

Appendix 1	General comments	<p>Publication of draft NPF4 is welcomed. The overall policy approach is also welcomed, however, significant additional work is required to add detail into the policies to ensure they deliver the desired outcomes.</p> <p>As currently worded the draft NPF4 policies are not fit for purpose and will need to be supplemented by a significant number of local policies, which moves away from the aspiration to have much more place based plans which are light on policy content. Moray Council would rather time was invested to refine and develop the national policies to ensure they will deliver the desired quality outcomes and reduce the number of local policies which need to be developed.</p> <p>Further consideration is required of how a developer will provide the evidence required to comply with policy and how planning authorities will assess and determine the evidence submitted. Planning authorities need to be resourced and trained to support the delivery of these policy aspirations.</p> <p>The role of Regional Spatial Strategies and Local Place Plans in the new system needs some further consideration and discussion. It is not clear how, if at all, the work on indicative Regional Spatial Strategies has been reflected in draft NPF4. In terms of Local Place Plans, while these are welcomed, they are unlikely to reach harder to reach groups without additional support from planning authorities.</p> <p>Key land use issues such as woodland expansion opportunities and renewable energy, especially onshore wind, need a national approach to direct opportunities in the right places in a national context, while respecting Scotland's amazing and diverse natural heritage.</p> <p>Moray and generally northern Scotland is considered to be under represented in terms of its contribution to the national spatial framework.</p> <p>The references throughout to the information requirements for National, Major, EIA and Local applications causes concerns and could result in applications coming forward in a piecemeal basis to avoid meeting policy requirements. Policy to address this concern is required.</p>
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Part 1		
Q1	<p>Do you agree that this approach will deliver our future net zero places which will be more resilient to the impacts of climate change and support recovery of our natural environment?</p>	<p>Agree with the general strategic approach, however, as detailed below, the policies as currently drafted are not considered detailed or precise enough to deliver the changes required. The policies and requirements for local development plans also place too great a focus upon new development and not enough on regeneration of existing areas.</p> <p>While many of the strategic approaches are welcome and supported, the devil is in the detail, which, throughout the draft, is missing.</p> <p>To achieve the Scottish Government’s aspirations for net zero requires a significant change in how we plan, construct, connect and regenerate our places and this will require more radical reforms around land ownership, infrastructure investment and alignment and these issues all need to come together.</p> <p>If planners are to be enablers and agents of change, then the whole planning system needs to be resourced to do so, including transportation, legal and flood teams. Services currently operate on a shoe string budget and deferring the issues to “full cost recovery” is not forward thinking or going to achieve the desired outcomes.</p> <p>The opportunity to delivery key outcomes from existing successful local development plan policies has been missed and needs to be addressed. 32 planning authorities and the national park authorities can offer significant input to policy formulation through experience with development interests.</p>

		Document contains an incredible amount of jargon which makes it very inaccessible to many people.
Q2	Do you agree that this approach will deliver our future places, homes and neighbourhoods which will be better, healthier and more vibrant places to live?	As above agree with general strategic approach but same concerns as above, particularly about regenerating existing areas and tackling inequalities. The overlap between LOIP, LPP and LDP adds further confusion and a “one plan, one vision would be a clearer approach, with communities supported in this work to move towards 20 minute neighbourhoods, where applicable.
Q3	Do you agree that this approach will deliver our future places which will attract new investment, build business confidence, stimulate entrepreneurship and facilitate future ways of working-improving economic, social and environmental well-being.	As above. The new National Strategy for Economic Transformation referred to is an example, along with the National Infrastructure Investment Plan of how better alignment of these approaches into a single vision would aide delivery.
Q4	Do you agree that this approach will deliver our future places which will be distinctive, safe and pleasant, easy to move around, welcoming, nature positive and resource efficient	As above a strong placemaking policy is required to deliver this, which is lacking from draft NPF4. The design led approach and quality outcomes desired do not feed through into policy. A Quality Audit style approach such as that used by Moray Council could be introduced nationally as a measure of quality, as has been suggested on numerous occasions. Resource efficient needs to be defined. The final paragraphs referring to coastal assets seems misplaced and confusing. The references to importance of natural environment does not come through in policy, with a very poor policy framework set out for landscapes, whether designated or not and what appears to be a green light for wind farms pretty much everywhere. No references in policy to Landscape Character Assessments or Landscape Sensitivity Studies and no commitment to a review of Scotland’s wild land, which is likely to portray a very grim picture of how wild land qualities have been eroded since 2014.
Q5	Do you agree that the spatial strategy will deliver future places that overall are sustainable, liveable, productive and distinctive?	No, for the reasons outlined above. The approach is full of mixed messages, weak and appears to trying to appease too many stakeholders, rather than focus on how to deliver a single vision.

		<p>The national spatial strategy is unclear and does not address some key issues. The connectivity of Moray east/ west and south is not addressed, nor the many other issues reflected elsewhere in this response, including Moray’s role in defence, key sectors for the economy such as distilling, Buckie Harbour’s role in servicing offshore wind farms and tree nursery and tree coverage in acting as a carbon sink.</p> <p>The spatial strategy is very central belt focussed with very limited information provided to northern and rural authorities.</p> <p>Moray Council spent significant staff time along with stakeholders in developing the iRSS which was considered to be one of the more balanced across net zero, economic growth and infrastructure, yet it is difficult to see that work being reflected in draft NPF4.</p> <p>As currently drafted, the NPF4 will bring very limited change.</p>
Q6	Do you agree that these spatial principles will enable the right choices to be made about where development should be located.	<p>No, the words and sentiment are welcome, but without the resources they will not enable the right choices. An example would be that planners want to see brownfield sites redeveloped in preference to greenfield sites. However, these are usually highly complex sites which require significant more investment to bring them back into use. As stated elsewhere in this response, challenge funding will not achieve change, significant additional ring-fenced finance would, similar to the approach to the first round of the Nature Restoration Fund which was very welcome.</p> <p>The same argument is put forward for all of these principles. Yes, the LDP can identify and plan for 20 minute neighbourhoods and the concept for more “localism” and supporting community wealth building is very welcome, however, it cannot be delivered under current funding pressures.</p> <p>The lack of a national approach to onshore wind energy planning is a significant omission which can be considered to be non- planning.</p> <p>d) makes reference to a positive legacy for future generations, which is at odds with the loss of wild land and land with wild land qualities. The stunning and diverse landscapes of Scotland are not reflected in the principles. The key principle in SPP 2014 of “the right development in the right place” has been lost in draft NPF4.</p>

		f) Priority should be given to those communities which are most disadvantaged as despite the plethora of plans covering a multitude of topics, issues of poverty, education and homelessness need to be addressed.
Q7	Do you agree that these spatial strategy action areas provide a strong basis to take forward regional priority actions.	<p>No, Moray has been split between Northern Revitalisation and North east Transition, despite producing its own indicative Regional Spatial Strategy.</p> <p>It is unclear what the intention is by splitting Scotland in such a manner into 5 action areas and what is expected of planning authorities or how Regional Spatial Strategies are to be developed within these areas. Further information is required.</p>
Q8&9	Not relevant to Moray	
Q10 & 11	<p>10 Do you agree with this summary of challenges and opportunities for this action area?</p> <p>11 What are your views on these strategic actions for this action area?</p>	<p>No, this section requires significant change.</p> <p>References from the indicative Regional Spatial Strategy are missing from the section on Northern revitalisation, notably the proposed Moray Firth Coastal Natural Heritage Park.</p> <p>Page 21 needs to be updated, referencing only the Cultural Quarter Moray growth Deal Project, yet other projects addressing key land use and connectivity issues aren't mentioned, such as Bus Revolution and Housing Mix Delivery.</p> <p>Page 22 refers to a carefully planned approach to renewable energy. This is very unfortunate as this is exactly what planning authorities have tried to do over the last 20 years, but decisions have continuously been made through appeals which have now completely eroded that carefully planned approach.</p> <p>Clarification is required as to what is proposed for the A96 and A9 as page 23 refers to "there will be a need to adapt key routes due to the impacts of climate change alongside creating a strong network of charging points including improvements to the A96 to improve safety and to the A9 to maintain a resilient road."</p> <p>The split of Moray causes confusion and Moray should be within one or other of the regional areas. No mention is made within this section of Moray's key role in terms of defence at RAF Lossiemouth</p>

		<p>and Kinloss Barracks, although MAATIC is mentioned, or of the benefits to the economy from distilling, agriculture.</p> <p>One of the key challenges Moray faces is to continue to develop skilled jobs and diversify the economy from being defence dependent as well as retaining and attracting young people to the area. The inward investment at the Enterprise Park, Forres along with other innovative Moray Growth Deal projects, Elgin City Centre Masterplan should all be referenced as forward looking approaches.</p>
Q12 & 13	<p>12 Do you agree with the summary of challenges and opportunities for this action area?</p> <p>13 What are your views on these strategic actions for this action area?</p>	<p>This appears to cover eastern Moray, however the scale of the diagram makes this impossible to tell. No reference is made to the role of Buckie Harbour in servicing offshore wind farms or to the role and huge potential at Blackhillock sub-station for further development such as green hydrogen and data storage.</p> <p>Elgin is referenced within this area but also Northern Revitalisation adding to confusion and concern regarding these sections, their purpose and how they were developed.</p> <p>Transport connections references are vague with no specific references to A95 and A96 improvements.</p> <p>Moray barely features in this section with the text dominated overwhelmingly about Aberdeen and Aberdeenshire.</p>
Q14-18	Not relevant to Moray	
Q19	Do you think that any of the classes of development described in the Statements of Need should be changed or additional classes added in order to deliver the national development described?	No response given that no national developments have been identified in Moray.
Q20	Is the level of information in the Statements of Need enough for communities, applicants and planning authorities to clearly decide when a	No response given that no national developments have been identified in Moray.

	proposal should be handles as a national development?	
Q21	Do you think there are other developments not already considered in supporting documents that should be considered for national development status	<p>Yes, a number of potential national developments were identified in the Moray indicative Regional Spatial Strategy, unfortunately none have been shown in draft NPF4.</p> <p>Potential national developments could include;</p> <ul style="list-style-type: none"> • Blackhillock sub-station and the proposed hydrogen corridor between Aberdeen and Inverness • Buckie Harbour servicing offshore wind farms • Moray Forest- expansion of existing nurseries and expansion of existing woodlands to act as a carbon sink and nationally important tourist destination • Moray Coast Natural Heritage Park- enhanced visitor infrastructure, nature based solutions and cross boundary approach to managing the Moray coastal area • MAATIC- Moray Growth Deal project.
Q22 &23	<p>Policy 1 Plan-led approach to sustainable development</p> <p>22 Do you agree that addressing climate change and nature recovery should be the primary guiding principles for all our plans and planning decisions.</p> <p>23 Do you agree with this policy approach</p>	<p>Yes</p> <p>This does not read like a development management policy, this is a LDP requirement and sits better in LDP guidance, or does it mean that all proposals should contribute towards managing the use and development of land in the long term public interest? If the latter a definition of long term public interest is required.</p> <p>How will this be judged and assessed? There is scope for very wide interpretation of this. This may be better used as a core principle rather than a policy.</p> <p>Worth referencing the national outcomes as an aide.</p>
Q24	<p>Policy 2 Climate Emergency</p> <p>24 Do you agree that this policy will ensure the planning system takes account of the need to address the climate emergency?</p>	<p>No it will not take into account the climate emergency</p> <p>a) Define significant weight, change should to must – (same throughout section). “Designed to minimise emissions” how would this be defined and each type of development would have a different life cycle?</p> <p>b) What does this mean – no mention of decarbonisation pathways in document – is this referring to climate change guidance?</p> <p>c) Details of how off site emissions to be offset needed</p> <p>d) Reuse/retrofit/brownfield/just transition not mentioned.</p>

		<p>There is just nothing here to properly determine applications.</p> <p>Viability argument for every development will be difficult to handle. What are “significant emissions”? Need definition of long-term public interest. Not precise. How are all these measures going to be enforced/monitored with current resources? How are permitted development rights going to deal with the Global Climate Emergency?</p> <p>Details of targets and requirements need to be set out. What are the decarbonisation pathways and whole life assessments. One national approach to providing this information and assessing the submission would bring consistency to this and other policies.</p> <p>Does this connect to building warrant legislative changes.</p>
Q25	<p>Policy 3 Nature Crisis</p> <p>25 Do you agree that this policy will ensure that the planning system takes account of the need to address the nature crisis?</p>	<p>No, the policy will not ensure that the planning system takes account of the need to address the nature crisis. As it stands it is an ineffective tool to affect change or ensure adequate response to the nature crisis. It is not strong enough and needs to be embedded throughout NPF.</p> <ul style="list-style-type: none"> • Lack of strength and clarity of language throughout does not align with statement that “climate change and nature recovery are the primary guiding principles for all our plans and all our decisions”. • Language is weak throughout – replace ‘should’ with ‘must’. • Unclear what is being asked (a. and b. especially). Expectation must be explicit or too open to interpretation. • b. Hierarchy of mitigation that balances the scale of development is required. No requirement for suitably qualified professionals so quality of proposals questionable • e. Why only enhancement and not conservation (as in d.)? d. should apply to all. <p>The cost of restoring “degraded habitats” needs to be considered and is it reasonable to ask a developer to do this or are we saying that development proposals won’t be permitted on degraded habitats as you can’t have both. NatureScot won’t comment on this and we need a specialist contractor to assist with these assessments. Why have conserve and enhance for majors but just</p>

		<p>conserve for local applications. The last para should be a separate policy. How are planning authorities going to resource this? Planning authority needs to have access to data and mitigation for priority habitats and species, which requires additional budget.</p> <p>Wording gives no direction to developer.</p>
Q26	<p>Policy 4 Human rights and equality</p> <p>26 Do you agree that this policy effectively addresses the need for planning to respect, protect and fulfil human rights, seek to eliminate discrimination and promote equality.</p>	<p>This isn't a LDP policy as it is covered by other legislation and is embedded in everything that planning does. This policy should be removed from NPF4.</p> <p>No this policy won't achieve the aim. All it does is state that material planning considerations should be given careful consideration. It has no substance.</p>
Q27	<p>Policy 5 Community Wealth Building</p> <p>27. Do you agree that planning policy should support community wealth building and does this policy deliver this?</p>	<p>CWB is referenced throughout Part 3. A clearer definition of CWB is required, supported by practical examples of how the approach can be used to support delivery of planning policy. Consideration of CWB in development proposals is highlighted in relation to Quality homes, land and premises for business and employment, and sustainable tourism, without any suggestion of the metrics which should be used to achieve this.</p> <p>Part a) isn't a policy it is a development plan requirement, this approach is in several policies. Community Wealth Building needs to be defined for planners, many planning authorities won't have CWB officers within their teams and will find it difficult to relate how CWB can be secured through the development management process.</p> <p>The Community Wealth Building Strategy being developed for Moray could set out how we meet part b) of the policy for national and major developments to contribute to community wealth building objectives. This could include aspects such as;</p> <ul style="list-style-type: none"> • Surplus construction materials being made available to community groups for projects • Developers being required to carry out works from a community projects "wishlist" which is being considered by the Council • Developers to go beyond the requirements for apprenticeships and provide additional pathways to training and employment, especially for people in areas of inequality

		<ul style="list-style-type: none"> • Potential transfer of land assets to the community e.g. central open space, or creation of community meeting spaces. <p>The draft policy lacks certainty and is too vague. It is unclear what is expected from developers.</p> <p>The policy should also be applied to some scale of local applications, perhaps a threshold of 10 or more houses?</p> <p>What level of benefits will be supported by the Scottish Government to ensure that this policy can be applied consistently across Scotland?</p> <p>A better understanding of the relationship between planning and community wealth building is needed – in terms of applying conditions and meet the 6 tests, enforcing delivery of negotiated community benefits etc.</p>
Q28	<p>Policy 6 Design , quality and place</p> <p>28 Do you agree that this policy will enable the planning system to promote design, quality and place?</p>	<p>No.</p> <p>The section is titled ‘Universal Policies’ and are intended to apply to all planning decisions. The introductory paragraphs need to be more balanced recognising the other important attributes of placemaking and the wider and intertwined benefits this brings. The preventative role of planning and good placemaking for the public sector in terms of health, etc. as set out in documents such as the Christie report also appears to have been overlooked in NPF4 and the work of the Improvement Service on health and planning.</p> <p>NPF4 should set out if these overarching ‘universal’ policies are to be given more weight than other policies (i.e. similar to the primary policies of the Moray LDP2020).</p> <p>The wording is vague and general and will not achieve ‘high quality’ development on the ground. Terminology such as ‘should’ is unclear and lacks certainty for both the planning authority and development industry which will lead to protracted discussions at application stage and potentially more appeals which is at odds with the overall intent of the review of the planning system to speed up the planning process. The wording needs to change to “must”.</p>

		<p>a) This is a statement rather than a requirement as it is too wide and far reaching to be applied at a local (planning application) level with any credibility. Terminology such as ‘contributes positively to the character and sense of place’ is vague and open to interpretation and debate.</p> <p>b) The national policies and guidance referred to are overarching and lengthy documents. It would be helpful if the NPF4 policy distilled and set out what the key principles of design are and how this relates to the 6 qualities referred to in criteria c).</p> <p>c) Whilst the intent of the 6 qualities of a successful place (i.e. safe, distinctive) are welcomed they are too ambiguous and open to interpretation (e.g. ‘sense of joy’) to deliver the ‘high quality’ development that the Scottish Government (and Moray Council) aspires to. It would be helpful if NPF4 set out how these qualities are to be delivered on the ground through the inclusion of basic and pragmatic design criteria in the policy (e.g. safer places means public fronts and private backs, overlooked streets, open spaces, etc.). This would provide clarity over the interpretation of the policy and what will be sought for both planning authorities and the development industry. Whilst design guidance can be prepared by the planning authority this is at odds with the intent of review of the planning system to streamline the process. The inclusion of policies in NPF4 which will form part of the LDP is to aid consistency in application across Scotland and speed up the process. However, if planning authorities have to provide guidance to interpret and apply the policy then this there is more scope for inconsistency in application across Scotland. Also, guidance does not carry as much weight in planning decisions as policy and is likely to be the subject of more challenges, and ultimately, appeals which is an inefficient use of resources for everyone.</p> <p>Overall, the 6 qualities of a successful place appear to be a ‘cut and paste’ from SPP although the marginally more definitive qualities of legibility and easy to move around have been replaced with more ambiguous terminology such as ‘welcoming’. Character and identity are key elements of placemaking and the lack of recognition is evidenced through the watering down of a national design policy. The 6 qualities of a successful place set out in SPP were not sufficient to deliver high quality places on their own and required LDP policy to provide further interpretation to ensure this so it is unclear how a weaker national design policy which it is suggested, can only be supported through guidance that does not carry as much weight as a LDP policy will achieve the aspirations set out in the strategy.</p>
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Q29	<p>Policy 7 Local living</p> <p>20 do you agree that this policy sufficiently addresses the need to support local living?</p>	<p>Part a) isn't a development management policy it's a LDP requirement</p> <p>Support the ambition of 20 minute neighbourhood Policy lacks detail on what is a 20 minute neighbourhood Understand implementation in a high density urban setting. Lacks any guidance on what this may look like in a rural context Approach favours brownfield/vacant and derelict land redevelopment but does not explicitly state this as an aim. Weakens the edge of town sites that will never be able to deliver on local living. What does that mean for those designated sites going forward What does this mean for the spatial strategy for our towns and promoting Elgin as the regional centre going forward Retrofitting this into existing built areas will be challenging Weak language throughout Lack of recognition that a 20 minute neighbourhood is beyond a single development and needs to connect with surrounding area How can we deliver – intervening in the market to deliver local services where there is low or no demand Impact on town centre unless investment in town centre living as part of this agenda and allocated funding. Important to have digital and mobile solutions for rural areas</p> <p>Action areas talk about tailoring 20 minute neighbourhoods for more dispersed settlement pattern but unclear what is expected here. How will this work for smaller towns and villages? Delivering aspects like health care, childcare and local employment opportunities require a level of investment outwith the Council's control. NPF4 needs to be up front about what 20 minute neighbourhoods means for rural areas.</p>

		<p>Concept of 20 minute neighbourhoods seems to have widespread enthusiasm and backing in communities and there is therefore a need to manage expectation e.g. not everywhere will be getting a doctor surgery but maybe able to access these in a community hub either remotely or triage by nurse/pharmacist.</p> <p>Definition of what local employment opportunities are is needed. Would a shop count? Is this directed at high end jobs? If to work the approach needs to be taken across the whole of the public sector with investment to deliver.</p> <p>Emphasis on sustainable travel, digital connectivity and potential for mobile service provision in rural areas as a way to deliver this ambition.</p>
Q30	<p>Policy 8 Infrastructure First</p> <p>30 Do you agree that this policy ensures that we make best use of existing infrastructure and take an infrastructure first approach to planning?</p>	<p>Local Development Plans and delivery programmes should be based on an infrastructure-first approach. They should:</p> <p>Part a) will prove difficult or impossible at the local level, national plans rarely align with the adoption of local policy. This seems geared towards national projects. If this relates to national projects only, then mention must also be made of other small scale contributions which will be sought by local authorities in addition.</p> <p>Policy needs to make specific mention of the types of infrastructure for contributions to be taken for, e.g. healthcare, education, transport, sports and recreation, etc.</p> <p>No clear links to developer obligations or mechanisms for taking contributions.</p> <p>b) Mention of existing infrastructure opens planning authorities up to challenge from developers who will question what the existing capacity is. If this is meant more at national level then this needs to be spelled out with the specific projects it relates to.</p> <p>c) This is of significant concern and very open to interpretation, almost all of our developments contribute towards infrastructure, this does not mean they align with other policies. Also opens us</p>

		<p>up to criticism that developers are buying planning permission. This is a common issue throughout draft NPF4 where additional cross referencing to consistency with other policies needs to be added.</p> <p>d) Point d covers point c and the reference to other policies must be included in point d. Finding a balance between supporting vacant and derelict sites and provision of affordable housing and supporting infrastructure first will be important. Which is more important and will be the deciding factor? This policy makes it sound like no development proposal will be supported if they have viability issues which could result in a reduction in mitigation measures, whereas currently Scottish Government reporters often approve such applications if they support bringing derelict sites into use or provide affordable housing. Wording should be included that approved LDPs will be considered to meet these policies. Planning authorities have had challenges from developers where they question our ability to take contributions because it is not specifically mentioned in national policy, although we have an adopted supplementary guidance.</p> <p>Overall: Active travel, EV charging, etc. is not mentioned at all. These are key points to the Scottish Government but does not seem to be reflected in infrastructure requirements. Policy is very short and contains no specific detail. Local policy and supplementary guidance would be required</p> <p>There is also a key issue around staffing shortages in key sectors such as health in areas like Moray. While taking an infrastructure first approach can and is being delivered in terms of physical infrastructure, there are considerable challenges around recruiting the teachers and health care workers to enable the infrastructure to function.</p>
Q31	<p>Policy 9 Quality Homes</p> <p>31 Do you agree that this policy meets the aims of supporting the delivery of high quality, sustainable homes that</p>	<p>Part a) isn't a policy, it is a Local Development Plan requirement, meeting the minimum requirements set out in NPF.</p> <p>Similarly part b) is procedural setting out the delivery of land process.</p>

	<p>meets the needs of people throughout their lives?</p>	<p>Needs to reference Policy 27 Town Centre Living which states Planning Authorities should seek to provide a portion of housing land requirements in town centres</p> <p>c) is also not a development management policy.</p> <p>Part d) further explanation of the term “adaptable to changing and diverse needs and lifestyles”.</p> <p>Part e) needs to be linked to Policy 5 Community Wealth Benefit and vice versa as Policy 9 refers to extending this to include local applications. What is required as a statement of community benefit? Should this relate to the Community Wealth Building strategy? The required statement of community benefit needs to be linked to Policy 5, the planning authority’s CWB strategy and suggest that the threshold be lowered to include local applications to bring benefit to smaller rural areas.</p> <p>f) this should clearly set out the need for accessible home within the private sector to increase choice for people and reduce reliance on the public sector to provide accessible housing or expensive retro fitting of adaptations. Moray Council’s innovative policy on accessible housing was deleted by a Reporter in the Examination of the Moray Local Development Plan 2020.</p> <p>Part h) is carte blanche to developers providing affordable homes to undermine the spatial strategy and existing housing land designations and is an approach which has caused Moray Council considerable concern with Reporters decisions.</p> <p>Part i) is broadly welcomed but would benefit from the first bullet point being expanded to refer to any shortfall not being capable of being addressed in subsequent years.</p> <p>No reference to transport considerations.</p>
Q32	<p>Policy 10 Sustainable Transport</p> <p>32 Do you agree that this policy will reduce the need to travel unsustainably, decarbonise our</p>	<p>No.</p> <p>Policy does not meet the vision to reduce unsustainable travel and decarbonise our transport system. Policy content has not moved forward in the last 30 years and this is a missed opportunity. Stronger language and more detail required to deliver the changes needed.</p>

	<p>transport system and promote active travel choices?</p>	<p>There is a lack of reference to high quality - infrastructure needs to be in order to enable the necessary changes in behaviour.</p> <p>Policy ordering means car travel dominates, should active travel be prioritised to the start of the policy?</p> <p>10a) refers to prioritising locations for future development that can be accessed by sustainable modes but there is no mention of a minimum quality/safety of route. A cyclist can use any road, but would any cyclist use roads with significant levels of fast vehicular traffic.</p> <p>10b) Note: still waiting for new DPMTAG and STAG, which takes better account of environmental issues/carbon costs. <i>'We will publish changes to STAG by the end of 2021'</i> NTS2 Delivery Plan 2020-2022 (March).</p> <p>10c) 'significant increase in the number of person trips' how is 'significant' defined? Depends on what your starting position is? Are we looking at a value? Or a percentage increase. Local guidance on what we consider significant for our transport network is needed in the absence of any national definitions.</p> <p>10d) Planning authorities have reluctantly agreed to Travel Plan conditions in the past. Need a view on this and most probably, a guidance document on what would be acceptable/not acceptable.</p> <p>10e) not sure what this means in terms of cumulative impact on the Strategic Transport Network? Or is it that they consider 10b) will address this?</p> <p>f) Developers must already have Transport Scotland agreement should be added.</p> <p>10g) struggling to see how it would be delivered? NTS2 Delivery Plan states that an update, with more detailed guidance, of Designing Streets is on its way. <i>'We will commence work to refresh Designing Streets14, in 2021-22. This sets out the design and transport policy for lightly trafficked streets. The refresh will bring it up to date and ensure transport accessibility features prominently.'</i> NTS2 Delivery Plan 2020-2022 (March).</p>
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		<p>Lack of reference to other policies – underplays the importance of blue and green networks in creating high quality attractive pedestrian and cycle routes.</p> <p>10h) Replace the ‘should’ in line two with a ‘must’.</p> <p>10i) Replace the ‘should’ with “must”, bullet point 3 is going to be difficult to achieve in rural areas and in the light of continuing decline in PT use due to Covid-19.</p> <p>10j) generally supportive but ‘will be effective in relation to delivering mode share targets’ is a bit odd? Surely, that is for a Business Case/Investment Decision making process and not for a planning application.</p> <p>10k) Good to see equal access given a specific mention – new Cycling by Design has good definitions of user groups/abilities.</p> <p>10l) ‘should’ need to be replaced with “must”.</p> <p>10m) who is defining what a ‘very accessible urban area’ is? Planning authorities would need guidance on this to ensure we can robustly address any occasions where there is a difference of view as to whether a site is ‘very accessible’.</p> <p>No. Car parking as a standard needs to be tackled for housing developments. No mention of car share schemes. Homes charging of electric cars is going to be challenging in Conservation areas and places with no in curtilage parking. Rather than “role to play” there should be more positive support to enhance town centre living and support use of public transport.</p>
Q33	<p>Policy 11 Heat and Cooling</p> <p>33. Do you agree that this policy will help us achieve zero emissions from heating and cooling our buildings and adapt to changing temperatures?</p>	<p>No. too vague, “as far as possible” means it won’t be delivered, how is that to be assessed?</p> <p>The impact of additional developments on local radiative balance is neglected in this draft. Considering this issue properly will result in well-thought development proposals which suit the local climate and provide for adequate natural or passive heat/cooling.</p>

		<p>The policy would be more effective by making clear links with policy 12. The cooling potential of green roofs, for example, is significant. Green roofs will also impede overnight heat loss, which is most desirable especially where natural or passive heat/cooling solutions exist. Green or living walls can help to improve air quality at pedestrian level by trapping air pollutants in their vicinity.</p> <p>The policy language would benefit from tightening up – e.g. mentions of ‘should’ to become ‘must’ to affirm responsibility in the strongest terms.</p> <p>There should be greater controls on the installation of air conditioning systems. Implementation could be limited to a small range of development types including healthcare settings or laboratories. All other development proposals must demonstrate natural or passive solutions only.</p> <p>Where flues are necessary, a requirement to fit scrubber devices for filtration of particulate matter from smoke should be included. Specifications for the scrubber device and a maintenance schedule should be provided within the development application. This will improve air quality and further reduce emissions.</p>
Q34	<p>Policy 12 Blue and Green Infrastructure, play and sport</p> <p>34 Do you agree that this policy will help to make our places greener, healthier and more resilient to climate change by supporting and enhancing blue and green infrastructure and providing good quality local opportunities for play and sport?</p>	<p>No. Parts a & b are LDP requirements and not policy statements for the purpose of development management.</p> <p>All parts of the policy need to use “must” and “will” instead of “should”.</p> <p>The structure of the policy would benefit with being restructured, possibly using sub heading such that the elements that protect existing blue and green infrastructure are clearly grouped together separately from the requirements for new blue and green infrastructure. A significant emphasis is put within the policy on “play” and children and young people that could also be grouped together.</p> <p>c) Whilst it seems there is a general presumption against proposals that would result in the fragmentation or net loss of blue and green infrastructure the wording would appear to allow support for development proposals that did not impact on the <u>overall</u> integrity of the <u>network</u> of blue and green infrastructure. This is a significant “loop hole” that could allow development to be</p>

		<p>supported. This could mean proposals that are either not part of a blue/green network or in the case of larger blue/green networks reference to “overall integrity” could mean open spaces that are important to local neighbourhoods are lost because of the limited impact on the overall network. The wording “net loss” would also allow significant changes to blue and green infrastructure to be supported providing there is no net loss of land. This is not qualified in any way in terms of function, quality, accessibility or requiring consideration to be given to Open Space Strategies (OSS).</p> <p>If LDP’s are to identify and protect blue and green infrastructure there needs to be stronger policy protection to back this up. There needs to be a strong presumption against development on sites identified in LDP’s as blue and green infrastructure unless this is for another open space type, or for essential community infrastructure or if a specific opportunity is identified in the LDP or OSS.</p> <p>e) Care must be taken that cumulatively small minor proposals do not result in adverse impacts on outdoor sport facilities or the ability for the facility to adapt or expand to meet feature needs. This bullet point should be removed and only proposals ancillary to the principal use should be acceptable.</p> <p>f) Reference should be made to the OSS and Play Sufficiency Assessment within this part of the policy. Any replacement provision must be not only better quality or more appropriate provision but must be equivalent in terms of quantity and accessibility to the play provision that is being replaced.</p> <p>h) This element of the policy needs greater emphasis and prominence given the multi benefit functions that blue and green infrastructure has. Well-designed good quality blue and green infrastructure is a key thread across many policies and can be essential to achieving other policy outcomes. Better linking to other policies is also required including policy 12 Climate Emergency, 3 Nature Crisis, 6 Design, Quality and Place, 7 Local Living, 10 Sustainable Travel, 11 Heating and Cooling, 13 Flooding and 14 Health and Wellbeing.</p> <p>l) Remove “where this is necessary”.</p>
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		<p>Policy lacks detail on how accessibility and quality will be assessed. There is no definition of the quantity of open space required. This could be achieved by linking to the OSS. LDP policy will be required to cover this gap.</p> <p>Again “as far as possible” won’t deliver. A lot of cross over with Policies 6 and 7 and should be rolled into one as this is really about quality of place and homes. Demonstration of funding arrangements for long-term maintenance will be difficult to enforce should be changed to proposed factoring arrangements.</p>
Q35	<p>Policy 13 Flooding</p> <p>35 Do you agree that this policy will help to ensure places are resilient to future flood risk and make efficient and sustainable use of water resources?</p>	<p>There is reference to SUDs and rain gardens to reduce surface water flooding in new development. However, the way it is worded the reality is that the developers can still go down the SUDS route and technically comply with policy making it harder to achieve the changes we really want from a Placemaking/Biodiversity/CC point of view. To achieve what we want it needs to be worded more strongly and cross ref to other policies ie 6 & 12 to bring out the multi benefits of good quality green/blue infrastructure being embedded in developments from the start.</p>
Q36 15	<p>Policy 14 Health and well-being</p> <p>36 Do you agree that this policy will ensure places support health, well-being and safety, and strengthen the resilience of communities.</p>	<p>No. It is very unfortunate that the work of the Improvement Service with planning authorities and Public Health Scotland has not been embedded into this policy to bring change to health outcomes.</p> <p>Part a) isn’t a development management policy it is a LDP requirement. Definition of vibrant, healthier and safe place would be useful.</p> <p>Need to understand what the local/ spatial health inequalities are</p> <p>Need to define and understand what significant health effects are considered to be and how this information will be obtained and assessed. There is a danger that a health impact assessment will become a tick box exercise, who will assess it and will there be a national, consistent approach to HIA.</p> <p>Planners need training or advice from health expert.</p>

		<p>Why isn't a health impact assessment required for some local applications. Unclear when Health Impact Assessments will be required and what they will be. What will be considered a significant health impact. Could be a resource issue depending what they involve.</p> <p>Part e) is written the wrong way round, so no matter what is proposed, if it has food growing it should be supported? Needs reworded, set a threshold for when food growing or allotments must be provided.</p> <p>Noise agent of change principle should apply here – same as in policy 18.</p> <p>Overlaps with other policies – e.g. policy 6.</p>
	Policy 15 Safety	<p>The policy is vague in terms of the type and scale of development proposals the policy is aimed at. Lack of clarity on what in the vicinity of a major incident hazard site means. Lack of reference to key impacts and how to assess significance of impact and circumstances where development may or may not be supported.</p> <p>The language used is weak should needs to change to must.</p> <p>Additional consultees beyond HSE and Office of Nuclear Regulation unclear.</p> <p>Requirement for local policy on MOD noise contours.</p> <p>Define "what other things" if it's not covered by Health & Safety Executive.</p>
Q37	<p>Policy 16 Land and Premises for business and employment</p> <p>37 Do you agree that this policy ensures places support new and expanded businesses and investment, stimulate entrepreneurship and promote alternative ways of working in order to</p>	<p>Part a is a LDP requirement and not policy statements for the purpose of development management.</p> <p>All parts of the policy need to use "must" and "will" instead of "should".</p> <p>b) Guidance required on how authorities should take net economic benefit into account is required.</p> <p>Potential conflict in c) for existing residential developments and how home owners would not be expecting to see change in their immediate neighbours.</p>

	<p>achieve a green recovery and build a well-being economy.</p>	<p>d) Clarity required on if this refers to designated sites – either new designation or designations to safeguard existing business parks, industrial estates and business areas.</p> <p>Clarity required on what is meant by “other employment uses”. Current LDP policy refers to Class 2 Business and Financial, 3 Food and drink, 11 Assembly and leisure and sui generis activities. Retail needs to be specifically excluded.</p> <p>In addition to not prejudicing the primary business function of the area and being compatible with the area the impact on the supply of employment land must also be taken into account when considering other employment uses. Reference needs to be made to the Employment Land Audit.</p> <p>Does d) extend to buildings or just open ground</p> <p>f) This is not reflective of a plan led system and will allow proposals to be supported out with designations. This has the potential to undermine designated employment sites, compromise other designation and risks limiting future development options.</p> <p>Part f should be removed or at the very least additional requirements need to be included such that the applicant must demonstrate that there are no viable or available option on designated sites and that there are clear sustainable economic benefits to the proposals that justify departing from the LDP designations. Specific reference needs to be made here to the Employment Land Audit and Economic Strategy for the area.</p> <p>No provision is made for mixed use sites. Where site viability is an issue a mix of uses can aid site viability and allow sites to be serviced that would otherwise never become marketable. Where LDP’s identify site specific opportunities these should be supported by policy where the proposed mix will enable the servicing of employment land and does not compromise the supply of effective employment land.</p> <p>Policy doesn’t reflect the Town Centre First approach – office development attracting high footfall or any business with high footfall (either employees or visiting members of the public) should be subject to this approach.</p>
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<p>Q38</p>	<p>Policy 17 Sustainable Tourism</p> <p>38 Do you agree that this policy will help to inspire people to visit Scotland and support sustainable tourism which benefits local people and is consistent with our net zero and nature commitments.</p>	<p>No. Part a is a LDP requirement and not policy statements for the purpose of development management. Again this seems to look to identify new proposals but nothing about safeguarding existing.</p> <p>b) This has no requirement for a locational need to be identified which is a change to policy and leaves the policy quite open.</p> <p>d) compliance with good practice guidance is very loose and this needs further definition.</p> <p>e) Whilst this policy seeks to limit short term holiday letting where this would have unacceptable impacts there is no corresponding policy that seeks to prevent development built as tourist accommodation becoming permanent residences. There is likely a need for both aspects to be covered in policy.</p> <p>Need to define how we assess short-term letting proposals. Always going to be a balance and then enforcement will be difficult without a robust position. F needs to define what is a “tourist-related development” does this include hotels, guest houses? “No longer viable” will be difficult to assess.</p>
<p>Q39</p>	<p>Policy 18 Culture and Creativity</p> <p>Do you agree that this policy supports our places to reflect and facilitate enjoyment of, and investment in, our collective culture and creativity.</p>	<p>No. The intent of the policy and support for culture, art and creative industries is welcomed. However, similar to other policies, the wording is ambiguous. Terminology such as ‘should’ needs changed to “must”. The wording means that there is a lack of clarity and certainty over what can be sought by a planning authority and equally, for the development industry over what they are to provide. This will lead to issues at the implementation/planning application stage.</p> <p>a) Similar to comments on other policies NPF4 is part of the local development plan. A Public Art Strategy requirement would be a welcome addition in this criteria, to take a strategic approach to public art provision.</p> <p>b) states that public art is sought for proposals that involve a significant change to public open spaces or create new public open spaces. This infers that the public art is to be located within the public open space only rather than throughout the development. The policy also isn’t clear on what</p>

		<p>constitutes public open space – scale, type, etc. for which public art is to be sought. Public art is an important part of placemaking as it helps people find their way around and creates an identity for the community. Legibility is increasingly important as Scotland has an ageing population and associated health issues such as dementia. Public art should be embedded throughout a development (e.g. welcome statements in paving, street furniture, paving, planting, gateways, etc.) rather than only being located within areas of open space as these may provide limited opportunities. Embedding public art within developments supports the 6 qualities of a successful place.</p> <p>c) Reads as more of an aspiration or policy statement rather than a requirement.</p> <p>d) The retention of arts and cultural venues is welcomed. Further clarity is required on whether a viability appraisal is required by the developer, who will assess this and pay for this to be undertaken. Where a developer challenges the viability of a proposal based on developer obligations, they are required to submit an appraisal undertaken by a suitably qualified professional and this is assessed by the District Valuer at the developer’s expense. A similar process is recommended for arts and cultural venues. Similarly, clarity on who should assess the viability of these proposals should be provided as a profession with sufficient knowledge in cultural and arts funding opportunities such as Creative Scotland should be involved in the process to determine if all funding avenues have been exacerbated.</p> <p>The 12 month timeframe for marketing purposes appears short and there is no background information provided as to how this has been derived. A more appropriate timeframe would be 3 years as this allows an adequate time for peaks and troughs in demand. This is the timeframe for a change of use from commercial/industrial premises to other uses.</p> <p>Further clarity on the type and level of consultation evidence is required. Is this public consultation or consultation with potential hirers of the venue (clubs, bands, etc.). Adaptation may not be suitable for one user but may satisfy the needs of another.</p> <p>It is unclear whether the applicant is expected to provide alternative provision of equal or greater standard at a suitable location in the local area or demonstrate that alternative premises are available locally. For example if a music venue closes then if the developer states that there are</p>
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		<p>other facilities available in the local area is this sufficient. This would seem at odds with the intent of the policy but equally it is unclear how a developer is expected to provide alternative provision elsewhere particularly if their venue is deemed to be unviable.</p> <p>Need to define “arts or cultural venue”. Should the same wording not be applied to “tourism – related facility”.</p>
Q40	<p>Policy 19 Green Energy</p> <p>40 Do you agree that this policy will ensure our places support continued expansion of low carbon and net zero</p>	<p>No. This seems to be a green light for onshore wind energy with no reference to the role of new Landscape Sensitivity Studies, to Council’s guidance or any sign of a national spatial framework for wind energy. Some parts of Scotland have experienced significant wind energy development, landscape character and wild land qualities have been eroded to such an extent that some landscape’s character has changed to that of a windfarm landscape.</p> <p>a) Not sure of terminology – is seek to ensure tight enough. Lack of balancing criteria b) Support, but impacts on nature/peatland to be taken into account c) Is this in contradiction to b above? Is wind farm defined? d) no reference to regional or local natural and cultural designations g) Take account of biodiversity impact? h) Why just abated? Is this defined? k) Add just transition as a bullet point</p> <p>“Impacts on” is too vague and needs to be defined better.</p> <p>What is the role of new Landscape Sensitivity Studies following Naturescot guidance- this policy is not providing a national framework, simply leaving the issue for debate at public local inquiries. This policy does not address the issue and needs a complete rethink.</p> <p>Need to define small scale renewable technology.</p> <p>No mention of community energy initiatives.</p>
Q41	Policy 20 Zero waste	<p>b) will or must maximise instead of should aim to, tighten up other words – required not encouraged</p>

	<p>41 Do you agree that this policy will help our places to be more resource efficient and to be supported by services and facilities that help to achieve the circular economy?</p>	<p>c) first 2 bullet points keep as where appropriate they should..., last five bullet points change to just They should...</p> <p>e) add bullet point access or transportation impacts to local area taken into consideration, support local use to minimise travel.</p> <p>Moving outwith the scope of planning to “design and construction measures” covered by Building Warrants. No expertise to assess this. Resource intensive for every national and major application. “Set out how performance will be monitored and reported” what does this actual mean in practice?</p>
Q42	<p>Policy 21 Aquaculture</p> <p>42 Do you agree that this policy will support investment in aquaculture and minimise its potential impacts on the environment?</p>	<p>Part a) is a LDP requirement not a policy.</p> <p>Should water based recreational interests be referenced, along with landscape, visual and wild land qualities?</p>
Q43	<p>Policy 22 Minerals</p> <p>43 Do you agree that this policy will support the sustainable management of resources and minimise the impacts of extraction of minerals on communities and the environment.</p>	<p>Part (a) is a LDP requirement and not a policy statement for the purpose of development management. The need to safeguard mineral reserves from development which may sterilise them should be drawn out as specific policy statement.</p> <p>“demonstrate acceptable impacts/levels” comes across as very weak and wide open to interpretation.</p> <p>Part (d), final bullet point re solutions for safeguarding restoration, should read “Solutions must provide...”</p> <p>Policy should be reorganised to keep mineral resources elements together (i.e. (a), (d) and (e) then (b) and (c)).</p> <p>is the 10-year landbank long enough and who measure its effectiveness? Define buffer zone. What is the “mineral extraction criteria”?</p>
Q44	<p>Policy 23 Digital Infrastructure</p>	<p>The policy seems more of a suggestion rather than a statement of intent. Unless this is tightened up it will result in the continuing digital divide placing rural areas at further disadvantage.</p>

	<p>44 Do you agree that this policy ensures all of our places will be digitally connected.</p>	<p>More robust requirements around new developments should be included, requiring developers to work with service providers to ensure infrastructure is in place from the early stages of construction, and that this is connected to local networks.</p> <ul style="list-style-type: none"> a) Is a development plan requirement, not policy. All new rural developments must be required to demonstrate how the properties will be served by appropriate digital connectivity. b) Clear specification required on exactly what constitutes “universal and futureproofed digital infrastructure.” The policy is currently too woolly, especially with the caveat that this must be delivered in consultation with service providers. The community must also be engaged in this process to ensure proposed developments meet their personal and professional needs. c) Agree whole heartedly with this, but the policy must go further in streamlining with process for providers. At present the siting of numerous telegraph poles in delivering cable connectivity require individual applications for each location – which is far too laborious a process, especially for smaller companies. d) Tightening up of wording, from should to must e) Tightening up of wording, from should to must <p>“Not question the need” could be worded better such as “the principle of the development.” Mast-sharing does not happen in practice as there is no national plan.</p>
<p>Q45 24-27</p>	<p>Policies 24 to 27 Distinctive Places</p> <p>45 Do you agree that these policies will ensure Scotland’s places will support low carbon urban living?</p> <p>24 Centres</p>	<p>Part a is LDP requirement not policy.</p> <p>b) “Should” needs to be changed to “will be supported”.</p> <p>Some merit to adding specific reference to town centre living but this is covered by a separate policy (policy 27) which should be cross referenced.</p> <p>Likely local policy will be required to control development within the ground floor of identified Core Retail Areas to ensure the core parts of centres remain the primary focus for retail, retail services and leisure uses. Current policies reference use classes (class 1,2 and 3) but going forward it should</p>

		<p>be considered if using GOAD categories would be a more flexible approach whilst continue to safeguard the core function of the very centre of town centres.</p> <p>Define a cluster</p>
	<p>25 Retail</p>	<p>General comment that it was hoped that NPF4 will provide much more information on retail, and it didn't. Recommendations and findings of "A New Future for Scotland's Town Centres (Town Centre Action Plan Review Group Report – Chaired by Professor Leigh Sparks)" not taken on board. Nothing really new in this policy.</p> <p>This is a significant shift in policy that would effectively prevent any out of centre retail and limit development on edge of centres/commercial centres.</p> <p>It fails to recognise that town centres have evolved to support a greater mix of uses than just retail.</p> <p>Whilst the reasoning to this approach is understood the reality is that often town centres, due to their historic layouts or the format of units are unable to accommodate any significant new floor space. There is a risk that in directing all retail to town centres will only strengthen trends for major retailers to rely on the internet and focus only on major centres. Completely prohibiting out of centre locations could result in leakage of expenditure if no town centre opportunities are available and the business is then unable locate to the area.</p> <p>Significant footfall is not defined and guidance on how this will be assessed is required.</p> <p>The policy underplays the role that local and neighbourhood centres play as important locations for retail. Clearer guidance of what is meant by significant footfall is required and clarity is required on how this part of the policy links to part d.</p> <ul style="list-style-type: none"> a) The second part of this policy in respect of considering the location and design of retail stores or click and collect lockers would be unenforceable. Wording needs significant strengthening to have a meaningful impact. b) Wording needs strengthened to be "will" instead of could .

		<p>c) Reference to sequential approach here doesn't tie in with part a of policy or links to policy 26. If part a of the policy is applied this would effectively restrict neighbourhood shopping.</p> <p>More clarity is needed within the policy to clearly support neighbourhood shopping including convenience top up and other retail/retail services.</p> <p>Again the second part of d appears not to be enforceable. "Consideration should be given..." lacks clarity as to the extent this should be taken into account and currently we would be unable to specify or require retail proposals to stock certain types of food.</p> <p>Lack of definition, for example: definition of clustering/ancillary shopping which makes assessment harder.</p> <p>More detail on measuring vitality needed. Need a baseline of vitality so can see if improves or adverse impact anticipated.</p> <p>More definition and guidance is necessary on how to apply this policy.</p> <p>Policy 25 Part d- neighbourhood shopping to be defined as potentially conflicts with part a).</p> <ul style="list-style-type: none"> • The blank statement of not supporting out of town centre retail proposals is a significant change which could be problematic and resisted by developers. Potential development on brownfield out of town centre sites would be supported by the Council, but not by this policy. • Conflict with the permitted development rights where a conversion of an agricultural unit to shop (500sqm or less) is permitted, which would mean impacts would not need assessed despite proposed policy. <p>e) Again how this relates to part a of the policy needs to be clarified. Links to policy 31 are needed.</p> <p>Other – Nothing about ancillary retailing related to employment/industrial uses.</p>
	Policy 26 Town Centre First Assessment	<p>a) Clarity required that it is "other <u>non- retail</u> uses" that are subject to this policy. Guidance required as to what constitutes significant footfall or how footfall should be assessed is required.</p>

		<p>The policy only requires a Town Centre First Assessment for out of centre locations – this suggests proposals in commercial centre or edge of centre would be supported without a Town Centre First Assessment. All proposals in locations outwith town centres should be subject to a town centre first assessment.</p> <p>Local policy likely to be needed to reflect a sequential approach that required accessible OPP or brownfield sites to be considered before out of centre. This approach would support policy 30.</p> <p>The fourth bullet point needs to consider individual and cumulative effects and should refer to the network of centres not just town centres.</p> <p>b) Would question if this is policy or guidance.</p> <ul style="list-style-type: none"> • Policy sets out that out of town centre locations need to have town centre first assessment. Is there a need for TC first assessments for any other proposals e.g. edge of centre, commercial centre? It`s not clear when to ask for the TC first assessment. • “Significant footfall” needs to be defined. There are local protocols for dealing with footfall, but there is a need for a more national approach so the same larger developers do not face themselves with different requirements at different Local Authorities. • Part a- the policy discusses drive-through, but does not offer a solution and does not address this issue. Proposal would be acceptable if “proposal cannot reasonably be altered”. Drive-through cannot be altered, so does it mean they are ok to go ahead? What does reasonably alter mean?
	Policy 27 Town Centre living	<p>a) This is partly an LDP requirement and the requirement for a portion of housing land requirements to be in town centres needs cross referenced to policy 9.</p> <p>b) Unclear what the third bullet point in this section is trying to avoid. More clarity needed.</p> <p>There needs to be a reasonable marketing period before residential use should be considered particularly given policy 25 now directs all retail to town centres. A drive for housing in TC’s may push retail out.</p>

		<p>b) does not make sense to “demonstrate that the existing use is no longer viable” if it’s for the re-use of a vacant building.</p> <ul style="list-style-type: none"> • Core retail areas are protected currently in policy, ground floor residential could push retail out of core retail areas? • Conflict between core retail areas and town centre living on ground floors. • No timescale in policy to advise how long a property needs to be vacant for before could be turned into a residential unit • General consensus was that this is not a good idea. It would impact on quality of life (e.g. lack of windows? Or large windows impacting on amenity of occupants?). It could also prevent businesses from wanting to operate beside a residential property. • How much non-retail is too much? Lack of clarity on the balance of retail and non-retail. • Part a- how to identify housing land requirements in the HLA? As opportunity sites or identify each unit? • Definition of dead frontage. • Part e- consideration of cumulative impact or will it up to the LRB to argue this?
Q46	<p>Policy 28 Historic assets and places</p> <p>46 Do you agree that this policy will protect and enhance our historic environment and support the re-use of redundant or neglected historic buildings.</p>	<p>a) is a development plan requirement not policy</p> <p>b) More general statement regarding “ historic assets and places” and contains “should” which need to be “musts” throughout</p> <p>c) needs to state that demolition “must only be accepted in exceptional circumstances”. More text regarding the circumstances where demolition may be acceptable are not provided which weakens the policy. Should include where it has been demonstrated that the building is dangerous.</p> <p>e) Similar to LDP policy but could contain a reference to the use of contemporary materials being acceptable if they respect character/architectural style and authenticity of building/CA as focus is on traditional materials only. However, it is general and does not provide further info on windows which is currently in the LDP which could create an issue and would make assessment very subjective in this regard.</p> <p>m) Welcome the principle of this and the identification of buildings on the Buildings at Risk Register but is more a general statement.</p> <p>n) Would be stronger with text stating that new development is to address the conservation deficit as opposed to funding the restoration/preservation. Again wording “should” to “must”.</p>

<p>Q47</p>	<p>Policy 29 Urban edges and the green belt</p> <p>47 Do you agree that this policy will increase the density of our settlements, restore nature and promote local living by limiting urban expansion and using the land around our towns and cities wisely.</p>	<p>Should needs reworded to must. Needs to be considered in tandem with rural housing as supports housing in greenbelt/CAT for workers in a primary industry and retired workers. Lack of clarity within this policy on what a primary industry is. Overall all lack of definition of uses supported which could be misinterpreted i.e. horticulture, including market gardening and directly connected retailing and leisure, recreation and tourism compatible with the countryside. Requirement to provide statement of search area and site options assessed and reasons why greenbelt location is essential. No further guidance on scope of info required and no reference to using suitably qualified professionals to undertake assessment. Does not explicitly require for example an agricultural needs report justifying why accommodation is needed on a site within the greenbelt.</p> <p>Considered to weaken protection of greenbelts/CAT and offers the opportunity for subjective cases supporting inappropriate development.</p> <p>How big is a "search area"? No mention of gypsy traveller sites?</p>
<p>Q48</p>	<p>Policy 30 Vacant and derelict land</p> <p>48 Do you agree that this policy will help to proactively enable the reuse of vacant and derelict land and buildings?</p>	<p>Part a is a LDP requirement and not policy statements for the purpose of development management</p> <p>c) "Should" needs to be "will" throughout.</p> <p>C) This part of the policy is pretty hidden and could be more upfront as it has implications across a number of policies. E.g. policy 16 f. How does c) comply with policy 29 b)?</p> <p>e) text needs amended to "Demolition is the least preferred option."</p> <p>Strong support for aim of policy but there is not enough strength to this policy and reasoning behind why we have to use derelict land first. No real mention of the empty buildings we have in town centres and those that are listed in urgent need of repair</p>

<p>Q49</p>	<p>Policy 31 Rural places</p> <p>49 Do you agree that this policy will ensure that rural places can be vibrant and sustainable?</p>	<p>No. Confusing as it relates to all development proposals in rural areas and then has sections explicitly on housing.</p> <p>Lacks cross-referencing to greenbelt and has a different interpretation of circumstances to supporting new housing.</p> <p>Limited reference to crofting, woodland crofts or hutting.</p> <p>Supports the resettlement of previously inhabited areas – lack of information to understand the implications of this – Cabrach??</p> <p>Reference to supporting development where it will reflect the development pressures, environmental assets and economic needs of the area. This information does not currently exist, who is compiling this information, the planning authority or developer. There is no requirement to submit any of this as a supporting statement within the policy. In any case how would it be assessed?</p> <p>Supports reuse of redundant or disused buildings or reinstatement of former dwelling houses which could see a return to replacement of steel portal building, dog kennels and ruins.</p> <p>Reference to enabling development with no further guidance on what this entails or the scale of enabling development versus the scale of the development.</p> <p>Redevelopment of derelict land or brownfield land where a return to a natural state is not likely – again open to interpretation.</p> <p>Prime agricultural land is offered protection with development supported in set circumstances but there again is lack of clarity on permitted uses i.e. for the development of production and processing facilities with the land produce. What does this mean? It also references where no other local site is suitable but unlike the greenbelt policy does not state a requirement to have considered and discounted other sites.</p> <p>There is a lack of cross-referencing to Local Landscape Areas and the relationship with this policy. This policy is considered to allow the justification of inappropriate development in rural areas that will have a detrimental impact on the rural character of Moray.</p>
<p>Q50</p>	<p>Policy 32 Natural places</p> <p>50 Do you agree that this policy will protect and restore natural places</p>	<p>No. Policy will not protect and restore natural places beyond existing legislation. It does not deliver the requirements of policy 3: Nature Crisis and does not support the statement that nature recovery is the ‘primary guiding principle’.</p> <ul style="list-style-type: none"> • Weak language throughout.

		<ul style="list-style-type: none"> • a. Moray Council does not hold info required to input this to LDP Significantly weaker than existing LDP policy • c. Level of protection of European sites unclear (should be no development) • d. Last sentence unclear – where do Ramsar sites sit in hierarchy of protection (European/ national) • e. Not as robust as existing guidance/policy (requirement for surveys). • f. How will this be identified? What action is required. • g. Weak – no locational requirement or identification of appropriate use. How are benefits measured - if nature crisis is primary concern then significant adverse effects should always be prevented • h. Conflicting language and definition of precautionary principle unclear. What about locally important sites? • i. Very weak – especially first bullet point
Q51	<p>Policy 33 Peat and carbon rich soils</p> <p>51 Do you agree that this policy protects carbon rich soils and supports the preservation and restoration of peatlands.</p>	<p>Policy fails to protect carbon rich soils or to support the preservation and restoration of peatlands. This weakens existing policy / downgrades protection of carbon-rich soils. MC policy does not support any peat extraction.</p> <ul style="list-style-type: none"> • c. first and second bullets especially weak second bullet – how will site maximise function? *link here to policy 19. g. and windfarm sites being suitable for use in perpetuity (i.e no plan to decommission and restore) • d. Does not demonstrate that climate crisis is primary guiding principle. If meeting net zero is a priority then frameworks like Just Transition / community wealth building should support industry to halt reliance on peat extraction.
Q52	<p>Policy 34 Trees, woodland and forestry</p> <p>Do you agree that this policy will expand woodland cover and protect existing woodland?</p>	<p>No. Although titled “Trees, Woodland and Forestry”, the policy does not address the protection of individual trees (other than those of high biodiversity value or identified for protection in Forestry and Woodland Strategies). Believe that this will be a backwards step on local policy position(s).</p> <p>Part (a) comes across as a LDP requirement and not a policy statement for the purpose of development management.</p> <p>Part (b) – replace “should” with “must” throughout. Clarity required over the term “veteran” tree.</p>

		<p>Part (c) does not go far enough. Define public benefits, which must explicitly exclude housing. Removal must also not result in unacceptable adverse effects on amenity, landscape, biodiversity, economic or recreational value of the woodland nor prejudice the management of the overall woodland.</p> <p>At no point is there any mention of the Control of Woodland Removal Policy.</p> <p>“Generally” for compensatory planting is not strong enough. Difficult to refuse a proposal on loss of a hedgerow and individual tree when there is other public benefits. Need to address this in the policy.</p>
Q53	<p>Policy 35 Coasts</p> <p>53 Do you agree that this policy will help our coastal areas adapt to climate change and support the sustainable development of coastal communities.</p>	<p>Part (a) comes across as a LDP requirement and not a policy statement for the purpose of development management.</p> <p>No cross-reference to landscape designations.</p> <p>Development strategy required for coastal areas/communities – resources?</p> <p>Long term coastal vulnerability and resilience” needs expert input. Extra resources.</p>
	Policy gaps/ topics not covered	Needs a “settlement boundary” policy?