



**REPORT TO: PLANNING AND REGULATORY SERVICES COMMITTEE ON
20 DECEMBER 2022**

**SUBJECT: PLANNING POLICY GUIDANCE – MORAY LOCAL
DEVELOPMENT PLAN 2020**

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

1. REASON FOR REPORT

- 1.1 This report asks the Committee to approve planning policy guidance (PPG) for Policies PP1 *Placemaking*, DP1 *Development Principles* and EP5 *Open Space* of the Moray Local Development Plan (MLDP) 2020 in respect of inclusive and accessible play.
- 1.2 This report is submitted to Committee in terms of Section III (E) (2) of the Council's Scheme of Administration relating to the review and preparation of Strategic and Local Plans.

2. RECOMMENDATION

- 2.1 It is recommended that the Committee agrees:-
- (i) to approve the planning policy guidance (PPG) for the Moray Local Development Plan (MLDP) 2020, as set out in Appendix 1;
 - (ii) that the PPG will be used as a material consideration in the determination of planning applications; and
 - (iii) to note that this PPG will be combined with the guidance approved by this Committee in May 2022 into one document.

3. BACKGROUND

- 3.1 The MLDP 2020 was formally adopted on 27 July 2020. At a meeting on 3 June 2020, the Emergency Cabinet agreed that additional policy guidance would be provided to clarify certain policy aspects of the MLDP 2020 (para 6 of the minute refers).

- 3.2 A number of updates covering matters such as placemaking, trees and listed buildings have been approved by this Committee at its meetings on 15 September 2020 (para 16 of the minute refers), 10 November 2020 (para 10 of the minute refers), 23 March 2021 (para 13 of the minute refers) and 31 May 2022 (para 9 of the minute refers).
- 3.3 It has become apparent through the operation of policies that further clarification is required on what constitutes inclusive and accessible play areas and equipment.

4. STATUS

- 4.1 The PPG is intended as an evolving technical guide/aid for developers and officers to be updated as further clarification on policy requirements becomes evident through the operation of the MLDP 2020 and as such, the guidance is not publically consulted upon but once agreed, will be used as material consideration in the determination of planning applications.

5. INCLUSIVE AND ACCESSIBLE PLAY

- 5.1 Policy PP1 requires play areas to be inclusive, providing equipment so that the facility caters for every child/young person regardless of ability. Policies DP1 and EP5 requires open space to be accessible for all generations and mobility (including consideration of gradients and path surfaces) and provide diverse play facilities for a range of ages.
- 5.2 The guidance proposed in **APPENDIX I** provides clarity on the requirements for the provision of inclusive and accessible play areas and establishes a consistent approach to the assessment of such. As well as providing clarification regarding terminology, the PPG sets out the minimum requirements for inclusive and wheelchair exclusive play equipment based on the park hierarchy, as set out on Policy EP5 and the Open Space Strategy Supplementary Guidance. Clarification is also provided in respect of accessibility to and from recreational spaces so as to avoid physical barriers to participation.
- 5.3 The PPG provides examples that will assist in the design of play areas and establishes the requirements for a variety of equipment that meets the needs of different ages and abilities. Applications will require to be supported by a statement which demonstrates how the proposed play area meets requirements in respect of play equipment, types and values.
- 5.4 Consultation has been undertaken with ParentAble Moray who were supportive of the principles of the PPG. Comments provided in relation to accessible materials and sensory planting have been reflected in the PPG.

6. **SUMMARY OF IMPLICATIONS**

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

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

(b) Policy and Legal

The MLDP is a statutory plan which brings together and helps deliver key aspects of Moray 2026 and other national and local plans, strategies and policies. This PPG helps to deliver high quality places that are inclusive and accessible and is fundamental to achieving both national and local aspirations.

(c) Financial implications

None.

(d) Risk Implications

The PPG provides a clear and consistent approach to the implementation of MLDP 2020 policies. There is a risk that if the PPG is not in place then this might inhibit the creation of inclusive and accessible play areas, which is detrimental to health and wellbeing.

(e) Staffing Implications

Work on the PPG has been undertaken as part of the workload of Strategic Planning & Development.

(f) Property

None.

(g) Equalities/Socio Economic Impact

The guidance is intended to assist Moray Council in promoting equality of opportunity on the grounds of disability. In order to ensure that the PPG reflects this, Officers have consulted with local representatives of parents with disabled children. An Equality Impact Assessment will be undertaken as part of the design of new play areas or the upgrading of existing play areas.

(h) Climate Change and Biodiversity Impacts

There are no climate change or biodiversity implications arising from this report. However, as part of embedding climate change principles within the planning process, there is an expectation for developments to minimise carbon emissions in their design and construction and be adaptive to the expected impacts of climate change.

(i) Consultations

Depute Chief Executive (Economy, Environment and Finance), the Head of Economic Growth and Development, the Head of Financial Services, the Legal Services Manager, the Development Management and

Building Standards Manager, the Open Spaces Manager, the Principle Climate Change Strategy Officer, the Equal Opportunities Officer and Lissa Rowan (Committee Services Officer) have been consulted and are in agreement with the contents of the report. Any comments received have been incorporated into the report.

7. CONCLUSION

7.1 The PPG is an evolving document that is intended to be updated as further clarification on the interpretation of policies becomes evident through the operation of the MLDP 2020.

7.2 The proposed guidance provides clarification on the requirements for the provision of inclusive and accessible play areas.

Author of Report: Darren Westmacott, Planning Officer (Strategic Planning & Development)

Background Papers:

Ref: