



**REPORT TO: PLANNING AND REGULATORY SERVICES COMMITTEE ON 28
JUNE 2022**

SUBJECT: BUCKIE SOUTH MASTERPLAN

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

1. REASON FOR REPORT

- 1.1 This report asks the Committee to note the representations to the draft Buckie South Masterplan and agree the Council's response to these and that delegated authority is granted to the Head of Economic Growth and Development to make further technical amendments following an updated Transport Appraisal (TA) and further revisions set out in this report and thereafter, proceed to adoption of the Masterplan as non-statutory supplementary guidance (SG) to the Moray Local Development Plan 2020 (LDP).
- 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;

- (i) notes the representations received to the public consultation on the draft Buckie South Masterplan and agrees the Council's responses to these as set out in Appendix 1;**
- (ii) agrees the amendments to the final draft Masterplan as set out in Appendix 2 and that these will be incorporated into the Masterplan;**
- (iii) delegates authority to the Head of Economic Growth and Development to make any further technical changes required to the Masterplan following the review of an updated Transport Appraisal (TA) and any necessary revisions required by the Transportation Manager, and thereafter, proceed to adopt the**

Masterplan as non-statutory Supplementary Guidance (SG) upon the satisfactory completion of this work; and,

- (iv) agrees that the amalgamated final draft Masterplan and proposed amendments will be a material consideration in the determination of planning applications and that following any necessary revisions required by the Transportation Manager, and subsequent adoption as non-statutory SG to the LDP the Masterplan is afforded significant weight in the development management process.**

3. BACKGROUND

- 3.1 The Buckie South expansion is a strategic long term planned growth area to the south west of the town. The Buckie South Masterplan includes the sites R8 and LONG1 in the Moray Local Development Plan 2020 (LDP) which have an indicative capacity of 500 houses. The final draft Masterplan includes a 2.5ha site for a primary school/community facility, neighbourhood and pocket parks, and makes provision for local shops and services. The Masterplan has been prepared by the developer, Springfield Properties plc (SPL), in discussion with Council officers.
- 3.2 A Masterplan covering both R8 and LONG1 is a requirement of the LDP 2020. This is to ensure that a high quality design, reflective of Buckie, is delivered on the ground and that a strategic approach is taken to the delivery of infrastructure. The key design principles for the sites are set out in the LDP 2020 and have been reflected in the final draft Masterplan. The final draft Masterplan has been uploaded to the Corporate Management and Information System (CMIS) along with the agenda as an additional meeting document.
- 3.3 A planning application for the first phase of development on site R8 for 101 residential units and one retail unit (87m² Gross Floor Area (GFA)) was submitted by the developer in August 2021 along with the first version of the draft Masterplan for officer review. The 'twin-tracking' of planning applications and a Masterplan is not the Council's preference as it can result in continual amendments having to be made to the application as the Masterplan progresses which utilises significant resources for the Council. An overly detailed Masterplan has been prepared by the developer rather than a strategic framework allowing for the planning of infrastructure supported by a design code which alongside the planning application has resulted in a duplication of effort and work by Council officers.
- 3.4 Following the submission of the planning application, the developer subsequently lodged an appeal for non-determination of the application with the Scottish Government's Division of Planning and Environmental Appeals (DPEA) who have issued a notice of intention that they are minded to approve the appeal. The appeal was lodged with the DPEA whilst the draft Masterplan was subject to public consultation and a number of outstanding issues that have been consistently raised from the outset with the developer still had to be resolved which meant the final Masterplan could not be presented to an earlier meeting of this Committee for approval. The DPEA's decision has

ramifications for the final Masterplan including addressing issues raised in representations to the public consultation on the draft Masterplan as set out in section 5 of this report.

4. PUBLIC CONSULTATION

- 4.1 The draft Buckie South Masterplan was approved for public consultation at a meeting of this committee on 18 January 2022 (para.9 of the minute refers). Given the Covid-19 restrictions, the draft Masterplan was subject to an online virtual consultation for 8 weeks, commencing on 18 January and ending on 14 March, where 1-2-1 virtual sessions with Council officers were bookable. The draft Masterplan consultation was advertised via social media, press releases, letters and emails.
- 4.2 18 representations were received from members of the public, Buckie Community Council, and internal and external consultees. A virtual meeting with Buckie Area Forum was also attended by Council officers on 24 February. The representations raised a number of issues including lack of infrastructure, scale of development, road safety and volume of traffic, improved connectivity to the wider area and rest of the town including the need for the provision of a new crossing over the burn of Buckie, the need for shops and community facilities, deficit of open space, lack of character and identity, and general comments on the format in that it could be more user-friendly. A summary of the representations and the Council's response to these is provided in **Appendix 1**. The representations have also been uploaded to the CMIS for Members along with the agenda as an additional meeting document.

5. FINAL DRAFT BUCKIE SOUTH MASTERPLAN

- 5.1 Further discussion between SPL and Council officers has taken place to address the issues raised through the representations and those matters previously identified as outstanding at the draft Masterplan stage in the report presented to a meeting of this Committee on 18 January 2022 (para 9 of the Minute refers). The issues that have been actioned and addressed in the final draft Masterplan prepared by SPL are set out below:
- a) **20-minute Neighbourhood:** The Masterplan sets out a clear aspiration for Buckie South to be a 20-minute neighbourhood. This reflects the draft National Planning Framework 4 (NPF4) which seeks to create liveable places where people can meet the majority of their daily needs within a reasonable walk, cycle or wheel (approx. 800m) of their home. The final draft Masterplan now includes a diagram (Volume 2, page 24) setting out the location of 3 x 87m² GFA and 1 x 350m² GFA retail/commercial units at Summerton Square which is to be a focal point of the new neighbourhood. A location for a 300m² nursery is also identified adjacent the Neighbourhood Park given the benefits of co-locating this facility with open space and food growing opportunities. Wording in relation to the provision of the retail/commercial units and nursery has been strengthened throughout the document.

The retail/commercial GFA proposed reflects the recommendations for the Buckie South Masterplan area included within the Retail Study approved at a meeting of this Committee on 4 April 2022 as a material consideration in the preparation of Masterplans (para 8 of the Minute refers). However, the Retail Study recommended that 150-300m² retail/commercial GFA was provided within the first phase (R8) of Buckie South. Should the DPEA approve the R8 appeal then there will be a shortfall in provision in the short term until this is built as part of phase 3a (2028-31) which covers the remainder of the Square. It should be noted that phase 3a is proposed to be built earlier in the final draft Masterplan as opposed to the draft Masterplan where it was phase 3b (2031-33).

- b) **Phasing:** Phases 1 and 2 will take place on the east side of Barhill Road and are anticipated to be complete by 2028. Phases 3, 4 and 5 will take place on the west side of Barhill Road and are anticipated to be complete by 2042. The delivery of the west side (remainder) of Summerton Square has been brought forward from phase 3b (2031-33) to phase 3a (2028-31). Similarly the Neighbourhood Park has been brought forward from Phase 4 (2033-36) to Phase 3b (2028-33). This means that the key focal points of the new neighbourhood and facilities for residents are expected to be delivered sooner than originally proposed.
- c) **Open Space and Green Networks:** The Masterplan has sufficient open space of a good quality embedded into the new neighbourhood. This includes the provision of a large neighbourhood park that will be delivered earlier than originally proposed, and two smaller pocket parks on the east and west side of Barhill Road. This will provide good access to open space for all of the residents as well as providing play areas and kickabout space. Space is also reserved for food growing opportunities through an allotment and community orchards.

Woodland and structural planting will be provided around the edge of the development within which there will be a path network providing good recreational opportunities for residents. The minimum width of structural planting (20m) around the periphery has been clarified in the final draft Masterplan. Further clarity has also been provided to define how 'green streets' differ from a normal tree-lined street which is a requirement of PP1.

- d) **Format:** The final draft Masterplan has been made easier to navigate and more user-friendly. As well as having been split into 3 volumes, the Character Area Overview Table previously within Section 3 of Volume 1 now forms part of the Character Area Manual (Volume 3) and section 6 The Barhill Road Study also previously in Volume 1 has been moved to an appendix which helps the flow of the document.
- e) **Character and Identity:** The new neighbourhood is designed to take reference from Buckie's historic context. The Character Area Overview Table and images of the town have been incorporated into the Character Area Manual which helps understand how the design takes its reference from Buckie. Views to civic buildings within the town and outwards

towards the Bin of Cullen have been incorporated into the conceptual layout. 6 character areas are proposed. Variation is to be provided through materials, landscaping and building form. Terminology has been strengthened in the final draft Masterplan to ensure there is differentiation between the character areas.

Key buildings and vista stoppers have been identified and a caveat has been added to the final draft Masterplan setting out that additional key buildings and vista stoppers may be identified at the detailed planning application stage. Additional wording has been incorporated into the final draft Masterplan to clearly define the key elements of key buildings and vista stoppers in terms of what makes them distinct from one another and the remainder of the development. This helps to add to the distinctiveness of each character area and aid navigation, and ensure the intent of PP1 is delivered at the planning application stage.

- f) **Infrastructure:** An updated Transport Appraisal (TA) has only recently been submitted by the developer despite repeated requests which has meant there has been inadequate time to review this in detail prior to the meeting of this Committee. The Masterplan cannot be adopted until the Council's Transport Development Team are satisfied that the TA and any necessary revisions required by the Transportation Manager have been satisfactorily addressed, and the Masterplan updated to reflect the changes.

To improve east-west connectivity and promote active travel a new active travel bridge across the Burn of Buckie and associated connecting infrastructure is necessary. The developer(s) of sites R8 and LONG1 along with developers of other sites in the west of Buckie will be required to contribute towards this infrastructure, respecting that there is existing demand. It is proposed to include additional text to address this matter in the final Masterplan as set out in **Appendix 2**. This wording was provided to the developer however, they have refused to include this but the Council consider this an essential element of the Masterplan.

Additional amendments to be incorporated prior to the adoption of the Masterplan are shown in **Appendix 2**. These include ensuring that focal points such as the Square and Neighbourhood Park are comprehensively planned at the detailed planning application stage, the community woodland forms an integral part of the new neighbourhood, active travel is promoted, clarity on the floorspace of retail/commercial units is provided, and ambiguous terminology is removed to speed up the development management process. These revisions have been consistently sought by Council officers from the outset of the Masterplan but not taken on board by SPL. As SPL will not amend the Masterplan as per the requirements that have been repeatedly set out by the Council, it is proposed that the Council will undertake these amendments. This is considered necessary as the Masterplan will become a Council document on adoption and it is important that the Masterplan is sufficiently robust to deliver the vision of a high quality new neighbourhood at Buckie South. Given that Council officers are seeking for it to be treated as a material consideration in planning proposals it is essential that any ambiguity within it is removed.

- 5.2 The final draft Masterplan together with the proposed amendments will address the issues raised through the public consultation and those previously raised by the Council. Therefore, the Masterplan can be afforded weight in the determination of planning applications, and following the incorporation of any revisions required by the Transportation Manager, the Masterplan can proceed to adoption after which it will be given significant weight in the development management process.

6. SUMMARY OF IMPLICATIONS

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

The Buckie South Masterplan provides a framework for a new neighbourhood, with associated infrastructure and in doing so providing employment and affordable housing which are priorities for the Council.

(b) Policy and Legal

The preparation of a Masterplan is a statutory requirement of the LDP for large scale development sites such as Buckie South. Once adopted the Masterplan will become Supplementary Guidance forming part of the statutory Local Development Plan which planning applications will be determined against.

(c) Financial implications

The future provision of a primary school and, as a minimum to provide additional secondary school roll capacity, with an extension to Buckie High School, is being considered as part of the Learning Estate Review and future Asset Management Planning. Should a primary school be progressed within the Buckie South Masterplan area ground investigations will need to be carried out at an estimated cost of £40,000. Options are currently being appraised for the Learning Estate in Buckie, including future options for Buckie High School, and a report by Education Resources and Communities Service is anticipated on the outcome of this appraisal.

(d) Risk Implications

Should the Council not agree delegated authority to carry out the amendments recommended in Appendix 2 the active travel bridge and other issues highlighted through the public consultation will not be addressed and the appeal will be determined without a Masterplan in place which undermines the Council's approach to masterplanning and infrastructure.

Should ground investigations not be carried out for the primary school site in advance of the adoption of the Masterplan there is a risk that the proposed location may be unsuitable and an alternative found which will have financial implications for the Council.

(e) Staffing Implications

Work on the Buckie South Masterplan has been carried out within existing workloads of the Strategic Planning and Development section. However it has created additional pressures for the Transportation service. The Acting Head of Environmental Services and Commercial Services is aware of these pressures.

(f) Property

The provision for an additional primary school and secondary school capacity is being considered as part of the Learning Estate Review and future Asset Management Planning.

(g) Equalities/Socio Economic Impact

None at this stage.

(h) Climate Change and Biodiversity Impacts

The Buckie South Masterplan seeks to reduce carbon emissions and enhance biodiversity through the creation of a 20 minute neighbourhood with local services and a potential school/community facility, active travel connections, landscaping, green and blue networks and biodiversity mechanisms such as bird boxes and amphibian friendly gullies.

The NPF4 when approved will give significant weight to the Global Climate Emergency in the determination of planning applications. The draft NPF4 states that all proposals should be designed to minimise emissions over their lifecycle and major developments will need to be accompanied by a whole life assessment of greenhouse gas emissions. Similarly, policy 3 (Nature Crisis) requires development to contribute to the enhancement of biodiversity whereby the design should reverse biodiversity loss, safeguard the services that the natural environment provide and build in the resilience of nature. Whilst policy 7 (Local Living) supports the principle of 20 minute neighbourhoods.

The Buckie South Masterplan seeks to achieve some of the aspirations of the draft NPF4 in terms of providing opportunities for local services and active travel connections to create a 20-minute neighbourhood. However, future applications will have to go significantly further to achieve the aspirations of the policies set out in the draft NPF4 assuming these are in the final version and approved.

The future national policy direction is likely to require significant changes to development in terms of the transport hierarchy, materials, density, re-development of brownfield over greenfield sites, local energy systems, biodiversity solutions tailored to the address the nature crisis and nature based solutions, incorporation of non-residential uses to support local living, and high quality designs that contribute positively to the character and sense of place in which they are located.

(i) Consultations

Consultation has taken place with the Depute Chief Executive (Economy, Environment and Finance), the Head of Economic Growth and Development, the Head of Education Resources and Communities, the Head of Housing and Property, the Legal Services Manager, the Senior Engineer Transportation, the Principal Climate Change Officer, the Equal Opportunities Officer, the Development Management and Building Standards Manager, Lissa Rowan (Committee Services Officer) and Paul Connor (Principal Accountant) and their comments incorporated into the report.

6. CONCLUSION

- 6.1 The Buckie South Masterplan provides a strategic framework for a new neighbourhood to the south west of Buckie. The Masterplan aspires to achieve a 20-minute neighbourhood with a mix of uses, a network of green and blue spaces, and active travel connections. The final draft Masterplan references the historic context of Buckie and seeks to promote good health and well-being. Whilst some revisions have been made by the developer following the public consultation, further amendments are necessary as despite requesting several times these have not been made by SPL and therefore the Council needs to make these changes to ensure the vision for Buckie South is delivered and the planning application process is speeded up.**
- 6.2 The final draft Masterplan together with the proposed amendments appended to this report can be afforded weight as a material consideration in the determination of planning applications. However, further revisions may be necessary following the recent submission of an updated TA, and delegated authority is being sought to make any necessary changes as required by the Transportation Manager and thereafter proceed to adopt the Masterplan after which it will be given significant weight in the development management process.**

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Background Papers:

Ref: