minute refers), it was agreed to allocate funding from the Place Based Investment Programme towards a small grant scheme for the fitting or repair of windows in conservation areas.
- 6.2 The Windows Repair and Replacement Grant Scheme was set up to help homeowners repair and replace traditional windows in their property. It was open to any property that was located within one of Moray’s 18 conservation areas that met the eligibility criteria for windows on principal elevations or elevations that front a street that contribute to the wider character of the conservation area.

- 6.3 Windows are a key and integral component to the design of any traditional and historic building. They also significantly contribute to the wider overall character and appearance of streets and conservation areas. However, windows are elements of a building that can easily be changed and therefore they are extremely vulnerable to inappropriate and unsympathetic changes particularly with an ever increasing desire to make older properties more thermally efficient. The cumulative effect of loss of traditional windows poses one of the most significant threats to our heritage, not just too individual buildings, but also our conservation areas.
- 6.4 In total eight grants were awarded to properties in Garmouth, Findhorn, Portknockie, and Findochty. The grants helped homeowners replace non-traditional and/or windows that were in disrepair with traditional timber double glazed windows.
- 6.5 **Appendix 3** shows before and after pictures of several properties that received grants showing the benefit to the character of each property and wider conservation area as a result of the installation of traditional windows. For several recipients the grant has acted as a catalyst for other works to their property which has enhanced the building and the conservation area.
- 6.6 At a meeting of the Economic Development and Infrastructure Services Committee on 5 September 2023 (para 10 of the draft minute refers) it was agreed that funding from the Place Based Investment Programme 2023/24 would go towards a conservation area grant scheme across Moray which is subject to a separate Information Report being presented to this Committee. Following this approval a scheme similar to the one discussed in paragraph 6.2 above will be launched later this year.

7. SUMMARY OF IMPLICATIONS

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

The MLDP 2020 is a vital aspect in supporting and facilitating the Council's priority for economic growth. The Plan also aims to deliver other key aspects of Moray 2026, including the conservation and enhancement of Moray's high quality and historic environment. The character appraisals seek to support these key aims.

(b) Policy and Legal

It is a statutory duty under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 of the Council as a Planning Authority to formulate and publish proposals for the preservation and enhancement of its conservation areas

(c) Financial implications

Allocated funding from the Place Based Investment Programme was used to implement the Windows Repair and Replacement Grant Scheme. Consultants were appointed to undertake the conservation area designation review which was covered by the Strategic Planning and Development budget.

(d) Risk Implications

None.

(e) Staffing Implications

The conservation area review forms part of the evidence report for the MLDP 2027 and is part of the workload for Strategic Planning and Development. The Windows Grant Fund Scheme will be delivered by Officers from Strategic Planning and Development. This will have to be balanced with the significant workload associated with Strategic Planning & Development and preparing the MLDP 2027.

(f) Property

None

(g) Equalities/Socio Economic Impact

None

(h) Climate Change and Biodiversity Impacts

The Windows Grant Scheme Fund supports homeowners improve the thermal efficiency of their homes by supporting the installation of windows using traditional materials.

(i) Consultations

Consultation has taken place with the Depute Chief Executive (Economy, Environment and Finance), the Head of Economic Growth and Development, the Legal Services Manager, the Equal Opportunities Officer, the Principal Climate Change Officer, and the Democratic Services Manager have been consulted and comments received have been incorporated into the report.

8. CONCLUSION

8.1 Character appraisals have been prepared for Findochty, Cullen, Archiestown and Portknockie as part of a review of Moray's conservation areas. The appraisals identify the key components that contribute to the character and special interest of each conservation area and identify potential changes to the boundaries of each designation.

8.2 The character appraisals and proposed boundary changes will be subject to a 12-week public consultation. The responses will be reported to a future meeting of this Committee for consideration along with the final boundary changes for approval.

Author of Report: Keith Henderson
Planning Officer, Strategic Planning and Development

Background Papers:
Ref:

Archiestown Conservation Area Review

May 2023



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2.0	Location, History and Development
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Appendix	Building by Building Analysis

COTTAGE LANE
 SCHOOL LANE
 CRAIGROY LANE
 BAKERS LANE
 MCGOWANS LANE
 NORTH LAZ
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1.0

Introduction

It is important that periodical reviews are carried out to ensure that the special interest of the Conservation Area is preserved. The purpose of the appraisal is to carry out a detailed assessment of the current townscape, which includes a building-by-building analysis, to identify areas of risk, areas of significance, opportunities, and priorities for enhancement.

This assessment also includes a review of public realm and greenspace (including trees) as these elements each contribute to a sense of place. The information gathered as part of this proposal will be used to assess the current position of the Conservation Area boundary and allow recommendations to be made for any amendment should it be relevant. The content of the report is also there to provide guidance on appropriate materials, style and colour to assist and encourage residents to develop proposals that are sympathetic to the character of the Conservation Area.

The following report focuses on Conservation Area Appraisal for the planned town of Archiestown.

What is a Conservation Area?

Conservation Areas have special architectural character or social historical interest created by the buildings and spaces – street layout, open space and the public realm - around these. The Planning Listed Buildings and Conservation Areas (Scotland) Act 1997 designated Conservation Areas for protection – the Scottish Government and Planning Authorities are required by law to preserve or enhance the character and appearance of these historical environments.

Why?

In order to maintain the special architectural character of Conservation Areas it is important that they are preserved to ensure that the elements that make them distinct are not lost through inappropriate change. Where appropriate, enhancements can be made to these areas to benefit not only the historical environment but also the residents.

What does this mean for the residents?

Whilst consents will be required from the Local Authority for certain elements (as listed out below), it does not mean that improvements and development cannot occur within these areas. Sympathetic improvements using the appropriate traditional materials are encouraged and they will bring benefit to the building owners. For example, historical buildings were constructed with traditional materials, and it is these materials that not only create the character, but they also ensure that the building fabric performs (when appropriately maintained). When modern materials are added such as uPVC elements, these not only change the character, but they also change the properties and performance of the building which can be to the detriment of the fabric. If you are proposing any of the following changes to your property then you should contact the Moray Council to confirm if you require planning permission, Conservation Area consent, or advertising consent depending on your proposal.

- Alterations – changes to the principal form, changes to fenestration (opening to include doors and windows), changes to materials such as roof, external finishes (including the painting of the building), replacement windows, doors and rainwater goods.
- Any extension to your property
- Any structures within the curtilage of a building.
- Walls, fences and other boundary treatments for domestic properties
- Demolition of unlisted buildings
- Removal of trees
- Works to shopfronts and advertisement displays

If your property is listed then you may also require listed building consent to ensure that any proposal including (alterations and extensions) do not have a detrimental effect on the character, integrity, or setting of the building. You should contact the Moray Council to establish if this is required or not.

H I G H S T R E E T
THE SQUARE

2.0

Historical Development

2.1 History

The progression of Archiestown from 1871 to 2022 is shown clearly through archives of the town plans. The time periods of development are evident when in the town due to the close-knit nature of the layout. Progression and development within the Conservation Area has occurred since designation with buildings that step back from the main line of the street.

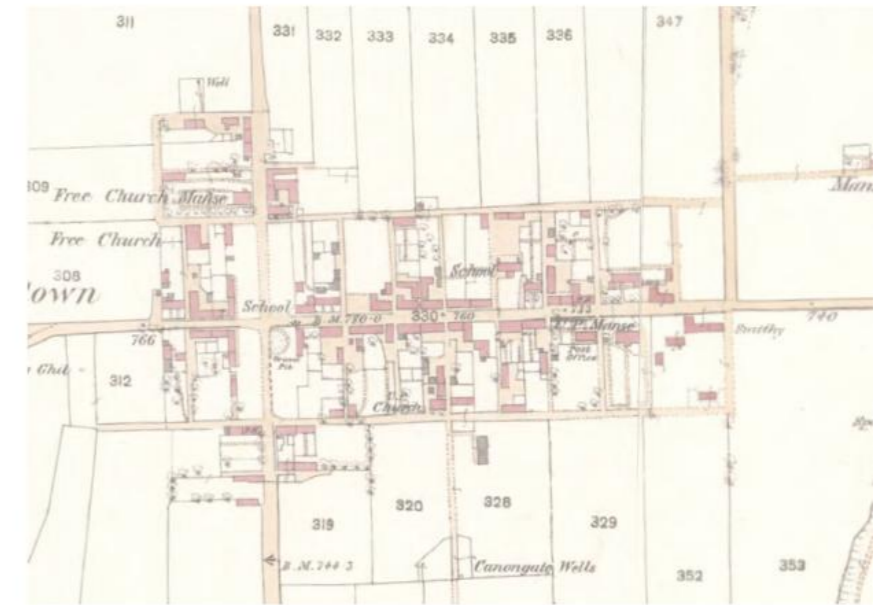
Following the significant fire of Archiestown in 1783, the town was rebuilt which included some alterations. Generally, the levels of the public realm still reflect the historic settlement in some areas whilst others have been altered.

As land use has developed, so has the town. The once small connective lanes for carts have been updated for modern expectations although to the detriment of character. Opening these small lanes with little left untouched has resulted in tarmac roads which have been widened for vehicles. These lanes are an important characteristic of Archiestown and provide key links.

The location of the town was established due to Sir Archibald Grant of Monymusk inheriting the land as part of his estate. This was when the decision was made to produce a linen weaving village due to his affiliation with flax and the rural location. There was land for growing crops, houses built for workers and railways close by for transportation.



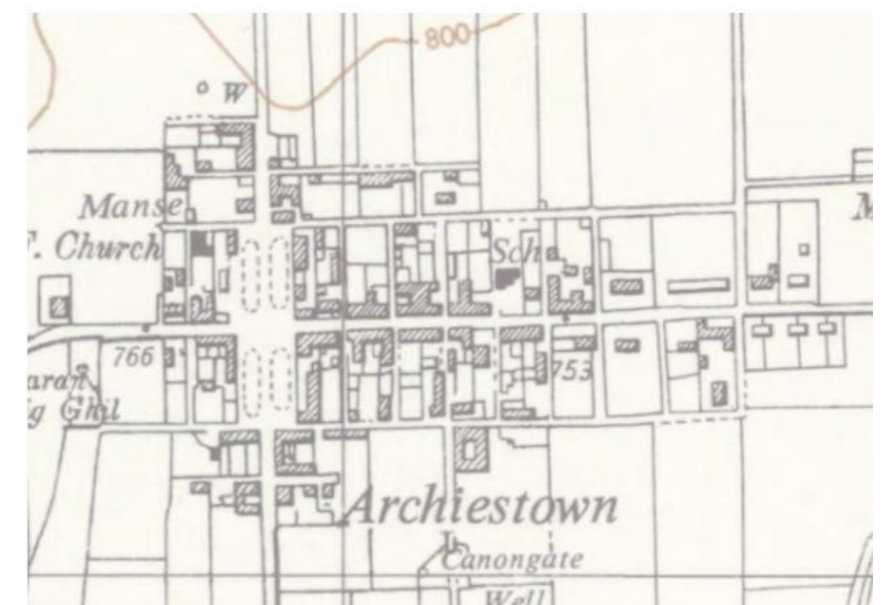
1871



1905

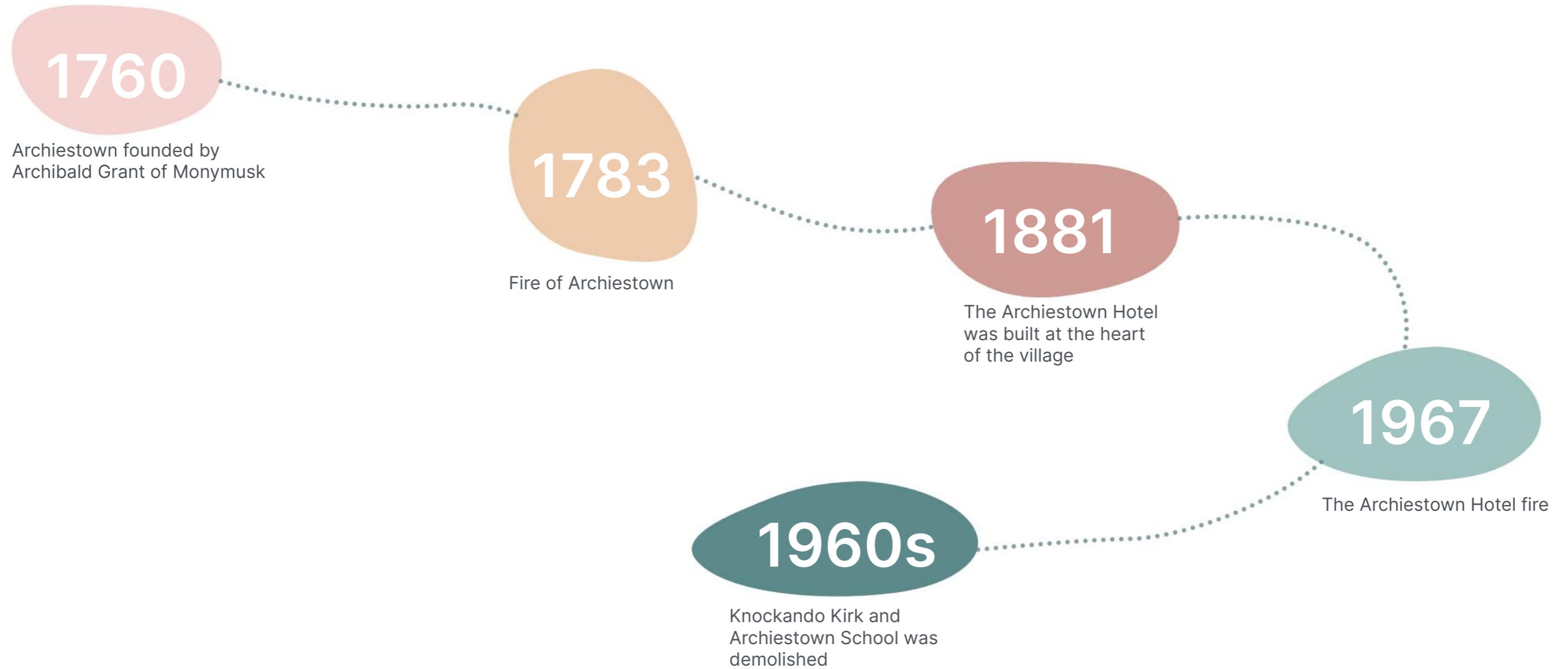


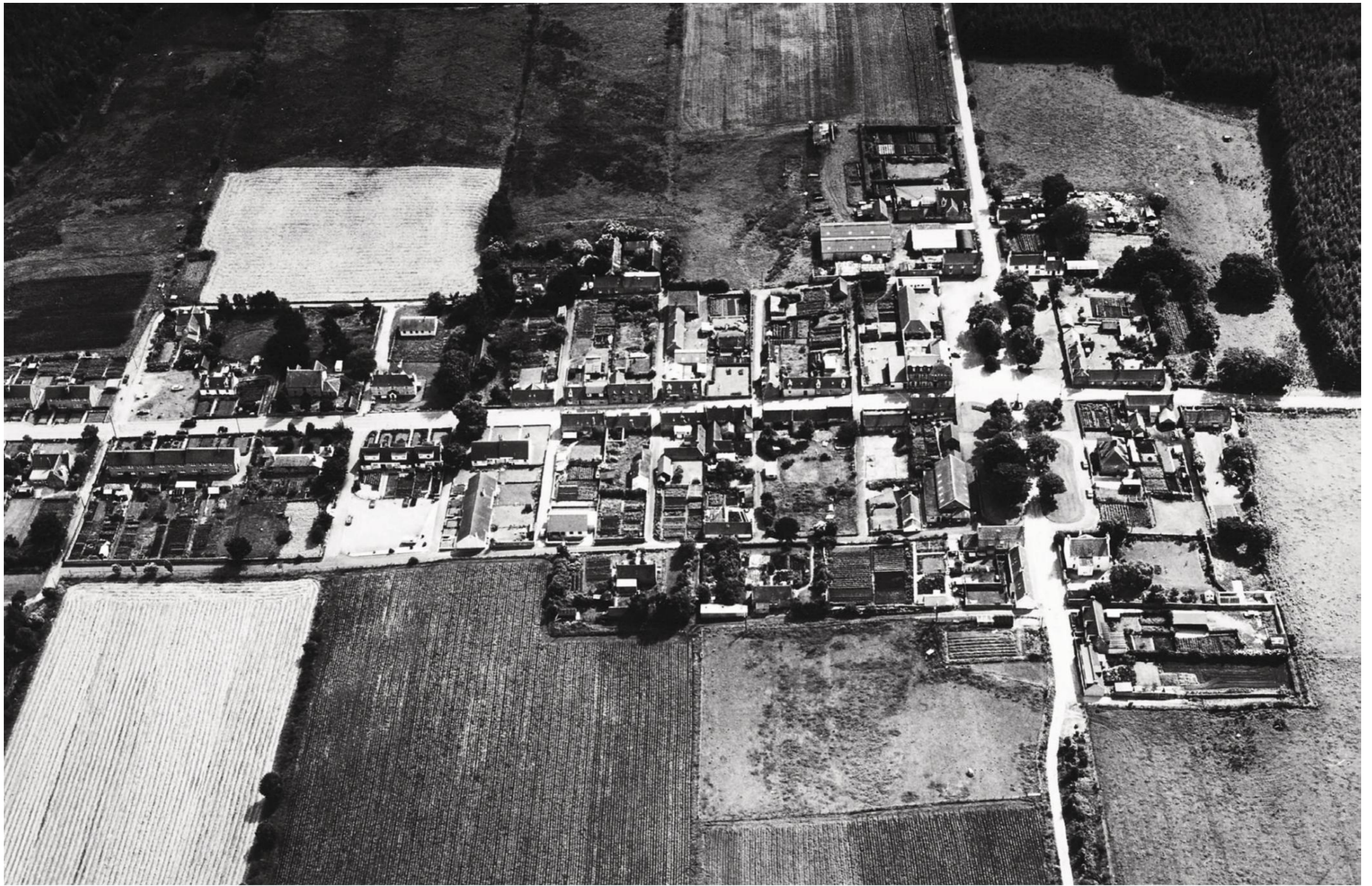
1959



Reference: 'The Buildings of Scotland ABERDEENSHIRE: NORTH AND MORAY; Walker, David W, Woodworth, Mathew; Pevsner Architectural Guide; Yale University Press 2015.'

2.2 Timeline





2.3 Wider Context

Archiestown sits near the River Spey in the region of Moray 17 miles from Elgin. The town sits on the access roads for many distilleries in the Spey valley. The main arterial road provides a key link from Elgin to the Distilleries and is frequently trafficked by large goods lorries.



COTTAGE LANE

POST OFFICE LANE

SCHOOL LANE

MITCHELLS LANE

CRAIGROY LANE

MCCOUIBBANS LANE

BAKERS LANE

CHAPEL LANE



MCGOWANS LANE

SOUTERS LANE

3.0

Character and Appearance



-  Buildings at Risk Register
-  B listed buildings

3.1 The Buildings

The following information identifies buildings that, at the time of publishing this report, are listed by Historic Environment Scotland or on the Buildings at Risk Register Scotland. It is however important to note that the character of a Conservation Area is not about the listed buildings, it is the collection of buildings.

The adjacent map plots the listed buildings and those on the Buildings at Risk Register Scotland. The eclectic mix of building types within Archiestown is what creates the unique 'sense of place' – these have a direct relationship to the Town's origin and the development of its industries which is what enriches the Conservation Area.

Archiestown Conservation Area:

Listed Buildings: 3

Buildings at Risk: 1

The Old
Manse

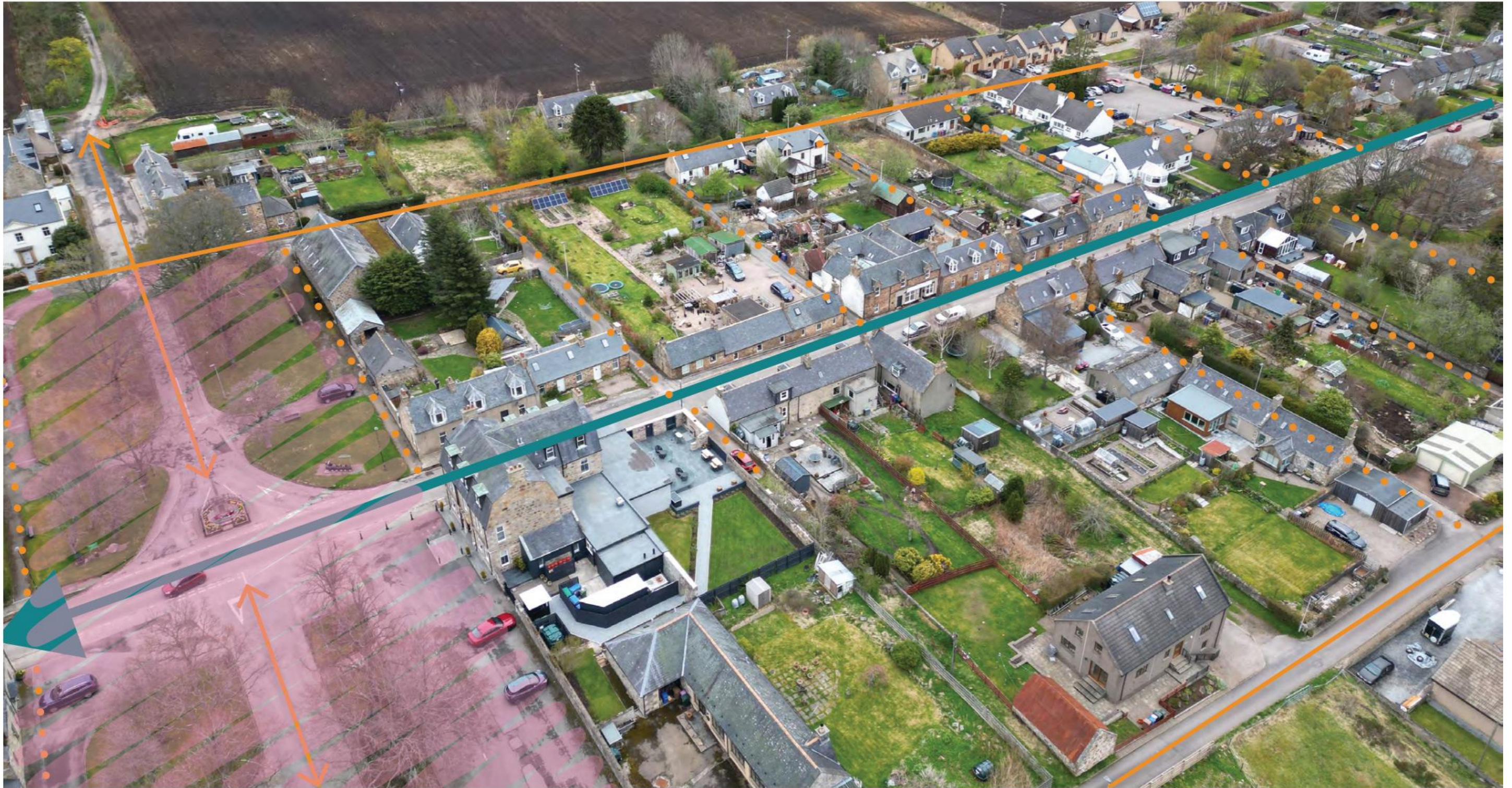
Old St
Andrews

The
Cottage

High Street

The Square

3.2 Setting



The heart of Speyside has some of the most spectacular scenery in the north of Scotland. The lands are rich and fertile with the River Spey running through the heart of the valley. It is home to the largest concentration of distilleries in Scotland which draw from the natural offerings of the area.

The main vein of Archiestown runs along the B9102 which follows the northern bank of the River Spey. Archiestown forms an orientation point for a number of walks within the Forest to the north and a connection to the Speyside Way to the South.

Archiestown is a small settlement located in a distinct natural environment but despite the rural location, it is a planned town which makes it significant. This is embedded in the origin of the town and its development alongside the local industry bringing a strong sense of place.





- Tertiary vehicular routes through Seatown.
- Secondary vehicular routes
- Primary trunk road through the town

3.3 Activity and Movement

The heart of Archiestown is bisected by the B9102 which runs East to West. Whilst this is classified as a minor road, it is a key link along the Northern side of the River Spey.

The lanes within Archiestown – Post Office Lane; Mitchells Lane; Mcquibbans Lane; Chapel Lane all to the South; and Cottage Lane; School Lane; Crairoy Lane; Bakers Lane; McGowans Lane; and Souters Lane to the North – allow permeability through the town blocks, however, these key links have been neglected. There is opportunity to enhance and develop these key routes with heritage signage and lighting.

There are no defined pedestrian crossing points or routes and there is an opportunity to enhance this including bringing more definition to an orientation point and trails for the walks to the north and south.



3.4 Street Pattern Topography

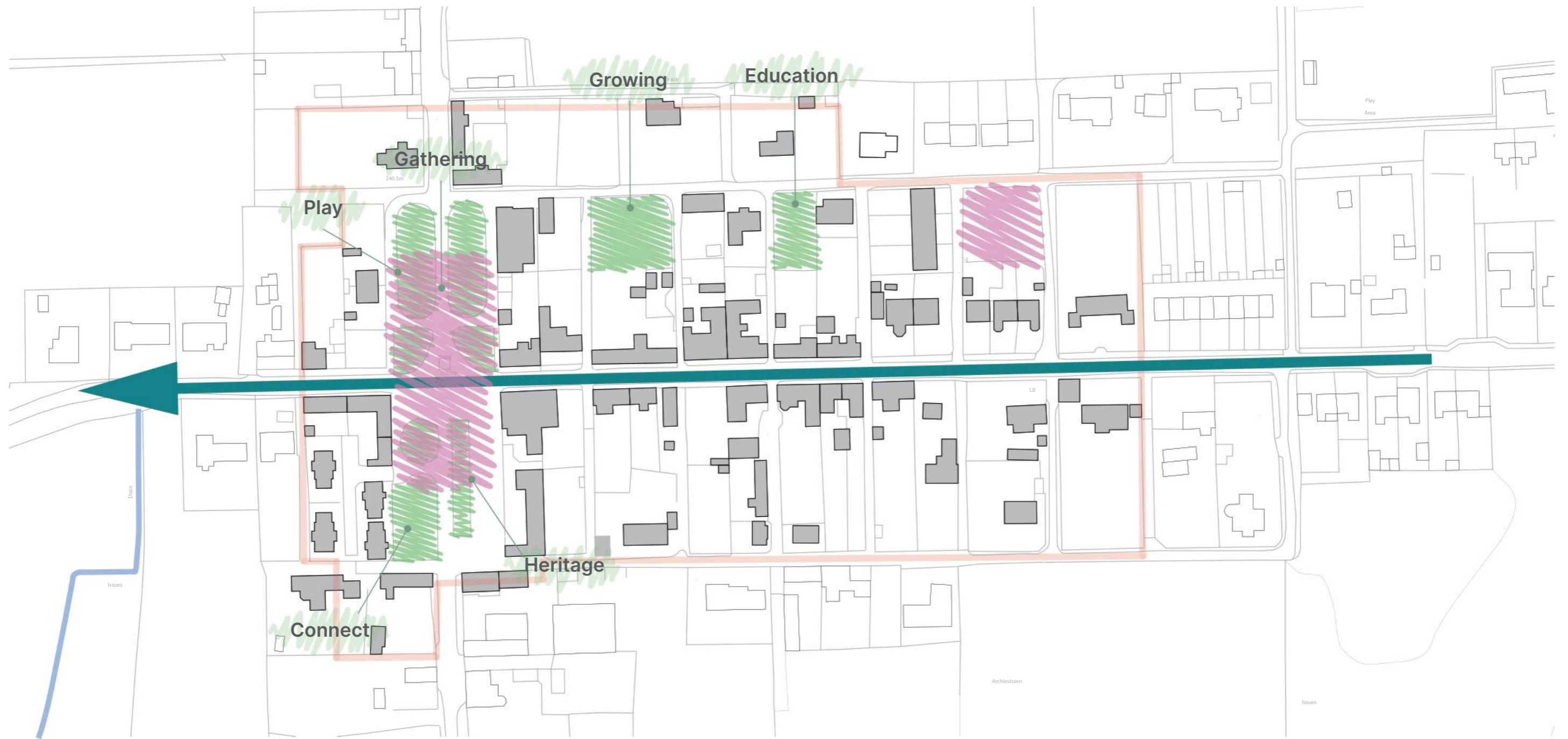
The Planned Village was developed by Sir Archibald Grant by taking advantage of the agricultural wealth in the area and the intention of developing the flax weaving industry. Plots of lands and the standard geometric design created the village of Archiestown's pattern. The grid pattern provided by the principal North-south and East-west axes, enhanced by the lesser lanes and closes, delivers a layout replete with accessibility. A village square lies at the heart of the village extending out to the main road through the town.

As Archiestown developed, the smaller plots of land were acquired by farmers to create larger agricultural fields as are seen today. This led to a significant shift in the pattern of the town exacerbated by close connections becoming blocked and impassible.

Archiestown sits with a significant slope to the South and gentle slope to the East – the town square provides the most prominent space, as is appropriate, in straightforward plan-form and townscape.



- Pavements typical of a planned town layout.
- Key town plan routes neglected links require enhancement/development.



-  Key green spaces
-  Key urban spaces

3.5 Spaces

Within Archiestown there are two key zones – the main vein of the Planned Town on the B9102 and the Town Square, which is a key aspect of the Conservation Area. There is however an oddity about the position of the square as it is not central to the plan - it is instead located to the west.

The relationship between the built form and the surrounding spaces is important to the town plan because these not only define the movement through the Conservation Area but they also create spaces for the community with the Town Square being at its heart.

The form of the Town Square and the environment, with the mature trees and green space, provides a significant opportunity to not only enhance the Conservation Area but also bring benefit to the local community. The location of the well-used community hall on the square would complement any community aspirations.

Consideration could be given to

- Gathering – multi-generational
- Events / Festivals
- Play
- Sit / reflection
- Connections including local walking trails – promotion of green living and health benefits
- Educate – local heritage / circular trail
- Orientation point for the wider region



3.6 Character Areas

Form

For such a rural setting the form is rigorous with a defined street pattern and distinct town blocks which makes Archiestown interesting. Where new developments have been carried out this has changed the strong linear form of the High Street set along the B9102, with the buildings set back from the block formation.

Roofing

There are two types of roof covering: slate and tile. Within slate there are examples of Scotch, Welsh and Spanish. When the planned town was built the roofs would have been Scotch slate laid to diminishing courses, but this is now the minority with Welsh slate the dominant roofing material. The use of Spanish slate has also been recorded and this is not an appropriate material not only in terms of aesthetic but also longevity in Scotland's climate. The tile roofs tend to have been installed on the later developments.

Rainwater Goods

Whilst Rainwater goods play an important part in the performance of a building, they also reflect the style of the building. Generally the rainwater goods throughout the town are half round gutters with round downpipes.

In regard to material, there is clear mix of cast iron and replacement uPVC fittings.

Stonework and pointing

The stonework is typically exposed coursed rubble with dressings around openings. A number of properties have been coated in a cement render, although in some instances this has only been applied to one elevation. The majority of the pointing has been replaced in cement and in some instances this has been 'struck' to imitate ashlar.

Doors

There is an array of different door types throughout the Conservation Area with the minority traditional panelled timber doors.

Modern timber doors or varying design and inappropriate uPVC doors have been installed in some locations. In these instances, consideration should be given to enhancing the style and detailing of the door that is appropriate to the period of the building. Doors are another element that contributes to the overarching character of the building

Windows

The traditional window type for the Conservation Area is timber sash and case. There are however only a few surviving examples. Within those that remains, there is a variation to the scale and fenestration - there are examples of the Georgian 6/6, 3/6 and the later 2/2 and 1/1. This variance is important in dating the buildings.

Some windows have been replaced with modern timber casements, aluminium or uPVC units which have had a detrimental impact of the character of these buildings. As noted previously, whilst it is acknowledged, that uPVC can be considered desirable for thermal improvements, the units do have a limited guarantee. There are options for improvements to be made to traditional timber sash and case windows which are not necessarily cost prohibitive.

Colour

The prominent colour within the Planned Town for external joinery is white or rosewood (on some uPVC units). There are a few instances where sympathetic heritage colours have been used for the external joinery but this is the minority.

The use of heritage colours can enliven the architecture and should be encouraged – the unification of colour is a modern style.

Shopfronts

Historically Archiestown was self-sufficient. Over time this developed with some commercial offerings appearing. Today, however, this has changed with the Post Office and Hotel the only commercial elements.

There is evidence of a shopfront on one building – larger openings and the remnants of signage – however this appears to have been converted to residential.

Commercial units can bring economic benefit to the local area but in order for this to be successful, the viability needs to be assessed.

External and Boundary

As previously noted, there are level changes along the key east-west axis and the boundaries of these have been treated with generic modern railings.

The buildings along the High Street bound onto the pavement with external spaces to the rear. Stone boundary walls, with stone copes, remain the prominent boundary treatment within Archiestown. There are however some instances of timber fencing but these are predominantly in the lanes.

N O R T H L A N E

S O U T H L A N E

4.0

Negative Factors

4.1 Negative Factors

Whilst negative factors do exist throughout the Conservation Area, it is important that these do not become the key focus in the assessment of the significance of the area. For example, whilst inappropriate materials have an impact on the character, they also affect the performance of the building, however, with careful repair and conservation these changes can be reversed thereby restoring the character. Where the form (scale and any decorative stone dressing) and composition of the traditional building remains, there is significance and therefore reversible material change should not be seen as justification to withdraw protection.

In summary the key factors are:

1. Inappropriate alterations to buildings which include –
 - the style of some extensions
 - changes to openings
 - changes to fenestration
 - inappropriate materiality
2. Under-used space – including green areas
3. Public Realm – rationalisation and improvement could be brought to the following areas -
 - surfaces
 - signage
 - street furniture
 - street lighting

These factors should be considered as opportunities and used as performance indicators for monitoring future enhancements.

COTTAGE LANE
 SCHOOL LANE
 CRAIGROY LANE
 BAKERS LANE
 MCGOWANS LANE
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5.0

Design Guidance

5.1 Design Guidance

The most important principle of the following design guidance is that the traditional materials are not encouraged purely for the aesthetic characteristic of the Conservation Area, but it is the performance and longevity of the building. Both of which have environmental and economic benefit.

Repair and Maintenance

- Maintenance is always required whether it is a traditional or modern material
- Implement a regular regime - whilst there is a cost involved in maintenance this should avoid significant investment due to failure of the fabric

The appropriate repair and maintenance of traditional buildings is important not only for their preservation but also for their performance. A well-maintained building should reduce the requirement for intervals of significant investment and change.

Modern materials are commonly selected because they are believed to be better and more cost effective, however, their lifespan is limited, and a limited lifespan will result in additional investment within a set time frame. It is important to note that buildings will always require maintenance.

Roofing

- Consider what is appropriate to the building type – the building was designed and built based on this material

Historically, there were two key roof types: pantile and Scotch slating. Both of these materials bring a rich character to the Conservation Area. In Seatown, the pantile roofs still have a strong presence and these should be maintained and encouraged. Scotch slating laid to diminishing course is now a minority – over the years these have been replaced in Welsh slate due to the closure of the Scottish Quarries. Reclaimed Scotch slate is available and should be considered where practicable. Where this is not an option, salvaged Welsh slate would be a suitable alternative. Spanish slate, which is not native to the area, and is distinctively different from Scotch and Welsh should not be used. This is not only because of the impact on the character of the Conservation Area, but also the performance.



Rainwater Goods

- Longevity of Cast Iron Rainwater Goods – ensure the sizes are appropriate for area of the roof
- Apply a good paint specification – an appropriate primer, undercoat and top/ finish coats – if this is maintained, it protects the main components from decay and this is what brings the longevity

Cast iron rainwater goods have a stronger visual presence on a building because of their solidity. Not only does this add to the architectural character but if they are well maintained they have a long lifespan. There is a misconception that uPVC rainwater goods do not require maintenance, however, the rubber seals at joints fail over time, they are susceptible to solar gain (resulting in eventual failure because the plastic becomes brittle) and there is higher risk in these being brought down due to snow and ice. They can also be easily damaged.

Stonework and Pointing

- A traditional lime point or harling manages the moisture in your wall thereby improving the condition of the fabric and the internal environment

Whilst a traditional lime finish on the buildings brings character to the Conservation Area, there is a key performance criterion. Historically, lessons have been learnt by the use of cementitious mortars as coatings on traditional building fabric. It has quite clearly been established that they do not preserve the fabric - they can in fact exacerbate decay and create damp buildings. The technical compatibilities of the materials used on traditional buildings are critical in relation to the performance of the fabric.

The key characteristic of a traditional wall is its porosity which will always retain a level of moisture content (referred to as a water film) and it is this content that allows the essential capillary action to occur. The important drying process within the wall is not a vapour process, it is a liquid process should this be from the inside or outside face of the fabric.

The use of lime as an ingredient in traditional construction is important because it delivers a finer porosity and greater surface area than materials with a coarse and close to impermeable makeup - the former, in effect, becoming a poultice which draws moisture out of the wall using capillary action. This can either be the joints (lime pointing) or more effectively a lime harl as this has a much larger surface area.



Doors

- Traditional timber doors
- Apply a good paint specification – an appropriate primer, undercoat and top/ finish coats – if this is maintained, it protects the main components from decay and this is what brings the longevity

It is important to note that it is not 'one' element of a building that defines the character, it is a combination of all the elements. Traditional timber doors define the entrances to the buildings and there is a significant ornate door within Seatown that should be preserved and enhanced. The doors relate to the periods of architectural development of the Conservation Areas – for example the four panelled doors represent a later build period so they are also significant to their time. Again, it is this mix of development that enriches the overall character.



Windows

- Traditional timber sash and case
- Apply a good paint specification – an appropriate primer, undercoat and top/ finish coats – if this is maintained, it protects the main components from decay and this is what brings the longevity

The original fenestration of Sash and Case windows form part of the character of a traditional building. If left to deteriorate these can become difficult to manage for the residents. Sash and Case windows can however be repaired and upgraded – draught stripping and double glazing (consideration should be given to depth of the frames and astragals). If the units are beyond repair, replica sash and case windows can be made and fitted. If these are then appropriately maintained, they can have a significant lifespan. There is a common misconception that either of these options can be cost prohibitive and appropriate support and guidance should be made available to residents to dispel this notion. Not only does this benefit the character of the Conservation Area but it is also sustainable.



Extensions

- These can provide much needed additional accommodation to secure the building's future, however, it is important that any extension should enhance, and compliment, the traditional building

In order to preserve the historical built environment, it has to be accepted that some alteration may be required in order to accommodate changes within modern society. New developments and proposals should not be pastiche – it is important that they reflect the period in which they are constructed so the development of the building can be understood. These alterations can be sympathetic and complimentary to the character area through an understanding of form, proportion and the existing local materials and colour palette.

5.2 Sustainable Conservation

The way in which traditional buildings were constructed is quite different to methods that are used in modern construction. When problems arise with traditional buildings there can be a misconception that this is due to materials used during its construction. Sometimes this can simply be attributed to the fact the materials have been there since the construction – 100 years or in many case much longer – and now is the time to replace them because they had done what they were there to do. Traditional materials, when properly applied (or installed) and maintained, can stand the test of time.

Guarantees for modern materials generally are set at a specified time limit. uPVC windows for example tend to be guaranteed for 10 years and when they fail and are replaced the units tend to go straight to land fill (unless they can be reconditioned). uPVC is prone to solar gain and over time, the colour will fade and the plastic will become brittle affecting the integrity of the unit whether that be windows, doors or rainwater goods. Whilst uPVC can be considered maintenance free, every element of a building will require maintenance and care at regular intervals.

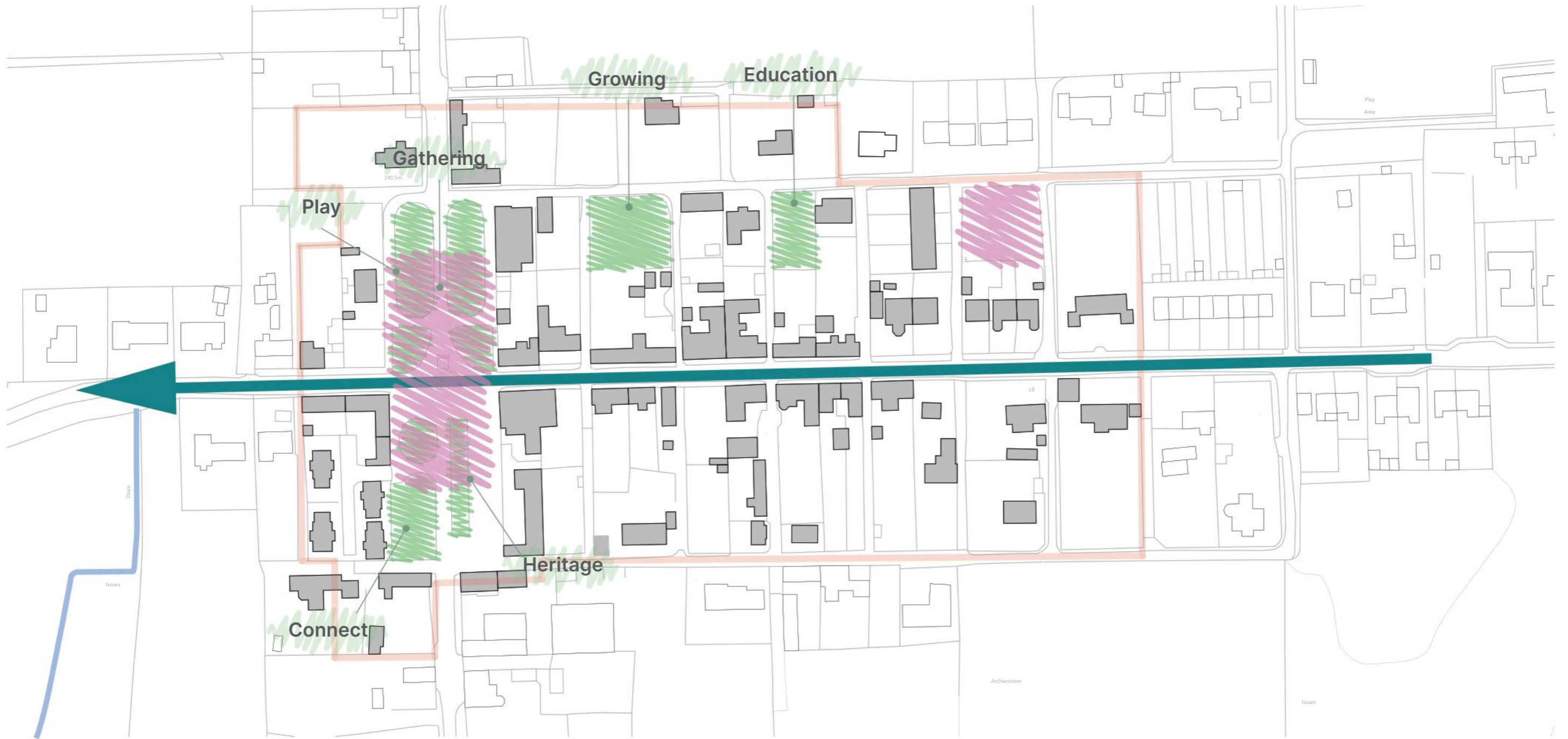
Traditional buildings can be thermally upgraded to provide a comfortable internal environment that does not require significant energy use. It is important however that this is carried out in a manner that does not affect the performance of the fabric. When the performance of the fabric is affected, this can result in problems internally such as a rise in moisture levels.



COTTAGE LANE
 SCHOOL LANE
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6.0

Public Realm Audit



-  Key green spaces
-  Key urban spaces

6.1 Public Realm Audit

The public realm is an important contributor to the Conservation Area as the treatment of this dominates the space between the buildings. The information below is an audit of what currently exists.

- modern LED street lighting
- generic road signage
- timber wayfinder sign (located in Square)
- modern benches – more consideration could be brought to the placement of such
- modern generic railings
- generally all surface treatment is modern – tarmacadam – this includes the lanes and pavements
- surface treatment at the hotel is modern
- traffic management – boundary treatment where the square meets the B9102
 - definition of pedestrian and vehicular flow within the square

Within each of the areas there are opportunities to bring enhancement.

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 CRAIGROY LANE
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7.0

Opportunity for Development, Enhancement

7.1 Enhancement and Development

There are opportunities throughout the Conservation Area for enhancement and development to bring benefit not only to the character but also the local community. This will however require investment and consideration should be given to funding opportunities and how these could be utilised to assist interested parties.

Opportunities:

1. Develop a wayfinder trail – to encourage visitors to the area
2. Open / Greenspace – three key spaces have been identified as part of this study which are currently underutilised
 - a. Consider the orientation / community space within the Square
 - b. Promote the Allotment
 - c. Determine the ownership of the vacant green space in the North Lane
3. Town Square – consult with the local community and hotel to see how improvement could be brought to bring benefit to the local area
4. Enhancements on a building by building basis – restoration and conservation to include enhancement and reinstatement of traditional materials and detailing (roofing material, cast iron rainwater goods, application of lime to the stonework, timber doors and sash and case windows)
5. Sustainable Conservation – implementing the enhancements above will not only make the local environment more sustainable, but it will improve the internal environment of the building
6. Public Realm Improvements
 - a. Heritage LED lamps in the square if not throughout the planned town
 - b. Consideration of surface treatment
 - c. Improvements to the lanes – signage and lighting
7. Education and Learning
 - a. Understanding the repair and maintenance of traditional buildings
 - b. Traditional skills and future opportunities for the younger generations – career development
8. Investment in the local heritage



COTTAGE LANE
POST OFFICE LA
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8.0

Conservation Strategy

8.1 Conservation Strategy

The Town Plan of Archiestown has a strong link to its origin and it is a reflection of the development of the local industry and its associated community creating a rich built environment. As stated in the Burra Charter

'The policy for managing a place must be based on an understanding of its cultural significance.'

The strong town plan, for such a small settlement in a rural area, is symbolic to the development of Archiestown and it is this that creates the significant 'sense of place'.

In order to safeguard the historic environment, it is also important to identify where change can be made to meet current and future needs without being detrimental to the cultural significance.



There is space to the rear of the buildings within Archiestown which presents opportunity to allow sympathetic adaptation and supplementary construction to meet the current and future needs without being detrimental. There is also an opportunity to enhance the Conservation Area with the reinstatement and enhancement of traditional detailing and this should be encouraged.

The over-arching conservation policy for Archiestown is to **reveal, maintain, and enhance significance but some adaptation and supplementary construction may be considered to accommodate future compatible uses.**

Maintaining our existing built heritage is infinitely sustainable and understanding how traditional fabric can be upgraded without having a detrimental effect on either the external fabric, and character, or the internal environment is critical.

The aim of the above policy is to protect the significance and allow informed decisions to be assessed and validated with rigour and consistency without bringing further detriment. These principles should be applied to the opportunities that have been identified in section 7.0.



-  Original houses which have been impacted by modern development
-  Modern development impacting the original town plan



-  Areas removed from the conservation area
-  Areas to include as part of the conservation area
-  Proposed boundary changes

8.2 Justification for Boundary Change

This appraisal has been developed from a thorough study of the Conservation Area of Archiestown. This study has come from –

- Historical research
- A photographic survey of the principal elevation of each building within the Conservation Area
- A review of the street pattern and topography
- A review of the open space within Archiestown (not restricted to the Conservation Area)
- A Public Realm Audit
- A study of each building within the Conservation Area which includes the recording of the principal materials and detailing, and the condition of such

The detailed study of all of these elements and the complete building stock within the Conservation Area has allowed the following to be identified –

- Opportunities for enhancement and development
- Negative factors – *the focus should not however be on the negative but the opportunity that this can bring*
- The level of modern building stock
- Impact of inappropriate material and alterations
- Space that is outwith the Conservation Area but has opportunity to bring enhancement
- Traditional buildings that contribute to the ‘*sense of place*’ within Archiestown that are outwith the Conservation Area and deserving of protection

The above information has all contributed to the recommendation of boundary change within Archiestown’s Conservation Area as follows: -

Change 01

The modern building stock to the southwest of the Town Square is removed from the Conservation Area

Change 02

The modern building stock located on the South Lane is removed from the Conservation Area.

Change 03

The modern building stock to the northeast – which does not align with the blocks of the town plan - is removed from the Conservation Area.

Change 04

The rural buildings to the north of North Lane are removed from the Conservation Area.

COTTAGE LANE
 SCHOOL LANE
 CRAIGROY LANE
 BAKERS LANE
 MCGOWANS LANE
 NORTH LAZ
 SOUTERS LANE
 THE SQUARE
 POST OFFICE LA
 MITCHELLS LA
 MCCUIBBANS LA
 CHAPEL LAN
 STR
 NORTH LAZ
 SOUTERS LANE
 THE SQUARE
 H I G U A R E

9.0

Monitoring and Review

10.1 Monitoring and Review

It is important that periodical reviews are carried out to ensure that the *special interest* of the Conservation Area is preserved and there are not significant losses within a set timeframe.

Consideration should be given to the engagement with the local community who have invested in the area. This could be in the form of independent workshops with traditionally skilled professionals and contactors giving the local community an opportunity to ask questions. Improvements and enhancements to the Conservation Area could bring direct benefit to the residents whether this be –

- An improved environment to live and work
- A decrease in vacant, and in some cases, dilapidated residential properties
- A decrease in vacant, and in some cases, dilapidated commercial properties
- Increased footfall bringing economic benefit to the local area

Reviews of the Conservation Area should be carried out on a five-yearly cycle to ensure that any change is identified and managed. This next review should include –

- An updated photographic survey
- An updated building by building analysis to track any changes to materials whether it be enhancement or loss
- A review of whether any of the identified development opportunities have been undertaken and whether these have been successful
- Identification of any enhancements that have been undertaken

Date of next review – **2027**

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LDN Architects

Conservation Area Review

February 2023



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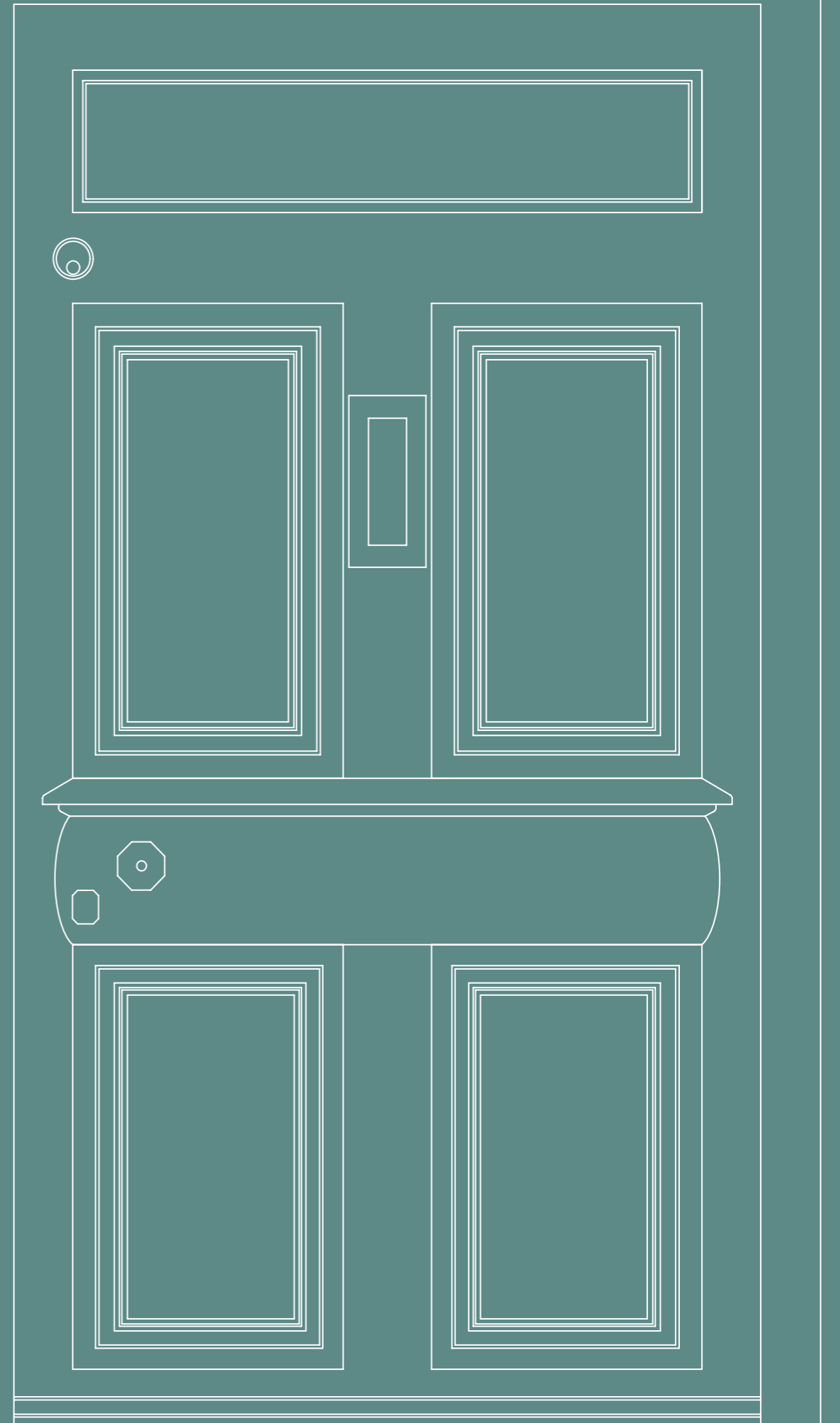
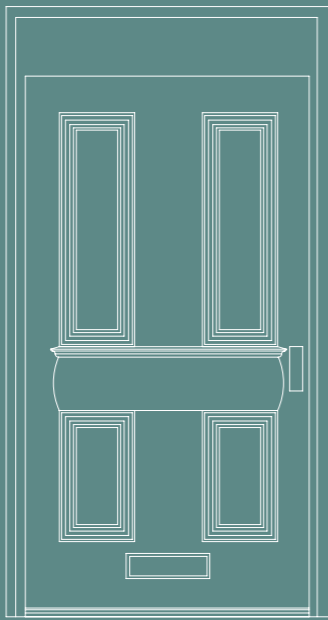
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Revision	Checked By:	Signed:	Date:	Description:
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- 2.0 Location, History and Development
- 3.0 Character and Appearance
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- 6.0 Public Realm Audit
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- 8.0 Conservation Strategy
- 9.0 Monitoring and Review

- Appendix Building by Building Analysis



1.0

Introduction

1.0 Introduction

LDN Architects was appointed by the Moray Council in September 2022, as Conservation Accredited Architects, to carry out appraisals on five of the designated Conservation Areas within Moray.

It is important to understand the criteria for designating a Conservation Area in order to assess it. Historic Environment Scotland's selection guidance is as follows –

“Areas of ‘special architectural or historic interest’ will be selected based on a range of factors which may include:

- areas of significant architectural or historic interest in terms of specific listed buildings and/or scheduled monuments;*
- areas of significant architectural or historic interest in terms of building groupings, which may or may not include listed buildings and/or scheduled monuments, and open spaces which they abut;*
- areas with features of architectural or historic interest such as street pattern, planned towns and villages and historic gardens and designed landscapes; and other areas of distinctive architectural or historic character.”*

“The characteristics and values that contribute to a conservation area’s special architectural or historic interest are:

- its special architectural or historic importance;*
- its distinct character;*
- its value as a good example of local or regional architectural style;*
- its value within the wider context of the village or town; and*
- its present condition, and the scope for significant improvement and enhancement.”*



Date of Site Assessments: 14 October 2022
20 October 2022
09 November 2022

Date of Designation: 1972 by Banffshire County Council

What is a Conservation Area?

It is important that periodical reviews are carried out to ensure that the special interest of the Conservation Area is preserved. The purpose of the appraisal is to carry out a detailed assessment of the current townscape, which includes a building-by-building analysis, to identify areas of risk, areas of significance, opportunities, and priorities for enhancement.

This assessment also includes a review of public realm and greenspace (including trees) as these elements each contribute to a sense of place. The information gathered as part of this proposal will be used to assess the current position of the Conservation Area boundary and allow recommendations to be made for any amendment should it be relevant. The content of the report is also there to provide guidance on appropriate materials, style and colour to assist, and encourage, residents to develop proposals that are sympathetic to the character of the conservation area.

The following report focuses on Conservation Area Appraisal for the coastal town of Cullen, Moray. The Conservation Area of Cullen is divided into two locations: Seatown Cullen, an outstanding conservation area, and Victoria Street.



Conservation Areas have special architectural character or social historical interest created by the buildings and spaces – street layout, open space and the public realm – around these. The Planning Listed Buildings and Conservation Areas (Scotland) Act 1997 designated Conservation Areas for protection – the Scottish Government and Planning Authorities are required by law to preserve or enhance the character and appearance of these historical environments.

Why?

In order to maintain the special architectural character of Conservation Areas it is important that they are preserved to ensure that the elements that make them distinct are not lost through inappropriate change. Where appropriate, enhancements can be made to these areas to benefit not only the historical environment but also the residents.

What does this mean for the residents?

Whilst consents will be required from the Local Authority for certain elements (as listed out below), it does not mean that improvements and development cannot occur within these areas. Sympathetic improvements using the appropriate traditional materials are encouraged and they will bring benefit to the building owners. For example, historical buildings were constructed with traditional materials, and it is these materials that not only create the character, but they also ensure that the building fabric performs (when appropriately maintained). When modern materials are added such as uPVC elements, these not only change the character, but they also change the properties and performance of the building which can be to the detriment of the fabric. If you are proposing any of the following changes to your property then you should contact the Moray Council to confirm if you require planning permission, conservation area consent, or advertising consent depending on your proposal.

- Alterations – changes to the principal form, changes to fenestration (opening to include doors and windows), changes to materials such as roof, external finishes (including the painting of the building), replacement windows, doors and rainwater goods.
- Any extension to your property
- Any structures within the curtilage of a building.
- Walls, fences and other boundary treatments for domestic properties
- Demolition of unlisted buildings
- Removal of trees
- Works to shopfronts and advertisement displays

If your property is listed then you may also require listed building consent to ensure that any proposal including (alterations and extensions) do not have a detrimental effect on the character, integrity, or setting of the building. You should contact the Moray Council to establish if this is required or not.

2.0

Historical Development

2.1 History

The Planned Town

The 'planned' town of Cullen was founded in 1820 by Lewis Grant Ogilvy the fifth Earl of Seafield on the hill above Cullen bay. Old Cullen prospered in the second half of the eighteenth century due to the manufacture of linen. The plan of the old town was however ill-conceived with poor sanitation and by 1811 George MacWilliam was commissioned to develop a town plan with straight streets and a large central civic square. Peter Brown altered the plan in 1817 with further modifications being carried out by William Robertson at the time of construction. A number of buildings within Cullen can be attributed to William Robertson not least the Seafield Arms Hotel, Stables and Town Hall. The demolition of the old town was carried out in 1826.

William Robertson (1786 – 1841) started his architectural journey in Cullen before moving to Elgin where he practiced for the remainder of his career. The architectural practice he founded was continued by AW Reid, one of his nephews, who carried out much work in Elgin. William Robertson is described by David W. Walker and Mathew Woodworth as

"...possibly the north of Scotland's first native classical architect of substance"

Seatown

The origins of Fishertown, or as it is now known as Seatown, is believed to date to 600AD. A Historic Environment Record (HER) – NJ56NW0006 – dates Castle Hill to early medieval origins 400 – 900 AD.

Similarly, to all of the coastal settlements, it is likely that Fishertown grew during the development of the fishing industry. This can be identified by the building types from the earlier modest fishing cottages to the grander 19th Century buildings that were a show of the occupant's wealth. The historical OS maps show that Seatown had become much denser in terms of the built environment by the 1900s.

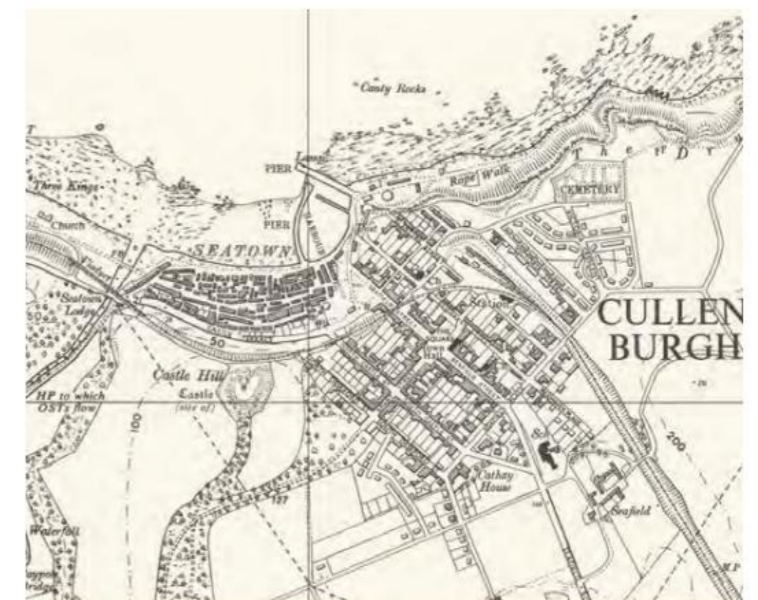
1832



1866

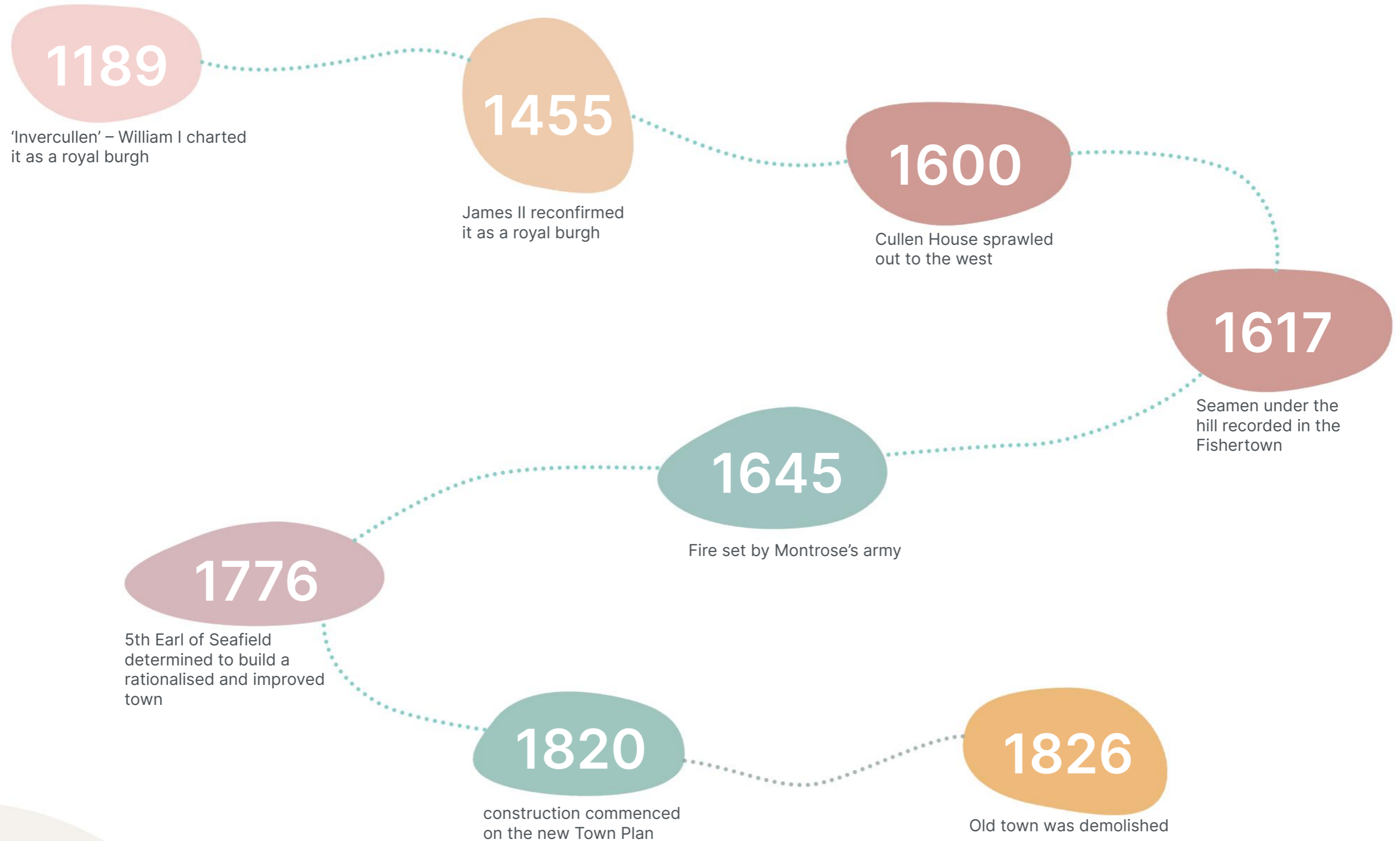


1902



Reference: 'The Buildings of Scotland ABERDEENSHIRE: NORTH AND MORAY; Walker, David W, Woodworth, Mathew; Pevsner Architectural Guide; Yale University Press 2015'.

2.2 Timeline



2.3 Wider Context





3.0

Character and Appearance



3.1 The Buildings

The following information identifies buildings that, at the time of publishing this report, are listed by Historic Environment Scotland or on the Buildings at Risk Register Scotland. It is however important to note that the character of a conservation area is not about the listed buildings, it is the collection of buildings.

The adjacent map plots the listed buildings and those on the Buildings at Risk Register Scotland. The eclectic mix of building types within Seatown is what creates the unique *'sense of place'*, and it is this variety that enriches the conservation area. The Planned Town, whilst it also has significant merit, has a much more rigorous and repetitive character.

The character of the Conservation Area is created by the range of traditional materials and the architectural form. For example, the window material and fenestration is central to the character of the building. This detailing can also be used to date the building from the size of the opening to the type of timber sash and case window - six-over-six or two-over-two or one-over-one.

Seatown Outstanding Conservation Area:

Listed Buildings: 269

Buildings at Risk: 2

Victoria Street Conservation Area:

Listed Buildings: 20

Buildings at Risk: 0

Seafield Street

Seafield Place

Grant Street

Seafield Arms Hotel

Deskford Street

Seatown

Castle Street

Cullen Town Hall

3.2 Setting





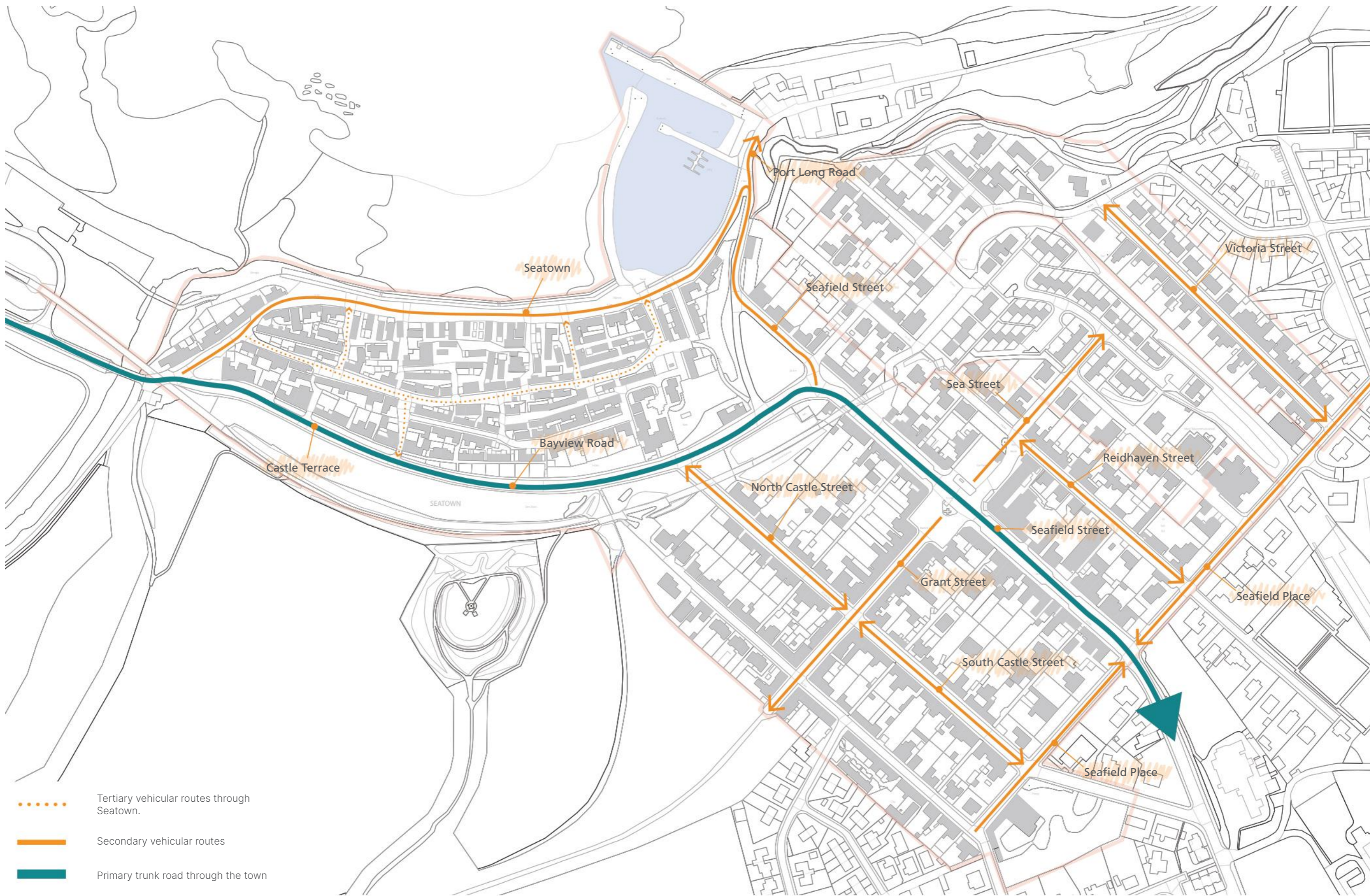
The Moray Coast has some of the most spectacular natural landscapes – steep coastal slopes, hidden coves and rugged cliff lines - with views over the Moray Firth. Cullen is the last coastal settlement within Moray before reaching Aberdeenshire. The coastline of Cullen is dominated by the *The Three Kings Beach Stack* – four metre tall quartzite stacks.

Another defining feature of Cullen is the viaduct which acts as the boundary between Seatown (the old Fishertown) and the Planned Town of Cullen. This was constructed in 1884-1886 (P M Barnett) for the Great North of Scotland Railway. The viaduct was Category B listed by Historic Environment Scotland in 1972. The railway closed in 1968 and has since been developed as a coastal footpath and a Sustrans national cycle path.

Thomas Telford is attributed to Cullen Harbour, 1817 with William Robertson carrying out alterations and additions in 1834 following the establishment of the new town. The harbour was category B listed in 1972.

The significance of Cullen cannot be attributed solely to the historical built environment - it is a combination of the built environment, the spaces created by such and the distinct natural landscape. There are a number of viewpoints within Cullen that allow you to orientate with the key features which defines the unique 'sense of place'.





3.3 Activity and Movement

Cullen is bisected by the A98 a major coastal road connecting Fochabers in the west to the eastern coastal towns of Moray and Aberdeenshire before terminating in Fraserburgh. This road effectively divides Cullen into distinct areas; Seatown and the 1826 Planned Town which is further divided into two as the road cuts through the town square. The road starts as Castle Terrace to the west then as it moves east it becomes Bayview Road and then Seafield Street where the viaduct crosses. There are two defined crossing point for pedestrians: one at the southeast of the main square and the other on Bayview Road. Adjacent to the square there are dropped kerbs to the northwest and southeast. There is a continuous steady flow of traffic through Cullen either travelling east or west. There is opportunity to improve crossing points.

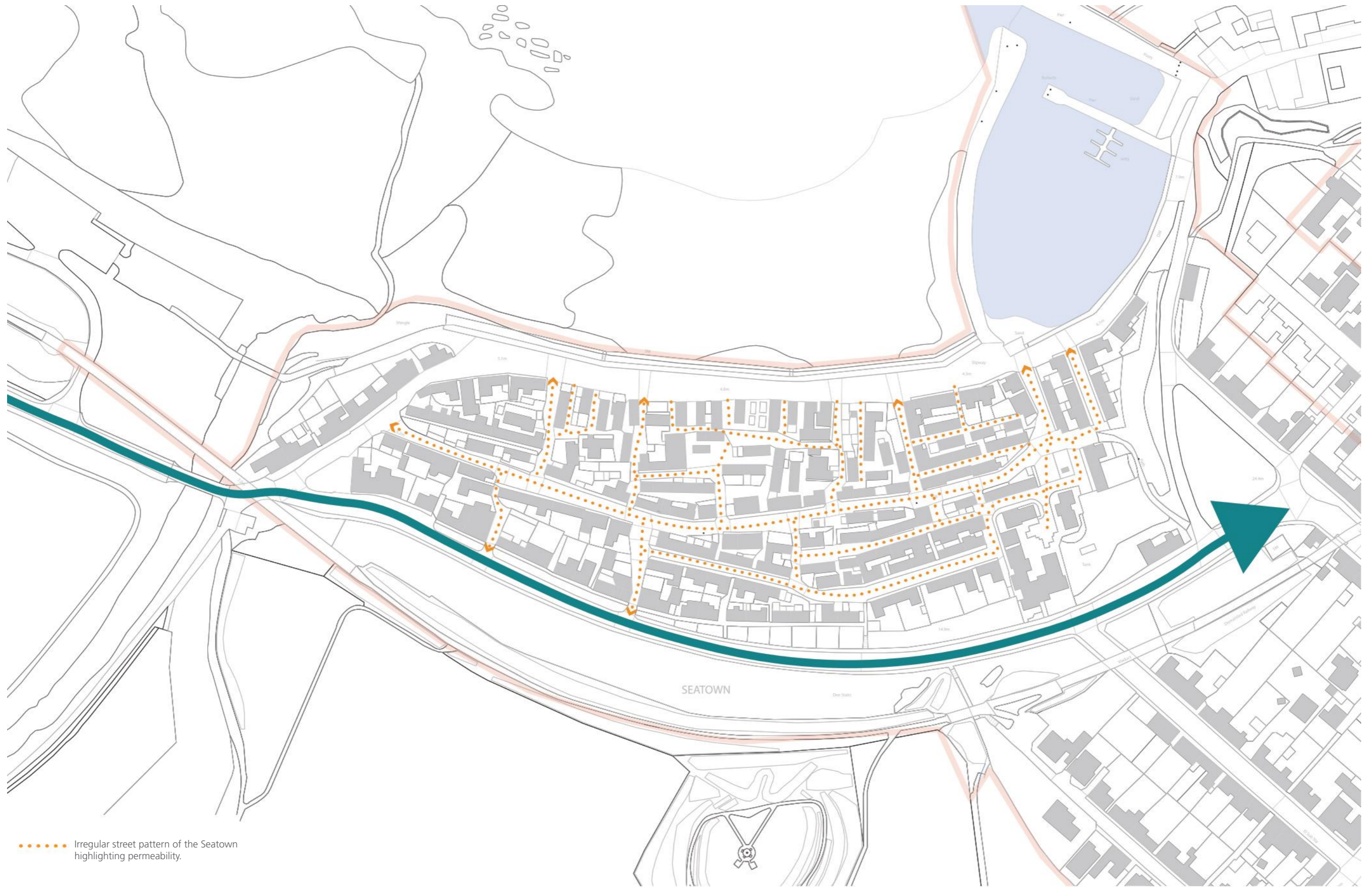
The Planned Town has clear secondary vehicular routes; Seafield Place; Grant Street; Reidhaven Street; Sea Street; Victoria Street and Castle Street. To the southwest the town plan is largely intact (1826) but to the northeast there is a later development in the location of the old railway that has no relation to the rigour of the town plan.

Seafield Street is the main artery running through the Conservation Area of the Planned Town with mixed use to include residential, commercial, hotel and independent local businesses. The old market square which once would have been the heart of the town's activity is now dominated by parking. There is an opportunity to work with the local community and businesses to develop and enhance the town square.

Within the Planned Town some of the pedestrian lanes, that allow permeability through the town blocks remain, but these key links have been neglected. There is opportunity to develop and enhance these routes with signage and lighting to encourage pedestrian flow.

Seatown is quite distinct to the Planned Town as it originated as a fishing town (Fishertown) with the character developing as more buildings were constructed. The pattern is dense with the irregular permeability more suited to pedestrian flow than vehicular traffic. Seatown has a special architectural character which has developed alongside the industry it derived from – the earliest buildings are single storey (with a low eaves level and small window openings) and as the industry thrived, larger more decorative buildings began to appear as a show of wealth. It is this strong social historical connection which gives Seatown a distinct *'sense of place'*. The mix of architecture detail, form and style is what makes Seatown special. The streetscape also varies from small alley ways, with some remaining cobbles, to wider routes. Depending on the direction of travel you can either get views into Seatown or glimpses out to Cullen Bay or up to Castle Hill. An exploration of Seatown is full of hidden architectural surprise. The form of the buildings to the north turn their gables onto the sea to protect the building from the inclement weather – this was a common principle for coastal towns to form a protective barrier with the buildings opening into the town further defining the *'sense of place'*.





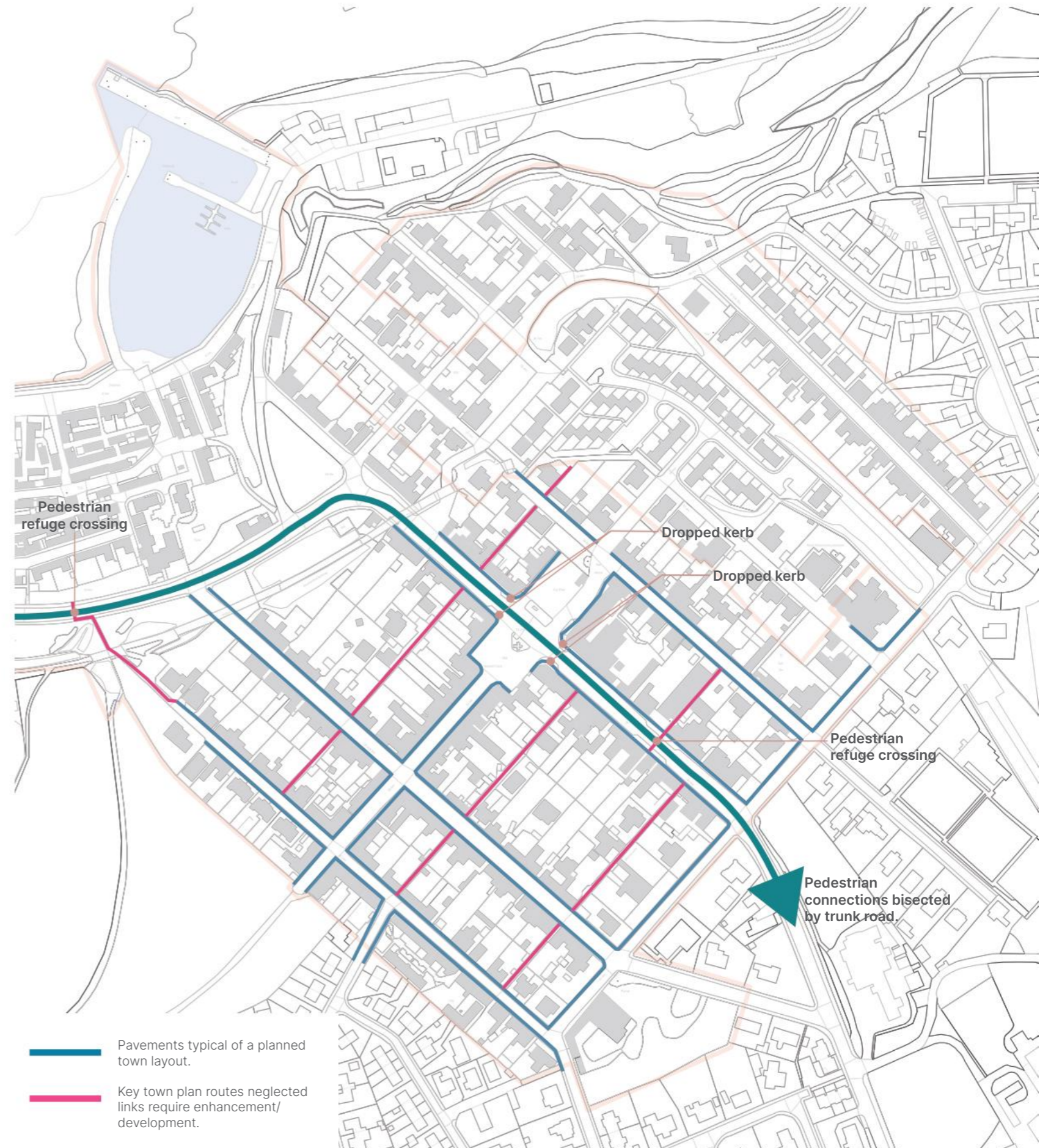
..... Irregular street pattern of the Seatown highlighting permeability.

3.4 Street Pattern Topography

Seatown is low lying adjacent to the coast and was developed due to its proximity to the sea. The land rises from Castle Terrace through to Bayview Road enclosing the eastern side of Seatown and bringing further definition to the sense of place. This steep rise creates a lane running along the front of these buildings facing Castle Terrace and separating them from their gardens. Some stone slabs still remain within the lane although the majority of the surface finish is now concrete. Along Castle Terrace lockblock has been used to change the surface finish outside the buildings in strips to define the entrances. The same detail has also been used at the the Methodist Church and some of the later buildings within Seatown. Generally, most of the surface finishes within Seatown are modern with kerbed pavements, tarmacadam and concrete.

From Seatown the land rises steeply to the south – Castle Hill and the Planned Town. The rise in the land levels is delineated by the old railway route and the viaduct. The viaduct is a significant feature of the Conservation area - it also creates a pedestrian / cycle route along the coast to Portknockie with key views down into Seatown.

Within the Planned Town, the surface finishes are all modern with kerbed pavements, tarmacadam and concrete. Similarly, to Seatown, Castle Street and Victoria Street, as examples have lockblock on the pavement outside the entrances of buildings.





3.5 Spaces

The relationship between the built form and the surrounding spaces is important to the town plan because these not only define the movement through the Conservation Area but they also create spaces for the community.

To the northwest above Seatown there is a defined green space bounded by Bayview Road and Seafield Street. This is currently the only green space that is in the conservation area and has magnificent views down into Seatown, across Cullen Bay and up to the viaduct and Castle Hill. Whilst it is a place to appreciate the conservation area of Seatown and the harbour, it currently does not offer any enhancement to the local area. There are opportunities to sympathetically develop this area to enhance the conservation area and bring benefit to the local community by considering how it could be used to -

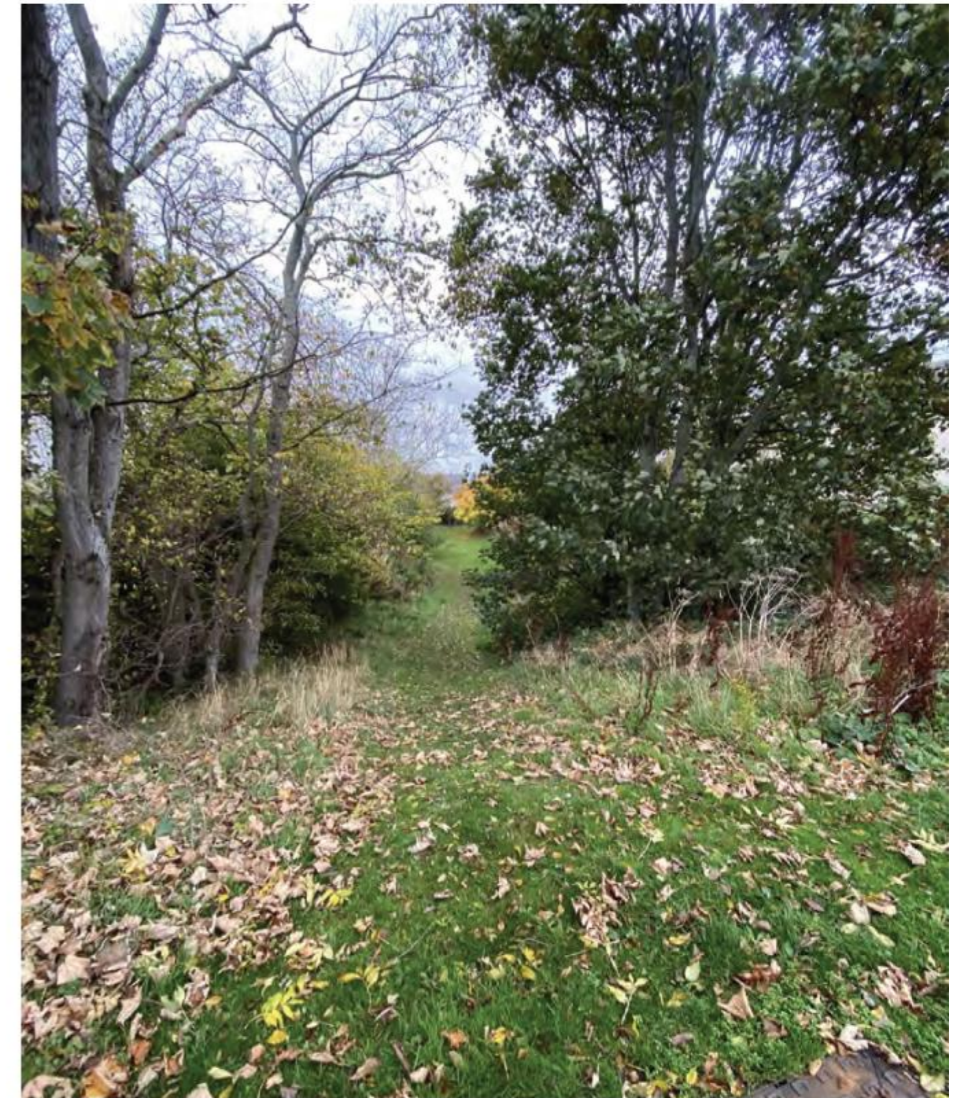
- Gather
- Play
- Sit
- Educate

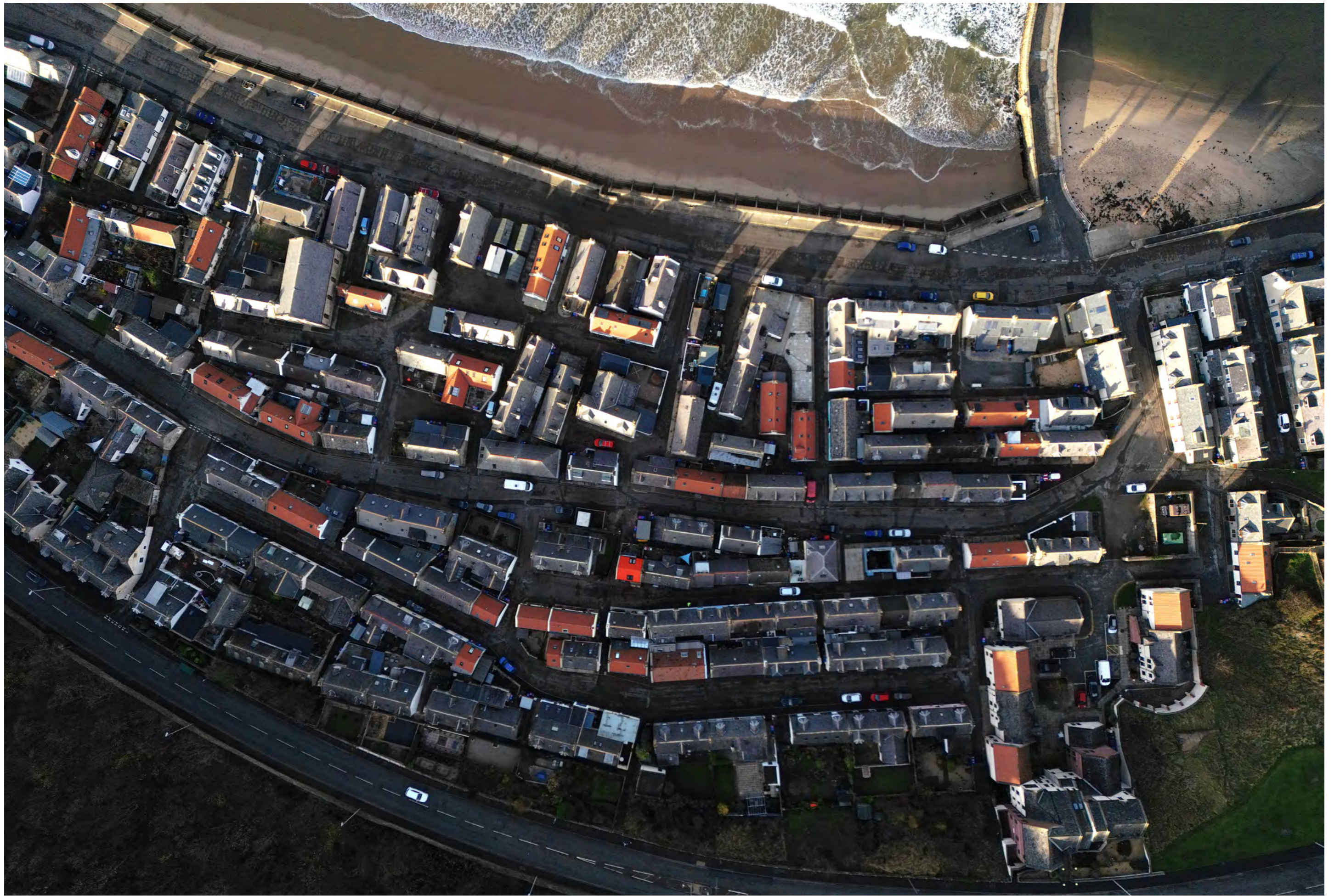
This could also be considered as an orientation point between Seatown and the Planned Town – its location could be defined as a key transition space between the two distinct architectural characteristics of the conservation area.

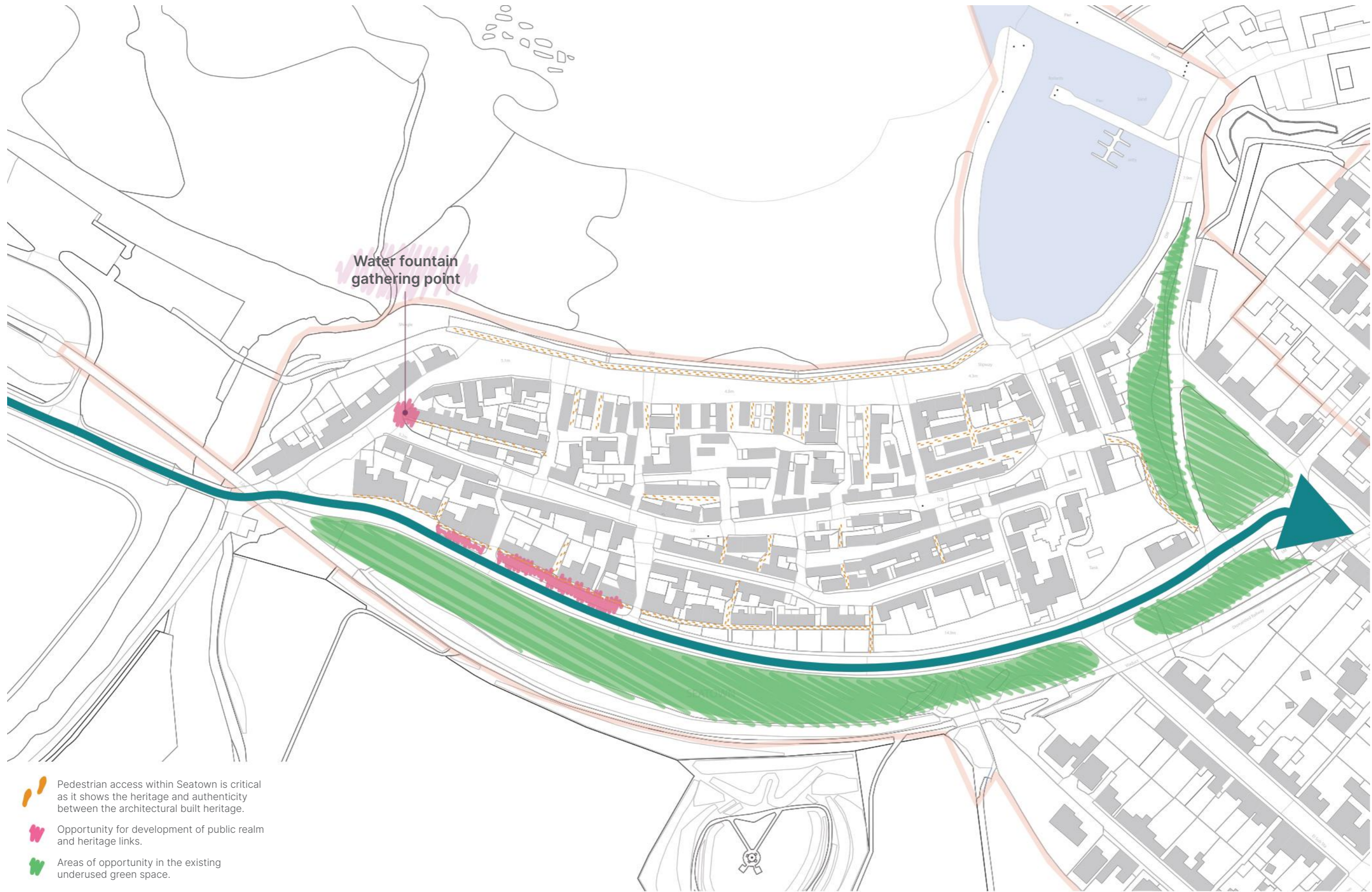
The Cullen viaduct (another key viewpoint) was an important transport link along the coast, whilst the route still exists, it has been truncated by the later development to the northeast. It does however reappear to the Southeast where there is a green belt that does not appear to be heavily utilised. This space is not only distinct because of its formation as part of the old railway line, but the trees also give it a character unlike the conservation area. This area is not currently part of the conservation area but there is an opportunity to bring it into a revised boundary and connect Victoria Street and the Planned Town. There are opportunities to sympathetically regenerate this area to bring the following benefits to the local community -

- Health - proximity to health centre
- Multi-generational community – gather, connect
- Bring activity to the northwest of the planned town to create a circular heritage trail encouraging activity and movement within Cullen

Seafield Place to the southeast consists of larger properties with the Street being lined with mature trees (within the property boundaries). Some of these properties have distinct architectural features; ornate ironwork; moulded wallhead rhones; decorative earbands; and decorative stone features. The architectural character of this street is quite distinct in comparison to the other character areas of Cullen, yet only one side of the street is included within the current boundary.







3.6 Character Areas

Cullen is a place of significant architectural and social historical interest which gives it a unique 'sense of place'. There are two distinct areas forming the built environment of Cullen - Seatown and the Planned Town with the space between the two providing the connection. With quite different architectural styles the following appraisal separates the two for ease of reference.

Seatown

Form

It is the social historical development of Seatown that makes it so delightful – from the early single storey buildings with small window openings and low door lintels (historically the average height was much shorter than today), to the later one-and-a-half storey buildings, to those that were built to demonstrate wealth with ornate architectural detailing. Infill buildings have also been inserted where there were once gaps. The earlier historical OS maps for Cullen (1871 as an example) demonstrates that Seatown was not as densely populated as it is today. It is this eclectic mix of form – demonstrating the development of Seatown – which creates the special character that is present today. Two sides of the street can differ in terms of the date of the building's origin and the architectural style which makes it distinct.

Roofing

The roof line of Seatown is important because this forms a key view from vantage points within the Conservation Area.

There are four types of roof covering: slate, pantile, asbestos tile and metal sheeting (historical sinusoidal and some modern profiles on new developments). In the late 16th Century pantiles were used as a cheap ballast for merchant ships. With an abundance of a relatively cheap material these were utilised in areas across Scotland for roofing. The red clay is a defining feature of some of the buildings within Seatown. Typically, the lower courses were formed in slate to provide a better detail for the disposal of rainwater into the gutters. Whilst a number of pantile roofs remain, the dominant roofing material is now Welsh slate. There are also a few roofs slated in Scotch slate, laid to diminishing courses, but these are also now a minority. The use of Spanish slate has also been recorded and this is not an appropriate material not only in terms of aesthetic but also longevity in Scotland's climate, especially on the coast.

There are varying types of dormer throughout Seatown – they are mostly traditional in style but there are some instances of modern inappropriate box dormers. The dormers form part of the architectural and social development of Seatown – some dormers have been added to buildings that would not have used the attic space. There are then wallhead dormers and bracketed dormers that date from the building's construction. In the traditional form these enliven the roofspace and they have the historical social connection with the need for more space.

Rainwater Goods

Whilst Rainwater goods play an important part in the performance of a building, they can also add to the architectural character. Typically, throughout Seatown this are simple with half round cast iron gutters on rafter brackets with round downpipes. There are however exceptions on the decorative larger properties which have ornate bracketed moulded rones with round downpipes. Cast iron, which is the traditional material for the rainwater goods, remains prominent, however, a high proportion of buildings now have replacement uPVC rainwater goods. There are also a few in aluminium.

Stonework and pointing

The traditional finish to the original Fisherman's Cottage is a lime sneck point to the rubble stone walls – this is where the lime is taken from the joints to the highpoints of the stone. The lime allows the stone walls to breath and allows any moisture that penetrates the wall to dry out. Some examples of this finish still exists but there are now the minority. It is likely that this was coated in limewash to provide protection. In places this finish has been replaced with a modern cement render which varies from a smooth 'struck' finish (to represent stone ashlar) to a wet dash. This has not only changed the character of the building, but it will also affect the performance and can have detrimental impact on the performance of the fabric as it offers no breathability.

Moving to the next phase of development the window and door openings became larger with dressed stone elements being introduced in these locations. In some of the later 19th century buildings, the decorative elements have been formed in cast concrete.

In some locations the traditional stone skews have been either overcoated in cement or replaced with modern paving slabs.

Doors

There is a distinct decorative moulded timber door detail that can be found throughout Seatown – there are some minor changes to this dependant of the scale of the opening, but it is a distinct and unifying feature that should be preserved. There are also a number of examples of traditional panelled and tongue and grooved doors.

Modern inappropriate uPVC doors have been installed in some locations and there are also some modern timber doors of varying style all of which detract from the character. In these instances, consideration should be given to enhancing the style and detailing of the door that is appropriate to the period of the building.

Windows

The traditional, and dominant, window type is timber sash and case. The scale and fenestration of this varies throughout the conservation area dependant on when the building was constructed – smaller windows and panes are in the earlier buildings with the larger panes (2/2) or (1/1) in the later buildings.

Some windows have been replaced with modern timber casements or uPVC which have had a detrimental impact of the character of these buildings. Some windows have also been replaced in uPVC sash and case. Whilst it is acknowledged, that uPVC can be considered desirable for thermal improvements, the units do have a limited guarantee and they also affect the performance of the traditional fabric. There are options for improvements to be made to traditional timber sash and case windows which are not necessarily cost prohibitive.

Colour

Historically colour was much more prevalent on buildings then what is present in the built environment today. It is said that the Fisherman would utilise the paint that they coated their boats with to maintain their external joinery (windows and doors) and this is what created the variation in colour between buildings.

Seatown is an array of colour today however this is mostly due to modern additions with the painting of struck pointing, quoins and window inbands and outbands in vibrant colours. This overcoating is mostly associated with later cementitious finishes.

The Planned Town

Shopfronts

The principle commercial area in Cullen is Seafield Street. To the northeast, some buildings have been adapted to allow the formation of shopfronts which are of a modern style and form. Predominantly there are two forms to the shopfronts; a central door with windows either side (of residential proportion) in the Georgian style; and the more traditional shop front with a central door and glazed screens to either side.

There is a mix of signage with sympathetic simple painted timber signs and then more modern printed signs.

The detailing, form and signage of shopfronts can have a significant impact on the character of the area and also bring economic benefit.

Form

The form is rigorous with a defined street pattern and distinct town blocks. On Seafield street the buildings are mostly Georgian in style, however, there are some Victorian buildings with more emphasis on decorative features.

Roofing

There are four types of roof covering: slate, Knockfergan, pantiles and tiles. When the planned town was built the roofs would have been Scotch slate laid to diminishing courses, but this is now the minority with Welsh slate the dominant roofing material. The use of Spanish slate has also been recorded and this is not an appropriate material not only in terms of aesthetic but also longevity in Scotland's climate, especially on the coast. There is one oddity with the conservation area which is clay tiled roof on Seafield Place.

Rainwater Goods

Whilst Rainwater goods play an important part in the performance of a building, they can also add to the architectural character. Seafield Place has good examples of where these add to the character with decorative hoppers, rectangular downpipes, decorative earbands and moulded wallhead rones. These have been painted in a coloured finish to define them as an architectural detail not just a practical requirement for the disposal of rainwater.

Generally, throughout the planned town the form of the rainwater goods are half round gutters with round downpipes.

In regard to material whilst cast iron fittings remain and have a prominence there is a significant amount of replacement in uPVC.

Stonework and Pointing

The stonework is typically exposed coursed rubble with dressed stone margins. There are some raised margins which suggests these building may have had a traditional lime harl coating. The majority of the pointing has been replaced in cement and 'struck' to imitate ashlar. A number of buildings have also been inappropriately coated with a wet dash or smooth cement render.

Doors

There are varying traditional panelled timber doors throughout the Planned Town – the variation is dependant of the period and style of the building. The doors are another element that contributes to the overarching character of the building.

Modern timber doors or varying design and inappropriate uPVC doors have been installed in some locations. In these instances, consideration should be given to enhancing the style and detailing of the door that is appropriate to the period of the building.

Windows

The traditional, and dominant, window type is timber sash and case. The scale and fenestration of this varies throughout the conservation area dependant on when the building was constructed – the are examples of the Georgian 6/6 and the later 2/2 and 1/1. This variance is important in dating the buildings.

Some windows have been replaced with modern timber casements, aluminium or uPVC units which have had a detrimental impact of the character of these buildings. As noted previously, whilst it is acknowledged, that uPVC can be considered desirable for thermal improvements, the units do have a limited guarantee and they also affect the performance of the traditional fabric. There are options for improvements to be made to traditional timber sash and case windows which are not necessarily cost prohibitive.

Colour

There is some use of sympathetic heritage colours within the Planned Town, however, it has mostly been changed with the use of white and grey on external joinery being the most prominent.

The use of heritage colours can enliven the architecture and should be encouraged – the unification of colour is a modern style.

Seatown

Within Seatown typically the formation of the buildings defines the boundary treatment. Where boundaries have been formed, they vary from painted picket fences to a range of blockwork walls with a variety of finishes (bare, wet dash, painted, smooth render). There are some stone boundary walls, but these are mixed with most of a modern style.

Eclectic range of buildings



The Planned Town

Whilst the buildings within Seatown have limited external spaces, within the Planned Town this is different with generally all having defined external spaces. From the principal elevations within the Conservation Area, these areas are defined by blockwork walls with a variety of finishes (bare, wet dash, painted, smooth render), picket fences, some traditional stone walls, and metal and timber gates.

One of the distinct, and significant, features at the market square are the curved Principal Elevations to each of the four defining buildings. These soften the edges and encourage flow into the square. Numbers 9, 12 and 14 have each had subtle alterations which changes the detail of shopfront at each unit. What remains consistent is the return to the curve and the moulded tabling course.

Range of buildings



4.0

Negative Factors

4.1 Negative Factors

Whilst negative factors do exist throughout the Conservation Area, it is important that these do not become the key focus in the assessment of the significance of the area. For example, whilst inappropriate materials have an impact on the character, they also affect the performance of the building, however, with careful repair and conservation these changes can be reversed thereby restoring the character. Where the form (scale and any decorative stone dressing) and composition of the traditional building remains, there is significance and therefore reversible material change should not be seen as justification to withdraw protection.

In summary the key factors are:

1. Inappropriate alterations to buildings which includes –
 - the style of some extensions
 - changes to openings
 - changes to fenestration
 - inappropriate materiality
2. Underutilised space – including green areas
3. Public Realm – rationalisation and improvement could be brought to the following areas -
 - surfaces
 - signage
 - street furniture
 - street lighting

These factors should be considered as opportunities and used as performance indicators for monitoring future enhancements.

5.0

Design Guidance

5.1 Design Guidance

The most important principle of the following design guidance is that the traditional materials are not encouraged purely for the aesthetic characteristic of the Conservation Area, but it is the performance and longevity of the building. Both of which have environmental and economic benefit.

Repair and Maintenance

- Maintenance is always required whether it is a traditional or modern material
- Implement a regular regime - whilst there is a cost involved in maintenance this should avoid significant investment due to failure of the fabric

The appropriate repair and maintenance of traditional buildings is important not only for their preservation but also for their performance. A well-maintained building should reduce the requirement for intervals of significant investment and change.

Modern materials are commonly selected because they are believed to be better and more cost effective, however, their lifespan is limited, and a limited lifespan will result in additional investment within a set time frame. It is important to note that buildings will always require maintenance.

Roofing

- Consider what is appropriate to the building type – the building was designed and built based on this material

Historically, there were two key roof types: pantile and Scotch slating. Both of these materials bring a rich character to the Conservation Area. In Seatown, the pantile roofs still have a strong presence and these should be maintained and encouraged. Scotch slating laid to diminishing course is now a minority – over the years these have been replaced in Welsh slate due to the closure of the Scottish Quarries. Reclaimed Scotch slate is available and should be considered where practicable. Where this is not an option, salvaged Welsh slate would be a suitable alternative. Spanish slate, which is not native to the area, and is distinctively different from Scotch and Welsh should not be used. This is not only because of the impact on the character of the conservation area, but also the performance.



Rainwater Goods

- Longevity of Cast Iron Rainwater Goods – ensure the sizes are appropriate for area of the roof
- Apply a good paint specification – an appropriate primer, undercoat and top/ finish coats – if this is maintained, it protects the main components from decay and this is what brings the longevity

Cast iron rainwater goods have a stronger visual presence on a building because of their solidity. Not only does this add to the architectural character but if they are well maintained they have a long lifespan. There is a misconception that uPVC rainwater goods do not require maintenance, however, the rubber seals at joints fail over time, they are susceptible to solar gain (resulting in eventual failure because the plastic becomes brittle) and there is higher risk in these being brought down due to snow and ice. They can also be easily damaged.

Stonework and Pointing

- A traditional lime point or harling manages the moisture in your wall thereby improving the condition of the fabric and the internal environment

Whilst a traditional lime finish on the buildings brings character to the conservation area, there is a key performance criterion. Historically, lessons have been learnt by the use of cementitious mortars as coatings on traditional building fabric. It has quite clearly been established that they do not preserve the fabric - they can in fact exacerbate decay and create damp buildings. The technical compatibilities of the materials used on traditional buildings are critical in relation to the performance of the fabric.

The key characteristic of a traditional wall is its porosity which will always retain a level of moisture content (referred to as a water film) and it is this content that allows the essential capillary action to occur. The important drying process within the wall is not a vapour process, it is a liquid process should this be from the inside or outside face of the fabric.

The use of lime as an ingredient in traditional construction is important because it delivers a finer porosity and greater surface area than materials with a coarse and close to impermeable makeup - the former, in effect, becoming a poultice which draws moisture out of the wall using capillary action. This can either be the joints (lime pointing) or more effectively a lime harl as this has a much larger surface area.



Doors

- Traditional timber doors
- Apply a good paint specification – an appropriate primer, undercoat and top/ finish coats – if this is maintained, it protects the main components from decay and this is what brings the longevity

It is important to note that it is not 'one' element of a building that defines the character, it is a combination of all the elements. Traditional timber doors define the entrances to the buildings and there is a significant ornate door within Seatown that should be preserved and enhanced. The doors relate to the periods of architectural development of the conservation areas – for example the four panelled doors represent a later build period so they are also significant to their time. Again, it is this mix of development that enriches the overall character.



Windows

- Traditional timber sash and case
- Apply a good paint specification – an appropriate primer, undercoat and top/ finish coats – if this is maintained, it protects the main components from decay and this is what brings the longevity

The original fenestration of Sash and Case windows form part of the character of a traditional building. If left to deteriorate these can become difficult to manage for the residents. Sash and Case windows can however be repaired and upgraded – draught stripping and double glazing (consideration should be given to depth of the frames and astragals). If the units are beyond repair, replica sash and case windows can be made and fitted. If these are then appropriately maintained, they can have a significant lifespan. There is a common misconception that either of these options can be cost prohibitive and appropriate support and guidance should be made available to residents to dispel this notion. Not only does this benefit the character of the conservation area but it is also sustainable.



Extensions

- These can provide much needed additional accommodation to secure the building's future, however, it is important that any extension should enhance, and compliment, the traditional building

In order to preserve the historical built environment, it has to be accepted that some alteration may be required in order to accommodate changes within modern society. New developments and proposals should not be pastiche – it is important that they reflect the period in which they are constructed so the development of the building can be understood. These alterations can be sympathetic and complimentary to the character area through an understanding of form, proportion and the existing local materials and colour palette.

5.2 Sustainable Conservation

The way in which traditional buildings were constructed is quite different to methods that are used in modern construction. When problems arise with traditional buildings there can be a misconception that this is due to materials used during its construction. Sometimes this can simply be attributed to the fact the materials have been there since the construction – 100 years or in many case much longer – and now is the time to replace them because they had done what they were there to do. Traditional materials, when properly applied (or installed) and maintained, can stand the test of time.

Guarantees for modern materials generally are set at a specified time limit. uPVC windows for example tend to be guaranteed for 10 years and when they fail and are replaced the units tend to go straight to land fill (unless they can be reconditioned). uPVC is not biodegradable and sending these units to land fill is not sustainable or environmentally friendly. uPVC is prone to solar gain and over time, the colour will fade and the plastic will become brittle affecting the integrity of the unit whether that be windows, doors or rainwater goods. Whilst uPVC can be considered maintenance free, every element of a building will require maintenance and care at regular intervals.

Traditional buildings can be thermally upgraded to provide a comfortable internal environment that does not require significant energy use. It is important however that this is carried out in a manner that does not affect the performance of the fabric. When the performance of the fabric is affected, this can result in problems internally such as a rise in moisture levels.



6.0

Public Realm Audit



-  Heritage route of viaduct and railway through the town
-  Key green spaces
-  Key urban spaces

6.1 Public Realm Audit

The public realm is an important contributor to the conservation area as the treatment of this dominates the space between the buildings. The information below is an audit of what currently exists.

Planned Town

- Modern LED street lighting – there is one heritage lantern within the square (this may or may not illuminate)
- Some heritage directional signage for pedestrians
- A variety of seating: metal and timber benches; picnic benches
- Combination of railings - wrought iron railings to the northeast of the square; modern railings around the hotel
- Intrusive white bollards on Seafield Street
- Generally all surface treatment is modern – tarmacadam. With buildings opening out onto the footpath, some streets have lockblock at building entrances to define such
- Cars have dominance over pedestrians – whilst the coastal route is a necessary, and key, network consideration could be given to the adjacent areas

Within each of the areas there are opportunities to bring enhancement.

Seatown

Castle Terrace -

- Modern LED Streetlighting
- Key connectivity – lanes and views into Seatown
- Tarmacadam pavements with the surface changed to lockblock at building entrances to define such

Lane to Castle Terrace -

- Cast concrete surface
- the gardens are separated by the lane running along the front of the properties with these located alongside Castle Terrace – these provide a green buffer to the A98
- Cast concrete steps at the end of lane leading up to Castle Terrace
- Generally there is no lighting provision along the lane – just one at the end adjacent to the flight of steps up to Castle Terrace
- There is evidence of the old surface finish – slabs and setts

Generally -

- Heritage LED lamps provide the street lighting
- BT poles and overhead lines – whilst this in places appears slightly unruly it does bring a character
- Some of the buildings do not have any defined external space so in locations residents have added seating and planters to the pavements which softens the harder landscape
- Pedestrians have dominance over cars due to the form and scale of the streets
- Some streets funnel from narrow to wider and with that a more defined streetscape
- One of the detracting factors throughout Seatown is refuse bins. The number and lack of outdoor space results in these dominating the streetscape
- Parked Cars



7.0

Opportunity for Development, Enhancement

7.1 Enhancement and Development

There are opportunities throughout the Conservation Area for enhancement and development to bring benefit not only to the character but also the local community. This will however require investment. Consideration should be given to funding opportunities and how these could be utilised to assist interested parties.

Opportunities :

1. Develop a circular heritage trail within Cullen – by bringing people to the area and keeping them as long practicable could bring significant economic benefit
2. Open / Greenspace – three key spaces have been identified as part of this study which are currently underutilised
 - a. Consider the orientation / transition green space above Cullen Bay
 - b. Utilised the coastal space with key views across Cullen bay to Seatown, Castle Hill and the viaduct
 - c. The old railway valley
3. Market Square – consult with the local community and business to see how improvement could be brought to re-establish the market square
4. Enhancements on a building by building basis – restoration and conservation to include enhancement and reinstatement of traditional materials and detailing (roofing material, cast iron rainwater goods, application of lime to the stonework, timber doors and sash and case windows)
5. Sustainable Conservation – implementing the enhancements above will not only make the local environment more sustainable, but it will improve the internal environment of the building
6. Public Realm Improvements
 - a. Heritage LED lamps in the Planned Town (they exist in Seatown)
 - b. Consideration of surface treatment
 - c. Shop front improvements
7. Education and Learning
 - a. Understanding the repair and maintenance of traditional buildings
 - b. Traditional skills and future opportunities for the younger generations – career development
8. Investment in the local heritage



-  Viewpoint
-  Key green spaces
-  Key urban spaces

8.0

Conservation Strategy

8.1 Conservation Strategy

Whilst Seatown is no longer Fisherstown, the origin of the settlement and its development reflects the changing local industry and its associated community creating a rich built environment. As stated in the Burra Charter

'The policy for managing a place must be based on an understanding of its cultural significance.'

The distinction between the organic street pattern of Seatown and the rigour of 1820 Planned Town is symbolic of the historical development of Cullen. It is this difference that creates the significant *'sense of place'* that is unique to Cullen.

In order to safeguard the historic environment, it is also important to identify where change can be made to meet current and future needs without being detrimental to the cultural significance.

Due to the density of Seatown, there are limits to where change can be sympathetically accommodated without bringing detriment to the historic environment. This, however, varies between building and its associated open space. Where change has already been introduced there are opportunities to bring future enhancements; whether this be the sympathetic adaptation of extensions or the reinstatement of traditional detailing and this should be encouraged.

Within the Planned Town of Cullen, the distinct difference is that there is space to the rear of the buildings which presents opportunity to allow sympathetic adaptation and supplementary construction to meet the current and future needs without being detrimental. Where there are similarities to Seatown there is an opportunity to enhance the conservation area with the reinstatement and enhancement of traditional detailing and this should be encouraged.

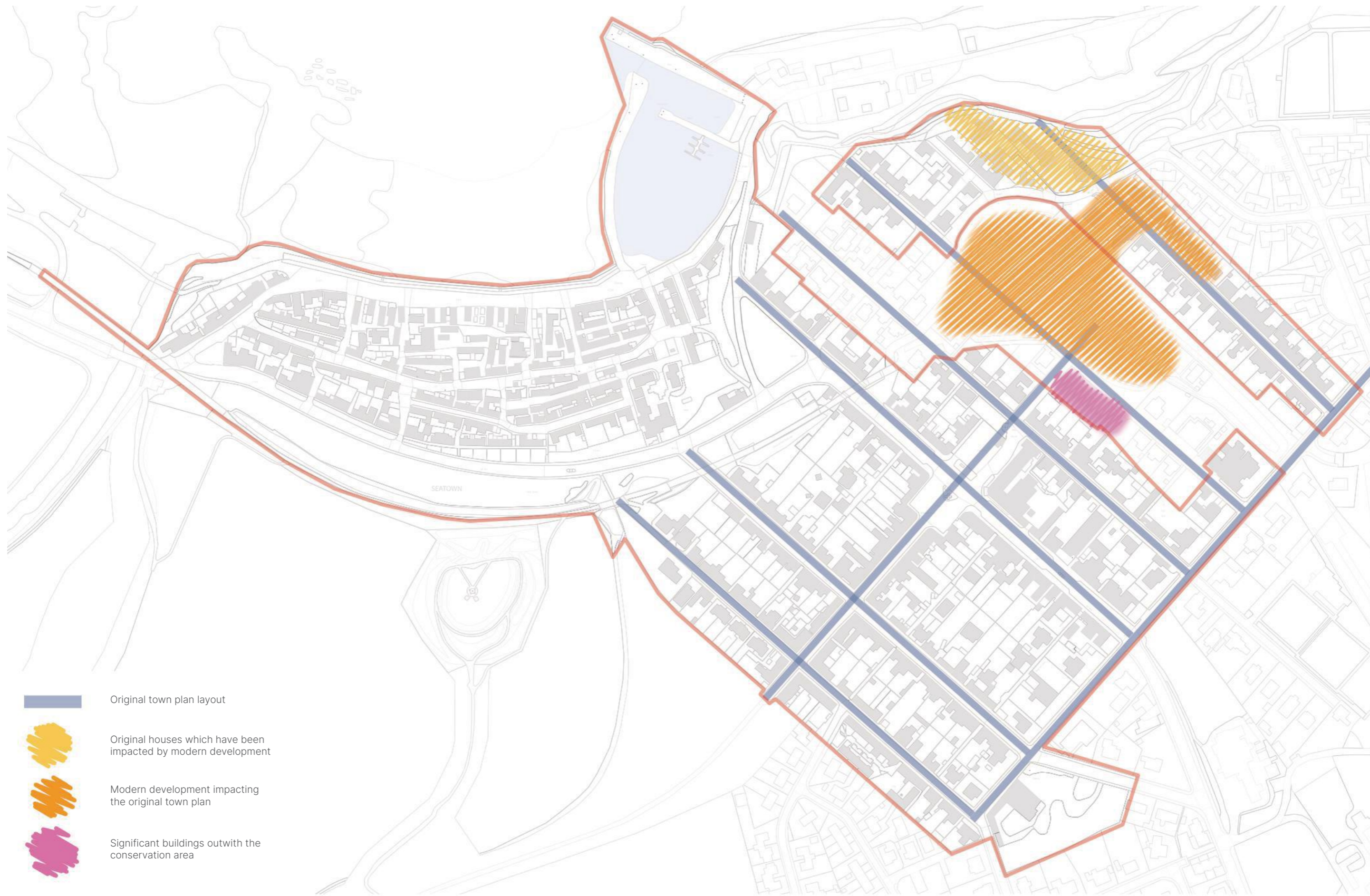
The over-arching conservation policy for Seatown is to **reveal maintain and enhance significance through meticulous preservation, conservation, restoration.**





The over-arching conservation policy for the Planned Town is to

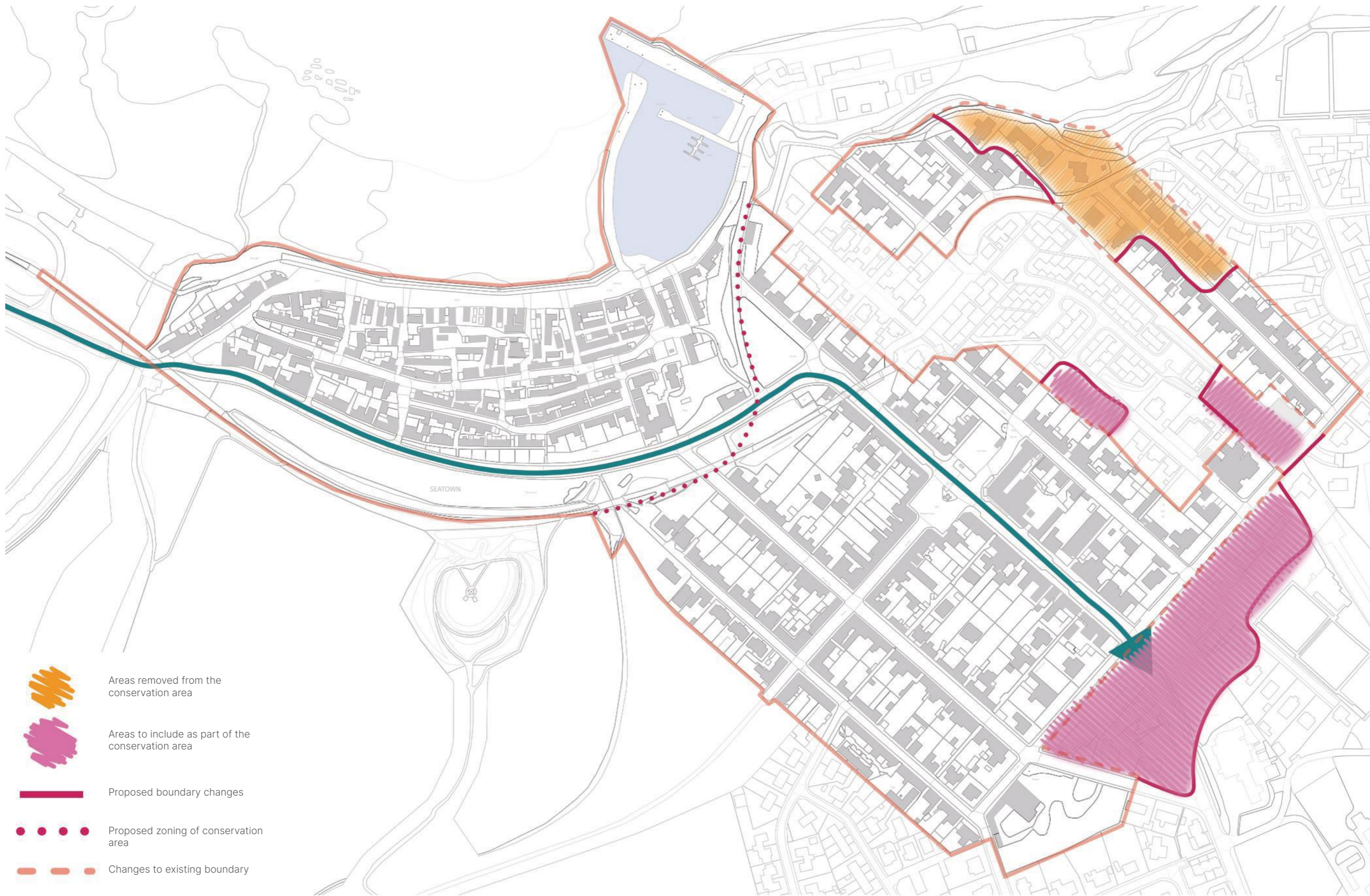
reveal, maintain, and enhance significance but some adaptation and supplementary construction may be considered to accommodate future compatible uses.






Maintaining our existing built heritage is infinitely sustainable and understanding how traditional fabric can be upgraded without having a detrimental effect on either the external fabric, and character, or the internal environment is critical.

The aim of the above policy is to protect the significance and allow informed decisions to be assessed and validated with rigour and consistency without bringing further detriment. These principles should be applied to the opportunities that have been identified in section 8.0.



-  Original town plan layout
-  Original houses which have been impacted by modern development
-  Modern development impacting the original town plan
-  Significant buildings outwith the conservation area



-  Areas removed from the conservation area
-  Areas to include as part of the conservation area
-  Proposed boundary changes
-  Proposed zoning of conservation area
-  Changes to existing boundary

8.2 Justification for Boundary Change

This appraisal has been developed from a thorough study of the two current conservation areas of Cullen: Seatown Outstanding Conservation Area (which encapsulates the Planned Town) and Victoria Street Conservation Area. This study has consisted of –

- Historical research
- A photographic survey of the principal elevation of each building within the Conservation Area
- A review of the street pattern and topography
- A review of the open space within Cullen (not restricted to the Conservation Area)
- A Public Realm Audit
- A study of each building within the Conservation Area which includes the recording of the principal materials and detailing, and the condition of such

The detailed study of all of these elements and the complete building stock within the conservation area has allowed the following to be identified –

- Opportunities for enhancement and development
- Negative factors – the focus should not however be on the negative but the opportunity that this can bring
- The level of modern building stock
- Impact of inappropriate material and alterations
- Space that is outwith the conservation area but has opportunity to bring enhancement
- Traditional buildings that contribute to the *'sense of place'* within Cullen that are outwith the conservation area and deserving of protection

The above information has all contributed to the recommendation of boundary change within Cullen's Conservation Area as follows: -

Change 01

Seatown is a significant historic built environment that is quite distinct from the Planned Town and each should be recognised independently for their rich architectural character and heritage. Seatown should therefore be recognised as its own designated Outstanding Conservation Area instead of encapsulating the majority of the Planned Town

Change 02

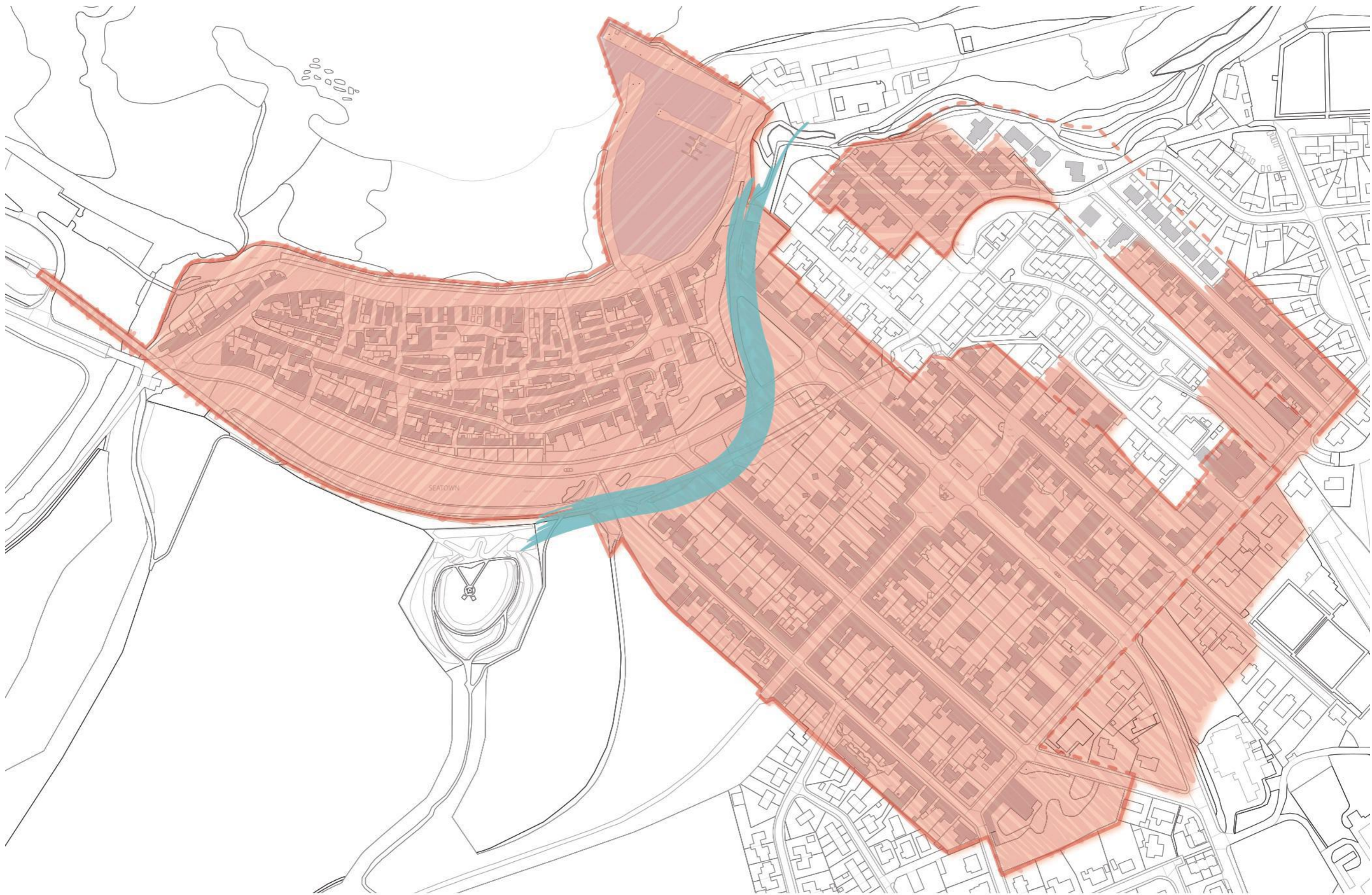
The Planned Town of Cullen is recognised as its own designated Outstanding Conservation Area with the identified greenspace (opportunity) used to link to Victoria Street creating one boundary

Change 03

The modern building stock to the northwest on Victoria Street is removed from the Conservation Area

Change 04

The conservation of the Planned Town of Cullen is extended to include part of the southeast side of Seafield Place and York Place. This is considered to be a significant omission of the planned town and contains a mix of rich architecture



9.0

Monitoring and Review



10.1 Monitoring and Review

It is important that periodical reviews are carried out to ensure that the *special interest* of the Conservation Area is preserved and there are not significant losses within a set timeframe.

Consideration should be given to the engagement with the local community who have invested in the area. This could be in the form of independent workshops with traditionally skilled professionals and contactors giving the local community an opportunity to ask questions. Improvements and enhancements to the conservation area could bring direct benefit to the residents whether this be –

- An improved environment to live and work
- A decrease in vacant, and in some cases, dilapidated residential properties
- A decrease in vacant, and in some cases, dilapidated commercial properties
- Increased footfall bringing economic benefit to the local area

Reviews of the Conservation Area should be carried out on a five-yearly cycle to ensure that any change is identified and managed. This next review should include –

- An updated photographic survey
- An updated building by building analysis to track any changes to materials whether it be enhancement or loss
- A review of whether any of the identified development opportunities have been undertaken and whether these have been successful
- Identification of any enhancements that have been undertaken

Date of next review – **2027**

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Findochty Conservation Area Review

August 2023



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- 9.0 Monitoring and Review

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1.0

Introduction

1.0 Introduction



LDN Architects was appointed by the Moray Council in September 2022, as Conservation Accredited Architects, to carry out appraisals on five of the designated Conservation Areas within Moray.

It is important to understand the criteria for designating a Conservation Area in order to assess it. Historic Environment Scotland's selection guidance is as follows –

“Areas of ‘special architectural or historic interest’ will be selected based on a range of factors which may include:

areas of significant architectural or historic interest in terms of specific listed buildings and/or scheduled monuments;

areas of significant architectural or historic interest in terms of building groupings, which may or may not include listed buildings and/or scheduled monuments, and open spaces which they abut;

areas with features of architectural or historic interest such as street pattern, planned towns and villages and historic gardens and designed landscapes; and other areas of distinctive architectural or historic character.”

“The characteristics and values that contribute to a conservation area’s special architectural or historic interest are:

its special architectural or historic importance;

its distinct character;

its value as a good example of local or regional architectural style;

its value within the wider context of the village or town; and

its present condition, and the scope for significant improvement and enhancement.”

November 2022

Date of Site Assessments: April 2023

Date of Designation:

Assumed 1972 by Banffshire County Council due to Cullen’s designation at this time.

What is a Conservation Area?

It is important that periodical reviews are carried out to ensure that the special interest of the Conservation Area is preserved. The purpose of the appraisal is to carry out a detailed assessment of the current townscape, which includes a building-by-building analysis, to identify areas of risk, areas of significance, opportunities, and priorities for enhancement.

This assessment also includes a review of public realm and greenspace (including trees) as these elements each contribute to a sense of place. The information gathered as part of this proposal will be used to assess the current position of the Conservation Area boundary and allow recommendations to be made for any amendment should it be relevant. The content of the report is also there to provide guidance on appropriate materials, style and colour to assist and encourage residents to develop proposals that are sympathetic to the character of the Conservation Area.

The following report focuses on Conservation Area Appraisal for the coastal town of Findochty.

Conservation Areas have special architectural character or social historical interest created by the buildings and spaces – street layout, open space and the public realm - around these. The Planning Listed Buildings and Conservation Areas (Scotland) Act 1997 designated Conservation Areas for protection – the Scottish Government and Planning Authorities are required by law to preserve or enhance the character and appearance of these historical environments.

Why?

In order to maintain the special architectural character of Conservation Areas it is important that they are preserved to ensure that the elements that make them distinct are not lost through inappropriate change. Where appropriate, enhancements can be made to these areas to benefit not only the historical environment but also the residents.

What does this mean for the residents?

Whilst consents will be required from the Local Authority for certain elements (as listed out below), it does not mean that improvements and development cannot occur within these areas. Sympathetic improvements using the appropriate traditional materials are encouraged and they will bring benefit to the building owners. For example, historical buildings were constructed with traditional materials, and it is these materials that not only create the character, but they also ensure that the building fabric performs (when appropriately maintained). When modern materials are added such as uPVC elements, these not only change the character, but they also change the properties and performance of the building which can be to the detriment of the fabric. If you are proposing any of the following changes to your property then you should contact the Moray Council to confirm if you require planning permission, Conservation Area consent, or advertising consent depending on your proposal.

- Alterations – changes to the principal form, changes to fenestration (opening to include doors and windows), changes to materials such as roof, external finishes (including the painting of the building), replacement windows, doors and rainwater goods.
- Any extension to your property
- Any structures within the curtilage of a building.
- Walls, fences and other boundary treatments for domestic properties
- Demolition of unlisted buildings
- Removal of trees
- Works to shopfronts and advertisement displays

If your property is listed then you may also require listed building consent to ensure that any proposal including (alterations and extensions) do not have a detrimental effect on the character, integrity, or setting of the building. You should contact the Moray Council to establish if this is required or not.



2.0

Historical Development

2.1 History

Ogilvys of Cullen were granted the lands 'Fyndachthie' by James V in 1521. The Ogilvys held Findochty Castle until 1568 when it was transferred to Thomas Ord. At this time the Ord family acquired the fisher lands, port, customs and manor. The family were still dominant in 1716 when they brought fishermen from Fraserburgh. This saw the expansion of the port with herring and white fish.

The oldest buildings are located adjacent to the harbour with the village expanding to the west with Victorian buildings. As the village expanded with more wealth the Victorian buildings became much grander.

The hustle and bustle of the fishing industry diminished in the village following the expansion of Buckie Harbour in the 1890s. The harbour is now popular with pleasure vessels.

'The Manny', a sculptured figures forming a war memorial, dating from 1959, sits looking over the harbour – this commemorates the men of Findochty who died for their Country in the great wars.

1866



1902



1928



2.2 Timeline

1521

James V granted the lands 'Fyndacthie' to the Ogilvys of Cullen

1568

Transfer of Findochty Castle and lands acquired by the Ord Family. First documentation of Findochty Castle

1716

the village was re-founded by a group of Fishermen from Fraserborough

1863

Construction of Findochty Parish Church

1882

C.Brand & Son of Glasgow engineered the Harbour

2.3 Wider Context



Findochty is located on the Moray Coast and forms one of the settlements that is on the waymarked coastal trail. It is located between Buckie to the west and Portknockie to the east.

Findochty is located at the base of the rugged cliff line and has direct access to the shore. The harbour has two basins and has a number of berths for various vessels.



3.0

Character and Appearance



3.1 The Buildings

The following information identifies buildings that, at the time of publishing this report, are listed by Historic Environment Scotland or on the Buildings at Risk Register Scotland. It is however important to note that the character of a Conservation Area is not about the listed buildings, it is the collection of buildings.

The adjacent map plots the listed buildings and those on the Buildings at Risk Register Scotland. The eclectic mix of building types within Findochty is what creates the unique 'sense of place' – these have a direct relationship to the Town's origin and the development of its industries which is what enriches the Conservation Area.

The character of the Conservation Area is created by the range of traditional materials and the architectural form. For example, the window material and fenestration is central to the character of the building. This detailing can also be used to date the building from the size of the opening to the type of timber sash and case window - six-over-six or two-over-two or one-over-one.

Findochty Conservation Area:

Listed Buildings: 131

Buildings at Risk: 3

Castle Street

New Street

Mid Street

The Hythe

Seafield Street

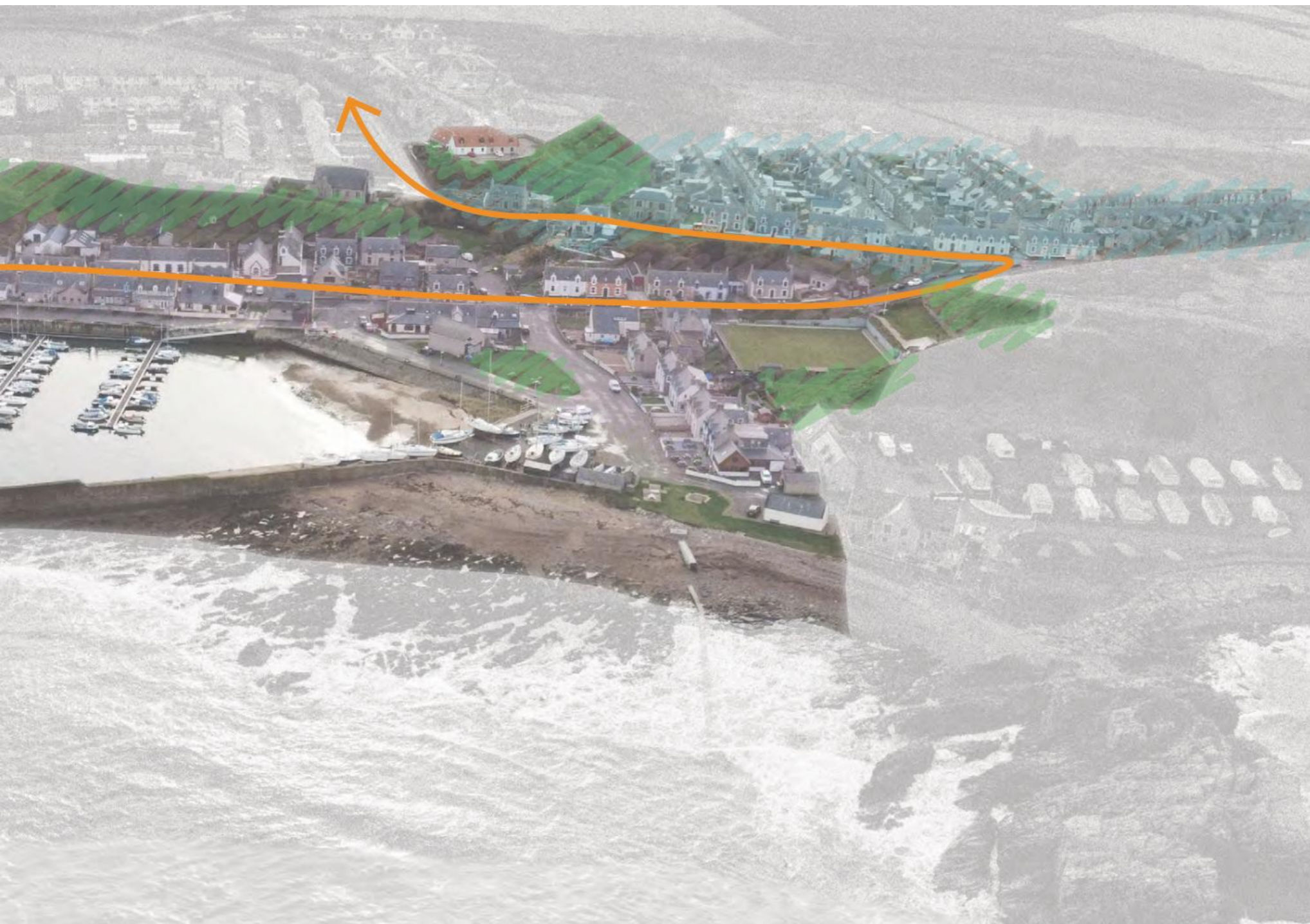
Blantyre Street

Chapel Street

Duke Street

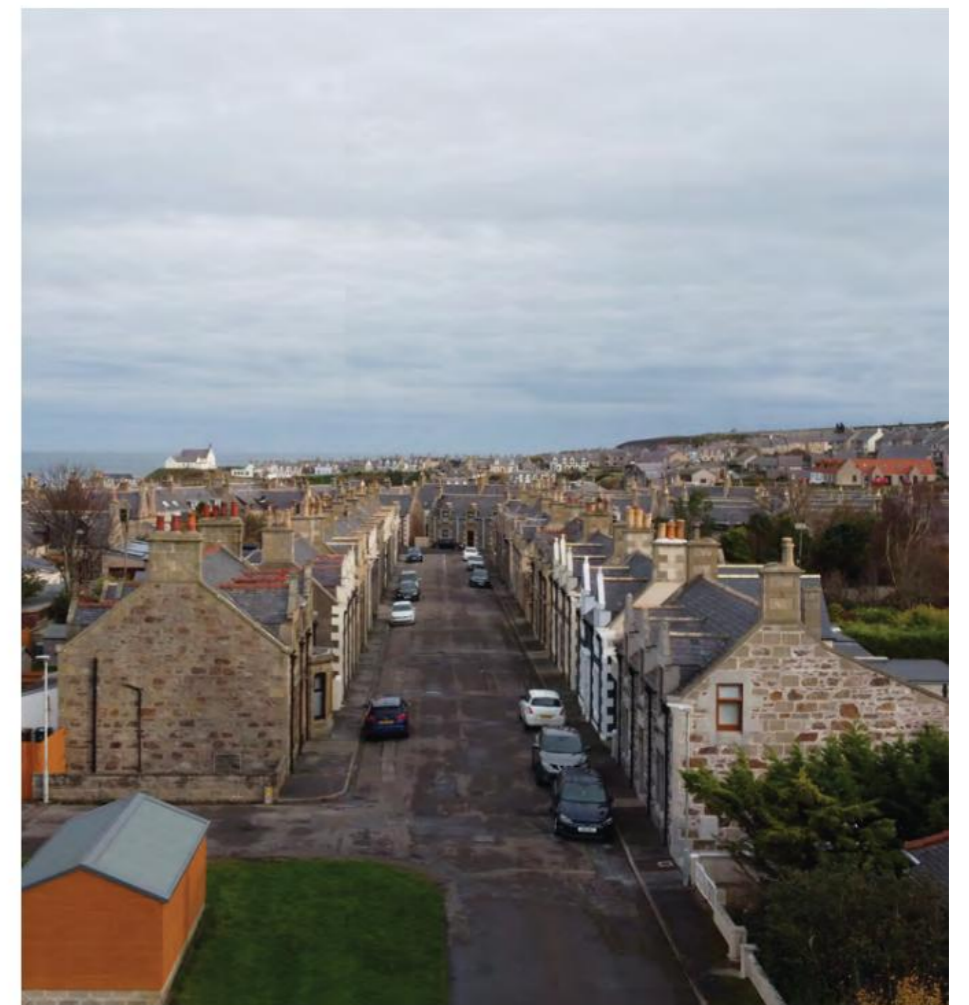
3.2 Setting





The Moray Coast has some of the most spectacular natural landscapes – steep coastal slopes, hidden coves and rugged cliff lines - with views over the Moray Firth.

Findochty is one of a number of historical fishing ports located on a steep northern slope running down to the Moray coastline. A distinctive feature of Findochty is the low lying rugged, yet grassed, coastline.





- Tertiary vehicular routes through Seatown.
- Secondary vehicular routes
- Primary trunk road through the town

3.3 Activity and Movement

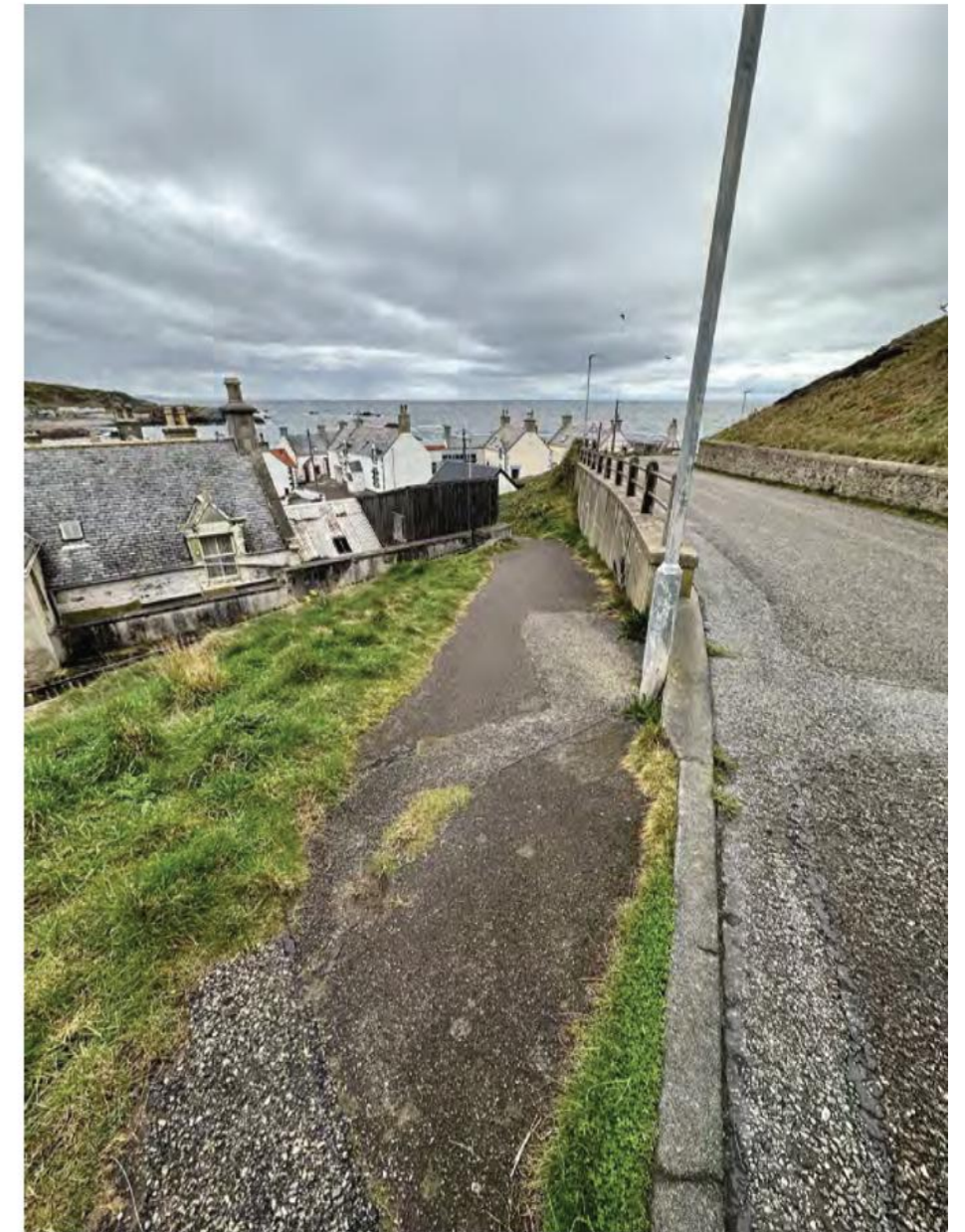
Findochty is located to the north of the A98 a major coastal road connecting Fochabers in the west to the eastern coastal towns of Moray and Aberdeenshire. Findochty is a destination and can be reached by either a single-track road (from the A98) or by travelling along the A942 coastal route which dissects the southern part of the Conservation Area.



3.4 Street Pattern Topography

There are two distinctions to the plan of Findochty – the earlier and the later settlements.

The origin of Findochty is a reflection of the fishing industry and the form and layout of the street pattern is organic in nature – it follows the formation of the coastline with single storey fishing cottages. As Findochty developed, the building types increased in heights to suit the changing needs to the local industry.





..... Irregular street pattern of the Seatown highlighting permeability.

— Pavements typical of a planned town layout.



3.5 Spaces

The relationship between the built form and the surrounding spaces is important to the town plan because these not only define the movement through the Conservation Area but they also create spaces for the community.



There are opportunities to sympathetically develop this area to enhance the Conservation Area and bring benefit to the local community by considering how it could be used to

- Gathering – multi-generational
- Events / Festivals
- Play
- Sit / reflection
- Connections including local walking trails – promotion of green living and health benefits
- encouraging activity and movement within Findochty
- Educate – local heritage / circular trail
- Orientation point for the wider region







-  Pedestrian access within Seatown is critical as it shows the heritage and authenticity between the architectural built heritage.
-  Areas of opportunity in the existing underused green space.

3.6 Character Areas

Findochty is a place of significant architectural and social historical interest which gives it a unique 'sense of place'. There are two distinct town layouts that form the built environment of Findochty – each have been informed by the development of the village.

Form

It is the social historical development of Findochty that makes it so delightful – from the early single storey buildings with small window openings and low door lintels (historically the average height was much shorter than today) to the later one-and-a-half storey buildings. The form of Findochty follows the coastal line with the settlement developing to the west and up the Northern slope with the buildings in Castle Street area becoming larger with ornate architectural detailing.

Roofing

There are three types of roof covering: slate, tiles and metal sheet. When the village was built the roofs would have been Scotch slate laid to diminishing courses, but this is now the minority with Welsh slate the dominant roofing material. The use of Spanish slate has also been recorded and this is not an appropriate material not only in terms of aesthetic but also longevity in Scotland's climate, especially on the coast. Some roofs have been changed to concrete tile.

Rainwater Goods

Whilst Rainwater goods play an important part in the performance of a building, they can also add to the architectural character. Castle Street has good examples of where these add to the character with decorative hoppers, rectangular downpipes, decorative earbands and moulded wallhead rhones. These have been painted in a coloured finish to define them as an architectural detail not just a practical requirement for the disposal of rainwater.

Generally, the form of the rainwater goods are half round gutters with round downpipes.

In regard to material whilst cast iron fittings remain and have a prominence there is a significant amount of replacement in uPVC in varying condition.

Stonework and pointing

The stonework is typically exposed coursed rubble with dressed stone margins. There are some raised margins which suggests some building may have had a traditional lime harl coating. The majority of the pointing has been replaced in cement and 'struck' to imitate ashlar. A number of buildings have also been inappropriately coated with a wet dash or smooth cement render. There are varying levels of paint coatings to quoins and the stonework generally.

On Castle Street, there are some beautiful carvings in the stonework that relate back to the fishing industry. Date stones are also included on a number of buildings. The dressing and decoration to the stonework on Castle Street is also significant, greatly enhancing the architectural character.

Doors

There are varying traditional panelled timber doors – the variation is dependant of the period and style of the building. The doors are another element that contributes to the overarching character of the building. Similarly to the other coastal towns, there is the distinct moulded door. On Castle Street there is a surviving example of a beautifully moulded central door with fixed panels to either side and leaded glass.

Modern timber doors or varying design and inappropriate uPVC doors have been installed in some locations. In these instances, consideration should be given to enhancing the style and detailing of the door that is appropriate to the period of the building.

Windows

The traditional window type is timber sash and case. The scale and fenestration of this varies throughout the Conservation Area dependant on when the building was constructed – the are examples of 2/2 and 1/1. This variance is important in dating the buildings.

Some windows have been replaced with modern timber casements, aluminium or uPVC units which have had a detrimental impact of the character of these buildings. As noted previously, whilst it is acknowledged, that uPVC can be considered desirable for thermal improvements, the units do have a limited guarantee. There are options for improvements to be made to traditional timber sash and case windows which are not necessarily cost prohibitive.

Colour

There is some use of sympathetic heritage colours, however, it has mostly been changed with the use of white and grey on external joinery being the most prominent.

The use of heritage colours can enliven the architecture and should be encouraged – the unification of colour is a modern style.

External and Boundary

Whilst a number of the buildings within Findochty have limited external space – they bound directly onto the pavement. Most buildings have space to the rear and some, have space in front – Commerical Street as one example. From the principal elevations within the Conservation Area, these areas are defined by blockwork walls with a variety of finishes (bare, wet dash, painted, smooth render), timber fences, some traditional stone walls, and metal and timber gates.

4.0

Negative Factors

4.1 Negative Factors

Whilst negative factors do exist throughout the Conservation Area, it is important that these do not become the key focus in the assessment of the significance of the area. For example, whilst inappropriate materials have an impact on the character, they also affect the performance of the building, however, with careful repair and conservation these changes can be reversed thereby restoring the character. Where the form (scale and any decorative stone dressing) and composition of the traditional building remains, there is significance and therefore reversible material change should not be seen as justification to withdraw protection.

In summary the key factors are:

1. Inappropriate alterations to buildings which includes –
 - the style of some extensions
 - changes to openings
 - changes to fenestration
 - inappropriate materiality
2. Underutilised space – including green areas
3. Public Realm – rationalisation and improvement could be brought to the following areas -
 - surfaces
 - signage
 - street furniture
 - street lighting

These factors should be considered as opportunities and used as performance indicators for monitoring future enhancements.

5.0

Design Guidance

5.1 Design Guidance

The most important principle of the following design guidance is that the traditional materials are not encouraged purely for the aesthetic characteristic of the Conservation Area, but it is the performance and longevity of the building. Both of which have environmental and economic benefit.

Repair and Maintenance

- Maintenance is always required whether it is a traditional or modern material
- Implement a regular regime - whilst there is a cost involved in maintenance this should avoid significant investment due to failure of the fabric

The appropriate repair and maintenance of traditional buildings is important not only for their preservation but also for their performance. A well-maintained building should reduce the requirement for intervals of significant investment and change.

Modern materials are commonly selected because they are believed to be better and more cost effective, however, their lifespan is limited, and a limited lifespan will result in additional investment within a set time frame. It is important to note that buildings will always require maintenance.

Roofing

- Consider what is appropriate to the building type – the building was designed and built based on this material

Historically, there were two key roof types: pantile and Scotch slating. Both of these materials bring a rich character to the Conservation Area. In Seatown, the pantile roofs still have a strong presence and these should be maintained and encouraged. Scotch slating laid to diminishing course is now a minority – over the years these have been replaced in Welsh slate due to the closure of the Scottish Quarries. Reclaimed Scotch slate is available and should be considered where practicable. Where this is not an option, salvaged Welsh slate would be a suitable alternative. Spanish slate, which is not native to the area, and is distinctively different from Scotch and Welsh should not be used. This is not only because of the impact on the character of the Conservation Area, but also the performance.



Rainwater Goods

- Longevity of Cast Iron Rainwater Goods – ensure the sizes are appropriate for area of the roof
- Apply a good paint specification – an appropriate primer, undercoat and top/ finish coats – if this is maintained, it protects the main components from decay and this is what brings the longevity

Cast iron rainwater goods have a stronger visual presence on a building because of their solidity. Not only does this add to the architectural character but if they are well maintained they have a long lifespan. There is a misconception that uPVC rainwater goods do not require maintenance, however, the rubber seals at joints fail over time, they are susceptible to solar gain (resulting in eventual failure because the plastic becomes brittle) and there is higher risk in these being brought down due to snow and ice. They can also be easily damaged.

Stonework and Pointing

- A traditional lime point or harling manages the moisture in your wall thereby improving the condition of the fabric and the internal environment

Whilst a traditional lime finish on the buildings brings character to the Conservation Area, there is a key performance criterion. Historically, lessons have been learnt by the use of cementitious mortars as coatings on traditional building fabric. It has quite clearly been established that they do not preserve the fabric - they can in fact exacerbate decay and create damp buildings. The technical compatibilities of the materials used on traditional buildings are critical in relation to the performance of the fabric.

The key characteristic of a traditional wall is its porosity which will always retain a level of moisture content (referred to as a water film) and it is this content that allows the essential capillary action to occur. The important drying process within the wall is not a vapour process, it is a liquid process should this be from the inside or outside face of the fabric.

The use of lime as an ingredient in traditional construction is important because it delivers a finer porosity and greater surface area than materials with a coarse and close to impermeable makeup - the former, in effect, becoming a poultice which draws moisture out of the wall using capillary action. This can either be the joints (lime pointing) or more effectively a lime harl as this has a much larger surface area.



Doors

- Traditional timber doors
- Apply a good paint specification – an appropriate primer, undercoat and top/ finish coats – if this is maintained, it protects the main components from decay and this is what brings the longevity

It is important to note that it is not 'one' element of a building that defines the character, it is a combination of all the elements. Traditional timber doors define the entrances to the buildings and there is a significant ornate door within Seatown that should be preserved and enhanced. The doors relate to the periods of architectural development of the Conservation Areas – for example the four panelled doors represent a later build period so they are also significant to their time. Again, it is this mix of development that enriches the overall character.



Windows

- Traditional timber sash and case
- Apply a good paint specification – an appropriate primer, undercoat and top/ finish coats – if this is maintained, it protects the main components from decay and this is what brings the longevity

The original fenestration of Sash and Case windows form part of the character of a traditional building. If left to deteriorate these can become difficult to manage for the residents. Sash and Case windows can however be repaired and upgraded – draught stripping and double glazing (consideration should be given to depth of the frames and astragals). If the units are beyond repair, replica sash and case windows can be made and fitted. If these are then appropriately maintained, they can have a significant lifespan. There is a common misconception that either of these options can be cost prohibitive and appropriate support and guidance should be made available to residents to dispel this notion. Not only does this benefit the character of the Conservation Area but it is also sustainable.



Extensions

- These can provide much needed additional accommodation to secure the building's future, however, it is important that any extension should enhance, and compliment, the traditional building

In order to preserve the historical built environment, it has to be accepted that some alteration may be required in order to accommodate changes within modern society. New developments and proposals should not be pastiche – it is important that they reflect the period in which they are constructed so the development of the building can be understood. These alterations can be sympathetic and complimentary to the character area through an understanding of form, proportion and the existing local materials and colour palette.

5.2 Sustainable Conservation

The way in which traditional buildings were constructed is quite different to methods that are used in modern construction. When problems arise with traditional buildings there can be a misconception that this is due to materials used during its construction. Sometimes this can simply be attributed to the fact the materials have been there since the construction – 100 years or in many case much longer – and now is the time to replace them because they had done what they were there to do. Traditional materials, when properly applied (or installed) and maintained, can stand the test of time.

Guarantees for modern materials generally are set at a specified time limit. uPVC windows for example tend to be guaranteed for 10 years and when they fail and are replaced the units tend to go straight to land fill (unless they can be reconditioned). uPVC is prone to solar gain and over time, the colour will fade and the plastic will become brittle affecting the integrity of the unit whether that be windows, doors or rainwater goods. Whilst uPVC can be considered maintenance free, every element of a building will require maintenance and care at regular intervals.

Traditional buildings can be thermally upgraded to provide a comfortable internal environment that does not require significant energy use. It is important however that this is carried out in a manner that does not affect the performance of the fabric. When the performance of the fabric is affected, this can result in problems internally such as a rise in moisture levels.



6.0

Public Realm Audit



6.1 Public Realm Audit

The public realm is an important contributor to the Conservation Area as the treatment of this dominates the space between the buildings. The information below is an audit of what currently exists.

- modern LED street lighting
- modern street signage
- modern benches - more consideration could be brought to the placement of such
- modern generic railings
- generally all surface treatment is modern - tarmacadam - this includes the lanes and pavements. There are some delightful examples of traditional treatments however these are limited and have been overcoated (it is the failure of this that has revealed the original character)
- cars have dominance over pedestrians - definition could be brought to trails

Within each of the areas there are opportunities to bring enhancement.



7.0

Opportunity for Development, Enhancement

7.1 Enhancement and Development

There are opportunities throughout the Conservation Area for enhancement and development to bring benefit not only to the character but also the local community. This will however require investment. Consideration should be given to funding opportunities and how these could be utilised to assist interested parties.

Opportunities:

1. Develop walking trails – by bringing people to the area and keeping them as long practicable could bring significant economic benefit
2. Open / Greenspace – there are a number of green spaces that encircle the Conservation Area which are currently underutilised
 - a. Consider the trails and connections through Findochty – key viewpoints
 - b. Utilise the coastal space – enhance the connections through the coastal trails
3. Consult with the local community and business to determine where they believe improvement could be brought and what they see as important within Findochty
4. Enhancements on a building by building basis – restoration and conservation to include enhancement and reinstatement of traditional materials and detailing (roofing material, cast iron rainwater goods, application of lime to the stonework, timber doors and sash and case windows)
5. Sustainable Conservation – implementing the enhancements above will not only make the local environment more sustainable, but it will improve the internal environment of the building
6. Public Realm Improvements
 - a. Heritage LED lamps
 - b. Consideration of surface treatment
 - c. Improvements to trails - appropriate signage
7. Education and Learning
 - a. Understanding the repair and maintenance of traditional buildings
 - b. Traditional skills and future opportunities for the younger generations - career development
8. Investment in the local heritage



Key meeting, sitting, activity spaces
 Opportunities for development in
 terms of community
 green/recreational space

Key historical element
 Opportunities for enhancement



Viewpoint

Key green spaces

8.0

Conservation Strategy

8.1 Conservation Strategy

Findochty has a strong link to its origin and it is a reflection of the development of the local industry and its associated community creating a rich built environment. As stated in the Burra Charter

'The policy for managing a place must be based on an understanding of its cultural significance.'

The form of the buildings and street plan of Findochty inform the historical development of village and it is this that creates the significant *'sense of place'*.

In order to safeguard the historic environment, it is also important to identify where change can be made to meet current and future needs without being detrimental to the cultural significance.

The form and density throughout the Conservation Area of Findochty varies. In the older area there are limits to where change can be sympathetically accommodated without bringing detriment to the historic environment. This, however, varies between building and its associated open space. Where change has already been introduced there are options to bring future enhancements; whether this be the sympathetic adaptation of extensions or the reinstatement of traditional detailing and this should be encouraged.

With the later, larger properties within Findochty, there is space to the rear of the buildings which presents opportunity to allow sympathetic adaptation and supplementary construction to meet the current and future needs without being detrimental. Similarly to the older part of the Conservation Area, there is an opportunity to enhance with the reinstatement and enhancement of traditional detailing and this should be encouraged.

The over-arching conservation policy for Findochty is to **reveal, maintain, and enhance significance but some adaptation and supplementary construction may be considered to accommodate future compatible uses.**

Maintaining our existing built heritage is infinitely sustainable and understanding how traditional fabric can be upgraded without having a detrimental effect on either the external fabric, and character, or the internal environment is critical.

The aim of the above policy is to protect the significance and allow informed decisions to be assessed and validated with rigour and consistency without bringing further detriment. These principles should be applied to the opportunities that have been identified in section 8.0.

8.2 Justification for Boundary Change

This appraisal has been developed from a thorough study of the the current Conservation Area of Findochty. This study has consisted of –

- Historical research
- A photographic survey of the principal elevation of each building within the Conservation Area
- A review of the street pattern and topography
- A review of the open space within Findochty (not restricted to the Conservation Area)
- A Public Realm Audit
- A study of each building within the Conservation Area which includes the recording of the principal materials and detailing, and the condition of such

The detailed study of all of these elements and the complete building stock within the Conservation Area has allowed the following to be identified –

- Opportunities for enhancement and development
- Negative factors – *the focus should not however be on the negative but the opportunity that this can bring*
- The level of modern building stock
- Impact of inappropriate material and alterations
- Space that is outwith the Conservation Area but has opportunity to bring enhancement
- Traditional buildings that contribute to the *'sense of place'* within Findochty that are outwith the Conservation Area and deserving of protection

The above information has identified that whilst benefit could be brought to the Conservation Area through some improvement, the current boundary is justified.

The above information has all contributed to the recommendation of boundary change within Findochty's Conservation Area as follows: -

Change 01

The listed building stock which is located at the South West end of the town, covered by the current block listing, is removed from the Conservation Area. The current Conservation Area is bisected by Strathlene Road.

Change 02

The modern intervention to the South on The Steadings is removed from the Conservation Area.



9.0

Monitoring and Review

10.1 Monitoring and Review

It is important that periodical reviews are carried out to ensure that the *special interest* of the Conservation Area is preserved and there are not significant losses within a set timeframe.

Consideration should be given to the engagement with the local community who have invested in the area. This could be in the form of independent workshops with traditionally skilled professionals and contactors giving the local community an opportunity to ask questions. Improvements and enhancements to the Conservation Area could bring direct benefit to the residents whether this be –

- An improved environment to live and work
- A decrease in vacant, and in some cases, dilapidated residential properties
- A decrease in vacant, and in some cases, dilapidated commercial properties
- Increased footfall bringing economic benefit to the local area

Reviews of the Conservation Area should be carried out on a five-yearly cycle to ensure that any change is identified and managed. This next review should include –

- An updated photographic survey
- An updated building by building analysis to track any changes to materials whether it be enhancement or loss
- A review of whether any of the identified development opportunities have been undertaken and whether these have been successful
- Identification of any enhancements that have been undertaken

Date of next review – **2027**

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Portknockie Conservation Area Review

June 2023



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1.0

Introduction

1.0 Introduction

LDN Architects was appointed by the Moray Council in September 2022, as Conservation Accredited Architects, to carry out appraisals on five of the designated Conservation Areas within Moray.

It is important to understand the criteria for designating a Conservation Area in order to assess it. Historic Environment Scotland's selection guidance is as follows –

“Areas of ‘special architectural or historic interest’ will be selected based on a range of factors which may include:

areas of significant architectural or historic interest in terms of specific listed buildings and/or scheduled monuments;

areas of significant architectural or historic interest in terms of building groupings, which may or may not include listed buildings and/or scheduled monuments, and open spaces which they abut;

areas with features of architectural or historic interest such as street pattern, planned towns and villages and historic gardens and designed landscapes; and other areas of distinctive architectural or historic character.”

“The characteristics and values that contribute to a conservation area’s special architectural or historic interest are:

its special architectural or historic importance;

its distinct character;

its value as a good example of local or regional architectural style;

its value within the wider context of the village or town; and

its present condition, and the scope for significant improvement and enhancement.”



Date of Site Assessments: June 2023

Date of Designation: Assumed 1972 by Banffshire County Council due to Cullen's designation at this time.

What is a Conservation Area?

It is important that periodical reviews are carried out to ensure that the special interest of the Conservation Area is preserved. The purpose of the appraisal is to carry out a detailed assessment of the current townscape, which includes a building-by-building analysis, to identify areas of risk, areas of significance, opportunities, and priorities for enhancement.

This assessment also includes a review of public realm and greenspace (including trees) as these elements each contribute to a sense of place. The information gathered as part of this proposal will be used to assess the current position of the Conservation Area boundary and allow recommendations to be made for any amendment should it be relevant. The content of the report is also there to provide guidance on appropriate materials, style and colour to assist, and encourage, residents to develop proposals that are sympathetic to the character of the Conservation Area.

The following report focuses on Conservation Area Appraisal for the coastal town of Portknockie.

Conservation Areas have special architectural character or social historical interest created by the buildings and spaces – street layout, open space and the public realm - around these. The Planning Listed Buildings and Conservation Areas (Scotland) Act 1997 designated Conservation Areas for protection – the Scottish Government and Planning Authorities are required by law to preserve or enhance the character and appearance of these historical environments.

Why?

In order to maintain the special architectural character of Conservation Areas it is important that they are preserved to ensure that the elements that make them distinct are not lost through inappropriate change. Where appropriate, enhancements can be made to these areas to benefit not only the historical environment but also the residents.

What does this mean for the residents?

Whilst consents will be required from the Local Authority for certain elements (as listed out below), it does not mean that improvements and development cannot occur within these areas. Sympathetic improvements using the appropriate traditional materials are encouraged and they will bring benefit to the building owners. For example, historical buildings were constructed with traditional materials, and it is these materials that not only create the character, but they also ensure that the building fabric performs (when appropriately maintained). When modern materials are added such as uPVC elements, these not only change the character, but they also change the properties and performance of the building which can be to the detriment of the fabric. If you are proposing any of the following changes to your property then you should contact the Moray Council to confirm if you require planning permission, Conservation Area consent, or advertising consent depending on your proposal.

- Alterations – changes to the principal form, changes to fenestration (opening to include doors and windows), changes to materials such as roof, external finishes (including the painting of the building), replacement windows, doors and rainwater goods.
- Any extension to your property
- Any structures within the curtilage of a building.
- Walls, fences and other boundary treatments for domestic properties
- Demolition of unlisted buildings
- Removal of trees
- Works to shopfronts and advertisement displays

If your property is listed then you may also require listed building consent to ensure that any proposal including (alterations and extensions) do not have a detrimental effect on the character, integrity, or setting of the building. You should contact the Moray Council to establish if this is required or not.



2.0

Historical Development

2.1 History

The clifftop fishing village of Portknockie was founded in 1677 by Cullen fishermen. It is situated at the head of a sheer 50 foot cliff which falls down to the harbour. Until circa 1930, the harbour was one of the most important along the Moray Coast.

The buildings of Portknockie are similar to the adjacent Moray Coast fishing villages with the oldest being single-storey cottages. The development of the village is clearly defined by the change in building types.

Portknockie is known for the 'Bow Fiddle Rock' which has been hollowed out by the sea forming a gothic stone arch.

Excavation of a small area of headland, known as 'Green Castle' has identified that the area was occupied in the Pictish period from seventh century to the ninth century by a Promontory Fort.



1866



1902



1964



2.2 Timeline

1820

Fisherman's Hall – built as a coal store and adopted as a Hall circa 1842

1860

Construction of Portknockie Parish Church as the *United Presbyterian Free Church*

1876

Primary School constructed for Rathven School Board

1886 -
1890

Harbour constructed

1902

Church of Christ

2.3 Wider Context

Portknockie is located on the Moray Coast and forms one of the settlements that is on the waymarked coastal trail. It is located between Findochty to the west and Cullen to the east.



Portknockie is located on a spectacular cliffside location with a route down into the harbour. Multiple paths run up and down the adjacent (green) cliffs providing great walking trails that connect the coastal towns to the east and west. The harbour has two basins; the one to the west has a public lido with berths to the east.



3.0

Character and Appearance



3.1 The Buildings

The following information identifies buildings that, at the time of publishing this report, are listed by Historic Environment Scotland or on the Buildings at Risk Register Scotland. It is however important to note that the character of a Conservation Area is not about the listed buildings, it is the collection of buildings.

The adjacent map plots the listed buildings and those on the Buildings at Risk Register Scotland. The eclectic mix of building types within Portknockie is what creates the unique 'sense of place' – these have a direct relationship to the Town's origin and the development of its industries which is what enriches the Conservation Area.

The character of the Conservation Area is created by the range of traditional materials and the architectural form. For example, the window material and fenestration is central to the character of the building. This detailing can also be used to date the building from the size of the opening to the type of timber sash and case window - six-over-six or two-over-two or one-over-one.

Portknockie Conservation Area:

Listed Buildings: 124

Buildings at Risk: 0

Station Road

Church Street

Admiralty Street

Seafield Street

High Street

Pulteney Street

3.2 Setting





The Moray Coast has some of the most spectacular natural landscapes – steep coastal slopes, hidden coves and rugged cliff lines - with views over the Moray Firth.

Portknockie is one of a number of historical fishing ports located on a steep northern slope running down to the Moray coastline. A distinctive feature of Portknockie is the rugged, yet grassed, cliffs which provide a number of walking trails.





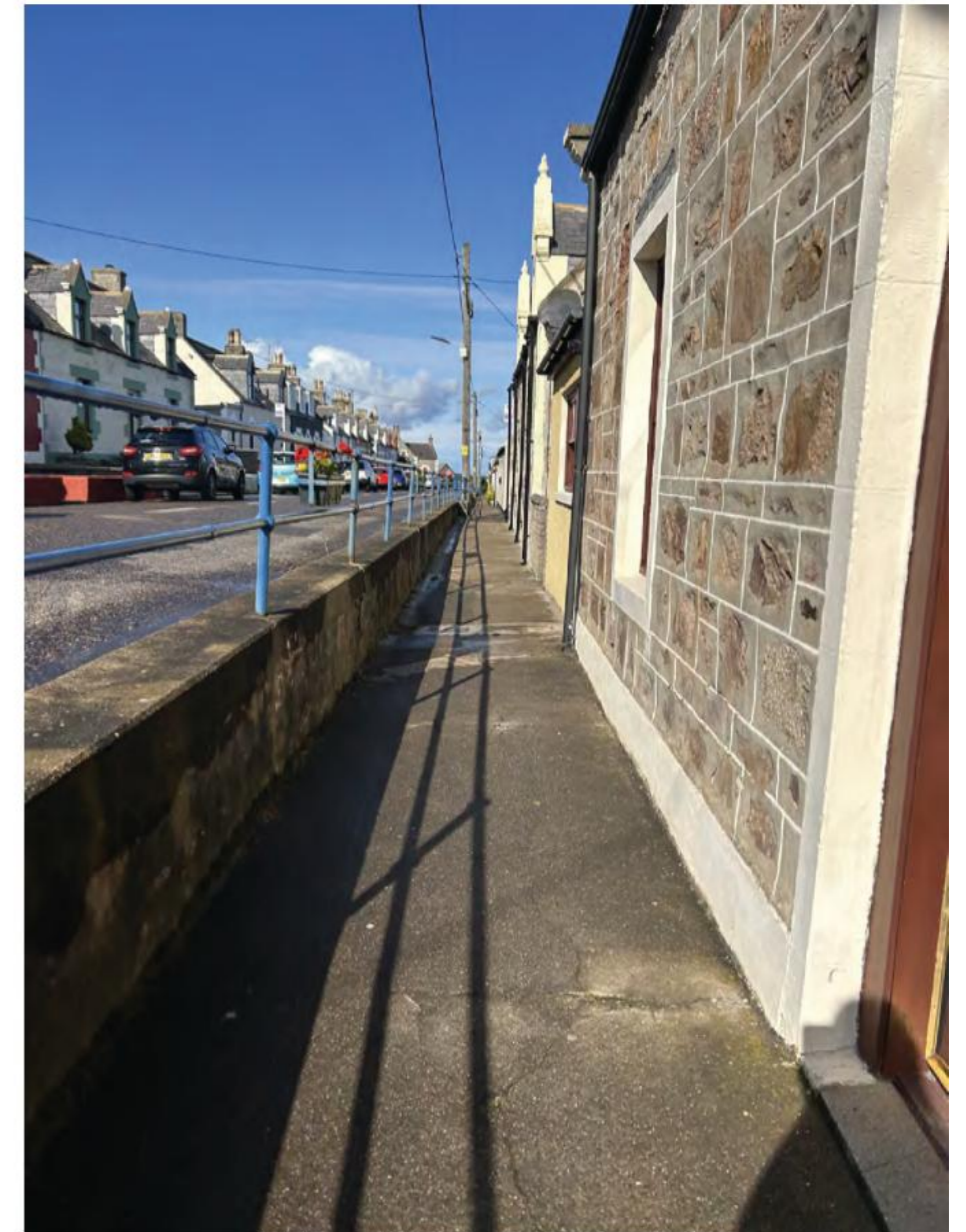
3.3 Activity and Movement

Portknockie is located to the north of the A98 a major coastal road connecting Fochabers in the west to the eastern coastal towns of Moray and Aberdeenshire. Portknockie is a destination that is reached by travelling along the A942 coastal route which runs along the southern perimeter of the Conservation Area.



3.4 Street Pattern Topography

The origin of Portknockie following the cliff edge is organic in nature with the typical single-storey design with the gable providing protection from the sea. The later settlement can be clearly identified as it has a defined Town Plan. This creates two distinctions to the plan of Portknockie.





..... Irregular street pattern of the Seatown highlighting permeability.

———— Pavements typical of a planned town layout.



-  Key green spaces
-  Key urban spaces

3.5 Spaces

The relationship between the built form and the surrounding spaces is important to the town plan because these not only define the movement through the Conservation Area but they also create spaces for the community.

There are opportunities to sympathetically develop this area to enhance the Conservation Area and bring benefit to the local community by considering how it could be used to

- Gathering – multi-generational
- Events / Festivals
- Play
- Sit / reflection
- Connections including local walking trails – promotion of green living and health benefits
- Encouraging activity and movement within Portknockie – the connecting lanes
- Educate – local heritage / circular trail
- Orientation point for the wider region



3.6 Character Areas

Portknockie is a place of significant architectural and social historical interest which gives it a unique 'sense of place'. There are two distinct town layouts that form the built environment of Portknockie – each have been informed by the development of the village. One of the special features of Portknockie is the relationship with the coast.

Form

It is the social historical development of Portknockie that makes it so delightful – from the early single storey buildings with small window openings and low door lintels (historically the average height was much shorter than today) set-out in an organic manner following the cliff edge to the later one-and-a-half storey buildings in the more defined town plan. The layout of Portknockie follows the coastal line with the town plan developing to the east and the south as the town developed inland. Generally the traditional buildings within Portknockie are modest in form – there are however some grander buildings along the coast to the west.

Roofing

There are three types of roof covering: slate, tiles and metal sheet. When the village was built the roofs would have been Scotch slate laid to diminishing courses, but this is now the minority with Welsh slate the dominant roofing material. The use of Spanish slate has also been recorded and this is not an appropriate material not only in terms of aesthetic but also longevity in Scotland's climate, especially on the coast. Some roofs have been changed to concrete tile which detracts from the overall appearance.

Rainwater Goods

Whilst Rainwater goods play an important part in the performance of a building, they can also add to the architectural character. Typically, the form of the cast iron rainwater goods are half round gutters with round downpipes. There are example of ogee wallhead rhones on the same of the later buildings.

In regard to material whilst cast iron fittings remain and have a prominence there is a significant amount of replacement in uPVC (there are a number of different styles and fittings) in varying condition.

Stonework and pointing

The stonework is typically exposed coursed rubble with dressed stone margins. There are some raised margins which suggests some building may have had a traditional lime harl coating. The majority of the pointing has been replaced in cement and 'struck' to imitate ashlar. A number of buildings have also been inappropriately coated with a wet dash or smooth cement render. There are varying levels of paint coatings to quoins and the stonework generally.

On Church Street, there is an example of moulded door hoods, decorative elements to window lintels and moulded skew puts, which greatly enhances the architectural character.

Doors

There are varying traditional panelled timber doors – the variation is dependant of the period and style of the building. The doors are another element that contributes to the overarching character of the building. Similarly to the other coastal towns, there is the distinct moulded door. In some locations the timber panelled doors have fanlights above – there is at least one example of a leaded light.

Modern timber doors or varying design and inappropriate uPVC doors have been installed in some locations. In these instances, consideration should be given to enhancing the style and detailing of the door that is appropriate to the period of the building.

Windows

The traditional window type is timber sash and case. The scale and fenestration of this varies throughout the Conservation Area dependant on when the building was constructed – the are examples of 2/2 and 1/1. This variance is important in dating the buildings.

Some windows have been replaced with modern timber casements, aluminium or uPVC units which have had a detrimental impact of the character of these buildings. As noted previously, whilst it is acknowledged, that uPVC can be considered desirable for thermal improvements, the units do have a limited guarantee. There are options for improvements to be made to traditional timber sash and case windows which are not necessarily cost prohibitive.

Colour

There is some use of sympathetic heritage colours, however, it has mostly been changed with the use of white, rosewood and grey on external joinery being the most prominent.

The use of heritage colours can enliven the architecture and should be encouraged – the unification of colour is a modern style.

External and Boundary

Whilst a number of the buildings within Portknockie have limited external space – they bound directly onto the pavement – the streets to the East; Park Street (East side only), Seafield Street and Admiralty Street have space to the rear.

From the principal elevations within the Conservation Area, these areas are defined by blockwork walls with a variety of finishes (bare, wet dash, painted, smooth render), timber fences, some stone walls (of varying style) and metal and timber gates.

4.0

Negative Factors

4.1 Negative Factors

Whilst negative factors do exist throughout the Conservation Area, it is important that these do not become the key focus in the assessment of the significance of the area. For example, whilst inappropriate materials have an impact on the character, they also affect the performance of the building, however, with careful repair and conservation these changes can be reversed thereby restoring the character. Where the form (scale and any decorative stone dressing) and composition of the traditional building remains, there is significance and therefore reversible material change should not be seen as justification to withdraw protection.

In summary the key factors are:

1. Inappropriate alterations to buildings which includes –
 - the style of some extensions
 - changes to openings
 - changes to fenestration
 - inappropriate materiality
2. Underutilised space – including green areas
3. Public Realm – rationalisation and improvement could be brought to the following areas -
 - surfaces
 - signage
 - street furniture
 - street lighting

These factors should be considered as opportunities and used as performance indicators for monitoring future enhancements.

5.0

Design Guidance

5.1 Design Guidance

The most important principle of the following design guidance is that the traditional materials are not encouraged purely for the aesthetic characteristic of the Conservation Area, but it is the performance and longevity of the building. Both of which have environmental and economic benefit.

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- Maintenance is always required whether it is a traditional or modern material
- Implement a regular regime - whilst there is a cost involved in maintenance this should avoid significant investment due to failure of the fabric

The appropriate repair and maintenance of traditional buildings is important not only for their preservation but also for their performance. A well-maintained building should reduce the requirement for intervals of significant investment and change.

Modern materials are commonly selected because they are believed to be better and more cost effective, however, their lifespan is limited, and a limited lifespan will result in additional investment within a set time frame. It is important to note that buildings will always require maintenance.

Roofing

- Consider what is appropriate to the building type – the building was designed and built based on this material

Historically, there were two key roof types: pantile and Scotch slating. Both of these materials bring a rich character to the Conservation Area. In Seatown, the pantile roofs still have a strong presence and these should be maintained and encouraged. Scotch slating laid to diminishing course is now a minority – over the years these have been replaced in Welsh slate due to the closure of the Scottish Quarries. Reclaimed Scotch slate is available and should be considered where practicable. Where this is not an option, salvaged Welsh slate would be a suitable alternative. Spanish slate, which is not native to the area, and is distinctively different from Scotch and Welsh should not be used. This is not only because of the impact on the character of the Conservation Area, but also the performance.



Rainwater Goods

- Longevity of Cast Iron Rainwater Goods – ensure the sizes are appropriate for area of the roof
- Apply a good paint specification – an appropriate primer, undercoat and top/ finish coats – if this is maintained, it protects the main components from decay and this is what brings the longevity

Cast iron rainwater goods have a stronger visual presence on a building because of their solidity. Not only does this add to the architectural character but if they are well maintained they have a long lifespan. There is a misconception that uPVC rainwater goods do not require maintenance, however, the rubber seals at joints fail over time, they are susceptible to solar gain (resulting in eventual failure because the plastic becomes brittle) and there is higher risk in these being brought down due to snow and ice. They can also be easily damaged.

Stonework and Pointing

- A traditional lime point or harling manages the moisture in your wall thereby improving the condition of the fabric and the internal environment

Whilst a traditional lime finish on the buildings brings character to the Conservation Area, there is a key performance criterion. Historically, lessons have been learnt by the use of cementitious mortars as coatings on traditional building fabric. It has quite clearly been established that they do not preserve the fabric - they can in fact exacerbate decay and create damp buildings. The technical compatibilities of the materials used on traditional buildings are critical in relation to the performance of the fabric.

The key characteristic of a traditional wall is its porosity which will always retain a level of moisture content (referred to as a water film) and it is this content that allows the essential capillary action to occur. The important drying process within the wall is not a vapour process, it is a liquid process should this be from the inside or outside face of the fabric.

The use of lime as an ingredient in traditional construction is important because it delivers a finer porosity and greater surface area than materials with a coarse and close to impermeable makeup - the former, in effect, becoming a poultice which draws moisture out of the wall using capillary action. This can either be the joints (lime pointing) or more effectively a lime harl as this has a much larger surface area.



Doors

- Traditional timber doors
- Apply a good paint specification – an appropriate primer, undercoat and top/ finish coats – if this is maintained, it protects the main components from decay and this is what brings the longevity

It is important to note that it is not 'one' element of a building that defines the character, it is a combination of all the elements. Traditional timber doors define the entrances to the buildings and there is a significant ornate door within Seatown that should be preserved and enhanced. The doors relate to the periods of architectural development of the Conservation Areas – for example the four panelled doors represent a later build period so they are also significant to their time. Again, it is this mix of development that enriches the overall character.



Windows

- Traditional timber sash and case
- Apply a good paint specification – an appropriate primer, undercoat and top/ finish coats – if this is maintained, it protects the main components from decay and this is what brings the longevity

The original fenestration of Sash and Case windows form part of the character of a traditional building. If left to deteriorate these can become difficult to manage for the residents. Sash and Case windows can however be repaired and upgraded – draught stripping and double glazing (consideration should be given to depth of the frames and astragals). If the units are beyond repair, replica sash and case windows can be made and fitted. If these are then appropriately maintained, they can have a significant lifespan. There is a common misconception that either of these options can be cost prohibitive and appropriate support and guidance should be made available to residents to dispel this notion. Not only does this benefit the character of the Conservation Area but it is also sustainable.



Extensions

- These can provide much needed additional accommodation to secure the building's future, however, it is important that any extension should enhance, and compliment, the traditional building

In order to preserve the historical built environment, it has to be accepted that some alteration may be required in order to accommodate changes within modern society. New developments and proposals should not be pastiche – it is important that they reflect the period in which they are constructed so the development of the building can be understood. These alterations can be sympathetic and complimentary to the character area through an understanding of form, proportion and the existing local materials and colour palette.

5.2 Sustainable Conservation

The way in which traditional buildings were constructed is quite different to methods that are used in modern construction. When problems arise with traditional buildings there can be a misconception that this is due to materials used during its construction. Sometimes this can simply be attributed to the fact the materials have been there since the construction – 100 years or in many case much longer – and now is the time to replace them because they had done what they were there to do. Traditional materials, when properly applied (or installed) and maintained, can stand the test of time.

Guarantees for modern materials generally are set at a specified time limit. uPVC windows for example tend to be guaranteed for 10 years and when they fail and are replaced the units tend to go straight to land fill (unless they can be reconditioned). uPVC is prone to solar gain and over time, the colour will fade and the plastic will become brittle affecting the integrity of the unit whether that be windows, doors or rainwater goods. Whilst uPVC can be considered maintenance free, every element of a building will require maintenance and care at regular intervals.

Traditional buildings can be thermally upgraded to provide a comfortable internal environment that does not require significant energy use. It is important however that this is carried out in a manner that does not affect the performance of the fabric. When the performance of the fabric is affected, this can result in problems internally such as a rise in moisture levels.



6.0

Public Realm Audit



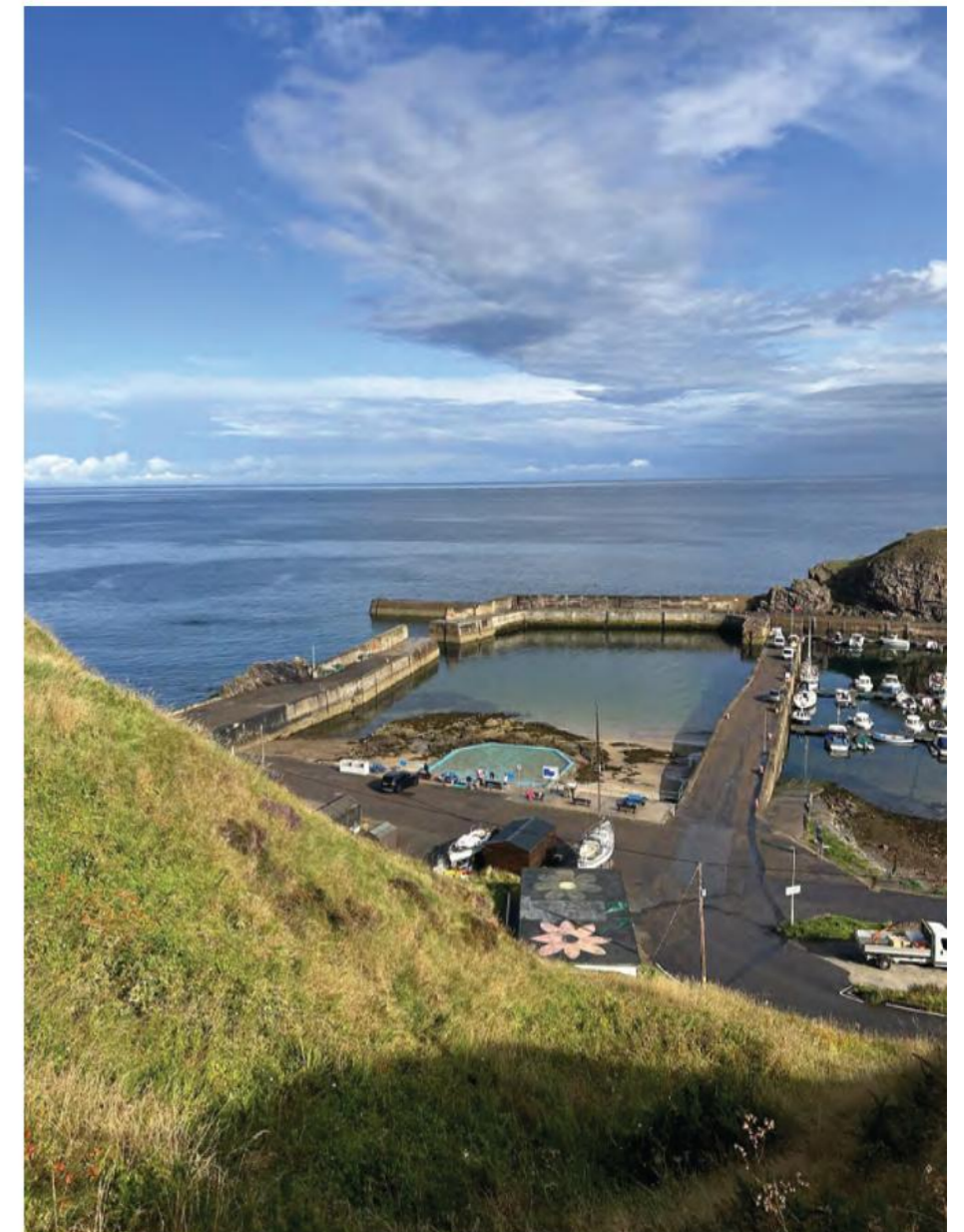
-  Key green spaces
-  Key urban spaces

6.1 Public Realm Audit

The public realm is an important contributor to the Conservation Area as the treatment of this dominates the space between the buildings. The information below is an audit of what currently exists.

- modern LED street lighting
- modern street signage
- modern benches (and some decayed timber benches) – more consideration could be brought to the placement of such
- modern generic railings – along the cliff edge they appear to be relatively recent
- generally all surface treatment is modern - tarmacadam - this includes the lanes and pavements
- the surface changed to lockblock at building entrances to define such on certain streets – Admiralty Street and Seafield Street as examples
- cars have dominance over pedestrians - definition could be brought to trails
- public lido in the harbour

Within each of the areas there are opportunities to bring enhancement.



7.0

Opportunity for Development, Enhancement




7.1 Enhancement and Development

There are opportunities throughout the Conservation Area for enhancement and development to bring benefit not only to the character but also the local community. This will however require investment. Consideration should be given to funding opportunities and how these could be utilised to assist interested parties.

Opportunities:

1. Develop walking trails – by bringing people to the area and keeping them as long practicable could bring significant economic benefit
2. Open / Greenspace – there are a number of green spaces along the coast which could be enhanced
 - a. Consider the trails and connections to the other coastal towns – key viewpoints
 - b. Utilise the coastal space – enhance the connections / paths
3. Consult with the local community and business to determine where they believe improvement could be brought and what they see as important within Portknockie
4. Enhancements on a building by building basis – restoration and conservation to include enhancement and reinstatement of traditional materials and detailing (roofing material, cast iron rainwater goods, application of lime to the stonework, timber doors and sash and case windows)
5. Sustainable Conservation – implementing the enhancements above will not only make the local environment more sustainable, but it will improve the internal environment of the building
6. Public Realm Improvements
 - a. Heritage LED lamps
 - b. Consideration of surface treatment
 - c. Improvements to trails - appropriate signage
 - d. Restore / promote the public lido
7. Education and Learning
 - a. Understanding the repair and maintenance of traditional buildings
 - b. Traditional skills and future opportunities for the younger generations - career development
8. Investment in the local heritage



-  Viewpoint
-  Key green spaces
-  Key urban spaces

8.0

Conservation Strategy

8.1 Conservation Strategy

Portknockie has a strong link to its origin and it is a reflection of the development of the local industry and its associated community creating a rich built environment. As stated in the Burra Charter

'The policy for managing a place must be based on an understanding of its cultural significance.'

The form of the buildings and street plan of Portknockie inform the historical development of village and it is this that creates the significant *'sense of place'*.

In order to safeguard the historic environment, it is also important to identify where change can be made to meet current and future needs without being detrimental to the cultural significance.

The form and density throughout the Conservation Area of Portknockie varies. In the older area there are limits to where change can be sympathetically accommodated without bringing detriment to the historic environment. This, however, varies between building and its associated open space. Where change has already been introduced there are options to bring future enhancements; whether this be the sympathetic adaptation of extensions or the reinstatement of traditional detailing and this should be encouraged.

With the later, larger properties within Portknockie, there is space to the rear of the buildings which presents opportunity to allow sympathetic adaptation and supplementary construction to meet the current and future needs without being detrimental. Similarly to the older part of the Conservation Area, there is an opportunity to enhance with the reinstatement and enhancement of traditional detailing and this should be encouraged.

The over-arching conservation policy for Portknockie is to **reveal, maintain, and enhance significance but some adaptation and supplementary construction may be considered to accommodate future compatible uses.**

Maintaining our existing built heritage is infinitely sustainable and understanding how traditional fabric can be upgraded without having a detrimental effect on either the external fabric, and character, or the internal environment is critical.

The aim of the above policy is to protect the significance and allow informed decisions to be assessed and validated with rigour and consistency without bringing further detriment. These principles should be applied to the opportunities that have been identified in section 8.0.

8.2 Justification for Boundary Change

This appraisal has been developed from a thorough study of the the current Conservation Area of Portknockie. This study has consisted of –

- Historical research
- A photographic survey of the principal elevation of each building within the Conservation Area
- A review of the street pattern and topography
- A review of the open space within Portknockie (not restricted to the Conservation Area)
- A Public Realm Audit
- A study of each building within the Conservation Area which includes the recording of the principal materials and detailing, and the condition of such

The detailed study of all of these elements and the complete building stock within the Conservation Area has allowed the following to be identified –

- Opportunities for enhancement and development
- Negative factors – *the focus should not however be on the negative but the opportunity that this can bring*
- The level of modern building stock
- Impact of inappropriate material and alterations
- Space that is outwith the Conservation Area but has opportunity to bring enhancement
- Traditional buildings that contribute to the '*sense of place*' within Portknockie that are outwith the Conservation Area and deserving of protection

The above information has identified that whilst benefit could be brought to the Conservation Area through some improvement, the current boundary is justified.

9.0

Monitoring and Review

10.1 Monitoring and Review

It is important that periodical reviews are carried out to ensure that the *special interest* of the Conservation Area is preserved and there are not significant losses within a set timeframe.

Consideration should be given to the engagement with the local community who have invested in the area. This could be in the form of independent workshops with traditionally skilled professionals and contactors giving the local community an opportunity to ask questions. Improvements and enhancements to the Conservation Area could bring direct benefit to the residents whether this be –

- An improved environment to live and work
- A decrease in vacant, and in some cases, dilapidated residential properties
- A decrease in vacant, and in some cases, dilapidated commercial properties
- Increased footfall bringing economic benefit to the local area

Reviews of the Conservation Area should be carried out on a five-yearly cycle to ensure that any change is identified and managed. This next review should include –

- An updated photographic survey
- An updated building by building analysis to track any changes to materials whether it be enhancement or loss
- A review of whether any of the identified development opportunities have been undertaken and whether these have been successful
- Identification of any enhancements that have been undertaken

Date of next review – **2027**

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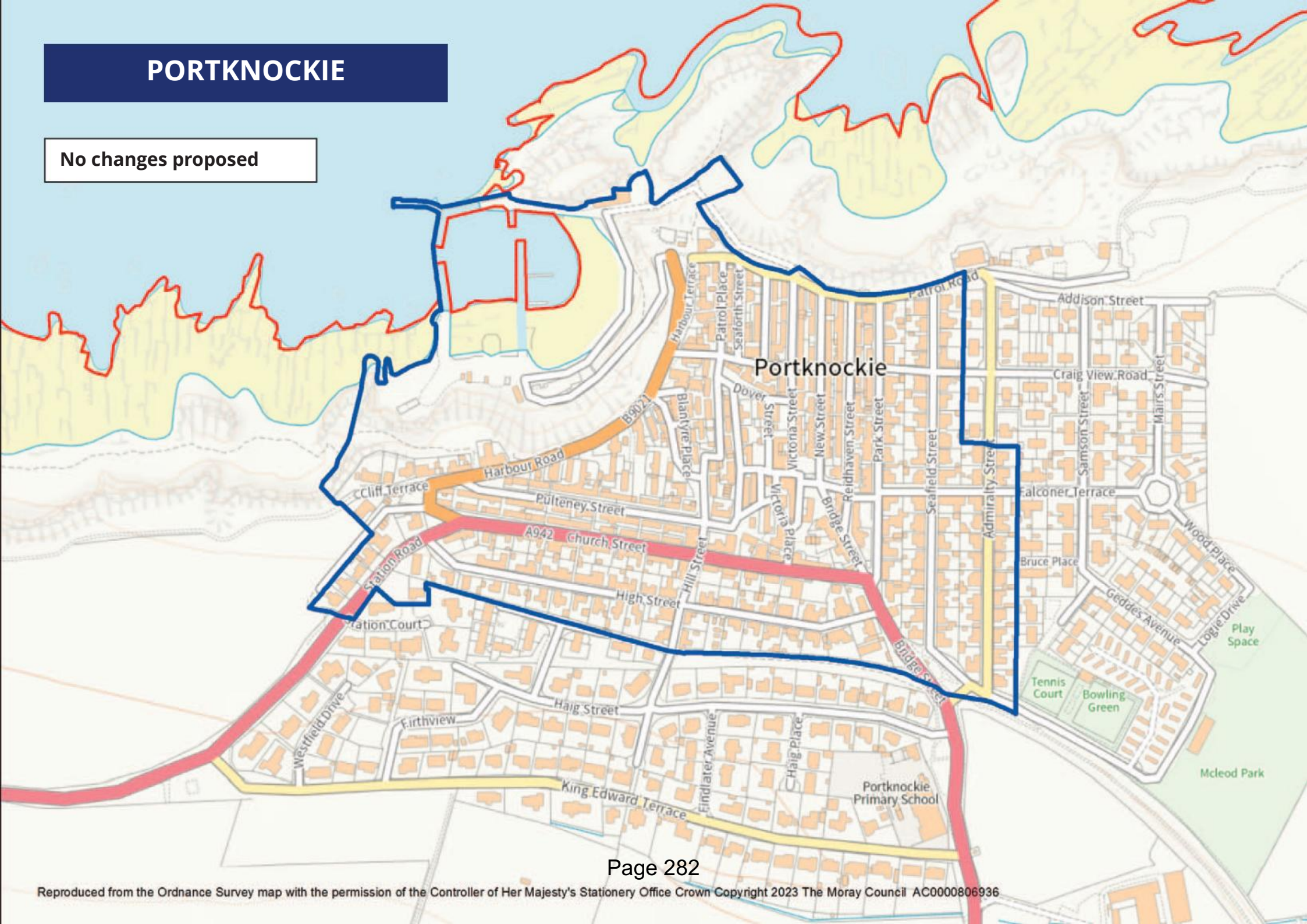
ARCHIESTOWN

KEY

-  Areas removed from the conservation area
-  Proposed boundary

PORTKNOCKIE

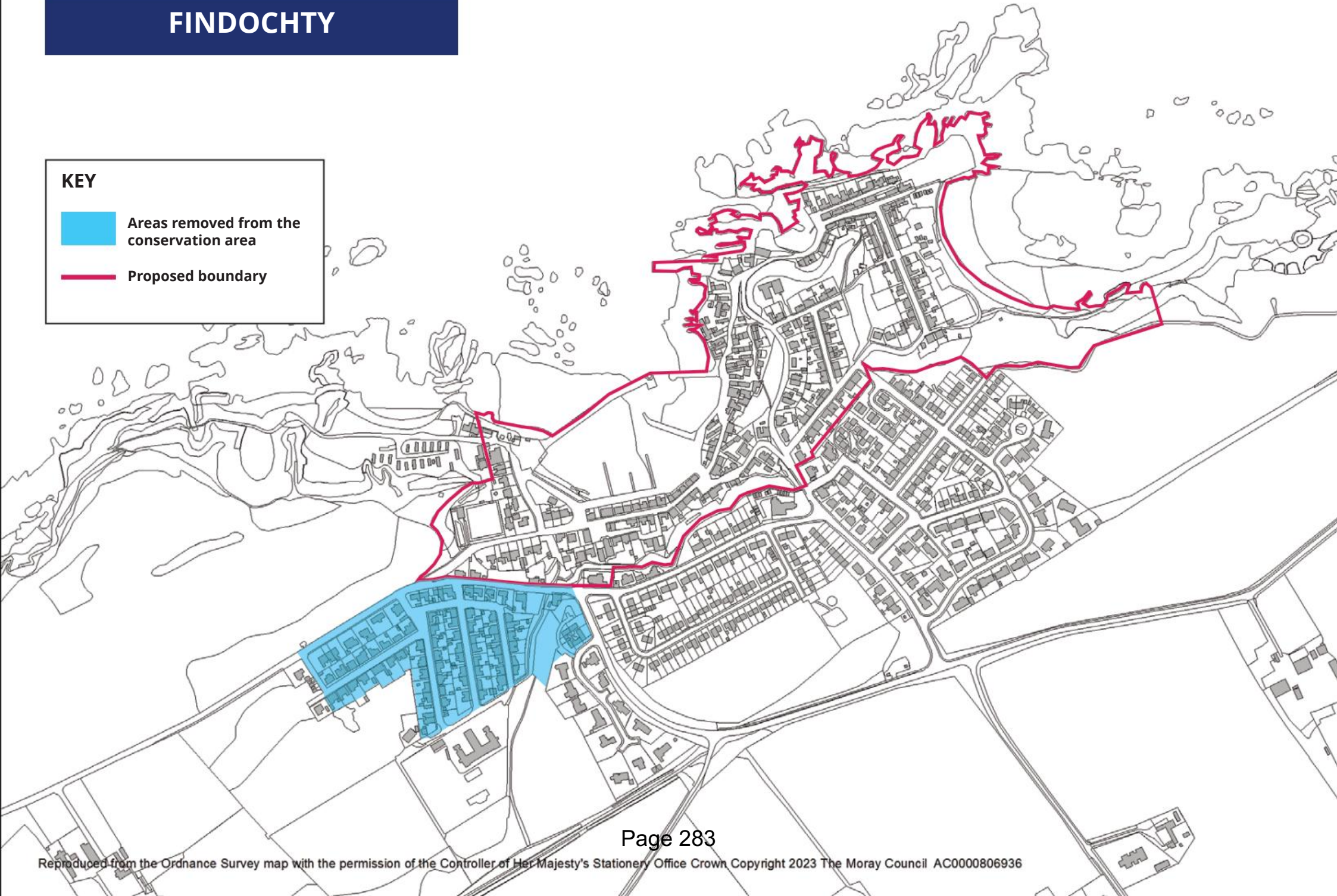
No changes proposed



FINDOCHTY




KEY

-  Areas removed from the conservation area
-  Proposed boundary



CULLEN - PLANNED TOWN

KEY

-  Areas removed from the conservation area
-  Proposed boundary
-  Areas added to the conservation area

CULLEN - SEATOWN

KEY

 Proposed boundary

BEFORE



AFTER



BEFORE



AFTER



BEFORE

AFTER



BEFORE

AFTER





**REPORT TO: PLANNING AND REGULATORY SERVICES COMMITTEE ON
24 OCTOBER 2023**

**SUBJECT: TOWN CENTRE IMPROVEMENT PLANS UPDATE AND
FUNDING OPPORTUNITIES**

**BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, ENVIRONMENT AND
FINANCE)**

1. REASON FOR REPORT

- 1.1 To ask Committee to consider a report approved by the Economic Development and Infrastructure Services Committee on 5 September 2023 on the Town Centre Improvement Plans and funding opportunities, work being undertaken to address feedback on the unsuccessful Levelling Up Fund bid and to further investigate the feasibility of a heat network for the centre of Elgin.
- 1.2 This report is submitted to Committee in terms of Section III (E) (2) of the Council's Scheme of Delegation relating to exercising the statutory function of the Council in relation to the review and preparation of Local Development Plans.

2. RECOMMENDATION

2.1 **It is recommended that the Committee;**

(i) considers the report as approved by the Economic Development and Infrastructure Services Committee on 5 September 2023; and

(ii) notes that a separate report on Long-Term Town Plans will be considered at a meeting of the Council on 25 October 2023.

3. BACKGROUND

- 3.1 This report was agreed at the meeting of the Economic Development and Infrastructure Committee on 5 September 2023 (para 10 of the draft minute refers).
- 3.2 National Planning Framework 4 (NPF4) was published by the Scottish Government earlier this year and reinforced the importance of taking a town

centre first approach and the role of planning authorities in supporting town centre regeneration, re-use of vacant and derelict properties, reducing carbon, promoting biodiversity and active travel.

- 3.3 The Council has a suite of approved plans to support town centre regeneration in the form of the Elgin City Centre (ECC) Masterplan and Town Centre Improvement Plans (TCIPs) for Forres, Buckie, Lossiemouth, Keith, Aberlour and Dufftown. These Plans all reflect the key themes emphasised in NPF4.
- 3.4 A Town Centre Summit, organised by the Chamber of Commerce, was held on 4 May 2023 with over 80 representatives from businesses, community groups and the public sector in Elgin Town Hall to discuss the future of Moray's Town Centres. The need for partnership working, better communication and momentum were key outcomes from the day.
- 3.5 To build and maintain momentum, the Chamber of Commerce is leading on establishing a Moray Town Centre Taskforce bringing a range of stakeholders together to support regeneration projects set out in the ECC Masterplan and TCIPs and other projects emerging from consultations with communities and other key stakeholders.
- 3.6 The Council has secured external funding from a number of sources which can be directed towards supporting town centre regeneration.
- 3.7 A report on Strategic funding priorities and opportunities was agreed at the meeting of Moray Council on 29 June 2022 (paragraph 19 of the minute refers). The Planning and Regulatory Services on 25 October 2022 (para 8 of minute refers) agreed the Town Centre Improvement Plan projects to be funded through the Economic Recovery Fund for the financial year 2023/24.
- 3.8 The Council approved a bid to the 2nd round of the UK Levelling Up Fund on 29 June 2022 (paragraph 36 of minute refers) which was unsuccessful. Verbal and written feedback has been received which is summarised in paragraph 6.2. On the 1st October the UK Government announced that Elgin is one of 55 towns in the UK to receive £20 million towards delivery of a Long- Term Town Plan, which is subject of a separate report to Council on 25 October 2023.
- 3.9 NPF4 also requires planning authorities to explore the potential of establishing heat networks and this is a key piece of work within the Local Heat and Energy Efficiency Strategy (LHEES) which will inform the new Local Development Plan (LDP).

4. TOWN CENTRE TASKFORCE

4.1 The Chamber of Commerce has now set up the Taskforce with a range of community representatives from across Moray and representatives from the public, private and third sector. The objectives of the Task force are;

- To bring together representatives from the local public, private and third sectors to promote the development of a new vision for the town centres.

- Briefly evaluate the current state of the town centres, including its infrastructure, amenities, and public spaces.
- Identify opportunities for regeneration, enhancement, and development within the town centres.
- Engage with stakeholders, including local residents, business owners, community organisations, and relevant authorities, to gather input, feedback, and ideas.
- Work in synergy with the current TCIPs and other strategic plans outlining key initiatives, projects, and recommendations for improving the town centres.
- Ensure that proposed improvements align with local policies, regulations, and development plans.
- Consider environmental sustainability, accessibility, inclusivity, and long-term economic viability in all proposed improvements.
- Liaise with relevant government departments, agencies, and other stakeholders to coordinate efforts and secure necessary approvals, permits, and funding where required.
- Monitor and evaluate the implementation of approved projects and initiatives to ensure their successful completion.

5. FUNDING SOURCES

5.1 The Council has secured external funding from a number of sources which will support delivery of the Elgin City Centre Masterplan and TCIPs;

- The Scottish Government Place Based Investment Programme (PBIP) allocation - linking and aligning place based funding initiatives with a key theme of town centre revitalisation
- UK Shared Prosperity Fund (UKSPF)

5.2 The table below sets out the funding secured and the agreed uses. A high level Investment Plan was agreed at Moray Economic Partnership (MEP) and a comprehensive list of projects were then developed through sub groups and then again agreed by MEP. This process was approved by Committee as part of the UKSPF submission to meet the guidelines of the funding. The revenue element of the UK Shared Prosperity Fund is being used towards recruitment of a 12 month town centre officer post to support the Taskforce and early implementation of actions, due to the extreme workload pressures on planning officers progressing the Local Development Plan and associated work.

2023/24			
Fund	Budget	Proposals	Lead
	£50k	12 month Town Centre Officer post to be employed by Moray Chamber of Commerce	Moray Chamber of Commerce/ Strategic Planning and Development
	£97k capital		

<p>UKSPF</p> <p>Approved through Moray Economic Partnership in accordance with the approach approved by Council Min ref 29/06/22 Para 18</p>		<p>Grant scheme across Moray to support Town Centre Taskforce, grants aimed at town centre business start ups, bringing vacant/ derelict property back into suitable use and sub-division of premises. This is targeted at centres outwith Elgin.</p>	<p>Strategic Planning and Development</p>
	£28,000 capital	<p>Elgin TC Fountain restoration</p>	<p>Strategic Planning and Development</p>
	£20k revenue	<p>Development phase for Forres Town Centre Improvement Plan via Forres Conservation and Heritage Scheme and Delivery Scheme</p>	<p>Economic Growth and Regeneration</p>
<p>Town Centre Capital Fund Approved Min ref Council 8 May 2019 para 13 delegation to Head of Economic Growth and Development to invest remaining sums in public realm, transport or digital investments which can be delivered in the grant conditions.</p>	£35k capital	£35k Forres	<p>Economic Growth and Regeneration</p>
<p>Economic Recovery Fund (Approved Planning and Regulatory Services Committee Min ref 25/10/2022 item 8.</p>	£200k capital	<p>£10k Aberlour refurbishment of Alice Littler toilets £35k to match fund the Town Centre Capital Fund for public realm improvements at Museum Square/ Tolbooth Street, Forres</p> <p>£75k signage, street furniture and small scale environmental improvements in Buckie</p>	

		£80k towards public realm and other small scale environmental improvements in Reidhaven Square, Keith and the Square, Dufftown.	
Place Based Improvement Fund	£466k	<p>£171k Grant scheme across Moray to support Town Centre Taskforce, grants aimed at town centre business start-ups, bringing vacant/ derelict property back into suitable use and sub-division of premises.</p> <p>£210k towards South Street, Elgin regeneration project towards early site acquisition.</p> <p>£25k towards new/replacement signage in town centres.</p> <p>.</p> <p>The remaining £60k is proposed to be used towards a Conservation Area grant scheme across Moray. This follows on from the success of the scheme delivered in 2022/23 with grant assistance provided to 8 properties within Conservation Areas to replace windows.</p>	Strategic Planning and Development
2024/25			
	£390k capital	Grant schemes to support Town Centre Taskforce, grants aimed at supporting town centre business start-ups, bringing vacant/ derelict property back into use and sub-division of premises. Also small scale public realm and	Strategic Planning and Development

UKSPF Approved through Moray Economic Partnership in accordance with the approach approved by Council Min ref 29/06/22 Para 18		partnership projects. This is targeted at centres outwith Forres.	
	£280k revenue.	Development phase for Forres Town Centre Improvement Plan via Forres Conservation and Heritage Scheme and Delivery Scheme, subject to MEP approval.	Economic Growth and Regeneration
Place Based Improvement Fund (For noting, will be reported to Committee for approval when Grant offer received in 24/25)	£466k capital – in principle allocation	£200k Forres Town Centre £200k Grant Scheme across Moray to support Town Centre Taskforce, grants aimed at town centre business start-ups, bringing vacant/ derelict property back into suitable use and sub-division of premises and further phases if required of work at the Square, Dufftown, Reidhaven Square, Keith and Buckie Town Centre.. The remaining £66k is proposed to be used towards a Conservation Area grant scheme across Moray.	Economic Growth and Regeneration Strategic Planning and Development
2025/26			
Place Based Improvement Fund (For noting, will be reported to Committee for approval when Grant offer received in 25/26)	£466k – in principle allocation	£200k Forres Town Centre £266k Grant schemes to support Town Centre Taskforce, grants aimed at supporting town centre business start-ups, bringing vacant/ derelict property back into use and sub-division of premises. Also small scale public realm and partnership projects. This is targeted at centres outwith Forres.	Economic Growth and Regeneration Strategic Planning and Development

6. LEVELLING UP FUND

- 6.1 The Council's bid to round 2 of the UK Levelling Up Fund was unsuccessful. Feedback has been received through;
- A formal written response
 - A meeting with UK government officials, and
 - A meeting with Michael Gove MP, Douglas Ross MP and UK government officials
- 6.2 The feedback can be broadly summarised as;
- The bid represented a coherent, well linked package of projects. Elements of the bid were good but there were some areas of weaknesses which could be strengthened.
 - In terms of strategic fit, the bid displayed robust and wide ranging stakeholder engagement. The bid provided a coherent, straight forward and well defined package of projects, evidence was clear and strong that the proposed interventions would have meaningful and impactful outputs and outcomes and have a transformative effect on the city of Elgin, with wider regional benefits. The contribution to LUF missions would be extremely positive, with potential to be an exemplar of the LUF agenda.
 - Economic case- overall presented a good case. Bid demonstrated a clear need for investment, however more evidence across a wider range of socio economic issues could have been provided. Some of the benefits could have been appraised over a longer period. The optimism bias applied did not seem appropriate and additionality assumptions were considered to be high, which may have resulted in overstated benefits.
 - Deliverability- The cost and funding profile lacked detail. Some uncertainty that the LUF funding could be delivered by the required timeframes, the risk register lacked detail and additional detail would have strengthened the application. More detail is required on the legal and governance structures to be put in place with project partners.
 - The bid clarified milestones and resources and it appeared that these were realistic and achievable.
 - Procurement strategy was compliant and proportionate, demonstrating an understanding of the local market.
 - Monitoring and evaluation- this could have gone into more detail, with no budget set aside specifically for it. Resourcing and governance arrangements could have been clearer. The monitoring metrics identified are well thought through, extensive and seem sensible.
- 6.3 The feedback has been very useful and encouraging. The third round is yet to be announced and there is no guarantee that it will follow the same bid format. However, given the feedback, officers with some minimal consultancy support to provide expertise on economic impact and subsidy control, have addressed the feedback which can be used to inform projects considered for the Long-Term Plan for Elgin (see separate report to Council on 25 October 2023). The economists have also been commissioned to carry out an Economic Impact Assessment of the Moray Leisure Centre proposal and this will be reported back to a future meeting of the Council.
- 6.4 An annual report will be submitted to the Economic Development and Infrastructure Services Committee on progress with the TCIPs and the work of

the Taskforce. The information included within the town centre health checks will be reviewed to ensure outcomes can be measured more readily.

7. HEAT NETWORKS

- 7.1 The ongoing development of the Local Heat and Energy Efficiency Strategy (LHEES), and discussions with partners as part of the delivery of Moray Growth Deal projects, has identified the centre of Elgin as a potential area for a Heat Network Zone. The creation of a heat network in the centre of Elgin is an opportunity to use the Growth Deal as a catalyst to deliver additional benefits for the town centre and act as a learning resource for elsewhere. As the Growth Deal includes buildings which are in close proximity, it is an opportunity to explore the potential to install the infrastructure required. This will allow the buildings to be utilised as anchor loads for a network which could include other buildings such as the Council HQ, UHI Moray campus, Elgin Library, Grant Lodge, businesses, and Dr Grays Hospital. A decarbonised heat network would be an opportunity for public and private buildings to share the cost of moving away from fossil fuel heating. The heat network would be a major innovation to Elgin and the Growth Deal projects would be at the heart of this.
- 7.2 The [Scottish Government Heat Network Support Unit](#) (HNSU) can offer 100% of funding for a feasibility study. The capital required and financial viability of the heat network will be addressed by the feasibility study. If the project is viable, the HNSU can fund up to 50% of capital costs with the intention to source investment funding for the remaining 50%. In order to attract external investment the project will have to be a large enough scale to make it financially viable. If there is a viable project, the intention would be to create a partnership organisation to drive the project forward and to operate the network. Further update reports will be provided to this Committee.

8. SUMMARY OF IMPLICATIONS

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

Town centre regeneration is a key element of economic development, which is a priority in the Corporate Plan.

(b) Policy and Legal

The proposals support delivery of the statutory Moray Local Development Plan 2020 and National Planning Framework 4.

(c) Financial implications

The additional work to address feedback on the unsuccessful bid to the UK LUF will cost in the region of £ 50,000 to cover consultancy support on subsidy control and economic impact, business case. This will be met from the remaining £221,000 budget approved to support development of a LUF bid.

(d) Risk Implications

Staffing resources are stretched across these areas of work and there will be a conflict of priorities with work on the Local Development Plan. Appointment of a 12 month officer post through UKSPF will help with initial setup processes for the Taskforce, grants and projects.

There is a risk that decisions in the budget process may impact on the ability to implement the actions set out in this report, particularly where future year commitments are concerned.

Authority to vire sums between projects will minimise the risk of underspend of grants.

(e) Staffing Implications

As indicated under risk implications, staff resources are stretched and appointment of a town centre officer employed by Chamber of Commerce will help to progress the actions and support the Taskforce.

Staffing across the Council will be subject to review as part of the budget planning process and impacts will be set out as savings proposals are considered moving forward. As the actions commit the teams to significant work over the next 3 financial years, if savings affect the ability to deliver work planned and approved, funding will have to be returned.

(f) Property

The Council owns property within town centres which would be eligible for financial assistance.

(g) Equalities/Socio Economic Impact

The funding aims to support town centre regeneration and address economic disadvantage and in doing so, provide safer, more inclusive and accessible places.

(h) Climate Change and Biodiversity Impacts

The proposals support delivery of the TCIP which include broad objectives intended to reduce carbon, by re-using vacant and derelict premises, promoting active travel, greening town centres and investigating a potential heat network.

There is an opportunity to link funding from the Nature Restoration Fund with delivery of TCIP in future years.

(i) Consultations

The Depute Chief Executive (Economy, Environment and Finance), the Legal Services Manager, the Head of Financial Services, Deocratic Services Manager, the Economic Growth and Regeneration Manager, the Principal Climate Change Officer, the Consultancy Manager, the Senior Engineer (Transportation) and the Equalities Officer have been consulted and comments received have been incorporated into the report.

9. CONCLUSION

- 9.1 A Town Centre Taskforce has been set to support delivery of the TCIP. The Council has secured external funding towards town centre regeneration and has agreed to use the funding to support delivery of the TCIP.**
- 9.2 The Council has received positive feedback on the unsuccessful bid to the UK Levelling Up Fund and is working to address the areas of weakness. The Council has received £20M towards a Long- Term Plan for Elgin from the UK Government which is subject to a separate report to Council on 25 October 2023.**
- 9.3 There is an opportunity for the Council to work with partners to explore the feasibility of creating a heat network in the centre of Elgin.**

Author of Report: Gary Templeton, Strategic Planning and Development Manager and Eily Webster, Principal Planning Officer

Background Papers:

Ref:



**REPORT TO: PLANNING AND REGULATORY SERVICES COMMITTEE ON
24 OCTOBER 2023**

SUBJECT: TREE PRESERVATION ORDERS

**BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, ENVIRONMENT AND
FINANCE)**

1. REASON FOR REPORT

- 1.1 This report asks Committee to confirm the revocation of Tree Preservation Orders (TPOs) at The College, King Street (Elgin) and Tomnabat Lane (Tomintoul), without modification.
- 1.2 This report is submitted to Committee in terms of Section III (E) (7) of the Council's Scheme of Administration to make, vary and revoke orders for the preservation of trees.

2. RECOMMENDATION

2.1 It is recommended that the Committee agree to confirm, without modification:

- (i) **Moray Council (The College, King Street, Elgin) Revocation of Tree Preservation Order 2023; and**
- (ii) **Moray Council (Tomnabat Lane, Tomintoul) Revocation of Tree Preservation Order 2023.**

3. BACKGROUND

- 3.1 Policy EP7 Forestry, Woodlands and Trees of the Moray Local Development Plan (MLDP) 2020 supports the serving of a TPO on potentially vulnerable trees which are of significant amenity value to the community as a whole, trees that contribute to the distinctiveness of a place or trees of significant biodiversity value. Trees contribute significantly to the characteristics of Moray and its conservation areas and the aim of Policy EP7 is to retain healthy trees and prevent the unnecessary felling of such.

- 3.2 Following an increase in tree works applications and complexity of cases, Officers carried out a holistic review of existing TPOs to ensure that they retained their amenity value and remained appropriate and relevant. The outcome of the review was reported to this Committee on 20 December 2022 and it was agreed to vary Rothiemay TPO, serve a new TPO at Dunkinty and revoke TPOs at The College, King Street (Elgin), Fogwatt, Dunkinty House (Elgin), Croft Road (Forres), Tomnabat Lane (Tomintoul), Woodland at Damhead Cottage (Kinloss), Woodland at Seapark House (Kinloss) and Groups of Trees at Deskford (para 13 of the minute refers).
- 3.3 TPOs are subject to a minimum 28 days public consultation during the period between Committee giving approval to serve the Order and the Committee confirming the Order. The Order must be confirmed by Committee no more than 6 months after the Order has been served or revoked. During the consultation period, the public can make representation either in support of, or objecting to the Order. In terms of Regulation 5 of the Town and Country Planning (Tree Preservation Orders and Trees in Conservation Areas) (Scotland) Regulations 2010, the Council must consider all representations before confirming the TPO with or without modifications.
- 3.4 As Legal Services are currently significantly under resourced, Orders are being processed in phases with the highest priority work completed first. The remaining two Orders at Cowie Avenue/Fife Street (Dufftown) and Deskford will be reported to the meeting of this Committee on 19 December 2023.

4. PROPOSALS

Confirm Moray Council (The College, King Street, Elgin) Revocation of Tree Preservation Order 2023, without modification

- 4.1 The revocation TPO was served on land owners and advertised publically between 7 August and 18 September 2023 for representations to be received. No representations were received and it is recommended that the Committee confirm the revocation TPO without modification.

Confirm Moray Council (Tomnabat Lane, Tomintoul) Revocation of Tree Preservation Order 2023, without modification

- 4.2 The revocation TPO was served on land owners and advertised publically between 3 August and 18 September 2023 for representations to be received. No representations were received and it is recommended that the Committee confirm the revocation TPO without modification.

5. NEXT STEPS

- 5.1 If the Committee agree to confirm the TPOs as set out in Section 2 of this report, the Council are required to register the TPOs in the Land Register of Scotland.

- 5.2 In addition, notice will be given to Scottish Forestry, interested persons and any person who made a representation. Copies of the TPOs will also be made available for public inspection.
- 5.3 The remaining two revocation TPOs at Cowie Avenue/Fife Street (Dufftown) and Deskford have been processed and issued for the relevant consultation periods. These will be reported to the December meeting of this Committee for confirmation or otherwise.

6. SUMMARY OF IMPLICATIONS

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

The Corporate Plan prioritises the need to maintain and promote Moray's landscape and biodiversity. The 10 Year Plan (LOIP) identifies the need to build a better future for children and young people in Moray by providing the healthiest start in life. TPOs protect significant trees and woodlands and conserves the local natural environment and biodiversity whilst also helping to promote healthier lives.

(b) Policy and Legal

The Town and Country Planning (Tree Preservation Order and Trees in Conservation Areas) (Scotland) Regulations 2010 provides for the serving, varying and revoking of TPOs.

Policy EP7 of the MLDP 2020 supports the serving of a TPO on potentially vulnerable trees which are of significant amenity value to the community as a whole, trees that contribute to the distinctiveness of a place or trees of significant biodiversity value.

(c) Financial implications

Land registry and advert costs will be met from existing Strategic Planning and Development section budgets.

(d) Risk Implications

None.

(e) Staffing Implications

The serving, varying or revocation of TPOs has staffing implications for Strategic Planning & Development and Legal Services. Legal Services are currently significantly under resourced and work has been phased with the highest priority work completed first.

(f) Property

None.

(g) Equalities/Socio Economic Impact

No Equality Impact Assessment is required for this report.

(h) Climate Change and Biodiversity Impacts

The report confirms the removal of legal protection for trees, however this does not automatically mean that these will be felled. As such, there are no climate change or biodiversity implications arising from this report.

(i) Consultations

Consultation has taken place with the Depute Chief Executive (Economy, Environment and Finance), the Head of Economic Growth and Development, the Chief Financial Officer, the Legal Services Manager, the Democratic Services Manager and the Equal Opportunities Officer have been consulted and comments received have been incorporated into the report.

7. CONCLUSION

7.1 TPOs are formal orders attached to important, feature and character-creating trees and woodland to protect the amenity value they contribute to the local community. Following a holistic review of existing TPOs, various proposals were made to ensure that TPOs retained their amenity value and remained appropriate and relevant.

7.2 Following consultation, no representations were received and the Committee is asked to confirm, without modification, the revocation TPOs at The College, King Street (Elgin) and Tomnabat Lane (Tomintoul).

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Background Papers:

Ref: