



**REPORT TO: PLANNING AND REGULATORY SERVICES COMMITTEE ON
12 MARCH 2024**

**SUBJECT: MORAY LOCAL DEVELOPMENT PLAN 2020 - MONITORING
REPORT 2023**

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

1. REASON FOR REPORT

- 1.1 This report asks the Committee to consider and approve the Moray Local Development Plan Monitoring Report 2023.
- 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) considers and approves the Monitoring Report as set out in Appendix 1 and Appendix 2; and
 - (ii) notes that the Monitoring Report will be used to inform the Evidence Report for the Local Development Plan (LDP) 27.

3. BACKGROUND

- 3.1 The Moray Local Development Plan (MLDP) 2020 was adopted on 27 July 2020. The LDP2020 was informed by 9 main land use issues identified as part of the Main Issues Report (MIR) in 2018. The Monitoring Report examines whether the policies and designations of the MLDP 2020 are addressing these issues. A Monitoring Report covering the period July 2020 to July 2021 was presented to this Committee on 16 November 2021 (para 14 of the minute refers). This Monitoring Report covers the following two years from July 2021 to July 2023.
- 3.2 The new planning system as set out in the Planning (Scotland) Act 2019 requires Planning Authorities to submit an Evidence Report to assess the sufficiency of the evidence base through the Gatecheck process when preparing new LDP's. Having an up to date Monitoring Report forms part of

the Evidence Report which will be presented to a meeting of the full Council on 24 April 2024.

4. MONITORING REPORT

- 4.1 The Monitoring Report in **Appendix 1** reviews the progress made on addressing the issues identified in the MIR 2018. National Planning Framework 4 (NPF4) was approved in February 2023 and now forms part of LDP's. This report covers the time period between July 2021 and July 2023. As NPF4 has not been in operation for that long, it is not possible for a detailed analysis of its impact to be covered in this report. Future Monitoring Reports will require to examine and the impact of NPF4 policies as well as new policy requirements such as Community Wealth Building.
- 4.2 The report has been structured like the previous 2021 Monitoring Report and focuses on the 9 "main issues" identified in the MIR. It also contains a table setting out progress on designated housing, employment and opportunity sites in **Appendix 2**. The report also provides an overview of decisions from Moray Local Review Body (MLRB) and the Scottish Government's Planning and Environmental Appeals Division (DPEA). A summary of some of the key indicators considered in the monitoring report is set out below.
- 4.3 **Growth Strategy:** A review of planning consents and completions shows that these have largely been in line with the Growth Strategy for Moray. However, approvals and completions have been more modest in the Tertiary Growth Areas of Lossiemouth, Keith, Fochabers, Mosstodloch and Aberlour. Recovery from the impacts of the Covid-19 pandemic is evidenced in the increased completions across 2021/22 and 2022/23.
- 4.4 **Providing a generous supply of housing land:** All population projections need to be treated with caution however several trends can be drawn. Although the projected population of Moray is projected to decline (-3% from 2018 to 2043), data from National Records of Scotland (NRS) shows that the number of households living in Moray is projected to increase by 5% between 2022 and 2042. This trend is expected to continue which will be fuelled by the demand for smaller households. Similarly, the trend for an ageing population and smaller household sizes continues to be forecast and is an issue that is going to have to be addressed in future years, particularly with the lack of choice in the private market (ie a small supply of bungalows).
- 4.5 The Housing Land Audit (HLA) previously reported to this Committee on 15 August 23 (para 10 of the minute refers) demonstrated that Moray has a 12 year effective land supply with a further 9 years from the LONG supply which can be drawn from if the relevant triggers are met. This approach to LONG term housing land has been recognised as good practice and allows for longer term infrastructure planning through strategic level masterplanned expansion areas.
- 4.6 **Creating Quality, integrated healthy places:** PP1 Placemaking has been operational for over 3 years since the adoption of the MLDP. In conjunction with the Quality Audit (QA) process, this has seen improvements in the quality of information being provided in planning applications resulting in better decisions on the ground. The QA continues to play an important role in

ensuring that all key elements of the policy are delivered including making significant improvements on areas such as improving character and identity, multi-functional open space provision, car parking, landscaping, embedding green and blue infrastructure to support biodiversity and climate change, and improving mental health and well being. The QA process was recently revised to take cognisance of National Planning Framework 4 (NPF4) which was approved at a meeting of this Committee on 15 August 2023 (para 13 of the minute refers). Additional Planning Guidance on MLDP Policies has also been prepared helped to provide clarity on specific policy areas with is intended to help developers understand what is required to comply with policy.

- 4.7 **Providing a generous employment land supply:** The Employment Land Audit was reported to Committee on 15 August 2023 (para 9 of the minute refers) and demonstrated that overall there is 99.87ha of effective employment land. However, a shortage of industrial land in Forres and Speyside has been identified as highlighted in previous Monitoring Reports. Similarly, 17 Barmuckity/Elgin Business Park, is progressing well and work is needed to bring new sites forward to ensure a continued supply of land. No applications have been received for new industrial estates. Pressure for leisure and retail uses on existing industrial estates is anticipated to continue and will require to be monitored to assess the effectiveness of Policy DP5 Business and Industry and DP7 Retail/Town Centres. There are emerging trends for development proposals such as battery storage facilities which will need to be monitored. This will likely have implications for the employment land supply and the next LDP if applications for this type are approved on designated employment land sites given that they are land hungry, offer very little permanent employment opportunities, and do not fall within the use classes normally associated with industrial estates.
- 4.8 **Taking an infrastructure first approach:** Developer Obligations are being collected toward infrastructure including healthcare, education, transportation and a 3G pitch in Forres in line with Policy PP3 Infrastructure and Services and the Developer Obligations Supplementary Guidance. Site specific infrastructure requirements, methodology and rates to seek developer obligations towards the identified infrastructure requirements are set out in the statutory Developer Obligations Supplementary Guidance (SG). This SG is currently under review and is anticipated to be reported to this Committee in the middle of this year.
- 4.9 Moray Council facilitate a LDP Delivery Group which includes a wide range of representatives from NHS Grampian, Scottish Water, Scottish Gas Networks (SGN), SSEN, Transport Scotland, and Council Services for Education, Transportation, Sports and Recreation, and Housing. This Group informed the LDP2020 infrastructure requirements as well as subsequent reviews of the SG, and similarly the Group will inform the evidence base for the LDP27 and Delivery Programme.
- 4.10 **Pressures on Moray's landscape and rural cultural heritage:** There have been limited departures from policy EP3 Special Landscape Areas and Landscape Character and policy EP5 Open Space. Impacts on the landscape from large-scale onshore wind developments and other types of energy developments will remain a pressure. The Keith Green Energy and Infrastructure Framework was prepared in response to the pressures of

development associated with the grid around the wider Keith area. MLDP Policy EP5 has been largely effective in restricting new housing within ENVs. The loss of open space to accommodate development remains low.

- 4.11 **Safeguarding and promoting biodiversity:** Biodiversity enhancement is now being delivered through new development since the adoption of both the MLDP 2020 and NPF4 which places a strong emphasis on the nature crisis and climate emergency. Since the adoption of the policy, applications must provide a biodiversity plan to demonstrate how their proposals safeguard and enhancing biodiversity. This has seen notable improvements in terms of the variety of planting and species that is being provided, incorporation of blue and green infrastructure, and measures such as bat boxes, swift bricks and hedgehog highways which are all standard features. NPF4 places significant importance on tackling the nature crisis. Going forward it is essential that biodiversity plans do not become generic and are site specific to deliver maximum benefits. A biodiversity strategy, identification of nature networks, and further training on biodiversity issues will also be undertaken.
- 4.12 **Delivering on Climate Change:** Planning for Climate Change and supporting the reduction of greenhouse gas emissions is embedded within several policies. PP1 Placemaking and DP1 Development Principles include criteria such as integrating multi-functional active travel routes, green and open space; maximising environmental benefits through orientation of buildings to maximise as solar gain and wind shelter; supporting and enhancing biodiversity; designing open space to be multi-functional including green/blue networks; EV charging; cycle parking provision; avoiding areas at flood risk; dealing with surface water in a sustainable manner to have a neutral impact on flooding; and avoiding workable reserves of prime agricultural land or productive forestry.
- 4.13 NPF4 now places significant weight on addressing the climate emergency and all proposals must demonstrate how they address climate change. To assist applicants planning guidance was prepared to support the implementation of NPF4 which requires new developments to be sited and designed and applicants to calculate the lifecycle carbon from proposals to minimise greenhouse gas emissions as far as possible and adapt to current and future risks from climate change.
- 4.14 **Rural Housing:** The hierarchical policy approach introduced in the MLDP 2020 has been successful in protecting pressurised areas from further inappropriate development. All applications within Pressurised and Sensitive Areas have been refused and this position has been subsequently supported by the MLRB where reviews were requested. Siting and design policy requirements are also driving better located houses within the landscape and design standards have also improved with more traditional simple forms of homes being delivered on the ground. To support and monitor the delivery of NPF4 a suite of indicators are being considered by Officers.

5. **SUMMARY OF IMPLICATIONS**

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

The MLDP delivers Corporate and Community Planning objectives and annual monitoring allows assessment of the implementation and effectiveness of policies and proposals.

(b) **Policy and Legal**

Preparation of the LDP is a statutory responsibility for the Council.

(c) **Financial implications**

None.

(d) **Risk Implications**

Failing the Gatecheck process due to the lack of monitoring mechanisms would result in delays of having an up to date LDP as well as local policy positions and projects. There could also be a failure to provide an effective housing and employment land supply.

(e) **Staffing Implications**

Preparation of the Monitoring Report is part of the workload of the Strategic Planning & Development section.

(f) **Property**

None

(g) **Equalities/Socio Economic Impact**

There are no equalities issues arising from this report as it is to inform the Committee on monitoring of the LDP only.

(h) **Climate Change and Biodiversity Impacts**

The Monitoring Report plays a key role ensuring that MLDP 2020 and requirements relating to Climate Change and Biodiversity are being adhered to and delivered. NPF4 introduced new policy requirements for the planning system on climate change and biodiversity and these will be included within future Monitoring Reports.

(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 Senior Engineer (Transportation), the Housing Strategy and Development Manager, the Development Management and Building Standards Manager, the Equal Opportunities Officer, and the Democratic Services Manager have been consulted and comments received have been incorporated into the report.

6. CONCLUSION

- 6.1 The MLDP Monitoring Report provides an evidence base which can be used to influence future policy documents and the preparation of the next MLDP. The Monitoring Report can help identify where additional guidance and/or training is required on the implementation of policies. Having an up to date Monitoring Report will also form part of the Evidence Report for the preparation of the next MLDP.**
- 6.2 The report highlights that development proposals are generally reflective of the Growth Strategy. There continues to be a good supply of effective housing land. Whilst overall there is a good supply of effective employment land, shortages of industrial land are identified in Forres and Speyside, as well as good uptake being made at I7 Barmuckity. PP1 Placemaking and the Quality Audit process is continuing to deliver improvements in urban design and the quality of information being submitted in planning applications. The Rural Housing policy has been successful in preventing further cumulative build up in sensitive areas. Policies continue to work to safeguard the environment and landscape.**

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Background Papers:

Ref: