

**21/01163/APP**  
**2nd August 2021**

**Residential development landscaping and associated infrastructure at Glassgreen Village Phase 2 Elgin South Elgin Moray for Springfield Properties PLC**

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**Comments:**

- A site visit has been carried out.
- Proposal to be reported to Committee under the scheme of delegation where the proposal exceeds 50 house units and where it falls within the category of “major development” as defined in the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009.
- Advertised for neighbour notification purposes.
- One representation received.

**Procedure:**

- If Members are minded to approve, a separate Section 75 legal agreement is required prior to issuing planning consent to see delivery of the Developer Obligations agreed.

**Recommendation**

Grant Planning Permission - Subject to following:

**Conditions/Reasons**

1. The development to which this permission relates must be began not later than the expiration of 5 years beginning with the date on which this permission is granted.

**Reason:** The time limit condition is imposed in order to comply with the requirements of section 58 of the Town and Country Planning (Scotland) Act 1997 as amended.

2. Prior to occupation of the first dwelling a finalised landscaping maintenance schedule relating to the approved “LANDSCAPE PROPOSALS OVERALL PROPOSALS (1 of 2)” SPE 102.21 SL-01 Rev F. and “LANDSCAPE PROPOSALS OVERALL PROPOSALS (2 of 2)” SPE 102.21 SL-02 Rev F must be submitted to and approved in writing by the Council, as Planning Authority. Thereafter the landscaping must be implemented in accordance with the above approved plans and maintenance shall be carried out in accordance with the

approved landscaping maintenance schedule.

**Reason:** In order to ensure the final landscape maintenance arrangements are agreed prior to occupation of the dwellings.

3. The play area and equipment hereby approved must be implemented as shown on plan MO05\_SL\_12 REV A 'Play Area' unless otherwise agreed in writing with the Council as Planning Authority.

**Reason:** In order to ensure the revised play area equipment specified is installed and to allow for any variations necessary.

4. Prior to development commencing, a phasing plan must be submitted to and approved in writing by the Council as Planning Authority detailing at what stages of build-out the various areas of structural planting, wider landscaping, street trees, bespoke benches, civic hard and soft landscaping and the play area will be provided. Thereafter the development hereby approved shall be progressed in accordance with the approved phasing plan unless otherwise approved by the Council as planning authority.

**Reason:** In order to ensure the landscaping and area are provided at an appropriate phase of the development.

5. No house or flat shall be occupied until the EV charging infrastructure associated with the parking for the unit has been provided and made available for connection of an EV charging unit. Thereafter the development shall be completed in accordance with the approved details as shown on Drawing No. MO05\_SL\_06 Revision D 'EV Charging'. Beyond the details submitted however and prior to first occupation of any house unit, further details must be submitted to and approved by Moray Council showing:-
  - a) A plan or details of how the communal charging points would work, e.g., shared charging points, metered or one point per flat, no designated parking.
  - b) Confirmation of the charge rate (minimum 7kW).
  - c) Confirmation that charging points are all within 5m of vehicles parking.

**Reason:** In the interests of an acceptable form of development and to ensure provision of infrastructure to support the use of low carbon transport, through the provision of details currently lacking from the submission.

6. No house or flat shall be occupied until the EV charging infrastructure associated with the parking for the unit has been provided and made available for connection of an EV charging unit. Thereafter the development shall be completed in accordance with the approved details as shown on Drawing No. MO05\_SL\_06 Revision D 'EV Charging'.

**Reason:** In the interests of an acceptable form of development and the provision of infrastructure to support the use of low carbon transport, through the provision of details currently lacking from the submission.

7. Unless otherwise agreed in writing with the Council as Planning Authority, the

three 87sqm 'retail' units may host businesses falling within Classes 1 - Shops, Class 2 - Financial, professional and other services or Class 3 - Food and drink of The Town and Country Planning (Use Classes) (Scotland) Order 1997 as amended (or as subsequently amended by future changes to Classes 1, 2 and 3 or their equivalent).

**Reason:** In order to be clear to the range of uses permissible within the shop units.

8. Unless otherwise agreed in writing with the Council as Planning Authority, the 14 accessible units as indicated in the Accessible Housing Statement, must be provided in full compliance with the Accessible Housing Guidance note contained on pages 41-42 of Moray Local Development Plan 2020.

**Reason:** To ensure the identified house units meet the required standard and design features to fulfil the accessible housing need for the development.

9. As part of the permission hereby granted, the 46 affordable house units (as identified on the 'Housing Type Allocation' plan MO05\_SL\_02 Rev D shall only be used for affordable housing purposes in accordance with the agreement(s) reached between the applicant/developer and Moray Council and/or any registered social landlord (e.g. housing association or similar) to enable the long term delivery of affordable housing on this site; and no house development shall commence beyond Phase 3 until details of the agreement(s) to confirm the arrangements for the delivery of the proposed affordable house units hereby approved shall be submitted to and approved in writing by the Council as Planning Authority. Thereafter, the development shall be implemented in accordance with the approved details.

**Reason:** To ensure an acceptable form of development in terms of the required provision and delivery of the affordable housing units proposed for this site wherein the benefits of such provision are passed on to serve the community in future years.

10. Unless otherwise agreed in writing with the Council as Planning Authority, the recommended ecological mitigation contained at para 4.1 and enhancement actions in para 4.2 of the "Crescent South, Elgin South, Extended Phase1 Habitat Survey and Biodiversity Action Plan must be adhered to prior to and during construction unless otherwise agreed in writing with the Council, as Planning Authority.

Prior to development commencing, as plan must be submitted to and approved by the Council as Planning Authority showing the intended locations of hedgehog access throughout the site.

**Reason:** In order to ensure the appropriate mitigation is undertaken to protect biodiversity upon the site.

11. Prior to occupation of the first dwelling, the specific details, locations and timing for provision of the public art bespoke carved/constructed benches must be

submitted to and approved in writing by the Council, as Planning Authority. The details shall include that no less than four benches will be provided, two in the civic square area, and at least 2 elsewhere in the development. Thereafter the benches installed shall be maintained and if so instructed by Moray Council, made safe and replaced with another bench of a design and material approved by Moray Council as Planning Authority.

**Reason:** In order that consideration can be given to the specific design of park benches to be provided.

12. Unless otherwise agreed in writing with the Council, as Planning Authority, the development shall include a total of 47 affordable house units and a minimum of 14 accessible units, with the affordable units being provided no later than the completion of the 100th house unit upon the site.

**Reason:** In order to avoid any ambiguity regarding the terms of the consent, and to confirm the number of affordable and accessible housing units to be developed.

13. The approved bin and cycle storage must be fully installed prior to first occupation of any of the apartment blocks they serve.

**Reason:** In order to ensure the relevant amenities are in place prior to residential occupation occurring.

14. No part of this development, termed as Phase 1C, shall be occupied until:

- a) details (which may include evidence from Transport Scotland) have been submitted to the Council, as Planning Authority to confirm that the Trunk Roads Authority has completed the upgrading and realignment of the A96 (T) Hardmuir to Fochabers section of the A96 Dualling programme;

OR

- b) a Transport Assessment for Phase 1C (as defined within the submitted Transport Assessment) has been submitted to the Council, as Planning Authority, and that any trunk road mitigation measures necessary to off-set the impact of Phase 1C have thereafter been implemented in accordance with a timescale identified by the Transport Assessment to the satisfaction of the Council, as Planning Authority, in consultation with Transport Scotland.

**Reason:** To ensure that the scale and operation of the proposed development does not adversely affect the safe and efficient operation of the trunk road network.

15. Unless otherwise agreed with the Planning Authority, in consultation with the Environmental Health Manager, the air source heat pump at the proposed dwellings shall be the Daikin Altherma H Hybrid Outdoor Unit model EJHA04AAV3, confirmed by supporting email from the applicant to the Environmental Health Section on 1st October 2021 at 09:35 hours, and the sound power level of the unit shall not exceed 58.7 dB (A), as described in page 7 of the

supporting document titled "Daikin Altherma hydrosplit heat pump Product catalogue".

**Reason:** To ensure that the noise source limits can be controlled in the interests of protecting local amenity.

16. Construction works (including vehicle movements) associated with the development audible at any point on the boundary of any noise sensitive dwelling shall be permitted between 0800 - 1900 hours, Monday to Friday and 0800 - 1300 hours on Saturdays only, and at no other times out with these permitted hours (including National Holidays) shall construction works be undertaken except where previously agreed in writing with the Council, as Planning Authority and where so demonstrated that operational constraints require limited periods of construction works to be undertaken out with the permitted/stated hours of working.

**Reason:** To ensure that construction activity likely to impact neighbouring amenity occurs at reasonable times and can be controlled.

17. Prior to development commencing, a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing by the Planning Authority in consultation with the Environmental Health Manager. The plan shall include measures to minimise construction related noise, vibration, dust and artificial lighting. The CEMP must also detail measures to minimise the disturbance of soil during construction. Thereafter the development will be carried out in accordance with the agreed plan.

**Reason:** To ensure that the construction phase is carried out so as to minimise impacts.

18. No works in connection with the development hereby approved shall commence unless an archaeological written scheme of investigation (WSI) has been submitted to and approved in writing by the planning authority and a programme of archaeological works has been carried out in accordance with the approved WSI. The WSI shall include details of how the recording and recovery of archaeological resources found within the application site shall be undertaken, and how any updates, if required, to the written scheme of investigation will be provided throughout the implementation of the programme of archaeological works. Should the archaeological works reveal the need for post excavation analysis the development hereby approved shall not be occupied unless a post-excavation research design (PERD) for the analysis, publication and dissemination of results and archive deposition has been submitted to and approved in writing by the planning authority. The PERD shall be carried out in complete accordance with the approved details.

**Reason:** To safeguard and record the archaeological potential of the area.

19. Prior to development commencing, a site specific waste management plan shall be submitted to and agreed in writing by the Council, as Planning Authority. The plan shall identify likely waste sources, provisions to maximise waste reduction

and recycling, and waste separation at source during the construction and post construction phases of the development. Thereafter the development will be carried out in accordance with the agreed plan.

**Reason:** To ensure that waste is minimised during construction, in accordance with National Planning Framework 4 Policy 12 – Zero Waste.

20. The development hereby approved must be carried out in accordance with the “Phase 1C Elgin South Crescent South, Birnie Wood West & the Square Drainage Assessment Revision B” February 2023 and associated Drainage Layout plan MO05-ENG-600 Rev C. The drainage arrangements must be implemented.

**Reason:** To ensure that the revised drainage arrangements are implemented.

21. Prior to the commencement of any part of the development, the following details shall be submitted for approval in writing by the Planning Authority in Consultation with the Roads Authority:
- a) A phasing plan (Scale 1:1000 min) showing the extents of each phase of house building and road building (including new junctions onto the C2E Birnie Road and A941:
  - b) Details (Plan scale 1:1000 min) which demonstrates that no vehicular access shall be provided between the development and the existing development to the north (South Glassgreen), prior to the A941 site access and the 6.1m wide distributor road connection to the development being completed and opened to the public.
  - c) Timescales for the completion of the A941 site access junction and the 6.1m wide distributor road between the development the A941 junction.
  - d) A schedule of maintenance for the visibility splay areas at the site access junction onto the A941.

Thereafter, unless otherwise agreed in writing by the Planning Authority, the development shall be completed in accordance with the approved details and timescales. A visibility splay measuring 4.5m x 215m in both directions shall be provided at the new site access junction onto the A941 in accordance with the approved drawing and the visibility splay shall be maintained at all times free from any obstruction exceeding 0.26m metres above the level of the carriageway in accordance with the agreed schedule of maintenance.

**Reason:** Provision of details currently lacking to ensure roads infrastructure is provided at an appropriate stage in the development in the interests of road safety and an acceptable form of development. To enable drivers of vehicles entering or exiting the site to have a clear view so that they can undertake the manoeuvre safely and with the minimum interference to the safety and free flow of traffic on the public road.

22. Notwithstanding the details submitted for the proposed Birnie Road Upgrades (Drawing MO05-ENG-550 Rev C) which are not accepted (Do not show the full extent of the works required i.e. including tie in details to the existing road at the north and south). No development shall commence until the following details have

been submitted for approval in writing by the Planning Authority in consultation with the Roads Authority:

- a) Plans (Scale 1:500 min) which show the proposed Birnie Road widening and improvement works including the tie in details for the existing road at the northern and southern ends.
- b) Details (Plans scale 1:1000 min) showing any changes to the existing speed limits.
- c) Details of all changes/modifications to the design, to be informed by a Stage 1/2 Road Safety Audit, for the proposed junction and, any other works proposed on Birnie Road.
- d) A post construction review and Road Safety Audit for the section of Birnie Road between the southern extent of the proposed Birnie Road Improvements or site access visibility splay (whichever is furthest south) and the Birnie Road/Sandy Drive/Gleneagles Drive roundabout).
- e) Timescales for the completion of the Birnie Road Upgrades.

Thereafter, unless otherwise agreed in writing by the Planning Authority, the development shall be completed in accordance with the approved details and timescales.

**Reason:** Provision of details currently lacking to ensure roads infrastructure is provided at an appropriate stage in the development in the interests of road safety and an acceptable form of development.

23. Prior to any development works commencing, a schedule of maintenance for the visibility splay areas at the site access junctions onto the C2E Birnie Road and A941 shall be submitted to and approved by the Council, as Planning Authority in consultation with the Roads Authority. Thereafter the development shall be completed in accordance with the approved details and visibility splays measuring 4.5m x 120m to the north and 4.5m x 215m to the south shall be provided at the new site access junctions onto the C2E Birnie Road and 4.5m by 215m in both directions at the site access junction onto the, prior to any works commencing on the respective site access junctions (except for those works associated with the provision of the visibility splay); and

Thereafter, the visibility splay shall be maintained at all times free from any obstruction exceeding 0.26m metres above the level of the carriageway in accordance with the agreed schedule of maintenance.

**Reason:** To enable drivers of vehicles entering or exiting the site to have a clear view so that they can undertake the manoeuvre safely and with the minimum interference to the safety and free flow of traffic on the public road.

24. Notwithstanding the details submitted for the site layout and cycle path, clarification is required such that, no development shall commence until the following details shall be submitted for approval in writing by the Planning Authority in Consultation with the Roads Authority:
  - a) A Plan (Scale 1:1000min) showing the route of a 3 metre cycle path connecting from the existing cycle path at the southern boundary of the

Crescent North development eastwards to its intersection with the 6.1m wide distributor road and then continuing eastwards between the 6.1m road and the advanced planting area and linking to the existing/committed cycle path network to the northeast within the South Glassgreen development.

- b) Timescales for the completion of the cycle path.

Thereafter, unless otherwise agreed in writing by the Planning Authority the development shall be completed in accordance with the approved details and timescales.

**Reason:** Provision of details currently lacking or unclear from the submission, to ensure active travel infrastructure is provided at an appropriate stage in the development in the interests of road safety and an acceptable form of development.

- 25. Notwithstanding the details submitted for retaining walls adjacent to the public road on Plots 16 and 143 (Levels Layout Plans (Drawings EL(--)-ENG-300 and 301 Rev D)), which are not accepted. No development shall commence until the following details have been submitted for approval in writing by the Planning Authority in Consultation with the Roads Authority:

- a) Plan(s) (scale 1:500min) including the road levels and cross sections to demonstrate that no part of the public road shall be retained within the development.

Thereafter, unless otherwise agreed in writing by the Planning Authority the development shall be completed in accordance with the approved details and timescales.

**Reason:** Provision of details currently lacking or unclear from the submission in the interests of road safety and an acceptable form of development.

- 26. Notwithstanding the details submitted for the shared spaces, roads and paths within the square (including the east and south sides of the square), clarification of details between drawings MO05-ENG-500 Rev F (Adoption Layout), MO05\_SL\_01 Rev B (Site Layout), MO-05\_SL\_04 Rev C Roads Hierarchy) is required. No development shall commence until details (Plans scale 1:500 min) have been submitted for approval in writing by the Planning Authority in consultation with the Roads Authority which confirm the following:

- a) The extents of the roads (including paths/cycle paths/verges) to be provided on the east and south sides of the square as part of the current application.
- b) The extents of a continuous 3 metre wide (minimum) cycle path north-south including the section through the square and the road crossings to the north and south.

Thereafter unless otherwise agreed in writing by the Planning Authority the development shall be completed in accordance with the approved details.

**Reason:** Provision of details currently lacking or unclear from the submission to



ensure an acceptable form of development, the provision of active travel infrastructure and in the interests of road safety.

27. Notwithstanding the details submitted for the refuse collection area for Plots 124-135 which are not acceptable (lack of a footway crossing of the swale to allow for collection of refuse from the roadside). No development shall commence until details (Plans scale 1:500 min) have been submitted for approval in writing by the Planning Authority which confirm the following:

Refuse collection arrangements for plots 124-135 which are accessible from the road side directly without crossing through the swale.

Thereafter the infrastructure required to facilitate the refuse collection arrangements shall be provided in accordance with the approved details.

**Reason:** The submission of additional information to ensure an acceptable form of development and the provision of infrastructure required for site servicing and refuse collection.

28. Notwithstanding the details submitted for parking associated with Plots (11, 10, 36, 102 and 140) which are unacceptable (visibility from parked vehicles, parking space dimensions and walls/fences/hedges) Prior to the commencement of development on plots (7 or 10), 11, 36, 68, 102, (140 or 146) details shall be submitted to demonstrate the provision of acceptable parking arrangements including visibility requirements and details to confirm wall/fence/hedging positions and dimensions and parking space dimensions.

Thereafter the development of the plots shall be completed in accordance with the approved details unless otherwise agreed in writing by the Planning Authority in consultation with the Roads Authority.

**Reason:** The provision of details currently unacceptable or lacking from the submission to ensure adequate visibility is provided for vehicles entering the public road and parking is provided in accordance with the Moray Council Parking Standards and in the interests of road safety and an acceptable form of development.

29. Notwithstanding the details submitted for the roads and footways between plots 136-139 and 176-179 further clarification is required between drawings MO05-ENG-500 Rev F (Adoption Layout), MO05\_SL\_01 Rev B (Site Layout), MO05\_SL\_04 Rev C Roads Hierarchy). No development shall commence until details (Plans scale 1:500 min) have been submitted for approval in writing by the Planning Authority in consultation with the Roads Authority which confirm the extents of the adoptable road to be provided including verges/footways. Thereafter unless otherwise agreed in writing by the Planning Authority the development shall be completed in accordance with the approved details.

**Reason:** Provision of details currently lacking or unclear from the submission to ensure an acceptable form of development, the provision of active travel infrastructure and in the interests of road safety.

30. No dwelling or retail unit shall be completed until the following details have been submitted for approval in writing by the Planning Authority in consultation with the Roads Authority and the Public Transport Unit Manager.
- a) Details (Plans 1:1000 min) showing the minimum extents of the roads and paths required in order to provide access for bus services.
  - b) Timescales for the completion of the minimum roads and paths infrastructure required and timescales for the commencement of the 100th house plot within the development.
  - c) Details (Plans 1:250 min and Specifications) showing the design or make and model of enclosed bus shelter and flags to be provided at the two bus stop locations within the development.

Thereafter, prior to the commencement of the 50th house plot within the development, evidence (written agreement with the Roads Authority) shall be submitted to confirm the level of bus service provision to be provided. (Public Transport minimum service requirements shall be based on the provision of a service which connects the development to Elgin Town Centre, operates from 7.00am to 6.00pm, Monday to Friday inclusive, and from 8.00am to 6.00pm on Saturday and is based on a minimum frequency of 2 buses per hour and a minimum duration of two years or an equivalent to be agreed).

Thereafter, the bus stop infrastructure, roads required to access the infrastructure from the A941 and bus service(s) shall be provided in accordance with the approved details and timescales or prior to the commencement of the 100th house plot within the development.

**Reason:** To ensure the satisfactory provision of public transport infrastructure to serve the development.

31. No works shall commence on any area proposed for development until a Construction Traffic Management Plan for the respective area has been submitted to and approved in writing by the Council, as Planning Authority in consultation with the Roads Authority. The Construction Traffic Management Plan shall include the following information:
- a) duration of works;
  - b) construction programme;
  - c) estimated number of vehicle movements (i.e. materials, plant, staff, components);
  - d) anticipated schedule for delivery of materials and plant;
  - e) full details of any temporary construction access;
  - f) full details of construction traffic routes from the A941 and A96 to the site, including any proposals for temporary haul routes and routes to be used for the disposal of any materials from the site;
  - g) measures to be put in place to prevent material being deposited on the public road;
  - h) measures to be put in place to safeguard the movements of pedestrians;
  - i) traffic management measures to be put in place during works including any specific instructions to drivers; and

- j) parking provision, loading and unloading areas for construction traffic.

Thereafter, the development shall be implemented in accordance with the approved details.

**Reason:** To ensure an acceptable form of development in terms of the arrangements to manage.

32. No development shall commence until evidence has been submitted in writing to confirm that the statutory process (Traffic Regulation Order) required to relocate the existing 40mph speed limit on Birnie Road to the south of the proposed site access junction has been commenced. Thereafter, unless otherwise approved in writing by the Planning Authority in consultation with the Roads Authority, the site access junction shall not be completed or opened to the public until the statutory process and all works required to relocate the speed limit have been completed in accordance with the approved details.

**Reason:** In the interests of Road Safety.

33. Parking provision for houses shall be provided at the following rates:

- 1 Bedroom = 1 space
- 2 -3 Bedrooms = 2 spaces
- 4 or more bedrooms = 3 spaces

Parking for flats shall include provision for secure, weatherproof cycle storage for 1 cycle space per flat as a minimum. Parking shall be provided prior to the completion of each house or flat which it is associated with and thereafter retained and available for that purpose unless otherwise agreed in writing by the Planning Authority in consultation with the Roads Authority.

**Reason:** To ensure the permanent availability of the level of parking necessary for residents/visitors/others in the interests of an acceptable development and road safety.

34. No new boundary fences, hedges, walls or any other obstruction whatsoever over 0.6m in height and fronting onto the public road shall be within 2.4m of the edge of the carriageway.

**Reason:** To enable drivers of vehicles entering or exiting the site to have a clear view so that they can undertake the manoeuvre safely and with the minimum interference to the safety and free flow of traffic on the public road.

35. No development shall commence until a Travel Information Pack, which sets out opportunities for travel by foot, cycle and public transport, has been submitted to, and approved in writing by the Council, as Planning Authority in consultation with the Roads Authority. The Travel Information Pack shall include:

- a) information on routes for pedestrians and cyclists to access local facilities;
- b) information on the provision of bus services serving the development;

- c) details of how to access personal Travel Planning and of incentives to travel by foot, cycle and public transport; and
- d) details of the programme for updating the Travel Information Pack as the development progress, to be carried out annually.

The approved Travel Information Pack shall thereafter be provided to each dwelling as they are completed from the date of first completion of any part of the residential development.

**Reason:** To ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment.

36. No development shall commence on any area proposed for development until details have been submitted to and approved in writing by the Council, as Planning Authority in consultation with the Roads Authority regarding the formation of any required/proposed construction access(es) (which includes any temporary access(es) to the area proposed for development from any public road. The details shall include:

- a) a drawing (scale 1:500 minimum) regarding the location and design specifications of the proposed access(es);
- b) specification of the materials used for the construction access(es);
- c) all traffic management measures required to ensure safe operation of the construction access(es);
- d) details including materials for the reinstatement of any temporary construction access(es); and
- e) details regarding the timescale for the opening up and closure of any temporary access(es) together with the time-period over which the temporary access(es) will be used.

Thereafter, the works shall be provided in accordance with the approved details.

**Reason:** To ensure an acceptable form of development in terms of the arrangements to manage traffic during construction works at the site.

#### **Reason(s) for Decision**

The Council's reason(s) for making this decision are:-

The proposal accords with the relevant policies of National Planning Framework 4 and Moray Local Development Plan 2020, and there were no material considerations that would indicate otherwise.

#### **List of Informatives:**

THE DEVELOPMENT MANAGEMENT & BUILDING STANDARDS MANAGER has commented that:-

A Building Warrant will be required for the proposals. Should you require further assistance please contact the Building Standards Duty Officer between 2pm and

4pm or telephone on 03001234561. No appointment is necessary. Alternatively e-mail [buildingstandards@moray.gov.uk](mailto:buildingstandards@moray.gov.uk)

This planning permission is subject of a Section 75 legal agreement covering the Developer Obligations requirements.

THE ABERDEENSHIRE ARCHAEOLOGY has commented that:-

The exact mitigation is to be agreed with the archaeology service, but may incorporate an archaeological metal detector survey as well as a trial trenching evaluation (trench plan to be agreed with the archaeology service, in order to target possible features identified on aerial photography). These works should be undertaken by a suitably qualified archaeological contractor. It is noted that a Written Scheme of Investigation has been submitted with the application. The archaeology service would ask that an updated WSI is produced, given that the submitted document is dated 2015, to include a trench location plan (to be agreed with archaeology service, as noted above). The archaeology service also notes that the submission of the WSI in advance does not negate the need for the above condition to be applied should the application be approved.

THE TRANSPORTATION MANAGER has commented that:-

Whilst the current application drainage arrangements and locations of proposed SUDS ponds are acceptable in principle (subject to detailed design/approval for the roads drainage through RCC) the routing of the pipework linking the SUDS ponds to the current application which are shown along indicative road alignments which would form part of any future applications and have therefore not been assessed for the current application. The suitability of the proposals with respect of any future road alignment and levels is not approved and Transportation cannot confirm they will be acceptable.

Electric Vehicle (EV) chargers and/or associated infrastructure shall be provided in accordance with Moray Council guidelines. Cabling between charging units and parking spaces must not cross or obstruct the public road including footways. Infrastructure provided to enable EV charging must be retained for this purpose for the lifetime of the development unless otherwise agreed in writing by the Planning Authority. Guidance on Electric Vehicle (EV) Charging requirements can be found at: <http://www.moray.gov.uk/downloads/file134860.pdf>

Before commencing development, the applicant is obliged to apply for Construction Consent in accordance with Section 21 of the Roads (Scotland) Act 1984 for new roads. The applicant will be required to provide technical information, including drawings and drainage calculations, and provide a Road Bond to cover the full value of the works in accordance with the Security for Private Road Works (Scotland) 1985 Regulations. Advice on this matter can be obtained from the Moray Council web site or by emailing [transport.develop@moray.gov.uk](mailto:transport.develop@moray.gov.uk)

The applicant shall provide any drawings and meet the costs required for the preparation of any Traffic Regulation Orders.

Construction Consent shall include a CCTV survey of all existing roads drainage to be adopted and core samples to determine the construction depths and materials of the existing road. Any further requirement for Road Safety Audit for the modifications to the existing public road shall be determined through the Roads Construction Consent process or subsequent to the road construction prior to any road adoption.

Requirements for any traffic calming, road construction materials and specifications, tree root containment and any SUDs related to the drainage of the public road must be submitted and approved through the formal Roads Construction Consent process.

Planning consent does not carry with it the right to carry out works within the public road boundary and the applicant is obliged to contact the Transportation Manager for road opening permit in accordance with the Roads (Scotland) Act 1984. This includes any temporary access joining with the public road.

If required, street furniture which needs to be repositioned will be at the expense of the developer. Advice on these matters can be obtained by e-mailing [transport.develop@moray.gov.uk](mailto:transport.develop@moray.gov.uk)

Street lighting will be required as part of the development.

Private Roads - A responsible party, constituting the road manager, must be nominated for any private road and this information included within the National Gazetteer through the Scottish Road Works Register (SRWR).

Public utility apparatus may be affected by this proposal. Contact the appropriate utility service in respect of any necessary utility service alterations which have to be carried out at the expense of the developer.

No building materials/scaffolding/builder's skip shall obstruct the public road (including footpaths) without permission from the Roads Authority.

The applicant shall free and relieve the Roads Authority from any claims arising out of their operations on the road or extension to the road.

The Transportation Manager must always be contacted before any works commence. This includes any temporary access, which should be agreed with the Roads Authority prior to work commencing on it.

No retaining structures or embankments shall be constructed along the edge of the road, whether retaining the public road or ground adjoining the public road without prior consultation and agreement of the Roads Authority.

# **LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT**

Reference No.	Version No.	Title/Description
MC05_LP_01		Location plan
MO05-ENG-500	F	Adoption layout
2018_ff_901		Affordable House type range
EL02_T3-V1(C)901		Glamis and Finaven flats - no shop
		Horizontal 2 bike locker
1339DR-901	G	Braemar- elevations and floor plans
2019 AA_901		Semi combinations - elevations and floor plans
MC/2018/CS/01	B	C type semi - elevations and floor plans
MO05-ENFG-210		Indicative utility route
EL02-ENG-110		Indicative bridge layout
EL02-ENG-115		Indicative bridge section
MO05_PL_CF01		Moray Dunbar - elevations and floor plan
SR-901		Optional sun lounge details
SPE.103.21AWP-01		Advanced woodland planting
SPE.103.2 1AWP-02		Advanced woodland planting
SPE.102.21 LA-01		Landscape analysis
L(92)0001		Glassgreen advanced planting
EL02_ENG-530		Road long sections
EL02-ENG-570		Road construction details
EL02-ENG-170 A		Culvert extension A941
280421-00		Phase 1 TA 2021 Part -13
		Phase 1 TA 2021 Part -15
		Phase 1 TA 2021 Part -16
		Phase 1 TA 2021 Part -20
		Phase 1 TA 2021 Part -21
MC05_SL_09	C	Key buildings
MO05-ENG-200	D	Swept path analysis
1202dt(AS)901	D	Roslin - elevations and floor plans
MO05_SL_11	B	Roof finishes
		Parking court
MC05_SL_05	C	Parking mitigation
MC05_SL_04	C	Roads hierarchy
MO05_ENG_100		Pre development flow arrows
MC/2018/Y/OPP/01		Y Type detached OPP - elevations and floor plans
MO05-ENG-558	F	Birnie Road Visibility
EL(--)- ENG-300	D	Levels layout sheet 1 of 2
MO05-ENG-530	B	Long sections
2016 CSIS_901		2018 Type CSCS - elevations and floor plans
MC/2018/CS/01	B	CS Type semi-detached - elevations and floor plans
2020DST-DST-901		Deanston semi-combinations - elevations and floor

		plans
1668dg(AS)901 A		Dunning AS - elevations and floor plans
MO05_SL_01 B		Site layout
MO05-ENG-270	A	Sections and details
MO05_SL_07 C		Bin collection
MO05-ENG-260	B	Birnie Road Swept Path
MO05-ENG-550	C	Birnie Road Upgrades
MO05-ENG-250	D	Bus Swept Path
MO05_SL_08 C		Character Areas
MO05-ENG-281		Corner Visibility
MO05_SL_13		Cycles Stores
MO05-ENG-600	C	Drainage layout
MO05-ENG-210	A	Utilities layout
MO05-1_DEANSTON_PL91-96		Deanston - elevations and floor plans
MO05_SL_12		Play area
MO05_APT_01		Alba house type - floor and roof plan
MO05-ENG-690		SUDs basin construction details
A-1798dt(AS)901		Kincraig (AS) - elevations and floor plans
MO05-ENG-610	A	Drainage arrangements
MO05-ENG-691		SUDs construction details
1104dt(AS)901 C		Lauder - elevations and floor plans
AB02_PL_CF01		Cottage Flats (Block of 4) - elevations and floor plans
MC05_SL_06 D		Electric vehicle charging
MC05_SL_02 D		House type allocation
SPE 102.21 SL-03	B	Parking and landscaping strategy
1237dt(-- )901 B		Nairn - elevations and floor plans
MC05_SL_13		Bike store
SPE 102.21 SL-02	F	Landscape proposal (2 of 2)
SPE 102.21 SL-01	F	Landscape proposals (1 of 2)
SPE 102.21 SL-03	E	Landscape proposals - The Square
MC05_APT_02		Plots 115-131 - elevations and cross sections
MC05_APT_03		Plots 105 - 114 - elevations and floor plans
T3R(S-GA)901 A		T3R(S-GA) - elevations and floor plans
MO05-ENG-531		Long sections
T3-V1(C-RU)901	A	T-flats: T3-V1(C-RU) - elevations and floor plans
MC/2016/A/02 A		Cottage flat A type - elevations and floor plans
2019 AA_901		2019 Types AA - elevations and floor plans
1224dt(AS)901 H		Arden (AS) - elevations and floor plans
950sd(AS)901 E		Ardmore - elevations and floor plans
652/757cf(-- )901	G	Auldearn - elevations and floor plans
1287dt(as)901 C		Balerno - elevations and floor plans



MO06_BINSTORE	Bin store layout
MC/2018/C/OPP	C Type detached OPP - elevations and floor plans
1432dt(AS)901 E	Crail (as) - elevations and floor plans
1410dt(AS)901 E	Cramond - elevations and floor plans
1932ct(AS)901 F	Culbin (as) - elevations and floor plans
1073sd(-- )901 A	Cupar semi - elevations and floor plans
2018 FF_901	2018 Types FF - elevations and floor plans
MC/2018/K/OPP/01	K Type detached OPP - elevations and floor plans
1653dt-F(AS)901 A	Kintore -FA(as) - elevations and floor plans
EL(--)- ENG-301 D	Levels layout sheet 2 of 2
MO05_SL_08	Material finishes
ED13630-c-301 C	Roundabout
MO05-ENG-160f	Junction arrangement
MO05_APT_01	Roof and floor plans
MO05_SL_01 B	Site plan
MO05_SL_08 A	Standard finishes



**Applicant Name:**  
**Springfield Properties PLC**

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The map displays the proposed development site, outlined in red, situated in a rural area. Key features include:

- Roads:** The A941 runs horizontally across the top, and the A940 runs vertically on the left. Other roads shown include Old Wood Drive, Old Wood Place, and Old Wood Lane.
- Land Use:** The site is primarily agricultural, with green fields and some scattered trees. A golf course is visible to the south of the site.
- Drainage:** A drainage system is shown, including a drain and a ditch.
- Surrounding Land:** The site is bordered by a residential area to the west and a golf course to the south.
- Scale and Orientation:** A scale bar indicates distances up to 2,000 meters. A north arrow is located in the bottom right corner.

# Site Plan



# Landscaping plan





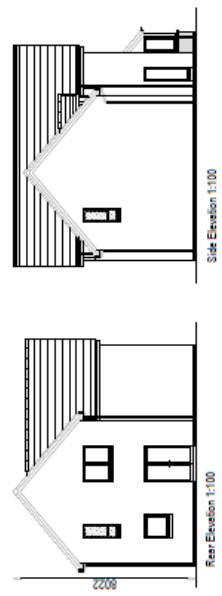
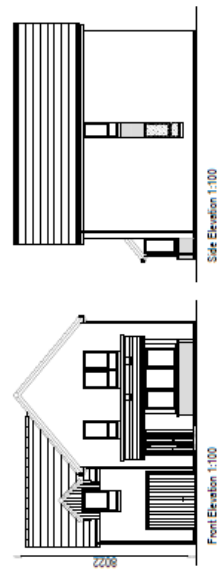
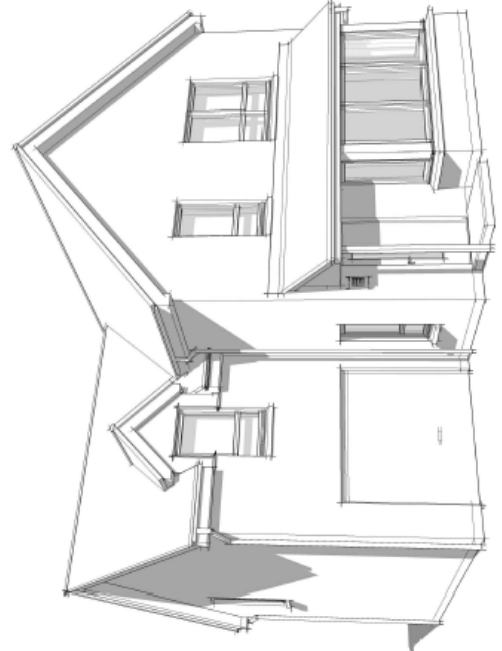
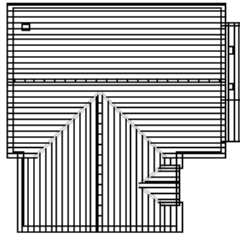
## An architectural rendering of a modern school building. The building is a long, two-story structure with a light-colored facade and dark horizontal bands. It features a large, curved driveway or parking area in the foreground, a paved courtyard with several large, mature trees, and a grassy playground area with a white fence. A white car is parked in the courtyard, and several people are walking around. The sky is blue with some clouds.



## A941 Junction



Arden detached



3D Illustration

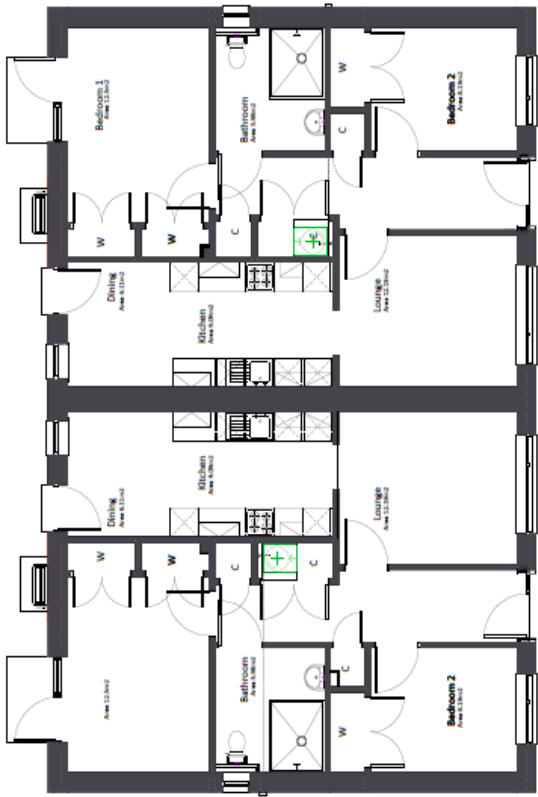
Side Elevation 1:100

Rear Elevation 1:100

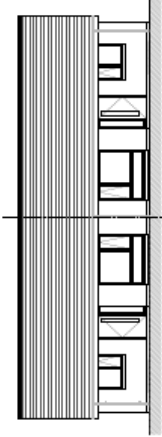


CS type semi bungalow

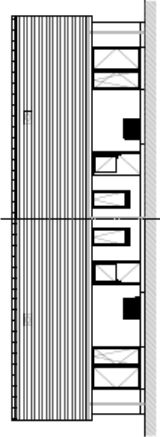
1]



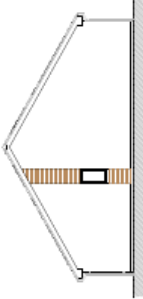
2018 CS Type Semi Detached  
Ground Floor Plan  
Internal Floor Area: 72.75sqm



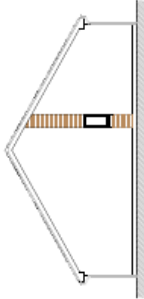
2018 CS Type Semi Detached  
Front Elevation



2018 CS Type Semi Detached  
Rear Elevation



2018 CS Type Semi Detached  
Side Elevation



2018 CS Type Semi Detached  
Side Elevation

**Auldearn Accessible GF**



# Flats and shops



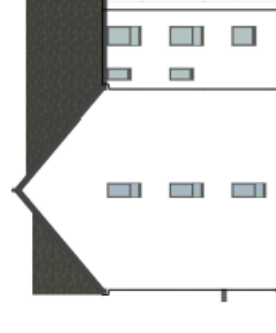
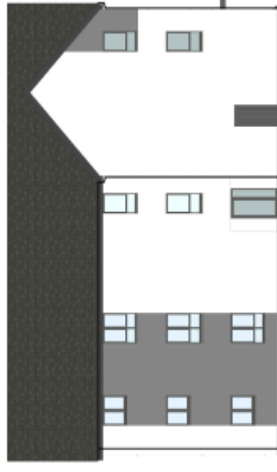
Second Floor - Overall (Unit A, Unit B)



First Floor - Overall (Unit A, Unit B)



Ground Floor - Overall (Unit A, Unit B)



**Looking North along Birnie Road**



**View from south looking north east**





**North edge of site looking south**



## PLANNING APPLICATION: 21/01163/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*

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### 1. **THE PROPOSAL**

- Erect 186 houses inclusive of 47 affordable housing units. Of the 139 private houses, more than 10% are accessible housing (14 units) with the applicant intending to provide 23 accessible units within the private housing.
- The houses consist of a mix of detached, semi-detached and flatted residential units. Several of the flatted units are accommodated within 3 storey flatted apartments.
- There are eight character areas proposed providing a mix of different building finishes and materials to each of those areas. Beyond the character area, at key junctions/entrances to the development there are 17 Key Buildings will also have utilise distinct materials from adjoining buildings.
- A range of different material and colours have been selected for the roof tiles, wall render, stone cladding, wall cladding, window and doors finishes. Driveway and paths within plots will also have different colour paving bricks, and the choice of street trees, hedging and shrubs will vary between character areas.
- The private housing is a mix of detached and semi-detached two storey housing, and the private flat apartments are a mix of different compositions including two and three storey buildings. The affordable housing hosts to a mix of detached, semi-detached, terraced and flatted properties. Several of the affordable houses are also single storey.
- 3 retail/commercial units, each of 87sqm in area. These are located on the ground floor of the apartment blocks which sits upon the west side of the proposed civic space.
- A play area is proposed within the south side of the proposed civic square, which contributes to formation of civic space/focal point for the development. Vehicular access to the roadways on the south and east sides of the square to be limited closest to the play area.
- New junction with ghost turning lanes onto the A941. This road way also links into previously approve areas of housing to the north.
- A junction onto Birnie Road is also proposed which would see the speed limit moved further south.
- A variety of surface water drainage infrastructure is proposed including 3 SUDS basins and various swales.

2.

## **THE SITE**

- There are no national, regional or local environmental designations covering the site.
- The site is currently open agricultural land, with a long established bund running along the southern side of the site, separating it from the land to the south. There are no trees upon the site.
- The overall site size is 13.6 hectares, inclusive of the access link to the A941 to the north east of the main area of the development.
- The site is bound to the north by newly constructed housing, to the east by the farmland and the A941, to the south by open farmland and to the west by the Thomshill/Birnie Road. A golf driving range lies south west of the site also.
- The site lies within Moray Local Development Plan 2020 (MLDP) Elgin designation LONG2, which is further informed by the updated Elgin South Masterplan which covers this area.
- The site had some records of surface water flooding upon the site. There are no water courses on the site, but it is bound to the south by an agricultural drainage ditch flowing west to east. An agricultural bund lies within the site along its southern boundary.

3.

## **HISTORY**

### **Relevant history across Elgin South**

**16/01244/APP** - Phase 1 of Elgin LONG2 south to include 870 houses neighbourhood uses including Classes 1 shops 2 financial professional & other services 3 food & drink 4 business 8 residential institutions 10 non-residential institutions Moray Sport Centre (with provision for indoor & outdoor recreation) two primary school sites and associated infrastructure (transport drainage & open space) and landscaping at Elgin South, Elgin, Moray. Approved by Committee on 10 May 2018 following conclusion of the legal agreement.

**18/01209/APP** - Application under Section 42 to vary condition 1 of planning consent 16/01244/APP to maintain provision for 870 houses (as approved) but vary phasing design and site layout details i.e. adjust Phase 1A boundary (western most part of Phase 1A within Crescent North and South Glassgreen character areas) to provide 50 affordable homes together with consequential revisions to boundaries of Phase 1D (South Glassgreen) and eastern most part of Phase 1A (Meadows North character area) and Phase 1C (Meadows East character area) revise mix of homes (including site layout and new Braemar and Lauder house types) within Crescent North and South Glassgreen character areas revise layout and reduce number of houses by 18 units within Village Garden character area to accommodate revision to alignment gas pipeline revise numbers and mix of houses including site layout within Village Core and Meadows East character areas to accommodate 18 homes relocated from Village Garden at Elgin South, Elgin Moray. Approved by committee in 15/05/19.

**18/01603/S75** - Section 42 application to vary the phasing condition of Proposed modification of planning obligation (associated with application



16/01244/APP) for Phase 1 development at Elgin LONG 2 South to apply to development occurring under planning applications 16/01244/APP and 18/01209/APP at Elgin South LDP2015 Long 2 Elgin Moray. Concluded in May 2019.

Of relevance to this application is the adoption of the updated Elgin South Masterplan, adopted by Moray Council in August 2021, which altered the phasing and detail of the previous Elgin South Masterplan and the phasing as approved under 18/01209/APP.

#### 4. **POLICY**

##### National Planning Framework 4

NPF1 - Tackling the Climate  
NPF2 - Climate mitigation and adaptation  
NPF3 - Biodiversity  
NPF4 - Natural Places  
NPF5 - Soils  
NPF6 - Forestry, woodland and trees  
NPF7 - Historic assets and places  
NPF8 - Green belts  
NPF12 - Zero waste  
NPF13 - Sustainable transport  
NPF14 - Design, quality and place  
NPF15 - Local living  
NPF16 - Quality homes  
NPF18 - Infrastructure first  
NPF19 - Heating and cooling  
NPF20 - Blue and green infrastructure  
NPF21 - Play, recreation and sport  
NPF22 - Flood risk  
NPF23 - Health and safety  
NPF24 - Digital Infrastructure  
NPF27 - City, town, local community centres  
NPF28 – Retail

##### Moray Local Development Plan 2020

PP1 Placemaking  
PP2 Sustainable Economic Growth  
PP3 Infrastructure and Services  
DP1 Development Principles  
DP2 Housing  
DP3 Long Term Land Reserves  
DP5 Business and Industry  
EP2 Biodiversity  
EP4 Countryside Around Towns  
EP5 Open Space  
EP6 Settlement Boundaries  
EP8 Historic Environment  
EP12 Management and Enhancement Water  
EP13 Foul Drainage

EP14 Pollution Contamination Hazards  
Elgin - R20 Glassgreen, Elgin South  
Elgin - LONG2 Elgin South  
Elgin ENV4 - Sports Areas

5. **ADVERTISEMENTS**

5.1 Advertised for neighbour notification purposes.

6. **CONSULTATIONS**

**Housing Strategy and Development Manager** - Amendments were sought to the configuration of parking as part of the Quality Audit process.

**Transport Scotland** - Condition requiring clarification on future development attached, and need to consider by-pass triggers.

**Scotland Gas Networks Ltd** - Initially requesting further input regarding working distances from the high pressure gas main to the east, but following further clarification of building densities and distances, no concerns were raised.

**Environmental Health Manager** - Approve subject to conditions relating to noise emissions from air source heat pumps, working hours and the need for a Construction Environment Management Plan.

**Contaminated Land** - No objection.

**Transportation Manager** - Approve subject to a number conditions and informatives. Realignment works required on Birnie Road and re-positioning of the site access further to the south.

**Scottish Water** - No objections, letter containing general advice forwarded to applicant.

**Strategic Planning and Development –**

**Introduction**

The site is located within an area of land identified as Glassgreen Village within the Elgin South Masterplan. A masterplan was prepared for the wider Elgin South area and the LONG2 designation which covers this area of land in the Moray Local Development Plan (MLDP) 2020 and provides a strategic framework for its growth which all proposals must comply with.

Due to land ownership constraints of the eastern side of LONG2 (R19 Easter Linkwood and Linkwood), the Elgin South Masterplan was revised and approved at the Planning and Regulatory Services Committee on 3 August 2021. The Housing Land Audit (HLA) 2021 which was approved at the same committee confirmed that Elgin R19 Easter Linkwood and Linkwood are

considered to be constrained which results in the reduction of 611 units from the effective supply in Elgin. The approved HLA confirmed the release of land on the western village (Glassgreen) to reflect the phasing in the masterplan for which this application falls within.

The revisions included changes to the phasing which would see development phases in the western village being brought forward earlier to ensure that there was an effective supply of housing land available. In addition to this the revised masterplan updated the character areas and design codes, identified a new neighbourhood hub with community facilities, and identified a larger school site for the proposed Glassgreen primary school which increased to 2.5ha.

This application proposes 186 housing units and three 87m2 commercial units.

### **National Planning Framework (NPF4)**

NPF4 was adopted and published on 13 February 2023 and now forms part of the Local Development Plan for Moray. The NPF is a key part of the new planning system in Scotland, which is plan-led and decisions on planning applications must be made in accordance with the development plan unless material considerations indicate otherwise.

A significant amount of work was undertaken throughout the determination of this application by Officers and the applicant to ensure it complies with all MLDP policies which is reflected in it scoring “green” in all categories in the accompanying Quality Audit (QA). Notwithstanding this the application is still required to be assessed against NPF4 given that it is now adopted. However, in summary the proposal is deemed to comply with all relevant NPF4 and MLDP policies.

A brief summary will be provided against each relevant policy in this response.

### **PP1 Placemaking, DP1 Development Principles**

Throughout the determination of this application a number of revisions were made to the layout in order to comply with PP1 Placemaking and the Elgin South Masterplan. A QA was undertaken which accompanies this response which reflects the changes made to the layout. The QA scored “green” in all categories showing that the proposal fully complies with Policy PP1 Placemaking.

### ***NPF4 Policy 14 Design, Quality and Place***

*Policy 14 seeks to create healthy pleasant, distinctive, connected, sustainable and adaptable places. To achieve this proposals must meet the six qualities of successful places as set out in the policy and supporting appendix.*

*As stated, the application was subject to a QA which assessed the proposal against Policy PP1. Policy PP1 contains all of the key elements of Policy 14 as well as extra requirements to ensure that quality neighbourhoods are delivered.*

*The application was deemed to fully comply with PP1 which resulted in it scoring “green” in all categories in the accompanying QA. As such it is therefore deemed to comply with Policy 14 and all of the six qualities of successful places.*

### **Mixed Use**

The Elgin South Masterplan seeks to provide a mixed use neighbourhood that provides good local facilities for residents to use. The principle of Local Living and 20 minute neighbourhoods is a key pillar of NPF4 which seeks to create connected and compacted neighbourhoods where people can meet the majority of their daily needs within a reasonable distance of their home.

The application site encompasses part of “The Square” character area as identified in the masterplan. A key element of this character area and the wider western village was the provision of a square or “neighbourhood hub”. The masterplan requires this open space to be fronted by key buildings as well as providing mixed use on the ground floor to ensure that facilities are provided to support the new neighbourhood and the local living concept.

The Council commissioned a retail study which was approved by the Planning and Regulatory Services Committee as a material consideration on 4 April 2022. This was to inform the retail and commercial floorspace necessary to support 20 minute neighbourhoods for strategic growth areas across Moray. The study set out the following recommendation for Elgin South and has been approved as a material consideration. In summary;

- Total floorspace in each of the two villages centres should be comparable to Southfield Drive i.e. in the region of 1000-1250 sqm Gross Floor Area (GFA);
- Initial commercial space (ca 300-400 sqm GFA) could be provided by the completion of the 450<sup>th</sup> dwelling for each development area (i.e. east and west villages);
- The convenience store format should be provided by the completion of the 900<sup>th</sup> dwelling for each development area.

It is acknowledged that the application being assessed only encompasses part of the central square. In line with the masterplan requirements three 87 sqm units will be provided for potential retail/commercial uses.

While the provision of this initial space is slightly under the 300 – 400 sqm identified in the retail study it is deemed to be acceptable in this instance given that future phases around the square will be forthcoming to ensure that the square will become a focal point of the development.

Although it is outwith this application any future phase application must provide a 400 sqm convenience store as per the recommendations of the retail study. While any future application cannot be prejudged, failure to provide these future facilities will be contrary to NPF4 and the principles of local living, the Elgin South Masterplan, and the approved retail study.

### ***NPF4 – Policy 15 Local Living and 20 minute neighbourhoods***

*Policy 15 seeks to support local living by creating new neighbourhoods that are compact and well connected where people can meet the majority of their daily needs within a reasonable distance of their home.*

*As stated above the Elgin South Masterplan embodied this policy intent from the outset through the creation of three villages, good active travel connections, and the requirement for the provision of local facilities such as schools, shops, and other community facilities such as a nursery. This is supported by the approved retail study that was commissioned to provide clarity and detail on what provision must be provided.*

*As above, the applicant is providing three 87 sqm units for mixed use opportunities. Given this is one phase of the wider village this is acceptable in this instance and complies with the aims of Policy 15.*

*However, as stated and although it is not a consideration as part of the determination of this application a 400 sqm convenience store must be provided in the next phase to ensure that the aims of the masterplan and retail study are provided. Failure for this to be facility provided in future phases would be contrary to NPF4 and the Elgin South Masterplan and would not be acceptable.*

### **Policy EP2 Biodiversity (NPF Policy 3)**

The applicant has provided a biodiversity action plan which when read with the landscape plan explains what steps have been taken to promote and enhance biodiversity.

The plan states that a variety of trees, shrubs, wildflower plants, and hedging will be incorporated into the site to support a variety of animals and insects which is welcomed. Street trees will be provided throughout the development as well as a mix of species of hedging for boundary treatments. Blue infrastructure has also been included through the form of swales and SUDS.

The plan states that hedgehog highways will be incorporated in the design which is supported. However, a condition will be sought to ensure that a plan is provided showing where these will be located upon the site.

### ***NPF4 – Policy 3 Biodiversity***

*Policy 3 seeks that all proposals must include appropriate measures to conserve, restore, and enhance biodiversity. This policy is in line with Policy EP2 and as stated above and in the QA the efforts have been made to support biodiversity through a variety of planting, and inclusion of green and blue infrastructure. The proposal was deemed to comply with EP2 and therefore it also is deemed to comply with Policy 3.*

### **DP2 Housing**

The Housing Strategy Development Manager has raised no objections to the development. The proposed housing mix meets the policy requirements for

affordable and accessible housing and previous concerns relating to the parking layout have been addressed.

#### **NPF4 Policy 16 Quality Homes**

*Policy 16 seeks to provide delivery of high quality affordable homes. This development will provide 47 affordable homes. As the Housing Strategy Development Manager has raised no objection with the proposed housing mix the proposal is deemed to comply with Policy 16.*

#### **SP & D Conclusions**

The proposal has been considered against policies PP1, EP2, EP5, DP1 i) a), DP2 and the Elgin South Masterplan and is deemed to comply with those policies for the reasons set out above and within the QA which accompanies this response.

As explained a significant amount of work was undertaken throughout the determination of this application by Officers and the applicant to ensure it complies with all MLDP policies which is reflected in it scoring “green” in all categories in the accompanying QA. The proposal is therefore deemed to comply with all relevant MLDP and NPF4 policies and there were no areas of conflict.

Other consultees will comment on compliance with other relevant MLDP and NPF4 policies.

**Planning and Development Obligations** - Developer Obligation payment of £1,707,751.08 is required in relation to education, healthcare and transportation infrastructure.

**Building Standards Manager** - A Building Warrant will be required.

**Moray Flood Risk Management** - No objection, following submission of additional information/clarification.

**Moray Access Manager** - No objection.

**Nature Scot** - No objections and they endorse the mitigation and enhancements proposed in section 4 of the Habitat Survey and Biodiversity Action Plan.

**Scottish Environment Protection Agency** – No statutory requirement to consultation SEPA as on site surface water drainage dealt as a part of drainage assessment. Bund along southern edge site was queried, but this has been in situ for many years and lies upon the uphill site of a field drain. It will mostly be covered by structural planting.

**Aberdeenshire Council Archaeology Service** – Approve subject to a condition regarding the need for a written scheme of investigation assess the archaeology of the site.

**Health and Safety Executive** – no objections, note that the development is within proximity to a High pressure gas main, and that consultation has been carried out with Scottish Gas Networks.

## 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 & Mrs Laing – O

**Issue:** Objector assured by application that nothing would be built behind their property (they live at the southern end of Crescent North). They also wish to know the likely time when the development would occur.

**Comments (PO):** The plan supplied appears to show their property lies within the neighbouring consented and built Elgin South phase to the north of the current application site. Moray Council cannot comment on what assurances were or were not given to the objector that no development would occur behind them. At the time they bought the property, the LONG 2 housing designation within MLDP2020 did indicate that housing would be developed to the south at some stage. It is considered that there is sufficient distance between the rear of their property and proposed development.

Moray Council cannot confirm or stipulate when (if permission were granted) when the development may occur.

## 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.
- 8.2 **Background and NPF4**

This application is informed by the Updated Elgin South Masterplan, adopted by Moray Council in August 2021, which supersedes some of the previous phasing contained within the planning approvals for Elgin South listed below. In general terms, notwithstanding the construction of Moray Sports Centre, Linkwood Primary School and some new housing near Linkwood Road, the majority of development in Elgin South has occurred in the south west of Elgin, with the majority of new housing occurring west of the A941 Rothes Road.
- 8.2.1 In February this year NPF4 replaced Scottish Planning Policy 2014 and provided national planning policies applicable to all 32 local planning authorities in Scotland. This becomes the 'Development Plan' alongside the local development plan (MLDP) and the relevant policies of both are used as the primary consideration in determining planning application. Where any difference or conflict exists between local and national planning policies,

national planning policies take precedence. Of note, application of some of the new national policies is however subdued until supplementary planning guidance is prepared to ensure consistent and clear application of the policies. While policies such as Policy 2 Climate mitigation and adaptation seeks to permit only development that minimises emissions and adapts to the current and future impacts of climate change, housing development is likely best influenced by future changes to Building Regulations, this development does what it can by the use of air source heat pumps, and other design measures seeking to minimise energy loss such as good cycle/pedestrian links to discourage motorised transport etc. Further detailed local guidance is being prepared to assist with calculating energy assessments for future developments.

### **8.3 Principle of development for housing.**

#### **8.3.1 Placemaking, Siting and Design (NPF4 Policy 14, 15, 16 and PP1, DP1, DP2)**

8.3.2 NPF4 Policy 14 Design, quality and space seeks to encourage, promote and facilitate well designed development. It identifies 6 qualities Healthy, Pleasant, Connected, Distinctive, Sustainable and adaptable.

8.3.3 The proposal accords with requirement so of the Elgin South Masterplan, which has identified a school site at Glassgreen (adjacent to this site), green corridors, civic spaces, play areas, road and path connections, a mix of housing and retail units all in accordance with the high level indicative plan within the masterplan. The Housing Land Audit (HLA) 2021 allowed the release of the LONG2 housing designation which informed the update Elgin South Masterplan. The proposal therefore accords with the housing designation in which is located.

8.3.4 MLDP 2020 Policy PP1 Placemaking requires development proposals to meet the following criteria:

- a) to be designed to create successful, healthy places that support good physical and mental health, safeguard the environment and support economic growth;
- b) be supported by a Placemaking Statement (and sufficient information) for 10 or more units which demonstrates how the development proposal addresses PP1 requirements and other relevant LDP policies and guidance; and
- c) to comply with Scottish Government Policy Creating Places and Designing Streets and incorporate seven fundamental principles addressing:
  - i) Character and Identity,
  - ii) Healthier, Safer Environments,
  - iii) Housing Mix,
  - iv) Open Spaces/Landscaping,
  - v) Biodiversity,
  - vi) Parking and
  - vii) Street Layout and Detail.



- 8.3.5 There are a wide range of requirements specified in policies PP1 Placemaking, PP3 Infrastructure and Services, DP1 Development Principles and DP2 Housing that go beyond the requirements of the previous local development plan. These range from servicing/utilities plans (inclusive of future provision for electric car charging), biodiversity plans, public art, additional visitor carparking, open space requirements, street naming, place-making statement, restrictions on street frontage parking, bin and secure cycle storage.
- 8.3.6 The place-making statement addresses pedestrian movement, vehicular movement, public transport, safer environments, car parking, legibility/street hierarchy, character and identity, reference to surrounding buildings/materials housing mix, access to facilities/amenities, visual connection, natural features, open space and connections to open space, biodiversity and landscaping.
- 8.3.7 Following process of audit, discussion and amendment of the plans with the applicant, the following summary shows the quality audit change. Policy PP1 Placemaking sets out that sufficient information must be provided to allow the Council to carry out a Quality Audit (QA) of the proposal. As noted in the Strategic Planning and Development Team's response this Audit process has been undertaken and the application has been subject of a number of meetings and correspondence. Initial issues were identified and during consideration of the proposals revisions made to address the changes sought. The QA assessed the proposal under a number of heading as identified in the table below. While the QA process was conducted largely prior to adoption of NPF4, Moray Councils Quality Audit process was already closely aligned to its aims in terms of urban design, biodiversity and aims. A column of comparable goals within NPF4 policy 14 Liveable Places is included for reference.

Design Principle	Initial Score	Final Score	Mitigation/Condition Necessary to Score Green	NPF4 Liveable Places
Character & Identity			<b>Compliant with policy requirements. Distinct character areas, street planting and appropriate frontages onto school site now proposed</b>	<b>Pleasant/Distinctive</b>
Healthier, Safer, Environments			<b>Further detail given on the retail units close to the civic space or neighbourhood hub. Public in the form of bespoke public benches and hard and soft landscaping within the civic space provides a distinct and healthy environment.</b>	<b>Healthy</b>
Housing Mix	N/A	N/A	<b>Site accommodates 25% affordable homes and 10% accessible within the remaining private</b>	<b>Suitable/Adaptive</b>

			<p><b>mix. Applicants now volunteering additional accessible units in private housing (23 in total).</b></p> <p><b>Affordable is good central location, facing onto several streets alongside private housing.</b></p>	
Open Space/Landscaping			<p><b>Substantive amount of green spaces and a civic space proposed. Green streets now more evident in landscaping and parking plans. Condition requiring details for maintenance arrangements.</b></p>	<b>Pleasant/Healthy/and Sustainable</b>
Biodiversity			<p><b>Condition ensuring that hedgehog highways are provided, alongside species friendly mixes of grass, meadow and tree planting to enhance biodiversity. Almost 3000 trees being introduced to the site.</b></p>	<b>Sustainable</b>
Car Parking			<p><b>Compliant with policy requirements. Notable amount of trees proposed within parking areas to break up its appearance.</b></p>	<b>Pleasant/Suitable</b>
Street Structure, Layout and Detail			<p><b>Changes made to some junctions and cycle paths, now acceptable. Site is permeable and well connected.</b></p>	<b>Connected/Sustainable</b>

8.3.8 Of note from the Quality Audit process, the requirements for greener streets has resulted in a good level of street trees proposed planting and parking areas. The applicant has kept many of the street trees within communal areas, outwith private gardens where their presence can be more easily safeguarded and the can be taken within the maintenance regime of the wider landscaping.

8.3.9 NPF Policy 15 Local Living and 20 minute neighbourhoods, seeks to ensure people have access to facilities from their homes, including healthcare facilities. To this end residential developments must demonstrate or provide adequate services are easily accessible via non-motorised means, within 20 minutes of their home. Infrastructure such as schools and local shops, health care should

be locally accessible where possible. As part of the Updated Elgin South Masterplan, this phase of the Elgin South was to include an element of retail/commerce units ensuring units were provided that could accommodate local services/services. 3 small units are proposed near the square, and the applicant has confirmed their intent to provide a larger unit in the next Phase of Elgin South, appropriate for a neighbourhood grocery convenience store. This is in line with the retail assessment supporting the masterplan. It is noted that the Planning Statement makes reference on p16 to a further small 87sqm unit being provided within Phase 3, but subsequent to this, discussion around the retail requirements for the wider Elgin South west village centre see the applicant acknowledging the requirement for a larger convenience store, which would be subject of a separate application.

- 8.3.10 The various proposed parking courts are generally to the rear or side of the areas hosting apartments. The rear parking area, north of the proposed civic square is bound on its north side by rear higher garden fences, but looking at the orientation of the AA type flats, and 3 storey flats lying to its west and south, there are many primary windows, such as kitchen, bedroom and dining areas overlooking the parking, such that it will be overlooked. The presence of cycle and bin storage areas, in addition to the parking means that the degree of passive surveillance etc. will be sufficient to ensure it feels like a safe space.
- 8.3.11 The developer has also managed to ensure that within each of the defined streets, at least 50% parking lies behind the building line, and the reduction in prominence of street parking is also aided by the number street trees proposed.
- 8.3.12 As part of the place making requirements, the applicant has proposed public art in the form of bespoke benches, which are to be commissioned and will be evident within the civic space and likely elsewhere in the site. A condition is recommended to ensure these installations add some unique to the identity and amenity of the areas they are installed within. The proposed civic space, or square in the middle of the development sees a good quality space, close to the shops, host to the play area, which includes distinctive hard and soft landscaping, planting and street trees.

#### 8.4 Design

- 8.4.1 Beyond a diverse range of building materials, paving block and planting diversity between the various character areas, the proposals show 17 different styles of house, and 8 different style of flatted apartments. The added diversity provided in the materials used for key buildings all contribute to what will be a distinct and unique development, which will also see notably more diversity to building finishes that is seen elsewhere in Elgin South. Individually the style of each house type, apartment or semi-detached units is also acceptable, with well-proportioned elevations and sufficient distances to neighbouring plots.
- 8.4.2 The development layout and design therefore complies with the requirements of NPF4 policy 14 Liveable Places and MLDP Policy PP1 Placemaking and above associated policies.

#### 8.5 **Access and Parking (NPF4 Policy 13, 18 and PP3, DP1)**

- 8.5.1 NPF4 Policy 13 Sustainable Transport has similar requirements and seeks to encourage, promote and facilitate development that prioritises sustainable travel. Policy 18 Infrastructure first to encourage, promote and facilitate an infrastructure first approach to land use planning, which puts infrastructure considerations at the heart of place-making.
- 8.5.2 Policies PP3 Infrastructure and Services and DP1 Development Principles require the provision of a safe entry/exit from new development, with appropriate infrastructure, parking, cycle parking and Electric Vehicle (EV) charging facilities.
- 8.6 Pedestrian and Cycle Access  
Provision is made within the development for cycle routes which provide strong connectivity both north-south with the existing network and east-west passing through the central 'square' feature where the proposed retail units are located. There is a comprehensive network of footways within the site however the proposals lack clarity or consideration of the masterplan proposals in terms of the extension of the existing cycle path east-west from Crescent North at the boundary of the site which is a key route and would provide more direct pedestrian routes for pedestrians and cyclists. A condition is recommended to address the lack of details and the provision of this west-east active travel route which would reduce travel distances for pedestrians and cyclists.
- 8.6.1 Due to the nature of the A941 in the vicinity of the site access, the lack of close frontage development and no other interventions at the location of the proposed site access junction. It is considered that no reduction to the existing national speed limit would be appropriate as it would not be self-enforcing. It is therefore not recommended to provide at grade pedestrian crossing facilities. In order to facilitate pedestrian and cycle connectivity in the future a grade separated crossing of the road must be considered. An over bridge has been identified as the preferred solution as noted in the Elgin South Masterplan Phase 1 TA. The submission included an indicative bridge design in order to demonstrate the feasibility to incorporate this and the Elgin South Masterplan TA Phase 1 states that it is expected that this will be delivered after 2030. Transportation note that the provision of this would not be triggered by the current application, any trigger will be subject to consideration of any future applications and the details for the indicative bridge are not approved as part of the current application.
- 8.7 Public Transport
- 8.7.1 The TA submitted notes the nearest existing bus services to the north on Thornhill Drive (33 A/C and 36) these stops are in excess of a kilometre from the site and are therefore in excess of the recommended maximum 5 minute walk time (400m) to achieve an acceptable level of accessibility. In order to provide bus services within a 5 minute walk of the proposed development, alterations to existing or the provision of new bus services will be required. The roads within the development would provide a 6.1m wide road link between the A941 to the east and the C2E (Birnie Road) to the west to facilitate the future provision of bus services. Provision is made for east and westbound bus stops within the development adjacent to the proposed future school site. The Transport Assessment (TA) submitted in support of the application notes that *"Springfield will liaise with TMC public transport officers and local bus operators*

*to discuss extending and re-routing existing services and delivering new services in order to serve Elgin South. This will be informed by the phasing and completion/ occupation of individual Character Areas.”* A condition is recommended to ensure the roads and bus stop infrastructure are completed and bus services are provided at an appropriate stage in the development. Whilst this does not guarantee a bus service for the future it is aimed at supporting the introduction of public transport, with the intention to hopefully achieve a commercially viable service in the future.

#### 8.7.2 *Vehicular Access*

Access to this development will be taken via a new priority controlled T junction onto Birnie Road (C2E) to the west. It is noted within the Transport Assessment (TA) that access is also to be provided via a priority junction onto the A941 however subsequent to this submission, the proposals were revised to include a ghost island junction to satisfy the design requirements. The TA notes that a 4 arm roundabout would be required for future phases of the Elgin South development. TA states that *the construction and delivery of the future A941 roundabout will be dictated by an agreed ‘threshold’ in terms of the number of residential units that can be constructed/occupied before the roundabout is required.* It should be noted that no threshold has been agreed with MC Transportation. Transportation would support the provision of a roundabout as part of the current application however acknowledge that it is not necessary at this time. In order to demonstrate the feasibility of the future access requirements a preliminary design for a roundabout has been submitted which is acceptable in principle and the trigger for any future roundabout is likely to be associated with any future development to the east of the A941. The indicative details for the roundabout are acceptable in principle however they are not approved as part of the current application.

#### 8.7.3 Speed Limits

The TA recommends that consideration is given to extending the existing 40mph speed limit on the A941 southwards to include the proposed new junction. Transportation have advised the applicants that this would not be supported due to the set-back development frontage and lack of any speed intervention measures to support a self-enforcing 40mph speed limit at this location. Based on the submitted details to date, the current 60mph speed limit would remain and has been used in consideration of the current design proposals to form the new junction.

#### 8.7.4 The design of the Birnie Road site access junction and visibility splays are based on an assumption that the existing 40mph speed limit would be extended southwards to the southern side of the proposed site access junction. A condition is recommended to trigger the requirements for the commencement and completion of the statutory process, and the completion of the works required to achieve this.

#### 8.7.5 Regarding Birnie Road C2E, a change to the layout was required to ensure the new junction onto Birnie Road could be achieved safely, and further detailed work design work will be carried out post consent. The amended junction position is however now acceptable and takes the junction to a location where appropriate visibility can be achieved.

- 8.7.6 Consultation with Transport Scotland has confirmed that subject to a condition about the need for a bypass in future phases, the current application acceptable, subject to the roads works proposed.
- 8.7.7 Each block of flats has dedicated secure cycle parking, allowing to for 2 bicycles per flat to be stored.
- 8.7.8 Subject to the conditions recommended the proposals accord with the relevant infrastructure policies above.
- 8.8 **Drainage, Water Supply and Flood risk (NPF4 Policy and PP3, DP1, EP12)**  
Policies PP3 Infrastructure and Services and DP1 Development Principles (iii) Water Environment, Pollution, Contamination require development to be planned and co-ordinated with infrastructure to ensure places function properly, and proposals are adequately served by infrastructure and services in terms of foul and surface water drainage and water supply. Policy EP12 Management and Enhancement of the Water Environment requires surface water from development to be dealt with in a sustainable manner (SuDS) that has a neutral effect on the risk of flooding or which reduces the risk of flooding, including temporary/construction phase SuDS.
- 8.8.1 NPF4 22 Flood Risk & Water Management seeks to strengthen resilience of development to flood risk through avoidance as a first principle, reducing the vulnerability of existing/future development to flooding, and advocates use of SUDs to ensure surface water does not increase flood risk to itself and others.
- 8.8.2 The application site, which was subject only to surface water drainage issues was accompanied by a detailed Drainage Impact Assessment and drainage scheme, which see a range of green and blue drainage solutions proposed. Beyond the 3 SUDS basins, the proposal includes several swales in the green verges that run throughout the development. The drainage arrangements are acceptable to the Moray Flood Risk Management Team, and the proposal therefore complies with policies NPF4, DP1, EP12 and PP1.
- 8.9 **Natural Environment (NPF Policy 1, 3 and 4 and EP1, PP1, DP1)**  
NPF4 Policy 1 Tackling the climate and nature crisis and Policy 2 Climate mitigation and adaptation support development which addresses the global climate emergency and nature crisis, and minimises greenhouse gas emissions. NPF4 Policy 3 Biodiversity seeks to protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks. NPF4 Policy 4 Natural Places has similar requirements to MLDP policy EP1 in terms of protecting designation integrity/interests and species.
- 8.9.1 The site is not subject to any international, national or local environmental designations and has already been subject to some intervention from the adjoining construction works. The site is currently open agricultural grazing land of limited ecological value, but the proposal includes substantive areas of structural planting that will see almost 3000 trees planted across the site, and also substantive amounts of trees proposed within street, parking areas and civic areas. The Habitat Survey carried out didn't identify any sensitive species on site requiring specific protection or mitigation.

- 8.9.2 The applicant has proposed within Habitat Survey and Biodiversity Action Plan mitigation, such as provision of hedgehog highways and grass cutting regimes that operate on rota to maintain differing lengths of grass and allow meadow or grass mixes to flower and seed.
- 8.9.3 Landscaping biodiversity – it is noted the application propose enhancements within the Habitat Survey and Biodiversity Action Plan, such as, but not limited to the use of a bee, bird and butterfly seed grass/meadow mixes on street verges, wet meadow seed mix in SUDS areas. Newly planted trees, shrubs and hedgerows will include native nut, seed, berry and nectar producing species to provide a foraging resource for wildlife in the locale, such species include: Scot's pine, rowan, gean, hazel, hawthorn, blackberry, dog rose and holly. These will ensure a diversity of plant habitat, and the large structural planting areas, host to several thousand trees will be provide a different habitat to the street trees, and grassed areas. The applicant has confirmed that beyond the 192 street trees being planted (most of which are heavy standards) the areas of structural planting will cover 19,500sqm and host approximately 2623 new trees.
- 8.9.4 NPF4 Policy 2 Biodiversity contains similar goals to those present in EP1, PP1, DP1 and the proposed planting will ensure the development enhances the environment of the current site. The construction mitigation and best practices to reduce the impact on the natural environment are the subject of conditions, inclusive of the need for Construction Environmental Management Plan.
- 8.10 **Affordable housing (NPF Policy16 and DP2 (d))**  
NPF4 policy Quality Homes seeks to encourage, promote and facilitate the delivery of more high quality, affordable and sustainable homes, in the right locations, providing choice across tenures that meet the diverse housing needs of people and communities. Policy DP2 Housing requires new housing developments to provide 25% of the total units as affordable housing in affordable tenures to be agreed by the Housing Strategy and Development Manager.
- 8.10.1 As this development has provided the necessary proportion of affordable houses (47 Units) of a mix previously discussed with the Housing Service the proposal comply with the above policies. Conditions are recommended to ensure delivery of the affordable housing.
- 8.11 **Accessible Housing (NPF Policy15, 16 and DP2)**  
NPF4 Policy 15 Local Living and 20 Minute Neighbourhoods makes reference to the need for provision of accessible housing options, giving the ability to age in place and utilise housing diversity.
- 8.11.1 In terms of accessible housing, 23 accessible housing units are to be provided across the private housing, this provides more than the necessary 14 accessible units that would make 10% of the requirement under Policy DP2. These properties are shown and detailed in the submitted Accessible Housing Statement which identifies the specific house designs to meet accessible housing standards. Of note further accessible houses will comprise some the

affordable housing also. A condition is recommended ensuring the accessible housing meets the standard set out in MLDP.

- 8.11.2 The proposal is now deemed to fully comply with PP1, DP2 f) and Policy 15 where the 10% requirements of accessible housing from the private stock proposed is required.

#### 8.12 **Pollution Control (NPF Policy 12 and DP1, EP14 and R1)**

- 8.12.1 NPF policy 12 Zero Waste seeks to minimise waste and pollution.
- 8.12.2 Policies DP1 Development Principles and Policy EP14 Pollution, Contamination and Hazards seek to ensure that new developments do not create pollution which may adversely affect the environment or local amenity.
- 8.12.3 Conditions recommended seek a Construction Environmental Management Plan for the construction process, but it is not anticipated that the development would generate pollution post consent. The applicant has provided good bin storage facilities for all the apartments, which will encourage recycling. A condition is recommended requiring a site specific waste management plan to be submitted to ensure compliance with NPF policy 12.

#### 8.13 **Impact on Cultural Heritage (NPF policy 7 and EP8, EP10)**

Policy EP8 Historic Environment seeks the preservation of sites of local archaeological importance, and the integrity of their settings and Policy EP10, the protection of listed buildings and their settings.

- 8.13.1 NPF policy 7 Historic Assets and Places seeks to protect and enhance historic environment assets and places, and to enable positive change as a catalyst for the regeneration of places.
- 8.13.2 Given the site size and location an archaeological investigation has been sought. Whilst there are no known archaeological assets on the site, there are many in the wider area. The applicants have already prepared a Written Scheme of Investigation (WSI) for archaeology, but a condition is recommended allowing for the submission of an updated investigation that allows the Archaeology Service to review the proposals.
- 8.13.3. The proposal, subject to the archaeological condition, therefore complies with both policy EP8 and EP10.

#### 8.14 **Developer Obligations (NPF4 Policy 18 and PP3)**

- 8.14.1 NPF4 Policy 18- Infrastructure first intends to encourage, promote and facilitate an infrastructure first approach to land use planning, which puts infrastructure considerations at the heart of place making. This can be achieved via various means including planning obligations.
- 8.14.2 The development has been the subject of a developer obligations assessment in accordance with policy PP3 Infrastructure and Services and supplementary planning guidance which has identified the need for contributions towards healthcare facilities. The applicants have agreed to the level of developer



obligations which will require to be secured via a S.75 legal agreement prior to the issue of the planning consent. These obligations will address identified needs in education, health care and transportation matters.

### **Conclusion**

Subject to the conditions recommended the development would be acceptable with housing layout, house designs and tree planting are all compliant with policy. The creation of a neighbourhood hub, or civic space, which will be the focal point for the current application and intended to serve also Phase 3, will provide a good focal point for the community and will form a distinct and attractive feature within the community.

### **REASON(S) FOR DECISION**

The Council's reason(s) for making this decision are: -

The proposal accords with the relevant policies of National Planning Framework 4 and Moray Local Development Plan 2020, and there were no material considerations that would indicate otherwise.

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