



Built Environment

Introduction

The aims of the policies on the built environment are as follows;

- To protect listed buildings from inappropriate development proposals and safeguard them for future generations
- To preserve and enhance Moray's Conservation Areas
- To encourage the preservation of sites of archaeological and historic interest
- To protect Gardens, Designed Landscapes and Battlefields from development that would damage their special character

Context

Moray benefits from a number of important sites for cultural heritage and the townscapes and buildings have distinctive characters and provide variety across the area. Collectively this heritage contributes greatly to the character of Moray and provides a sense of place and identity. The Scottish Government's policy on the historic environment and guidance is set out in the Scottish Historic Environmental Policy (SHEP) and the Managing Change in the Historic Environment guidance note series. This guidance advocates the protection, conservation and enhancement of all elements of the historic environment.

Policy BE1 Scheduled Monuments and National Designations

National Designations

Development Proposals will be refused where they will adversely affect Scheduled Monuments and nationally important archaeological sites or their settings unless the developer proves that any significant adverse effect on the qualities for which the site has been designated are clearly outweighed by social or economic benefits of national importance.

Local Designations

Development proposals which will adversely affect sites of local archaeological importance or the integrity of their settings will be refused unless it can be demonstrated that;

- a) Local public benefits clearly outweigh the archaeological value of the site, and
- b) There is no suitable alternative site for the development, and
- c) Any adverse effects can be satisfactorily mitigated at the developers expense

Where in exceptional circumstances, the primary aim of preservation of archaeological features in situ does not prove feasible, the Council shall require the excavation and researching of a site at the developers expense.

The Council will consult Historic Scotland and the Regional Archaeologist on development proposals which may affect Scheduled Monuments and archaeological sites.

Justification

The aim of this policy is to protect archaeological sites and Scheduled Monuments from development that would have an adverse impact on their integrity and setting.

The unique quality of the historic environment provides a sense of identity and place. The Council recognises Moray's archaeological heritage for its tourism, leisure and educational value and wishes to conserve and enhance all archaeological sites of interest and there setting.

More information on these heritage assets can be found at the Historic Scotland website www.historic-scotland.gov.uk/index/heritage.htm



The Council will encourage the protection, maintenance, enhancement and active use of listed buildings.

Development proposals will be refused where they would have a detrimental effect on the character, integrity or setting of the listed building. Alterations and extensions to listed buildings or new developments within their curtilage must be of the highest quality, and respect the original structure in terms of setting, scale, materials and design.

Enabling development may be acceptable where it can be shown to be the only means of retaining a listed building(s). The resulting development should be of a high design quality protecting the listed building(s) and their setting and be the minimum necessary to enable its conservation and re-use.

No listed building should be demolished unless it can be clearly demonstrated that every effort has been made to retain it. Where demolition of a listed building is proposed it must be shown that;

- a) The building is not of special interest; or
- b) The building is incapable of repair; or
- c) The demolition of the building is essential to delivering significant benefits to economic growth or the wider community; or
- d) The repair of the building is not economically viable and that it has been marketed at a price reflecting its location and condition to potential restoring purchasers for a reasonable price.

New development should be of a comparable quality and design to retain and enhance special interest, character and setting of the listed building(s).

Buildings which are allowed to fall into a state of disrepair may be placed on the Buildings at Risk Register and remedial works to buildings in disrepair may be enforced in the public interest.

Proposals should be in accordance with guidance set out in the Scottish Historic Environment Policy (SHEP) and the Managing Change in the Historic Environment guidance note series.

Justification

The aim of this policy is to protect listed buildings from inappropriate development proposals. Listed buildings are an important part of Moray's heritage and should be safeguarded for future generations.

Proposals to extend or convert listed buildings should retain their character as should proposals within the curtilage of listed buildings. The Council wish to ensure that every effort is made to safeguard listed buildings and demolition will only be considered as a last resort. Applications for the demolition of listed buildings should be supported by sufficient information to evidence that every effort has been made to safeguard it.

Enabling development to assist the retention of listed buildings is supported in principle. It should be noted however that the new development is to address the conservation deficit as opposed to funding the restoration and the preservation of the setting of the listed building will remain a key consideration.

Policy BE3 Conservation Areas

Development proposals within Conservation Areas will be refused if they adversely affect the character and appearance of the Conservation Area in terms of scale, height, colour, detailed design, use and siting.

All development within the Conservation Area should preserve or enhance the established traditional character and appearance of the area. Given the importance of assessing design matters, applications for planning permission in principle must be accompanied by sufficient information to allow an appraisal of the potential impact on the Conservation Area.

Development proposals involving the demolition of buildings within a Conservation Area will be refused unless the building is of little townscape value, if its structural condition rules out retention at a reasonable cost, or its form or location make its re-use extremely difficult. Where redevelopment is proposed, consent to demolish will only be granted where there are acceptable proposals for the new building.

Minor works in Conservation Areas including boundary walls, fences, external fixtures and advertisements can adversely affect its character. Proposals of this nature will be assessed in line with Managing Change in the Historic Environment Guidance Notes.

Windows

Replacement windows shall match the original windows in proportions and appearance and shall open in a traditional sash manner (or by means of an approved sliding and tilting mechanism) or be in the form of casements whichever is appropriate. UPVC or metal framed windows will not normally be considered acceptable.

Signage

Signage obscuring architectural details will not be permitted. Signage should be timber or etched glass; synthetic materials are not considered appropriate. Signage should also harmonise with the colour of the shop front and lettering should be individual and hand painted. Projecting signage shall be traditional timber design. Illumination of signage shall be by discreet trough lighting, internal illumination is not considered to be acceptable.

Justification

Conservation Areas are areas of special architectural or historic interest where it is desirable to preserve or enhance the character or appearance of the area. The aim of this policy is to preserve and enhance Moray's Conservation Areas. There are Conservation Areas in Archiestown, Berryhillock, Burghead, Buckie, Cullen, Elgin, Findochty, Fochabers, Forres, Garmouth, Keith, Kingston, Portknockie and Whitemire.

The demolition of a single building and construction of new building in its place could result in the character and appearance of a Conservation Area being affected. If a building in a Conservation Area has fallen into a state of disrepair then a positive attempt should be made to retain, restore or convert the building before proposals to demolish are seriously investigated.

Policy BE4 Micro-renewables and Listed Buildings and Conservation Areas

Alterations and proposals involving the sensitive introduction of energy efficiency measures and /or micro renewable installations to Listed Buildings and buildings within Conservation Areas will be supported, where the proposals ensure that the character of the listed building, Conservation Area and their settings are preserved or enhanced.

Justification

The aims of this policy is to support the installation of microgenerating technologies on listed buildings and buildings in Conservation Areas providing there is no adverse impact on their character, integrity and setting.

The use of energy efficient, microgenerating and decentralised renewable energy systems are components in the move towards reducing emissions. The Climate Change (Scotland) Act 2009 has set ambitious targets to reduce greenhouse gas emissions by 80% by 2050. The energy efficiency of the fabric should be optimised before considering the installation of micro-renewable technologies.

Many historic buildings or places lend themselves well to some form of micro-renewable energy generation. The micro-renewable installation must be planned carefully to maintain the historic character of each site and to make best use of the available renewable energy sources.



Policy BE5 Battlefields, Gardens and Designed Landscapes

Development proposals which adversely affect Battlefields or Gardens and Designed Landscapes or their setting will be refused unless;

- a) The overall character and reasons for the designation will be not compromised, or
- b) Any significant adverse affects can be satisfactorily mitigated and are clearly outweighed by social, environmental, economic or strategic benefits.

The Council will consult Historic Scotland on any proposal which may affect Inventory sites.

Justification

Gardens and Designed Landscapes are integral parts of the Moray culture and heritage and are identified as meriting protection. The aim of this policy is to protect Gardens and Designed Landscapes and Battlefields from development that would damage their special character.

An Inventory of Gardens and Designed Landscapes in Scotland is compiled and maintained jointly by Historic Scotland and Scottish Natural Heritage. Sites recorded as being of national importance are Cullen House, Brodie Castle, Darnaway Castle, Gordon Castle, Gordonstoun, Innes House, Pluscarden Abbey, Grant Park/Cluny Hills and Relugas.

Historic battlefields make a distinctive contribution to our sense of place and history, both locally and nationally. The Battle of Glenlivet is a nationally important site and as such is now protected to ensure its' interest survives, and can be appreciated, in the future.

These sites are shown on the Proposals map: Environment.

Policy BE6 Pluscarden Area of Special Control

No additional new housing development (including replacement) will be permitted within the Pluscarden Area of Special Control which has been identified around the Benedictine Abbey (With the exception of proposals within the rural community boundary). This area has been designated in order to safeguard and protect the very special character and setting of the Abbey and its exceptional environment.

The area covered is shown on the Proposals Map: Environment, and alongside the Pluscarden Rural Community map.

Justification

Pluscarden Abbey, the monastic buildings and precinct walls are Category A listed buildings. The Abbey is in active use and enjoys a peaceful and tranquil setting, appropriate to its use and purpose as a place of worship and sanctuary. Strict control over new development is required to safeguard the visual setting of the Abbey and to retain the character and environment of the surrounding area.