

## **Moray Local Development Plan 2020 Monitoring Report – 27<sup>th</sup> July 2020 to 26<sup>th</sup> July 2021**

### **1. Introduction**

This Monitoring Report is intended to examine the performance of the Moray Local Development Plan (MLDP) 2020 and provide an update on land use planning issues. The Main Issues Report 2018 set out what was considered to be the main land uses issues facing Moray and set out options on how these could be addressed within the Moray Local Development Plan 2020. The Monitoring Report has been structured around these “main issues” to monitoring progress on addressing these.

The nine main issues are

- 1 The proposed Growth Strategy
- 2 Providing a generous and effective supply of land for housing
- 3 Creating integrated, quality healthy places
- 4 Providing a generous employment land supply
- 5 Taking an infrastructure first approach
- 6 Pressures on Moray’s landscape and rural cultural heritage
- 7 Safeguarding and Promoting biodiversity
- 8 Delivering on Climate Change
- 9 Rural Housing

## 2. The Proposed Growth Strategy

The Main Issues Report in 2018 proposed a change to the Growth Strategy for Moray. The growth strategy therefore moved from focusing growth in Moray's 5 Main towns to a strategy that continued to identify Elgin as the primary growth centre but with only Buckie and Forres identified as secondary growth centres. Keith and Lossiemouth are now tertiary growth centres along with Fochabers, Mosstodloch and Aberlour. This hierarchy better reflects population size, access to services and jobs and development pressure for housing and employment.

### 2.1 Location of Approvals and Completions

<b>Spatial Strategy</b>	<b>No. of Approvals (2020-2021)</b>	<b>No. of Completions (2020)</b>
Primary Growth Area	154	111
Secondary Growth Area	129	55
Tertiary Growth Area	14	21
Smaller Towns & Villages	139	24
Rural Groupings	34	20*

*Table 1: Approvals and Completions by Spatial Strategy* \* Contribution reduced from 40 units for 2020 to reflect the impact of Covid-19 on the housebuilding industry

<b>Local Housing Market Area</b>	<b>No. of Approvals (2020-2021)*</b>	<b>No. of Completions (2020)*</b>
Buckie	18	21
Elgin	241	149
Forres	173	36
Keith	4	4
Speyside	0	1

*Table 2: Approvals and Completions by LHMA*

*\*Does not include Rural Groupings*

	2016	2017	2018	2019	2020
<b>Moray</b>	335	350	358	414	231

*Table 3: Completions*

- A total of 470 units received approval in the town, villages and rural groupings in the year to the 26<sup>th</sup> July 2021 (i.e. one year since adoption of the LDP2020).
- The focus of approvals and completions was in the primary (Elgin) and secondary (Forres and Buckie) growth areas reflecting the spatial/growth strategy.
- Approvals in the tertiary growth area (including Lossiemouth, Keith, Fochabers, Mosstodloch and Aberlour) has been very modest.
- Approvals in smaller towns are focused within the Elgin and Forres Market Areas with approvals at Lhanbryde R1 (77 units), Findhorn at The Whins (38) and Kinloss R3 (23).
- Completions in 2020 (January-December) were lower than previous years at 231 however this is likely reflective of the impact of Covid-19 restrictions on the housebuilding industry.
- The Housing Land Audit 2021 sets out an annual housing completions target of 318 units. The Housing Land Audit 2021 projects that this target will be exceeded in 2021.
- Completions have reflected the spatial/growth strategy with greatest number of these with the Primary Growth Area of Elgin, followed by the Secondary Growth Areas of Forres and Buckie.
- Completions in the Tertiary Growth Area have not reflected the Growth Strategy being at a similar level to the Smaller Towns /Villages. However, work at Banff Road (Keith R4) is progressing and discussions are ongoing regarding Speyview (Aberlour R1) which will likely be reflected in future completions.

## 2.2 Conclusion

- Approvals and completions are largely in line with the Growth Strategy. In the Tertiary Growth Area however approvals and completions have been more modest than might be expected.
- Completions in 2020 were impacted by Covid-19 restrictions but are projected to exceed completion targets in 2021.

### **3. Providing a Generous and Effective Supply of Land for Housing**

The Main Issues Report in 2018 identified the need for a generous supply of housing and the need to plan for a 20 year period. The continued need for more affordable housing to be built was identified, as was ensuring private development met the needs of an ageing population and people's desire to live and be cared for in their own home. The issue of ensuring overall housing mixes reflected projected decreases in household sizes was an identified issue.

#### **3.1 Demographics**

- Moray's population was 95,820 on 30<sup>th</sup> June 2019. This is an increase of 0.3% compared to 2018 and over this period Scotland's population increased by 0.5%.
- The 2018 population projections for Moray have been revised downwards from 4.4% and now show a declining population. Between 2018 and 2028 Moray's population is projected to decrease from 95,520 to 95,409, a decrease of 0.1%. The Scotland wide growth projection is now 1.8%.
- The average age of the population of Moray is projected to increase as the baby boomer generation ages and people are expected to live longer.
- The 75 + and 65 – 74 year age groups are projected to increase by 32.4% and 13.9% respectively. The 25 to 44 age group is projected to increase by 1.1%
- Population change in the 0 to 15, 16 to 24 and 45-64 age groups is projected to decrease by 14.1%, 5.3% and 7.6% respectively. In terms of size however the 25 to 44 age group is projected to stay the largest.
- The number of households in Moray in 2019 was 42,932, a 0.9% increase from 2018. Scotland wide household numbers increased 0.7%.
- Between 2018 and 2028 the number of households in Moray is projected to increase by 4.92%, to 44,649. This is lower than previous projections, in 2018 an 8.2% increase was projected.
- Projections continue to show a decrease in household sizes.
- The "two or more adult, one or more children" household is projected to see the largest percentage decrease (-5.4%) and the "one adult" household is projected to see the largest increase (9.6%).
- The accuracy of projections is variable and they therefore should be treated with caution. A report to the Economic Growth, Housing and Environmental Sustainability Committee on 24 August 2021 noted the inherent flaws in the methodology used for population projections which meant that they can only be relied on to inform policy and decision making following the

publication of the next census. Local knowledge related to MOD activities and the housing market help provide a better context to local forecasts.

- Whilst over time the projections have differed in terms of the level of change projected the overall trend of an increasing ageing population and declining population in the 0 to 25 age group has not changed from previous monitoring reports.
- As identified in the Main Issues Report 2018 the changing demographics and household sizes is likely to put new strains on housing supply and house type provision with a demand for smaller houses, flats, terraced properties, and houses for the elderly including accessible housing.

### 3.2 Effective Housing Land Supply

	2017	2018	2019	2020	2021
<b>Moray</b>	4,794	3,638	4,189	5,811	5,508

*Table 4: Effective Housing Land Supply (Housing Land Audit [HLA] 2021 (Base date January 2021))*

- The Housing Land Audit (HLA) 2021 identifies an effective housing land supply of 5,508 units, which is 13 years supply. This meets Scottish Planning Policy (SPP)’s requirement to have a five year effective supply.
- There remains a surplus of effective housing land in all Local Housing Market Areas (LHMA) and a further 3,875 units (over 9 years supply) are designated as LONG and can be unlocked if specific triggers for their release are met.
- This means that a generous supply of land is available, with land identified for in excess of 20 years.
- Projected house completions within the 2021 Housing Land Audit reflect the low supply of new housing in Keith and Speyside. However, work at Banff Road (Keith R4) is progressing and discussions are ongoing regarding Speyview (Aberlour R1).
- The Moray Growth Deal Housing Mix Delivery project will bring further investment to help unlock previously constrained housing land sites.
- The need for release of LONG term housing land at Elgin South was evaluated through the Housing Land Audit 2021 process and resulted in the release of land at Elgin LONG 2 in the Glassgreen area. This was recommended for the following reasons
  - Due to constraints relating to ground conditions and the landowner not willing to release land at this time, Elgin R19 Easter Linkwood and Linkwood is no longer considered effective. This reduced the effective supply by 611 units.
  - Progress at Bilbohall and Findrassie have been slower than anticipated
  - Demand and the sale of housing is presently very high.

- The release of land would allow earlier planning for Glassgreen Primary School.
- Several piecemeal applications have been submitted in Elgin South and a larger release of Elgin LONG 2 would allow for a better placemaking approach.
- The appendix provides an overview on progress on residential development sites.

### 3.3 Affordable Housing

Area	No. of Affordable Units	No. of Bedrooms	No. of Units
Buckie	3	2-bed house (detached)	1
		4-bed house (detached)	2
Elgin	50	1-bed flat	22
		2-bed bungalow	1
		2 bed bungalow (terraced)	7
		2 bed bungalow (semi)	4
		3-bed house (terraced)	4
		3-bed house (semi)	2
		4-bed house (semi)	4
		1 or 2 bed flats	6
		Findhorn	10
2-bed	4		
	2		
Forres	28	1-bed flat	12
		2-bed bungalow (semi)	6
		2 – bed bungalow (detached)	2
		3-bed house (semi)	6
		4-bed house (semi)	2
Lhanbryde	19	1-bed flat	8
		2-bed bungalow (semi)	6

		3-bed house (semi)	2
		4-bed house (semi)	2
		4- bed house (detached)	1

*Table 5: Affordable housing number of units and type planning consents granted 2020 -2021*

- A total of 110 affordable houses are proposed across 7 applications approved in the year to 26<sup>th</sup> July 2021. This represents 25% of the consented units in these applications as required by policy.
- In 4 applications over 4 units commuted payments were made in lieu of on-site delivery of affordable housing. The reasons for seeking commuted payments included the rural location of proposals with limited access to public services and transport, proposals for flats (which can be an investment risk for affordable housing providers due to complications associated with communal repairs and maintenance) and the level of applicants on the housing list not being sufficient to justify further capital investment. In all cases the reasons for seeking commuted payment were considered to be in line with the Strategic Housing Investment Plan (SHIP) and agreed with the Housing Strategy and Development Manager.
- The Council completed 102 new build affordable units in the 2020/2021 period. This is higher than previous years.
- As set out within a report to the Economic Growth, Housing and Environmental Sustainability Committee on 8<sup>th</sup> June 2021 the Council is projected to complete 79 affordable houses in 2021/22, with the rolling 5 year average projected to be 55 houses per annum or higher.
- Other RSL's are in the process of delivering new affordable homes including at Alba Place and Hamilton Gardens in Elgin, Kinnedar/Sunbank in Lossiemouth and the Highland Yards site in Buckie.

### 3.4 Accessible Housing

Proposals of 10 or more units are required to provide 10% of the private sector units to wheelchair accessible standard.

Area	Type of unit	No. of Units
Buckie	4-bed bungalow	1
Elgin	1-bed flat	5
	3-bed house (terrace)	8
Forres	3-bed bungalow	13
Findhorn	PPP	3
Kinloss	PPP Bungalow	2

	PPP House	1
Lhanbryde	2-bed flat (ground floor)	8
	3-bed bungalow	3
Miltonhill	3 bed bungalow	1

*Table 6: Accessible Housing number and type of unit planning consents granted 2020-2021.*

- 45 houses to wheelchair accessible standard have been secured from 6 planning applications. This is in line with the 10% requirement set out in policy.
- Around 44% of these are single storey dwelling with no accommodation in the upper roof space i.e. a bungalow.
- It is anticipated that this proportion will decrease over time as through the examination of the LDP 2020 the Reporter removed the requirement for accessible housing to be single storey. In more recent applications this requirement has been met within ground floor flats. The extent of this trend will require to be monitored to identify if housing mixes reflect the trends of an ageing population.

### 3.4 Housing Mix

Area	No. of Bedrooms	No. of Units
Buckie	2 bed house (detached)	1
	3 bed bungalow (detached)	2
	3 bed house (detached)	1
	4 bed bungalow (detached)	1
	4 bed house (detached)	9
	5 bed house (detached)	2
Elgin	1-bed Flat	41
	2-bed Flat	6
	2 bed bungalow (detached)	1
	2 bed bungalow (terraced)	7
	2 bed bungalow (semi)	4
	3- bed house (terraced)	18

	3-bed house (semi)	22
	3- bed house (detached)	25
	4-bed House (semi)	4
	4- bed house (detached)	26
Forres	1-bed flat	12
	2-bed bungalow (semi)	20
	2- bed bungalow (detached)	2
	2- bed house (terrace)	6
	3-bed bungalow (semi)	6
	3- bed bungalow (detached)	26
	3-bed house (semi)	22
	3- bed house (detached)	7
	4-bed house (semi)	2
	4-bed house (detached)	9
Keith	2-bed flat	4
Miltonhill	3-bed bungalow (detached)	2
	3-bed house (detached)	6
Lhanbryde	1-bed flat	8
	2-bed flat	16
	2-bed bungalow (semi)	18
	3-bed bungalow (detached)	3
	3-bed house (semi)	18
	3- bed house (detached)	6
	4-bed house (semi)	2
	4-bed house (detached)	6
Lossiemouth	2-bed flat	8
	3-bed house (terraced)	2
Pluscarden	2-bed bungalow	2
	3-bed house (detached)	2
	4-bed house (detached)	5

*Table 7 Housing mix –Private and Affordable (excludes application under 4 units and PPP applications)*

- The greatest proportion of housing is 3 bed houses which makes up 43% (168 units) of the consented units. This is made up of 14 affordable terraced and semi-detached houses, 6 private semi-detached bungalows, 33 private detached bungalows, 16 private terraced houses, 52 private semi-detached houses, and 47 private detached houses.
- One bed flats make up just over 15% (61 units), 48 of these are affordable and 13 private flats in town centres.
- Two bed flats make up only 8% (34 units) of the consented units and are all to be provided privately. 10 of these are in a town centre, 4 on redeveloped sites and the remaining 20 on designated development sites.
- Two bed houses make up just over 15% (61 units) of the consented units, with 26 of these being affordable bungalows, 1 affordable house, 28 private bungalows, and 6 private terraced houses.
- Four bed houses make up just over 16% (64 units) of the consented units. This is made up of 8 affordable semi-detached houses, 3 affordable detached houses, 1 private detached bungalow and 52 detached houses.
- Five bedroom houses make up only a very small number of the consented units – 2 detached units in total.
- Smaller houses sizes (1 bed and 2 bed houses and flats) make up 40% (156 units) of the mix with 48% (75 units) of the smaller house sizes delivered as affordable housing.
- 23% of the consented units would be classed as bungalows. This reflects the high number of bungalows on the R1 Grantown Road site in Forres and also the legacy of old policy that required a portion of the accessible private units to be bungalows. Future monitoring will be important to see if the level of bungalows decreases.
- The housing mix is starting to reflect the trend for smaller household sizes with 4 and 5 bedroom houses making up around 17% of the consented mix. Smaller houses make up a reasonable proportion of the housing mix but a significant element of this is affordable and town centre redevelopment sites. Within the 3 bed house, which is the largest portion of the housing mix, there is a mix of bungalows, terraces, semi-detached and detached units.

### 3.5 Conclusion

- There is a generous supply of effective housing land meeting the targets set out in the Main Issues Report 2018. The triggers for releasing LONG land continue to ensure that an effective land supply can be maintained.
- The housing policy continues to deliver land for affordable housing with limited use of commuted payments.
- The housing policy is securing housing designed to a wheelchair accessible standard. However, the mix of types of housing is anticipated to change over time with few bungalows being secured. The developments reflected in this year's monitoring include proposals that would initially have been developed under the previous policy where a portion of the accessible houses needed to be bungalows.

- Future monitoring is required to consider if the accessible housing policy is helping to deliver a mix of housing that reflects population and household growth trends.
- The housing mix is providing a range of house sizes and types however, a significant portion of the smaller units is being delivered either as affordable or town centre redevelopment sites suggesting the general private market housing isn't yet reflecting the trend for decreasing household sizes.

#### **4. Creating Integrated, Quality Healthy Places**

The 2018 Main Issues Report sought to make Placemaking policy and the Quality Auditing process more aspirational with greater consideration given to tenure integration, green space planning, biodiversity, climate change and health issues.

Policy PP1 Placemaking is now more prescriptive with less ambiguous wording helping to provide clarity over what is required to ensure that higher standards of design are delivered. The Quality Audit process has been revised to reflect the new policy and remove the “amber” category to ensure higher design standards are being achieved. Planning Policy Guidance is now in place to provide further technical guidance on the implementation of policy PP1 and how “green” can be achieved within the QA.

##### **4.1 Quality Audits**

<b>Settlement</b>	<b>Site name and designation</b>	<b>Application Number</b>	<b>Approved/Refused</b>
Elgin	R8 – Alba Place	20/00857/APP	Approved
	R9 - Hamilton Drive	19/01614/APP	Under consideration
	R11 - Findrassie	20/00753/AMC	Approved
	R2, R3, R7 – Bilbohall	20/00905/APP	Approved
Forres	R1 - Knockomie	19/00293/APP	Approved
	OPP1 – Caroline Street	20/01455/APP	Refused
Hopeman	R1 – Manse Road	20/00278/APP	Under consideration
Lhanbryde	R1 – West of St Andrews Road	19/01080/APP	Approved

Urquhart	R1 – Meft Road	20/00120/APP	Approved
Pluscarden	Rural Grouping – Whiteland within settlement boundary	19/01090/APP	Approved

*Table 8: Quality Audits completed 2020/21*

- In the year since the adoption of the LDP2020 there have been 10 Quality Audits completed for applications that have now been determined. Several applications are subject to ongoing Quality Audits. The outcome of the Quality Audit is now summarised within the Committee Report.
- There has only been one application approved as a departure from PP1. This was for application R1 St Andrews Drive (19/01080/APP) where a cul de sac had all of its parking within front curtilages and therefore it did not comply with PP1. However, as the application was submitted in 2019 and adequate mitigation measures were being provided it was deemed to be acceptable departure in this instance.
- The application at OPP1 Caroline Street Forres (20/01455/APP) failed to achieve “green” in all QA categories with Open Space and Landscaping scoring red due to the quantity of open space and the lack of formal play space. This application was refused by the Planning and Regulatory Services Committee.

#### 4.2 Observation’s and Trends in Placemaking

The following highlights some of the key areas where improvements have been made to both the design of layouts and the information provided in detailed submissions since the adoption of the LDP 2020. This also highlights where additional work is required to ensure quality Placemaking is achieved.

##### Character & Identity

- Developers are required to submit detailed Placemaking Statements, this has made assessment of proposals easier with information provided up front.
- Greater differentiation between character areas is now being achieved not only through house types but also variation in render colours, street materials, architectural details, and landscaping/planting.

- Topographical and slope analysis as well as 3D visualisations are now required to show how proposals respond to the site and wider landscape. This allows for better design solutions to be found that reduces the need for extensive “cut and fill” for example.

### Open Space

- There has been a reduction in areas of “leftover” space and open space has become a focal point in developments such as at Findrassie and Bilbohall. Open spaces have clearer multi-functional benefits such as providing play areas, seating areas, blue/green habitats, and food growing opportunities.
- All areas of open space now contain seating to encourage social interaction. Benches are also now provided along key routes which encourages social interaction and provides opportunities for rest.
- ParentAble are now consulted on proposals to ensure that play equipment is suitable for people of all mobility’s to create inclusive developments. Accessible benches and picnic tables have also been sought.
- Open spaces are now planted with a variety of species including shrubs, fruit trees, and woodland planting to create attractive spaces with seasonal variation that support biodiversity and provide pollination opportunities. Semi-mature tree planting is now sought to ensure that spaces are attractive from the outset and avoids the planting of small whips which can take a long time to fully mature and are prone to damage.
- Blue infrastructure in the form of swales and rain gardens have been successfully incorporated into areas of open space such as at Findrassie, Bilbohall, and Mosstodloch. Since the adoption of the LDP 2020 roadside swales are now coming through as standard features in developments and is a move away from relying on single SUDs ponds.
- Proposals must fully comply with both the quantitative and qualitative aspects of policy E5 Open Space. The only application identified not to meet the quantity standards was OPP1 Caroline Street.
- To comply with the qualitative aspect proposals are assessed against the criterion set out in the quality standard and must achieve a score of no less than 75%. This assessment is undertaken during the QA process. Of the proposals that have been assessed since the adoption of the LDP 2020, all have been deemed to provide good quality open space and have scored over 75%. This is with the exception of OPP1 Caroline Street 20/01455/APP which scored under 75% meaning that it failed to comply with Policy EP5 and PP1 resulting in a “red” in the QA. This was due to the applicant failing to provide a play area within the development therefore creating a space which did not have a multi-functional use.

### Landscaping

- Since the adoption of the new plan, semi-mature tree planting has become a policy requirement. Semi mature planting is not always being identified at the outset and the requirement is being highlighted through the Quality Audit.
- Landscaping plans require to be provided up front and the conditioning of landscaping plans is now not acceptable. Recently approved landscaped plans provide details relating to the numbers, species type, height and girth of trees, as well as providing seasonal variation across developments. The level of detail provided varies application to application however the Additional Guidance on Moray Local Development Plan Policies provides more clarity to developers on what is required which should improve the quality of submissions moving forward.
- A recent issue has been identified whereby the proposals set out on detailed landscaping plans do not match what is shown on site layout and parking plans. This can result in going back to developers for greater clarity on what is being provided as this can have implications for landscape screening or mitigation of car parking for example.
- Food growing opportunities have been included at Bilbohall where space for community orchards has been provided.

### Public Art

- Since the adoption of the LDP 2020 developments must include public art. At Manse Road Hopeman stone will be used from the local quarry to create a series of sculptures. At Bilbohall Elgin Public Art Strategy will be provided which will provide the opportunity for the new community to input into the proposed public art. At Findrassie Elgin a condition was attached requiring a public art strategy, mechanism for delivery, timescale and maintenance.

### Car Parking

- The visual dominance of parked cars in developments is a recurring problem that was identified in previous Monitoring Reports. The requirement for 50% of parking on all streets to be behind the building line has seen significant improvements to the character of layouts as streets can be characterised by the materials, building designs, and landscaping rather than parked cars, large driveways, and hardstanding.
- Through the QA process developers are now often required to provide a parking plan that shows whether or not the spaces they are providing comply with policy aiding the overall assessment. However, more work needs to be done with developers to ensure car parking plans identify which spaces are behind the building line as this is often provided on a plot rather than car park space basis. Developer's interpretation often does not reflect the policy requirement with unpractical stacking of spaces to the side of properties. In more recent applications parking has been provided in parking courts to the rear of housing rather than lower density layouts that accommodate in curtilage parking to the side or rear of houses. Parking courts

can present challenges in terms of the mitigation of large areas of parking and future monitoring of this emerging trend is required. The Additional Guidance on Moray Local Development Plan Policies provides guidance on parking.

- While communal parking areas are unavoidable the policy has been successful in ensuring that spaces are broken up with landscaping at intervals of 4 spaces.
- Through the requirement of a detailed landscape plan to be provided up front, Officers have ensured that the landscape mitigation provided is of an appropriate species and height i.e. shrubs to ensure adequate mitigation is provided from the outset.

### Biodiversity

- The LDP 2020 introduced Policy EP2 Biodiversity which is also embedded into PP1 Placemaking to support existing habitats as well as creating new ones within developments. A new policy requirement is for biodiversity plans to be submitted and these are assessed through the QA.
- Since the adoption of the LDP 2020 a number of features have been included in developments including hedgehog highways between all plots, swift boxes on buildings and bat and squirrel boxes. A variety of plants and shrubs are provided and the species selection now provides greater seasonal variation and pollination opportunities. Embedding blue infrastructure within development, through swales for example, has allowed new habitats to be created with these often being planted with wildflower mixes.
- Closer liaison with the North East Scotland Local Biodiversity Partnership and use of Local Record Centre data would help to better inform the approach to biodiversity in the next Local Development Plan.

### Street Layout

- The policy requirement to create developments to encourage physical exercise for people of all mobility's has seen layouts now provide good quality connections and active travel routes that encourage people to walk rather than drive. Infrastructure such as cycle storage is now being provided.
- The use of different street materials and colours is now being provided to ensure differentiation between character areas, and improve visual interest and legibility. Shared surface/homezones are included within proposals at Bilbohall.

### 4.3 Conclusion

- The changes to PP1 Placemaking and removing the “amber” category have resulted in positive changes to the design and layout of proposals. However, given the time lag between consent to development the success of these “on the ground” has yet to be seen.
- Departures from PP1 have been limited with one application where parking was considered to be an acceptable departure. The application at OPP1 Caroline Street failed to achieve “green” in the Open Space and Landscape category, this application was refused by the Planning and Regulatory Services Committee.
- There has been a reduction in conditioning elements such as materials, play parks and landscaping within information now being provided up front.
- There are areas where work with Developers is still required to raise aspirations and ensure that the information submitted meets the standards set out in policy/additional guidance e.g. parking, landscaping.

## 5. **Providing a Generous Employment Land Supply**

To facilitate economic development and support diversification of the economy the 2018 Main Issues Report identified the need to provide a generous supply of employment land that meets the needs for different types and sizes of business. The Main Issues Report also identified that creating a greater mix of uses across new employment sites could aid the delivery of serviced land as some higher value uses could aid site viability.

### 5.1 Effective Employment Land

Established Supply	224.9ha	
Effective/Marketable Supply	101.68ha	21 sites
Effective General Industrial	84.86ha	16 sites
Effective High Amenity	36.82ha	8 sites
Immediately Available Supply	35.34 ha	5 sites
Constrained Supply	75.5ha	15 sites

*Table 9: Summary Table Employment Land Supply 2021*

- There is 84.86 of effective/marketable general industrial land, this provides a generous supply equating to around 16 years of supply.
- The Elgin and Buckie market areas have relatively healthy supplies of general industrial land providing at least the equivalent of 15 years supply.

- In Forres there is a significant shortage of general industrial land with only 2.75ha of industrial land available at BP1 Forres Enterprise Park. I4 Easter Newforres is constrained due to high infrastructure costs.
- In Keith the general industrial supply is more limited however there is a LONG allocation that could be drawn down.
- There has historically been a significant shortage of general industrial land in Speyside. This means there is a reliance on windfall proposals. Within site R1 Speyview in Aberlour 1ha of land is reserved for employment land and would become available if that site opens up.
- Immediately Available land has decreased by 2.11 ha since 2020. There continues to be a restricted choice of sites in the Immediately Available Land Supply. This is a particular issue in Forres and Speyside. The good progress on take up at I7 Elgin Business Park/Barmuckity suggest the Immediately Available supply in the Elgin Market Area will become very limited over the next few years.
- In the last year, 4.68ha of land was developed. This includes completion or occupation of sites at I7 Elgin Business Park/Barmuckity and I6 Linkwood East in Elgin; and I3 Benromach and I2 Waterford in Forres. This is an increase of 3.8ha compared to the 2020 Audit.

## 5.2 Observations and Trends in Employment and Business Land

- Since adoption of the LDP2020 there have been 24 applications on employment sites.
- Of these 4 were for non-employment uses including residential use at I2 Shore Street Lossiemouth, storage for camping equipment at I15 Sandy Road/The Wards Elgin, a food truck at I2 Chanonry Elgin, and a fitness/kids club at I5 Pinefield Elgin. The fitness/kids club on I5 Pinefield Industrial Estate was approved by the Local Review Body.
- There have been no applications for new industrial estates since adoption of the plan despite some of these containing a mix of uses to try to aid viability. Work needs to be progressed with landowners to develop Strategic Frameworks for key employment sites and what actions require to be taken to support delivery.
- High uptake at I7 Barmuckity/Elgin Business Park suggests that this could be developed out in the near future and given the timescales associated with delivering industrial sites there is a need to ensure that new industrial estates are progressed to meet future demand.
- Reviewing data from the Council's Address Gazetteer has allowed a high level analysis of non-employment uses on industrial estates to identify what types of non-employment uses are present on industrial estates and where the proportion of non-employment uses is greatest.
  - This highlights that there is pressure for restaurants/cafes, showrooms, and leisure activities including gyms.

- The majority of sites identified in LDP2020 as Industrial Estates have predominantly employment uses (i.e. over 85% of addresses identified within the Gazetteer were for employment uses).
- The exceptions to this are I4 Tyock, I5 Pinefield, I6 Linkwood East in Elgin and I4 Shore Street Lossiemouth where a greater proportion of addresses were for non-employment uses. Within I4 Shore Street there is a high proportion of residential addresses.
- Despite the Covid-19 Pandemic and the impacts of Brexit demand has held up particularly for smaller units and serviced small office space.
- The Council's industrial portfolio continues to show high occupancy levels with strong demand for smaller units.
- There has been notable development in new private sector small business units in Elgin – with 14 units developed by Saltire at I7 Barmuckity and 18 by Excel at I2 Chanonry.
- The Council's Economic Recovery Plan includes actions to progress employment sites and industrial units in Forres and Speyside.
- The appendix provides an overview on progress on employment and opportunity sites.

### 5.3 Conclusion

- Despite an overall generous supply of land there are significant shortages of industrial land in the Forres and Speyside areas. Both these areas are included within an action to deliver employment sites and industrial units as part of the Economic Recovery Plan.
- Development in Elgin, particularly at I7 Barmuckity/Elgin Business Park, is progressing well and work is needed to bring new sites forward to ensure a continued supply of land.
- Pressure for leisure and retail uses on industrial estates is anticipated to continue and will require to be monitored to assess the effectiveness of Policy DP5 Business and Industry and DP7 Retail/Town Centres.

## 6. Taking an Infrastructure First Approach

The 2018 Main Issues Report highlighted the need to align stakeholders, phasing, financing and infrastructure investment over the long term to provide the transportation, education, health and other infrastructure to support Moray's growing and ageing population. The preferred option identified was to have a policy on infrastructure planning include within MLDP2020. The Main Issues Report 2018 set out requirements for education and health care.

## 6.1 Policy PP3 Infrastructure and Services

- Policy PP3 Infrastructure and Services is a primary policy within the Moray Local Development Plan (MLDP) 2020 in recognition of the importance of an infrastructure first approach.
- New infrastructure necessary to facilitate development is set out in the MLDP 2020 on the spatial strategy maps, settlement statements and maps.
- Site specific infrastructure requirements, methodology and rates to seek developer obligations towards the identified infrastructure requirements are set out in the statutory Developer Obligations Supplementary Guidance (SG). The current SG came into effect on 30 September 2020 following approval of the Scottish Government and the Council's Planning and Regulatory Services Committee; and forms part of the adopted MLDP 2020.
- The Strategic Planning and Development Team work closely with a range of stakeholders, including other Council Services, such as Education, Transportation, Housing; NHS Grampian and Scottish Water to co-ordinate and plan an `infrastructure first` approach to development through the LDP Delivery Group.
- The Council seeks developer obligations towards education, healthcare, transportation and a 3G pitch in Forres in accord with policy PP3 of the MLDP 2020 and the Developer Obligations Supplementary Guidance (SG).
- Commuted sums for affordable housing are not developer obligations, however the Strategic Planning and Development Team are also responsible for collecting and administering these funds as well as developer obligations. Therefore, commuted sums received and spent will be included within this section.
- Financial contributions of £403,688.29 have been received towards affordable housing, healthcare, primary education, secondary education, 3G pitch in Forres and Transportation interventions. The breakdown of these can be found in Table x.
- A total of £1,223,031.80 was secured towards affordable housing, 3G pitch in Forres, Transportation, Healthcare and Primary Education via Section 75 legal agreements and simplified agreements. These contributions will be received as triggers (i.e. completion of units) are reached in the future. The breakdown of these can be found in Table 2.
- A total of £138,542.80 developer obligations were spent between 27 July 2020 and 26 July 2021. The breakdown of this expenditure is further detailed in Table 3.

	<i>Buckie ASG</i>	<i>EA ASG</i>	<i>EH ASG</i>	<i>Forres ASG</i>	<i>Keith ASG</i>	<i>Lossiemouth ASG</i>	<i>Milne`s ASG</i>	<i>Speyside ASG</i>	<b>TOTAL</b>
Healthcare	3,318.04	27,348.00	1,806.00	65,378.80	7,273.80	12,162.60	1,122.30	4,070.16	<b>122,479.70</b>
Primary Education	2,842.92	20,062.62	17,862.66	4,012.52					<b>44,780.72</b>
Secondary Education									<b>0.00</b>
3G pitch				4,123.20					<b>4,123.20</b>
Transportation				363.12	302.60			726.24	<b>1,391.96</b>
Affordable housing	16,000.00	4,000.00	8,000.00	93,662.71	28,000.00	52,000.00	16,000.00	13,250.00	<b>230,912.71</b>
<b>TOTAL</b>	<b>22,160.96</b>	<b>51,410.62</b>	<b>27,668.66</b>	<b>167,540.35</b>	<b>35,576.40</b>	<b>64,162.60</b>	<b>17,122.30</b>	<b>18,046.40</b>	<b>403,688.29</b>

*Table 10 Developer obligations and affordable housing commuted sums received*

	19/002 60/PP P R1 Damhead	19/002 93/AP P R1 Knockomie	19/010 80/AP P R1 Lhanbr yde	19/011 27/AP P Ewing Crescent	19/010 90/AP P Pluscarden	20/006 65/AP P	20/006 66/AP P	20/006 67/AP P	20/007 79/AP P	20/008 59/AP P	20/011 59/AP P	21/001 41/AP P	<b>Total</b>
Primary Education	£110,600.10	£440,440.00		£65,229.45									<b>£616,269.55</b>
Healthcare	£36,806.90	£217,232.00	£88,494.00	£6,270.55	£24,768.00	£619.20	£619.20	£590.00	£619.20	£91.08	£934.92	£1,413.00	<b>£378,458.05</b>
Transportation		£49,054.00											<b>£49,054.00</b>

Sports and Recreation	£2,093.00	£13,104.00									£53.20		<b>£15,250.20</b>
Affordable Housing	£96,000.00				£36,000.00	£4,000.00	£4,000.00	£8,000.00	£4,000.00	£4,000.00	£4,000.00	£4,000.00	<b>£164,000.00</b>
<b>Total</b>	<b>£245,500.00</b>	<b>£719,830.00</b>	<b>£88,494.00</b>	<b>£71,500.00</b>	<b>£60,768.00</b>	<b>£4,619.20</b>	<b>£4,619.20</b>	<b>£8,590.00</b>	<b>£4,619.20</b>	<b>£4,091.08</b>	<b>£4,988.12</b>	<b>£5,413.00</b>	<b>£1,223,031.80</b>

Table11: Developer obligations and affordable housing commuted sums secured

	Buckie High ASG	Elgin Academy ASG	Elgin High ASG	Forres Academy ASG	Keith Grammar ASG	Lossiemouth High ASG	Milnes High ASG	Speyside High ASG	<b>Total</b>
Affordable Housing		£9,325.00							<b>£9,325.00</b>
Ancillary Sports Facilities							£12,532.00	£540.94	<b>£13,072.94</b>
Cemetery		£200.00							<b>£200.00</b>
Community Facilities		£16,392.00	£49,933.92						<b>66325.92</b>
Community Halls			£26,862.48						<b>£26,862.48</b>
Environmental and Access						£250.00		£1,810.00	<b>£2,060.00</b>

Gateway Feature	£8,500.00								<b>£8,500.00</b>
Libraries				£398.90	£443.00			£897.00	<b>£1,738.90</b>
Medical Centre			£426.56						<b>£426.56</b>
Playing Fields								£3,780.00	<b>£3,780.00</b>
Transportation				£6,251.00					<b>£6,251.00</b>
<b>Total</b>	<b>£8,500.00</b>	<b>£25,917.00</b>	<b>£77,222.96</b>	<b>£6,649.90</b>	<b>£443.00</b>	<b>£250.00</b>	<b>£12,532.00</b>	<b>£7,027.94</b>	<b>£138,542.80</b>

Table 12: Developer obligations and affordable housing commuted sums spent

## 6.2 LDP Delivery Group

- An LDP Delivery Group has been set up and led by the Strategic Planning and Development team to facilitate the alignment of investment plans, co-ordinate infrastructure and maintain an up-to-date evidence base to inform developer obligations. The group includes representatives from Transportation Services, Education Services, Housing Services, NHS Grampian and Scottish Water with scope to involve other as and when required. Due to Covid-19, the group meetings were put on hold, however, the group has now reconvened and is expected to meet every 6 months to deliver the infrastructure requirements identified within the MLDP 2020.

## 6.3 Learning Estate Strategy

- Developing a strategic approach to the Learning Estate-Moray document was approved by Full Council on 16 December 2020, which will guide the long-term development of the learning estate in Moray. A series of local consultations and engagement events will take place over the next 18 months to develop options for consideration within each Associated Schools Group (ASG) and then to agree on a preferred option for each area. These options will be reported to a future Council meeting.

#### 6.4 Future Developer Obligations

- There is an ambition to prepare and consult on a Greenspace and Sports and Recreation Facilities Strategy, which would incorporate sports area, greenspaces and a play sufficiency assessment. A strategy will need to be developed to provide an up to date and robust evidence base in order to be able to seek developer obligations towards these infrastructure items from developments. However, for developing such strategy, adequate staffing resources are required and input from other stakeholders, such as Education Services, Lands and Parks, Community Councils and Community Groups.
- The Climate Change Strategy and action plan was adopted in March 2021 following the Climate Change Emergency declared in June 2019. In England, where net zero carbon developments cannot be achieved on site, within some local authority areas, the developers are required to contribute into a carbon offset fund managed by the local authorities and being spent towards carbon saving projects. The opportunity for a similar approach and whether it is a possibility within current legislation is anticipated to be explored.

#### 6.5 Conclusion

- Developer Obligations are being collected toward infrastructure including healthcare, education, transportation and a 3G pitch in Forres in line with Policy PP3 and the Developer Obligations Supplementary Guidance.
- The LDP Delivery Group have reconvened to co-ordinate and deliver infrastructure.
- Developer Obligations may be sought towards Green Spaces, Sport and Recreation Facilities and Carbon Offsetting in the future if a robust evidence base can be established.

### **7 Pressures on Moray's Landscape and Rural Cultural Heritage**

The pressure on Moray's landscape was identified as a main issue in 2018. Pressure from sources including large scale windfarms, solar arrays, and the cumulative build-up of housing and suburbanisation of the countryside, new pylon projects and the A96 Duelling were identified. Policy revisions were proposed for rural housing, landscape and trees/woodlands. The protection, management and expansion of woodlands and trees was highlighted as an issue not solely related to landscape but also the contribution made to quality of life, health, biodiversity, green infrastructure and reducing the impacts of climate change.

A review of landscape designations was undertaken to identify Special Landscape Areas with policy safeguarding the special qualities of these areas. Safeguarding and protecting the landscape from adverse impacts is embedded within several policy and not just with Policy EP3 Special Landscape Areas and Landscape Character.

## 7.1 Applications with Special Landscape Areas

Policy EP3 *Special Landscape Areas and Landscape Character* aims to protect landscapes from inappropriate development. Within Special Landscape Areas proposals must not prejudice the special qualities of the designated area, avoid adverse effects on the landscape and visual qualities and adopt the highest standards of design, in accordance with Policy DP1 and other relevant policies.

- 4 applications were refused in Urban Areas (as defined within Policy EP3) as being contrary to policy – 3 on the basis the proposal eroded traditional character and 1 on the basis that it failed to meet the highest standards of design and eroded traditional character.
- In the Rural Area (as defined by Policy EP3) one application was refused as contrary to EP3 and DP4 due to unacceptable location and siting.
- One application (21/00397/APP) was consented as an acceptable departure from Policy EP3 on the basis that the proposed use directly contributed to the aims and objectives of the Moray Food Growing Strategy and the layout of the proposal was sensitively sited and integrated into the landscape.
- A significant amount of weight is being attached to extant consents justifying development in Special Landscape Areas with 15 applications consented on this basis in the last year. It is acknowledged that this issue and associated impacts will diminish over time. 3 of these were in sensitive SLA's where no new housing is permitted, and 1 failed to meet the criteria of DP4. If these had been new applications they would have been refused under the terms of the policy.
- It is observed that the location within the Special Landscape Area and consideration of the requirements of policy EP3 is not always being referenced within Reports of Handling.

## 7.2 Large Scale Renewable Energy Developments

- The Council is currently considering an application for 7 turbines with max blade tip height of 190m at Garbet Wind Farm.
- Large-scale onshore wind energy developments exceeding 50MW are determined by the Energy Consents Unit (ECU). In these circumstances, Moray Council are a consultee, rather than being the determining authority.
- One application (20/01026/S36) for a 9 turbine extension (149.9m blade tip height) at Berryburn was received by the ECU in August 2020. Following consideration, the proposal was considered not to depart from policy and the Council therefore raised no objection.
- The ECU are currently still to determine two applications. Moray Council have objected to these including on the grounds of the unacceptable landscape and visual impacts that would arise from the position and height of the turbine, transportation

and the impact on tourism and recreational interests. The Clash Gour application is for 48 turbines with a blade tip height of 130m to 176m and Rothes III is 29 turbines with blade tip heights of 149.9m and 225m. Both application were subject of a Public Inquiry in September 2020 with a decision from Scottish Ministers awaited.

### 7.3 Development within open spaces (ENVs)

- 8 applications directly impacting on ENV sites have been determined, including change of use of car park to allow overnight stop over for motorhomes/camper vans, expansion of staff facilities at a distillery, temporary container storage on a playing field, 3 new housing proposals, an application for nursery accommodation within the school estate and a temporary consent for nursery accommodation on the playing field within the school estate until a permanent facility is built.
- 3 of the 8 applications were refused, all related to proposals for new housing that are specifically precluded under the terms of the Open Space policy.
- The LRB considered 2 of these refusals and a proposal for 1 house was refused and a proposal for 7 houses approved.
- The storage container and nursery accommodation received temporary consents for 2 years to ensure no permanent loss of playing fields.
- Where proposals have been given permanent approval there has been no adverse impact on the ENV designation identified, in some cases development is contained within existing hardstanding areas of the distillery complex or school estate in the designation.
- The nursery proposals were deemed to be essential community infrastructure.
- The applications were exclusively on ENV 4 - Sports Areas, ENV 5 Green Corridors and ENV 6 Natural/Semi-Natural Greenspace.

### 7.4 Trees and Woodland Removal

- Tree Surveys and Tree Protection plans are not being submitted routinely on all sites where trees are present as required by policy.
- Between 2020 and 2021, consents resulted in the loss of 196 tree and 0.386 ha of woodland. Justification for removal in most cases was due to trees being classified as 'Unsuitable' (poor/dead health condition) or being technically unfeasible to retain (key infrastructure), in compliance with Policy EP7 Forestry, Trees and Woodland.
- Four applications did not seek compensatory planting as required by Policy EP7.

- Only 31 trees were clearly identified as compensatory planting. In most cases, compensatory planting has been incorporated within the minimum landscaping requirements for the site. Compensatory planting should be over and above any other landscaping policy requirements to ensure the loss of trees/woodland is truly compensated.
- Development linked to the Kinloss Golf Course Masterplan accounts for the majority (0.32ha) of woodland removal. The adopted Masterplan seeks to deliver a high quality development within the setting of the golf course and introduce sensitively sited housing within the landscape. Planned woodland removal and compensatory planting forms part of the Masterplan's Woodland Management Plan and as such is an acceptable departure from Policy EP7. 1.74ha of compensatory planting is provided as part of Phases 1 and 2 of the development.

#### 7.5 Ancient Woodland

- In Scotland, Ancient Woodland is defined as land that is currently wooded and has been continually wooded, at least since 1750. These areas therefore contribute to the landscape significantly but also play a key role in ecosystems and soil conditions.
- Between 2020 and 2021, there were no applications which impacted on Ancient Woodland.

#### 7.6 Woodland Creation

<b>Location</b>	<b>Urban or Rural</b>	<b>Area (ha)</b>	<b>Woodland and Forestry Strategy</b>
Mains of Moy (Keith)	Rural	6.45	Preferred
Shenval and Mid Bellandy (Glenlivet)	Rural	14.46	Preferred and Sensitive (Partial)
Myreton (Keith)	Rural	6.45	Preferred
Annfield (Archiestown)	Rural	2.90	Preferred
Lower Corryhabbie (Dufftown)	Rural	12.47	Preferred and Potentially Sensitive (Partial)
Tombain (Dufftown)	Rural	7	Preferred

*Table 13: Woodland Creation Consents*

- 49.73ha of new woodland received consent between 2020 and 2021, all within rural areas. Scottish Forestry administer applications for woodland creation.
- All 6 applications were within 'Preferred' areas identified within the Moray Woodland and Forestry Strategy, with two small areas also identified as 'Sensitive' and 'Potentially Sensitive'.

#### 7.6 Listed Building and Conservation Area Consents

- Since the adoption of the LDP 2020 there have been 61 applications that have required listed building consent. Of these consents the majority have involved alterations and repair work to buildings and their historic fabric.
- One notable application was 20/00890/LBC which saw the demolition and reconstruction of the Poundland Building on the High Street. Due to the poor condition of the internal fabric of the building, demolition was the only option to bring it back into use. It will be rebuilt fully with all historic features and detailing reinstated to provide residential opportunities as well as keeping the ground floor for retail development all of which will support the vitality of the town centre.
- Since the adoption of the plan two applications for replacements windows in conservation areas were refused. Both of these applications were subject to appeal at the Local Review Body with one appeal being upheld and the other dismissed.

#### 7.7 Conclusion

- Departures from Policy EP3 Special Landscape Areas and Landscape Character have been limited. It is noted that a number of approvals relate to changes to extant consents and the impact of this is anticipated to reduce over time.
- Impacts on the landscape from large scale wind developments will remain a pressure.
- With the exception of the LRB decision to allow a proposal for 7 houses policy EP5 Open Space has been effective in restricting new housing within ENV's.
- Where proposals on ENV's have been given permanent approval there has been no adverse impact on the ENV designation identified, in some cases development is contained within existing hardstanding areas of the distillery complex or school estate in the designation. The nursery proposals were deemed to be essential community infrastructure which is an exception to the policy.
- Ensuring that where removal of trees and woodland occurs that this is fully compensated for is necessary. Landscaping or planting requirements within other policies does not form part of the compensatory planting.
- New woodland creation has largely been in line with the Woodland and Forestry Strategy.

- Policies EP9 Conservation Areas and EP10 Listed Buildings are being used successfully to assess applications. However, there is an action within the Delivery Plan/Action Programme to develop a programme of Conservation Area appraisals.

## **8 Safeguarding and Promoting Biodiversity**

The Main Issues Report 2018 identified that whilst policy had been successful in protecting international, national and local nature conservation designations and protected species more could be done to safeguard and promote biodiversity more widely within new developments. A new policy EP2 Biodiversity was included within LDP2020 as well as embedding biodiversity with PP1 Placemaking including within the Quality Audit process. This includes a requirement for Biodiversity Plans to be submitted for proposals of 10 or more houses.

- Policy EP1 Natural Heritage Designations continues to safeguard international, national and local nature conservation designation and protected species. No departures from this policy have been identified.
- Biodiversity Plans have been successful in delivering biodiversity enhancement including landscaping plans that incorporate local species mixes of trees and hedging, natural swales and SUDs features, wildflower planting and planting for pollinators.
- New developments are now routinely incorporating bat and bird boxes and hedgehog highways.
- Food growing has predominantly been delivered in the form of fruit tree orchards as opposed to raised beds and planters to embed food growing opportunities within developments.
- Going forward there is a desire to deliver a wider range of nature solutions including rain gardens and green roofs and walls and for biodiversity statements to be more closely aligned with the specific characteristics of the site and any supporting ecological surveys as opposed to generic solutions rolled out.

### **8.1 Conclusion**

Biodiversity enhancement is being delivered through new development. Going forward there is a need to promote a wider range of nature solutions tailored to the specific characteristics of sites and align with any supporting ecological surveys. Closer liaison with the North East Scotland Local Biodiversity Partnership and use of Local Record Centre data would help to better inform the approach to biodiversity in the next Local Development Plan.

## 9 Delivering on Climate Change

In 2018 the Main Issues Report highlighted the need to embed climate change across the whole Local Development Plan including use of passive solar gain, use of sustainable materials, flood prevention, planning for greenspaces, promoting sustainable transport options and sustainable urban drainage systems. A new policy on zero and low carbon technologies in new development was also identified as an issue to further advance climate change adaptation.

### 9.1 Low and Zero Carbon Generating Technologies

- The requirement for all new development to be designed to ensure that buildings avoid a specified and rising proportion of the projected greenhouse gas emissions through the installation and operation of low and zero-carbon generating technologies has not yet been implemented. This policy was introduced by Scottish Government into all recently adopted LDP's with no guidance on how this was to be implemented. Scottish Government Guidance is awaited to inform the guidance to support the policy and is expected shortly.
- Implementation of the policy when introduced will be monitored in future.

### 9.2 Renewable Energy Proposals

<b>Planning App</b>	<b>Location</b>	<b>Type of Development</b>	<b>Departure Reasons</b>
20/01606/APP	Drummuir	Biomass heating system	No departure - complies with policy
21/00049/APP	Drybridge	Solar PV system (4.6kw)	No departure - complies with policy
21/00138/APP	Garmouth	Air source heating system	No departure - complies with policy
19/01036/APP	Lower Cabrach	Storage compound for wind farm	No departure - complies with policy
19/01567/APP	Aberlour	Biomass plant	No departure - complies with policy
20/00247/APP	Portgordon	Anaerobic Digestion (AD) tanks	No departure - complies with policy

20/00421/APP	Keith	Biomass plant	No departure - complies with policy
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*Table 14: Renewable energy consents*

- 7 applications relating to renewable energy development were approved between 2020 and 2021. In all cases, the proposals complied with policy.

### 9.3 Carbon Rich Soils

- Where peat and other carbon rich soils are present disturbance to them may lead to the release of carbon dioxide contributing to greenhouse gas emissions. Policy EP16 Geodiversity and Soil Resources requires applications to minimise this release and be accompanied by an assessment of the likely effects and aim to mitigate any adverse impacts.
- There have been a limited number of planning applications for relatively minor development on identified areas of potential carbon rich soil in rural locations within Moray.
- The only proposal where a specific peat or carbon rich soils issues was identified related to a compound to serve Dorenell windfarm and a condition was applied seeking further restoration of the peat bank that had been previously altered.

### 9.4 Electric Vehicle Charging Points

- Policy PP3 Infrastructure and Services requires electric car charging point to be provided at all commercial and community parking facilities. Access to charging points must be provided for residential properties. Where in curtilage facilities cannot be provided to an individual property access to communal charging facilities must be made available.
- Applicants are now routinely being asked to provide detailed plans identifying the location of EV charging points with associated parking space.

### 9.5 Conclusion

- Planning for Climate Change and supporting the reduction of greenhouse gas emissions is embedded within several policies. PP1 Placemaking and DP1 Development Principles include criteria such as integrating multi-functional active travel routes, green and open space; maximising environmental benefits through orientation of buildings to maximise as solar gain and wind shelter; supporting and enhancing biodiversity; designing open space to be multi-functional including green/blue

networks; EV charging; cycle parking provision; avoiding areas at flood risk; dealing with surface water in a sustainable manner to have a neutral impact on flooding; and avoiding workable reserves of prime agricultural land or productive forestry.

- Once implemented the policy on low and zero carbon generating technologies will be monitored.
- There has only been one application where specific peat or carbon rich soil issues were identified and a condition relating to peat bank restoration was applied.
- Draft NPF4 is to be published in late 2021 and is anticipated will push for greater action through the planning system on reducing carbon emissions.

## 10 Rural Housing

The 2018 Main Issues Report identified that a largely permissive housing in the countryside policy had resulted in an unsustainable pattern of development with significant levels of plots out with towns, villages and rural groupings. Particular pressure was noted around Elgin, Forres and Buckie. The landscape and visual impacts of poorly sited and designed houses as well as the cumulative build-up of housing in hotspots was recognised as an issue. A new hierarchical policy approach was developed that restricted opportunities within pressurised and sensitive areas and directs development to Rural Groupings, then to reuse and replacement of traditional buildings and then lastly to the open countryside. New siting and design criteria have also been developed with the aim of integrating proposals better with the landscape, reducing the scale of buildings, having more traditional form and proportions, reducing excessive glazing and using better materials.

### 10.1 Observations and Trends in Rural Housing (DP4 Rural Housing)

Area of Rural Housing	No. of Apps	Approvals	Refusals	No of Advertised Departures	Departure Issues	Summary of Reasons for Refusal	LRB decisions
Intermediate	49 8 PPP 2 AMC	40	9	11	Acceptable departure from maximum of	ribbon development X4 cumulative build up X2 containment/enclosure X3	5 LRB cases 2 X refusal upheld

	39 APP				6.75m height and balcony feature supported on basis of extant consent for similar.	prominent/skyline X 1 access X 1	3 X approved
Pressurised	15  12 APP 2 PPP 2 AMC	9  1x conversion acceptable under policy  8x houses	6	4	Acceptable departure from pressurised and sensitive area supported on extant and commenced sites x 8	pressurised and sensitive area X 6 unsuitable for conversion X 1 height of building X 1 lack of tree info X 1 drainage X Special Landscape Area	1 LRB case  1 X refusal upheld
Re-use replacement	13  13 APP	12  2 conversions  10 replacement	1	5	No acceptable departures supported	Not eligible for replacement Design – height Lack of tree info, bat survey, drainage and access details	No LRB cases
Rural Groupings	23  Rathven Nether Dallachy Miltonhill x13	23	0	0	N/A	N/A	No LRB cases

	Fogwatt Glenallachie Roseisle Tomnabent Darklass Darklands Clochan Thomshill Pluscarden X 9 Maverston						
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*Table 15: Summary of Rural Housing planning applications 2020-2021*

- A large number of sites where planning permission is sought in pressurised and sensitive areas and areas of intermediate pressure have an extant consent or development has commenced on site. All proposals for new sites within the pressurised and sensitive areas were refused.
- There have been a limited number of Planning Permission in Principle (PPP) applications being submitted for new sites. Within areas of intermediate pressure there is a 50% refusal rate.
- There have been 6 rural housing LRB cases with 3 refused as per officer recommendation and 3 approved.
- A significant amount of weight is being attached to extant consents justifying development in pressurised and sensitive areas with eight sites consented on this basis in the last year. It is acknowledged that this issue and associated impacts will diminish over time.
- Extant consents have also justified the use of concrete tiles and building heights in excess of 6.75m but only on a very limited number of sites.
- A number of consents have the requirement for the use natural slate conditioned as opposed to being negotiated through the planning application. To date there have been no LRB cases seeking to appeal slate conditions.
- Planning applications for re-use and replacement of existing buildings are predominantly for the demolition of buildings. In most instances the condition of the building has been so poor that supporting structural surveys have not been sought.
- No proposals for houses sites within rural groupings have been refused. In total 34 houses in 14 Rural Groupings across Moray have been consented.

- The Miltonhill Rural Grouping identified in the LDP 2020 is functioning well in meeting demand within the surrounding pressurised and sensitive area with 13 sites approved. The Kinloss Golf Course Masterplan prepared for this rural grouping is delivering a high quality development. Many of the houses are built off site and incorporate renewable technologies and high levels of air tightness to reduce emissions.
- There have been no rural housing proposals refused on design grounds. Reasons for refusal relate predominantly to siting criteria in terms of having adequate containment and enclosure, contributing to unacceptable ribbon development or unacceptable cumulative build up and the principle of development within a pressurised and sensitive area.
- Notwithstanding the few exceptions already highlighted, the design criteria is delivering high quality materials in particular the slate roofs and keeping buildings heights low to reduce impact.
- No new rural housing hotspots have developed out with the pressurised and sensitive areas already identified demonstrating that the policy is restricting further cumulative build up and more stringent siting requirements are having an effect.

## 10.2 Conclusion

- Pressurised and Sensitive Areas - With the exception of sites with an existing consent and where development has already commenced no new housing sites have been approved within any pressurised and sensitive areas. In addition to this no new rural housing hotspots have developed out with the already identified pressurised and sensitive areas demonstrating the policy is restricting further cumulative build up.
- Areas of Intermediate Pressure –It would appear the revised policy has impacted on the number of new house sites being applied for with over 50% of applications \* relating to sites that already have consent or where development has already been commenced seeking to either address/alter conditions or change the house design. Of the eight PPP applications submitted to establish the principle of development on a new site half of these were refused evidencing the impact of more stringent siting requirement. *\*based on a sample of 25 applications*
- Rural Groupings - The rural housing policy is working well in terms of reinforcing the development hierarchy with 34 houses consented across 13 rural groupings. The Miltonhill Rural Grouping identified in the LDP 2020 has been successful in providing development opportunities within a pressurised and sensitive area with 13 houses having been consented.
- Design Quality - The policy has been successful in delivering high quality materials in particular requiring a natural slate roof instead of concrete tiles. The 6.75m height restriction is being adhered to which aids in reducing the impact of new houses in the open countryside. There are still a few examples of proposals for larger houses where the scale and massing of the

buildings could be further reduced and designs that are more suburban than traditional in appearance with excessive detailing as opposed to simple uncluttered design associated with the local traditional vernacular.