

Moray Development Plan  
**MORAY** STRUCTURE PLAN  
APRIL 2007



the **moray** council

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# 1. INTRODUCTION

## Introduction

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The Town and Country Planning (Scotland) Act 1997 provides the legal basis for the preparation and review of Structure Plans. The Structure Plan, along with the Moray Local Plan and Cairngorms National Park Local Plan, form the Development Plan for the area. The Development Plan has regard to the guidance provided by the Scottish Executive in its Scottish Planning Policies, Planning Circulars and Advice Notes.

The Moray Structure Plan sets out the Council's view on the Strategic Planning context for Moray over the next 15-20 years. It will provide the strategic framework for the Moray Local Plan Review which is being prepared in tandem with the Structure Plan and for the Cairngorms National Park Local Plan.

The Moray Structure and Local Plan Review have been subject to a Strategic Environmental Assessment as required by European Directive. This process is intended to allow a more rigorous consideration of environmental matters in the review process.

## 2. DEVELOPMENT STRATEGY

### Context

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Since 1999 the Scottish Executive has been undertaking an extensive consultation exercise on the future shape of the planning system. The conclusions from this process will become new legislation. In the meantime there is an emerging direction that should be taken on board within this Plan. In effect this means providing a plan with a minimum 15 year forward view and providing a short overarching strategic context for the area's Local Plans with a limited number of topics. This will also reflect the proposal for Moray to become a 'Development Plan' area in the future whereby strategic guidance will be provided within an integrated plan, with no further requirement for a separate Structure Plan.

National Planning policy guidance is provided by the Scottish Planning Policy (SPP) and National Planning Policy Guideline (NPPG) series along with Planning Circulars and Planning Advice Notes (PAN). During 2004 the Scottish Executive also published a National Planning Framework – a non-statutory document which sets out the long term vision for Scotland. The key aims of the document are to increase economic growth, to promote social justice, to promote sustainable development and to enhance the environment.

Over the past five years there has been a considerable change in the context for the preparation of development plans. The Council area now has a Community Plan, an Economic Development Strategy, a Local Transport Strategy, a Local Housing Strategy, an Area Waste Plan, a Tourism Strategy and the Council has its own Corporate Development Strategy. This background means that the Structure Plan and Local Plans are able to concentrate much more clearly on landuse planning matters.

### Strategic Environmental Assessment

All plans are now required to introduce the process of Strategic Environmental Assessment (SEA) into their preparation. An Environmental Report has been prepared to clearly identify environmental effects, mitigation, possible alternatives and future monitoring. The Report covers both the Moray Structure and Local Plan as well as the Local Plan supplementary planning guidance.

The SEA concluded that the plan performs well against the set objectives and provides a robust framework with which to progress sustainability within the Moray Council area. In particular the plan was recognised as promoting;-

- a greater reliance on previously developed land
- mixed development land uses that seek to maintain and enhance the area's economic vitality
- strengthening the role of rural settlements and rural service centres
- protection of the natural and built environment

However, the SEA also recognised that consideration should be given to promoting; -

- higher standards of design and sustainable construction materials; and
- a stronger commitment to alternative modes of transport

These issues have been addressed and incorporated into the finalised Moray Structure and Local Plan policies.

### **Development Plan Monitoring**

Since the approval of the Moray Structure Plan in 1999 the Council has prepared annual monitoring reports on the Development Plan. These have identified the following key strategic issues which the Structure Plan must address; –

- the planning implications relating to the General Register Office population projections for the area.
- ensuring the provision of an adequate supply of housing land.
- providing a portfolio of serviced industrial and business land, with an increased role being undertaken by the private sector.
- reviewing strategic land allocations at Alves and Dallachy.
- reviewing the Areas of Great Landscape Value (AGLV).
- developing an appropriate response to flooding.
- promoting renewable energy.
- safeguarding and promoting the vitality and viability of the area's town centres.
- providing an upgraded strategic transport network.
- take account of the Cairngorms National Park and arrangements for the shared planning functions
- making provision for the sustainable disposal of waste

### **Moray's Background**

Moray is a predominantly rural area that lies at the periphery of the United Kingdom and Europe. It must embrace development even to maintain its existing standard of living. Moray's employment structure has high concentrations in primary industries and related manufacturing such as fish processing and food production. There are severe problems in the fishing industry and the reform of the Common Agricultural Policy will impact adversely on the farming industry. Recently there has been uncertainty over the future RAF presence at Lossiemouth and Kinloss

air bases. The uncertainty was removed in November 2005 when the government announced that Moray's two air bases are to be home to the next generation of RAF aircraft and not run down or closed as had been feared. However, although this immediate economic threat of closure has been removed, more than 900 personnel will be lost over the next two years and for future economic stability it is essential that all opportunities are taken to diversify the economic base of the area, within the context of a responsive planning framework.

The economic over reliance on the RAF presence is one of a number of long running strategic issues in Moray which need to be addressed during the lifetime of this Structure Plan.

Moray is currently eligible to benefit from grant aid from the European Community, through 'Objective 1 Transitional' in West Moray and 'Objective 2' in East Moray. This has seen significant contributions to supporting economic development activities within the area. The current programme is due to expire at the end of 2006, and further support beyond this date will have to compete with the expansion countries from eastern Europe.

Moray's peripheral location along with its rural character means that the movement of goods and people is a key consideration. It is essential that the strategic transport network is improved, and that modern communication technology is embraced. Whilst sustainable transport can be encouraged to reduce car journeys, it is inevitable that there will continue to be substantial use of the car for Moray to remain economically and socially viable.

Moray's environment is a major asset. Both the natural environment and the built heritage are special resources. It helps to attract businesses, residents and tourists and is a unique selling point for the area.

Moray's settlement structure is based on a hierarchy with Elgin providing the area's administrative, service, business and retail centre. Buckie, Forres, Lossiemouth and Keith are its secondary centres and a large number of smaller towns and villages provide local service infrastructure. Elgin has 20,000 residents, with a large catchment population of close to 100,000. This has meant a healthy demand from developers, retailers and other service providers. However, both Inverness and Aberdeen compete for these activities and therefore positive action will continue to be required to provide appropriate opportunities for new development for Elgin to retain a competitive edge.

### **Population Projections**

The First Minister has stated that "the single biggest challenge facing Scotland as we move further into the 21st century is our falling population". From 1981 – 2004 the population of Moray grew by 5 per cent to about 87,700. Three main factors explain this growth – births exceeding deaths, people living longer and a large increased net in-migration in the early 1990s.

The General Register Office Scotland (GROS) population projections should be used with considerable caution as they are trend based and heavily influenced by assumptions of future migration trends which are inherently uncertain.

Previously published population projections, as recently as 2002, suggested that Moray's population would decline significantly over the next 15 years. However, the GROS 2004-based population projections show that the projected population is expected to rise to 90,577 in 2019, or a percentage increase of 3.26%. Over the last 5 years Moray has continued to register a net in-migration, so this has been reflected in the most recent projections with in-migration assumed to be 850 in 2004/05, 550 in 2005/06, 300 in 2006/07 and 300 thereafter, mitigating the effect of a trend towards a natural decrease (i.e registered deaths exceeding births). However, the 2004 based population projections do not take account of the rationalisation of RAF personnel with the loss of 900 jobs between 2005-08.

The projections also suggest that the population will be ageing. In 2019 the population between the ages of 0-44 years is projected to fall by some 4520, whilst the 45+ years age group is projected to grow by 7377. This has implications for the provision of services throughout the area. Planning for population growth is in line with national aspirations.

The tackling of the projected population challenge will require co-ordinated action by the area's Community Plan partners particularly aimed at retaining existing population (especially the young) and continuing to attract in-migrants. The role of the Development Plan within this process will be to provide the necessary development opportunities to attract new businesses, services and population into the area.

## Strategic Priorities

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The Structure Plan sets a strategic development framework for the Local Plan to the year 2025 with which to address current weaknesses and future threats. The Plans will seek to minimise adverse impact of new development on the environment and the community.

The main strategic priority choices are not mutually exclusive, they could;

- i) focus development on existing settlements with Elgin, Forres, Buckie, Keith and Lossiemouth as the main development areas; or
  - ii) promote the development of new settlements; or
  - iii) promote development outwith settlements.
- i) The first choice is consistent with national planning policy and sustainable development. It reinforces the function of existing settlements making cost effective use of services and facilities and can reduce impact on the environment by helping to sustain public transport and enabling greater use of cycling and walking. Focusing development on existing settlements also requires strategic choices to be made in relation to the primary receptors of new development.

Elgin is the main commercial and administrative centre within Moray. In order to attract new development and potential inward investment it will be necessary to harness the advantages that Elgin can give to the area. Any alternative to this approach is likely to be ineffective since development will not be diverted to areas of weaker demand. Forres, Buckie, Keith and Lossiemouth will play an important, but secondary role in providing services and development opportunities for the area.

- ii) The second option to bring forward new settlements within Moray is not likely to be justified in terms of likely levels of demand with new facilities and services unlikely to be provided timeously. A new settlement would have a substantial impact on Moray's environment. This option is not considered realistic.
- iii) The third option to promote extensive new development in the countryside outwith settlements is inefficient in terms of service provision and in the use of transport energy. It is clear however that there is a demand for new housing in the countryside and this could help to sustain rural services and facilities where provision is also made for the growth of rural businesses. There is therefore a case to allow some development, of low impact, in the open countryside.

The preferred strategic option for development is therefore Option 1, to focus new development on existing settlements. Development should be related to the settlement hierarchy with Elgin as the primary centre supported by the secondary centres of Buckie, Keith, Lossiemouth and Forres. This is the most sustainable option as these towns contain the majority of the population and are the focus of economic activity, services and the transport network. Outwith the primary and secondary centres opportunities will be provided for more local provision of development land to meet local need and support services at an appropriate scale for the settlement.

This option will also be supported by the scope to allow rural businesses and low impact housing in the wider countryside.

## Strategic Aims

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To achieve the preferred strategic option the Plan must set the framework for development in the light of the following aims:

- i) maintain and grow the population.
- ii) promote economic opportunities and diversify the local economy.
- iii) spread the benefits of economic growth across the community.
- iv) safeguard and enhance the environment and mitigate any impacts caused by new development.
- v) seek improved accessibility within and external to the area.
- vi) allow sensitive small scale development in rural areas.

## The Development Strategy

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The aims can be translated into a single strategy that brings together the broad manner of its implementation. The central pillar of the strategy is to promote economic growth whilst safeguarding and enhancing the natural and built environment, and promoting overall sustainability. The Strategy seeks to stem outmigration, attract in-migrants, build on a revised and expanded business development portfolio, support local services and to offer improved housing choice to stabilise population levels.

This will require;

- i) Provision of adequate land for development focused upon the existing settlement hierarchy with a preference for using brownfield land before greenfield.
- ii) Promotion of sustainable communities through the provision of levels of growth which respect the settlement hierarchy. The focus of major development will be on the primary and secondary centres.
- iii) Securing and targeting resources to promote economic development, tourism and employment opportunities.
- iv) Securing a modern sustainable transport and communications network.
- v) Protecting, conserving and enhancing the valued elements of the natural and built environment.
- vi) Promotion of sustainable construction, siting and design principles
- vi) Sustainable use of natural resources
- vii) Promotion of well designed and located low impact development in rural areas
- ix) Promotion of sustainable solutions to flooding and controlling development in areas where there is a risk of flooding.

## Settlement Hierarchy

The Council's settlement hierarchy identifies appropriate levels of planned expansion for each settlement. The hierarchy takes account of a number of factors including previous development rates, settlement character and infrastructure provision. The hierarchy reflects the strategy in directing the majority of new development to the primary and secondary centres.

### Primary Centre

Elgin is the primary centre within Moray, with the largest population and the main centre for retail, commercial and leisure provision. The town will be the focus for significant investment within Moray and will accommodate the largest proportion of proposed new development.

### Secondary Centres

The secondary centres of Forres, Buckie, Keith and Lossiemouth support Elgin and have their own catchment and provide a secondary role in retail, commercial and leisure provision. These centres will also act as focal points for development and will accommodate significant levels of new development.

### Smaller Towns and Villages

In addition to the Primary and Secondary centres, there are a number of smaller towns and villages that serve more local communities. Some of those may accommodate lower levels of new development; others may have limited or no development potential. The Local Plan should make land allocations which respect their position in the hierarchy, and are in accordance with the capacity to accommodate new development, acknowledging constraining factors such as infrastructure and topography.

## Rural Communities

In addition to the towns and villages there are designated rural communities where only limited growth will be promoted to meet local needs and support local services unless there are significant constraining factors

**Table 1:** Moray Settlement Hierarchy

Primary Centre	Elgin
Secondary Centres	Forres, Buckie, Keith, Lossiemouth
The Smaller Towns and villages	Aberlour, Alves, Archiestown, Burghead, Craigellachie, Cummington, Cullen, Dallas, Dufftown, Duffus, Dyke, Findhorn, Findochty, Fochabers, Garmouth, Hopeman, Kingston, Kinloss, Lhanbryde, Mosstodloch, Newmill, Portgordon, Portknockie, Rafford, Rothes, Rothiemay, Tomintoul, Urquhart
Rural Communities	All designated rural communities.

### 3. DEVELOPMENT & COMMUNITY

#### Economic Development

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The Structure Plan provides the strategic context for the delivery of additional land for economic, industrial and business development within the local plan with a strong emphasis on promoting economic diversification.

The Structure Plan takes into account the guidance set out in Scottish Planning Policy 2 (SPP2) on 'Economic Development' and also the Local Economic Forum Development Strategy.

National Planning Policy requires the provision of a range and choice of locations for economic development. Due regard should be taken to the sustainable development of key locations in terms of their accessibility to public transport, and the minimisation of impact on the wider environment through good design.

The recent RAF Defence Review process served as a reminder of the importance of the RAF to the Moray economy. Until the recent redeployments the two RAF bases collectively supported over 7,200 jobs, representing 21% of all jobs in Moray. Gross income from the bases is around £156 million with just under £76 million retained within the local area. Although the future of the bases has been secured the MoD has already announced plans to remove 900 personnel and civilian posts there by 2008. Further job losses at Grampian Country Park in Buckie and Johnstons in Elgin have totalled another 4-500 jobs lost. There are still short and medium term economic challenges ahead to replace the estimated £20 million a year that is going to be lost to the local economy.

An economic impact study published in March 2005 concluded that Moray had a defence dependent economy. The Council and partners recognise that there is a need to intervene on a significant scale not just to diversify the economy but also to exploit opportunities to respond to a range of economic challenges and create an economy with a significantly higher proportion of knowledge based jobs.

The Local Economic Forum partners in Moray, led by the Local Enterprise Company, HIE Moray, have published "Moray 2020", a strategic vision for developing and diversifying Moray's economy. The Structure Plan and Local Plans will provide the land use policy context and land allocations to support the implementation of 2020.

Moray 2020, which is effectively, the Local Economic Forum Development Strategy sets out a 56 point Action Plan to strengthen the economy of Moray, from business assistance to employment training, research and e-business. It identifies particular priorities to address the supply of industrial land, and to provide business parks in Elgin, Buckie and Keith, and to develop the next phase of the Enterprise Park at Forres. Key supporting measures are identified and include the need to upgrade the area's transport infrastructure, and the enhancement of the contribution from the tertiary education sector (UHI/Moray College), the provision of an increased supply of affordable housing and the promotion of Elgin as a regional centre for education, the arts and entertainment.

Low development rates over the past 5 years would indicate only a moderate requirement for industrial land over the next 15 years. However there are several factors to be taken into account when assessing future requirements.

In Elgin, these include the need to provide land likely to be needed both to accommodate the Elgin Flood Alleviation proposal and provide alternative sites for displaced business, and to help meet demand not met since the flood event of 2002. There is also a need to provide land to meet the requirement for comprehensive waste treatment facilities to serve Moray and possibly beyond. The preference is to build economies of scale into the provision of new sites, as well as providing a range in quality and scale of new land. It is therefore estimated that an additional 15 hectares over and above existing provision be designated to accommodate the above factors to 2012 and to maintain an ongoing supply of land for development.

In Forres several factors would come into play. All land at the main site at Greshop is now developed or under offer. Other sites are difficult to let or not particularly attractive as development sites (e.g. railway marshalling yards). In addition, there may be some impact on existing land and property by the Flood Alleviation Scheme for the River Findhorn. This effectively means that provision falls below the current target in the Local Plan, and there is a shortage of general industrial land. Therefore, to provide flexibility and cater for more than just the average annual take up, it is proposed that a further 5-10 hectares be identified to 2012 and beyond. The Forres Enterprise Park will continue to be promoted as a prestigious location for high amenity uses in the area within a regional and national market.

In Buckie land available at the main site at March Road East is now either developed or under offer. Other opportunities are reserved for expansion purposes and not available for general use. The future role of the harbour may prompt some redevelopment and relocation of businesses. HIE Moray are seeking a site for possible 'cottage business park' use. It is therefore proposed that a further 5 hectares of land, in addition to March Road be identified to meet potential requirements up to 2012.

In Keith, there is a total of 5 hectares designated within a context of low historic development rates. However, a large proportion is not serviced and has poor access or is subject to flooding. In summary, there is a need for more prominent, easily accessed business land of up to 5 hectares to be brought forward to meet a range of requirements up to 2012 and beyond.

In Lossiemouth, the existing site at Coularbank is nearing capacity with only 0.4 hectares available. Whilst the identification of new provision is restricted by other land uses around the town, a site of up to 2 hectares to continue employment land provision should be identified.

In other smaller towns there is a need to ensure the continued provision of sites predominantly to meet local needs. The Structure Plan proposals for the provision of general industrial land are set out in Schedule 1.

### Schedule 1: Provision of General Industrial Land

Location	Additional Land to be Brought Forward (ha)	Land Requirement at any One Time (ha)
Elgin	15	10
Forres	5-10	5-10
Buckie	5	5
Keith	5	Up to 2
Lossiemouth	Up to 2	Up to 2
Rest of Moray	Up to 2	Up to 2

Specialised industrial sites are presently provided at Forres Enterprise Park (High Amenity Business Park) and at Dallachy (Site for Major Proposals). The Enterprise Park is beginning to become established and is a key resource in the attraction of inward investment into the area.

However, the provision of a high quality business park in Elgin is seen to be a priority to help promote inward investment and business opportunities. In addition, opportunities for smaller scale higher amenity development will help to attract employment in Buckie, Keith and Lossiemouth. At Dallachy, although there have been occasional inquiries related to the site no large-scale user has taken the interest forward. However, there has been interest from smaller scale low intensity uses and therefore it is proposed to remove the single user stipulation from the designation in the Plan.

Much of Moray's traditional indigenous industry is situated in the countryside, for example distilleries and Maltings. They are important elements of the local economy providing much needed employment and helping to sustain rural areas and their communities. The attraction of further jobs into the rural areas is an important aspiration of this plan. Therefore, subject to securing the correct balance between development and environment, expansions to existing industry or new business development within rural areas will be encouraged.

Tourism provides a key opportunity to grow the local economy. As such the Plan will support development aimed at enhancing the Moray product (an objective of the Moray 2020 strategy) that takes due account of the local environment. The tourism opportunities created by the Cairngorms National Park and the Moray Coast should also be strongly pursued.

### Residential Development

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The Development Plan provides the framework for the release of new land allocations to meet land supply needs over the plan period and beyond. The Plan considers housing needs in the context of the Moray Housing Market Area.

Scottish Executive guidance is set out in SPP3 'Planning for Housing'. The guidance focuses on the creation of quality residential environments, guiding development to the right places, and the provision of housing land to cover the 5-year period of the plan, and that at the end of the period there should be a five-year supply remaining for development.

The Council's Local Housing Strategy has a remit to provide good quality affordable housing to meet the needs of people in Moray and seeks to achieve this by addressing access to housing, housing quality, housing and community care, and housing communities.

The factors used to identify the future requirement for housing land are set out below-

The household projections produced by the Scottish Executive are derived from the GRO's population projections and should be used with considerable caution as they are heavily influenced by assumptions of future migration trends which are inherently uncertain. The figures for Moray project virtually no change over the period 2005-2016 (falling from 36160 to 36140). Given the uncertainty of these figures, the Council considered that it was prudent to use the Scottish overall household projection as the basis for forward planning (+7%). Given the priority to retain and increase the Moray population, it is essential to ensure an adequate supply of land for housing development through the planning process and not to plan for a static or declining situation. This approach has been vindicated as the mid year estimates published in December 2005 indicated an increase in households from 36,230 in 2002 to 37484 in 2005, an increase of 3.5%.

An important indicator of potential future land requirements is provided by recent development rates. The table below shows the annual average number of house completions over the past five years.

*Table 2: Annual Average of House Completions*

	Annual Average of House Completions					
	2000	2001	2002	2003	2004	Average 2000-2004
Buckie	35	30	12	52	18	29
Elgin	44	132	81	112	99	94
Forres	53	33	60	69	108	65
Keith	9	6	36	2	3	11
Lossiemouth	29	63	92	20	17	44
Rest of Moray	146	107	168	148	178	149
Moray Total	316	371	449	403	423	392

Over the past three years the annual number of houses developed has been over 400. This gives a clear indication of the need to provide further allocations of housing land to meet demand.

The forecasting period for housing requirement is from 2005-2017. This assumes that the Development Plan will be adopted in 2007, and will require to have a five year land supply in place at the end of the plan period in 2012.

The projected household change from 2005-2017 is set out below –

Table 3: Projected Household Change 2005 - 2017

<b>2005 Base (GRO Projected figure)</b>	<b>37,484</b>
Projected increase to 2017 at 7% (Scottish Average)	40,107
<b>The household projection is also adjusted for -</b>	
Homes lost to Second homes (20 per annum)	240
Homes lost to Demolition (10 per annum)	120
Replacement of temporary dwellings (5 per annum)	60
Total adjustments (2004-2016)	420
Projected Households 2017	40,527
Projected Household Change 2005-2017	3043

The Development Plan provides land for all housing sectors including private and public sectors. Therefore it is essential to make adequate planning provision that can meet the requirement across sectors. A housing need survey was undertaken by the Council during 2001-2002. The survey concluded that over the following 5 years an annual average of 160 affordable houses would be required to meet housing needs. Although there are significant issues related to the availability of national funding to meet this need, it is a further factor to be considered as part of the overall requirement for housing land.

Moray is a dispersed and diverse area where it is not possible to predict precisely where future development will take place. In addition, as noted above there is a considerable level of housing need as well as demand. Therefore, it is proposed to build in an element of over provision as a means of flexibility in providing an adequate range and choice of sites.

Taking the above factors into account, the Development Plan incorporates a flexibility element of 50%. This has been incorporated to recognise the significant growth of Inverness (population has grown by a third since 1970's) which has the potential to attract in-migrants to the western area of Moray. The level of flexibility also reflects the high number of affordable housing which is required and the comments expressed by Homes for Scotland over the effectiveness of some housing sites within the Housing land audit.

The housing requirement of 3043 rises to 4565 once 50% flexibility has been incorporated. It should be acknowledged that further additional flexibility is provided to arrive at the housing requirement figure by not taking windfall or small sites into account. However, windfall and small site development will be considered as part of the annual housing land audit undertaken by the Council.

A supply of land is already available within Moray. This is monitored by the annual housing land audit undertaken in discussion with Homes for Scotland. The latest audit (2005) showed that the effective housing land supply (five year effective and potential effective) was 1819.

The housing land shortfall is the residue from the subtraction of the effective land supply from the projected household change (incorporating an element for flexibility). The shortfall for 2005-2017 is 2746.

The proposed housing land allowances are set out in the table below. They meet the identified shortfall of 2746, rounded to 2750 units. They intend to meet a variety of demands across the whole of the district taking into account existing supply, likely future demand and need, and broad environmental considerations.

**Schedule 2: Housing Land Allowances**

Settlement	5 Year Effective Supply (2005)	Longer Term Effective Supply (2005)	Constrained Supply (2005)	Annual Development (5-Year Average 2000-2004)	Proposed Additional Housing Allowance
Elgin	593	120	-	91	950
Forres	123	80	11	61	550
Buckie	95	54	95	27	350
Lossiemouth	69	2	5	41	250
Keith	121	23	9	8	170
Remainder of Moray	413	126	323	N/A	480
<b>Total</b>	<b>1,414</b>	<b>405</b>	<b>443</b>		<b>2,750</b>

Table 3 below shows the split of housing land by Local Plan area. The only Moray settlement within the Cairngorms Local Plan area is Tomintoul which is identified within the settlement hierarchy as a village with limited/small scale development potential. There are also a small number of rural communities which can accommodate limited growth.

*Table 4: Additional Housing Land Supply by Local Plan area (to 2017)*

Local Plan Area	Proposed additional housing allowance
Moray Local Plan	2,730
Cairngorms Local Plan	20

It is proposed to identify reserved longer term sites in Elgin, Forres, Buckie, and Keith subject to servicing being available for their development. This will give a clear indication as to the strategic direction of future housing development in Moray's main centres. Furthermore, the sites also act as a release valve if the rate of housing development is greater than anticipated.

The Plan supports the development of infill and brownfield sites which meet sustainability objectives. However there is a need to carefully consider both environmental and infrastructure consequences. There should be a clear intention to enhance the form and quality of the urban environment, with particular care required to avoid over-development or 'cramming'. In order to encourage new housing development in built-up areas, 'brownfield' development will not be constrained by Structure Plan allowances.

New housing developments in built-up areas must take account of sustainable flood management issues and not impact on the floodplain's capacity to hold water or make flooding worse elsewhere. They must also take account of sustainable urban drainage systems and energy conservation principles.

SPP3 on 'Planning for Housing' acknowledges the role of development plans in maintaining the viability of rural communities through supportive policies for new housing in the countryside. The Structure Plan strategy recognises that in rural Moray the development of small scale housing is essential in order to sustain communities both socially and economically. In much of the rural area, communities require opportunities for employment and housing if they are to survive. Those who are disadvantaged are particularly affected by the loss of community services and facilities. A positive planning approach to sustain their viability is required.

The more disadvantaged parts of the rural area often coincide with the most scenic. Within these areas a dispersed pattern of development is also a characteristic of their rurality. Siting and design aimed at low impact should ensure that there is minimal conflict between development and landscape quality.

Throughout the countryside it is essential that new development remains particularly sensitive to areas of scenic and special scientific and nature conservation value.

In the rural areas there will be a presumption in favour of housebuilding:

- i) within rural communities; or
- ii) where it involves the re-use, replacement or rehabilitation of existing buildings; both of which comply with the Council's sustainable objectives; and
- iii) only on well located and designed sites that have low environmental impact.

The main thrust of Government policy is to encourage the private sector to play the principal role in satisfying housing requirements. It is important, however, that Councils and Communities Scotland have sufficient resources to tackle the provision of houses for the special needs and "affordable" sectors. Local authorities, housing associations, and private developers, provide a range of tenures including rental, sale, shared ownership and self-build.

In SPP3 a high priority is given to measures designed to provide an appropriate supply of affordable housing through both Structure and Local Plans. It promotes mechanisms, such as Section 75 Agreements.

The Council has set out its approach to affordable housing through the publication of supplementary planning guidance.

The broad strategies for special needs housing are set out in the Moray Community Health and Social Care Partnership Plan agreed between the Moray Council and Grampian Health Board. The effects of the Community Care Legislation and the hospital closure programme have increased the pressure on special needs housing, and the demand for private residential homes.

The Council will seek to secure affordable and/or special needs housing within new housing developments by agreement with private developers and housing agencies in areas of need identified by the Community Services Department.

## Retailing and Commercial Development

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Retailing is an important sector in the Moray economy. It provides some 3,300 jobs and generates high levels of expenditure, equivalent to around £270 million per annum. Elgin is Moray's primary retailing centre which has a significant catchment covering the Council area, but it must also compete with the larger centres at Inverness and Aberdeen for business and investment.

SPP8 states development plans should identify a network of town centres, commercial centres and out-of-town shopping centres and to set out policies to support and enhance town centres. The SPP advocates focusing development in town centres and the adoption of a sequential approach to site selection for all retail and commercial uses.

Elgin is Moray's largest administrative and retailing centre accounting for approximately 48% of total retail floorspace. Buckie, Forres, Keith and Lossiemouth act as secondary shopping centres offering a more limited range of retailing facilities.

There is a requirement to focus development in or immediately adjacent to the main town centre to reinforce its regional role and, to ensure that further development elsewhere does not dilute that role or further reduce its vitality and viability. Elgin will continue to be the focus for retail development in Moray, with the neighbouring towns of Forres, Buckie, Lossiemouth and Keith functioning as secondary retailing centres. The improvement of the area's town centres including their physical environment and management, will be an important aim of the Plan.

In order to protect the function of the town centre, proposals for new retail development (including 'bulky goods' retailing) in out of centre locations will be subject to the sequential approach that will assess the availability of better located sites in relation to the town centre. The application of the sequential approach will be compatible with emerging Scottish Executive policy, and adjusted as appropriate. New retail development proposals which have the potential to create significant impacts upon the existing retailing centres will require a formal retail impact assessment. They may also require to be the subject of a transport assessment or an environmental assessment.

A recent study (Elgin and Moray Towns Promotion and Development Project) commissioned by the Moray Council, HIE Moray and the Moray Chamber of Commerce and undertaken by Donaldsons included a review of market supply and demand for new commercial and industrial space in Moray's primary and secondary centres over the next ten years.

The Donaldson study concludes that there is a clear requirement to expand the overall amount of retail floorspace in Elgin, especially comparison floorspace and a requirement for good quality modern office floorspace in Elgin.

In terms of comparison retailing, leakage out of Elgin is estimated to be approximately 50% to competing centres of Aberdeen and Inverness. If this trend is allowed to continue then the medium to long term prosperity of Elgin as a retail destination could be severely undermined. The aim is to reduce leakage by reinforcing and extending the retail floorspace in Elgin and

through better promotion. This should be directed towards appropriate locations in accordance with the sequential approach to sustain the vitality and viability of the town centre. The study highlighted the importance of the Lossie Green area as the preferred location for accommodating expansion of retail floorspace to reinforce the vitality and viability of the town centre as a whole. However, in view of some recent decisions on disposal of land in this area, and in the light of the emerging Flood Alleviation plans, this may not be a sustainable option.

In line with the Donaldson's study recommendation, it is proposed that the Council leads a further detailed study to understand how demand can be accommodated in the context of a) the various site constraints, and the decisions taken on a previous central area project, and b) the recent decision by the Scottish Ministers to grant consent for 85,000 sq ft of comparison goods retailing at the sawmill site, Edgar Road. The Study will determine project viability and deliverability of this key site

### ***PROPOSAL 1: Elgin Town Centre Feasibility Study***

***The Moray Council (and partners) will carry out a study to consider potential areas within Elgin town centre and the feasibility of their development for retail and associated commercial and civic uses.***

The secondary centres of Forres, Buckie, Lossiemouth and Keith also need to have well defined, complementary roles in the retail hierarchy, recognising their potential and capacity for future growth. Convenience retailing will continue to have a key role in supporting the viability of these centres as retail destinations aimed at meeting the needs of the local catchment population and tourists in the area. The area of focus for these centres is on defining and reinforcing their unique retail offer, supported by the quality of their environment and initiatives with local businesses.

### **Transport and Accessibility**

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An efficient transport network which provides links within Moray and connects it to external markets is essential for long term economic and social prosperity. It needs efficient road and rail links both out of Moray, and internally, focussed on Elgin where most business and social facilities are concentrated. This is in a context where national investment in major transport infrastructure, local authority capital expenditure on transport and the use of public transport have all been subject to decline.

There are significant recent changes affecting the organisation of Scotland's transport assets. Seven new regional transport partnerships were established in December 2005. Moray Council is a partner in the Highlands and Islands Regional Transport Partnership. "Transport Scotland" is the new public agency responsible for overseeing the safe and efficient running of Scotland's trunk roads and rail networks and establishing a national concessionary travel scheme. There is now a requirement for Regional Transport Strategies to be prepared, in addition to Local Transport Strategies already provided by local authorities.

The national planning policy on transport is set out in SPP17 "Planning for Transport" and seeks an integrated approach to land use, economic development and transport, helping to reduce the need to travel and promoting public transport, cycling and walking.

The markets for Moray products are worldwide. Whisky, food processing, primary production and manufacturing all require good links by road, rail, air and sea. The European Commission recognises the need to provide strategic transport links across Europe and it has identified the A96, and the A9; the Aberdeen/Inverness rail line and its connections to the Central Belt; and the airports at Inverness and Aberdeen all as part of the Trans European Network.

Trunk roads, the strategic road network linking the main towns and cities in Scotland are the responsibility of The Scottish Executive. In Moray the present trunk road network consists of the A96 to Inverness and Aberdeen (linking to the A9 and A90 respectively) and the A95 from Keith to Aviemore. The long term aim for trunk roads is to improve capacity and safety. This would support the need to dual the A96, particularly from Inverness Airport to Fochabers. It is, however, recognised that in the short term, emphasis will be on improving route capacity and safety by providing additional overtaking opportunities.

The National Planning Framework states that “place” competitiveness relies heavily on adequate investment in infrastructure, including transport and communication networks. It also recognises the A96 and A9 as Strategic routes and the need to bring Aberdeen and Inverness “closer” to each other to strengthen the area’s economy. Despite their national importance, there has been insufficient investment in these core routes. Within Moray the priorities for by-passing are, Fochabers/Mosstodloch, Elgin and Keith. They would offer increased journey reliability, as well as safety and environmental benefits to the communities involved. Moray Council has lobbied the Scottish Parliament in the past for investment on the trunk roads and will continue to do so with its partners in the Highlands and islands Regional Transport Partnership. The Council will take the opportunity to support the case for A96 road improvements through the joint HI Regional Transport Partnership/Nestrans/Scottish Executive A96 Corridor Study. However, at present there is no Scottish Executive commitment for bypasses for Elgin and Keith, or for dualling the A96 from Inverness Airport to Fochabers. The Scottish Executive has a six point plan, published in 1988, for the A96 which the Council and HIE Moray consider to be out of date in terms of meeting Moray’s economic and social challenges.

The Moray Council is responsible for routes other than trunk roads. While it is important to maintain good access between all settlements and the rural areas, strategically Moray would particularly benefit from improvements to the A941, from Lossiemouth/Elgin to the A95 trunk road at Craigellachie, linking the Elgin area to the A9 and the south. The A98, which was previously classed as a trunk road, provides an important strategic link along the coast of Moray into North Aberdeenshire.

Freight to and from Moray will be encouraged by promoting road and rail line upgrades and by retaining the key rail head facilities at Forres, Elgin and Keith, and the commercial harbour facilities at Burghead and Buckie. The Moray harbours offer the opportunity to diversify into tourism and to promote shorter cargo journeys to offset the decline in the fishing industry. The harbours require ongoing dredging operations to ensure vessel access is maintained.

The railway between Aberdeen and Inverness which traverses Moray has been identified, along with the routes south, on the Trans European Rail Network. It is important for both passengers and freight that the existing network is enhanced. In particular, reducing the amount of single line operation and upgrading bridges and tunnels to accommodate the latest freight initiatives

on the lines should be seen as priorities. A study of rail passenger usage on this line shows a growth of 13% between 1999 and 2004. Currently, the Council is joint-funding a study into the necessary improvements to the Aberdeen-Inverness railway line with a view to reducing journey times, and increasing the frequency of service. The benefits of improved rail freight facilities are recognised with whisky and timber both suitable for rail transport. In October 2005 the Scottish Executive agreed to proceed with an infrastructure project to make the route between Elgin, Aberdeen and Mossend accessible to trains conveying large inter-modal containers, which could potentially remove large numbers of lorries from the roads to the south with consequent safety and environmental benefits. The project is estimated to be completed by summer 2007.

Developments in urban areas are sometimes unable to provide adequate parking provision due to the nature of the building or site. Local Plans will provide detailed guidance on parking standards. Overnight parking facilities for heavy goods vehicles in the primary and secondary centres needs to be investigated as part of a possible Freight Quality Partnership Initiative

Public transport (air, road and rail) is vital to those without access to a car (approximately 25% of Moray households) to maintain their business and social needs and quality of life. The Council requires to work in partnership to help deliver reliable public transport services within the scope of its available resources. The planning process can help in this by seeking to ensure that necessary land and infrastructure is safeguarded for public transport. There have been a number of positive improvements in public transport including new buses, increased service frequencies and CCTV at Elgin bus station. Public transport facilities at the main settlements require further improvements. Inverness and Aberdeen airports have increased the number of destinations on their route networks. It is important that the transport networks between Moray and the airports are upgraded.

Significant progress has been made with "safer routes to school" initiatives that support and encourage cycling and walking. New shared-use cycle routes have been constructed. The focus of future efforts to increase the level of walking and cycling will be in and around the primary and secondary centres. The Council maintains that the Scottish Executive should, as a Trunk Roads Authority committed to sustainable transport, install a cycle track between Elgin and Lhanbryde in the A96 corridor.

#### **PROPOSAL 2: TRANSPORT NETWORK IMPROVEMENTS**

*The Moray Council and Highlands and Islands Enterprise Moray, in liaison with HI Regional Transport Partnership and Transport Scotland, will consider the costs, benefits and programming opportunities for the transport improvements proposed in Schedule 3.*



Infrastructure Type	Route/Area	Measure	Situation/Mechanism
Harbour Facilities	Moray Firth	Buckie and Burghead	Local Authority working with Harbour Authority and HIE (Moray) to undertake studies
Cycling and Walking	Moray	Main towns, Local Access Routes, and Long Distance Routes	Local Authority working with schools, community groups and landowners as part of the SRTS and Access Strategies
	A96	Elgin - Lhanbryde –Mosstodloch cycle track	Local Authority will encourage Transport Scotland to implement cycle track
Parking	Moray	Appropriate parking at new developments. Improved lorry parking and park and ride options.	Local authority to introduce maximum parking standards. Parking studies to investigate options for lorry parking and parking at or near transport interchanges.

## Community Facilities, Sport and Recreation

NPPG 11 on Sport, Physical Recreation and Open Spaces provides national planning policy on the landuse implications of sport and physical recreation and the protection and enhancement of open space.

The Council is seeking to develop its strategic approach to the provision of community, sports and leisure facilities. This includes the Healthy Living Programme and the Schools Public Private Partnership. The Local Plan will identify sites for protection and enhancement, as well as for new provision. In particular, recreational and amenity open space will be protected from development. To meet the targets set out in Sport 21, the national strategy for sport, the Council will require to increase sports facility provision. The Council aims to provide adequate facilities but many are operating at or above capacity.

The Land Reform (Scotland) Act 2003 established a legal right of responsible access. To complement this the Moray Local Access Development Plan has been prepared with over 100km of paths having been improved throughout Moray. The Council will seek to establish management agreements to enhance access to the countryside. Similarly, the Council has promoted the development of foot and cycle routes including the Speyside Way, Moray Coast Trail, the Aberdeen to Inverness Cycle Route and the Moray Paths Network.

## POLICY 1: DEVELOPMENT AND COMMUNITY

The policy set out below identifies the strategic community development requirements for the delivery of the structure plan strategy-

The Moray Structure Plan Strategy will be supported by:

- a) the identification within the local plan of the business and industrial land allowances set out in Schedule 1 and the provision of strategic business locations at Elgin and Forres Enterprise Park and business park opportunities at Buckie, Keith and Lossiemouth;
- b) the encouragement of tourism development opportunities;
- c) the identification within the local plan of the housing allowances set out within Schedule 2;
- d) the provision of affordable housing in association with new housing development where a demand is identified in the Local Housing Strategy;
- e) the encouragement of low impact, well-designed development in the countryside to support local communities and rural businesses;
- f) sustaining the vitality and viability of town centres through the support of opportunities and proposals for retail and commercial development in accordance with the sequential approach;
- g) promotion of the strategic transport links as set out in Proposal 2.
- h) the protection and enhancement and new provision of facilities for community use, healthcare, sport and recreation.
- i) the inclusion within Local Plans of a policy requiring appropriate developer contributions towards healthcare and other community facilities.

## 4. ENVIRONMENT & RESOURCES

The Structure Plan needs to balance the protection and conservation of the environment with the need to support and develop the economy and provide recreational opportunities. Moray has a diverse, high quality and perhaps unique environment and the strategy seeks to safeguard and enhance the high quality of both its natural and built environment assets. This can be achieved by protecting the most valued elements and by ensuring that development respects the qualities of the wider environment.

Government guidance on the environment is set out for the Natural Heritage (NPPG14), Archaeology (NPPG5), Flooding (SPP7) and Waste Management (NPPG10), Minerals (NPP4), Renewable Energy (NPPG6), Coastal Planning (NPPG13), and Historic Environment (NPPG18).

### Natural Environment

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National Policy seeks to conserve, safeguards and where possible enhance;

- native species, habitats and ecosystems
- geological and physiographical features
- the natural beauty and amenity of the countryside
- the opportunities for recreation and enjoyment

The diversity of coastline, farmland, woodland, moorland, mountains and river valleys forms a rich variety of landscapes and natural habitats throughout Moray. International, national and local nature conservation and landscape designations cover a large proportion of the area.

The Cairngorms National Park, officially opened on the 1st September 2003, and is Scotland's second National Park and the largest in the United Kingdom. The Cairngorms National Park Authority is responsible for preparing a Park wide Local Plan and a National Park Plan. The Park Local Plan will require to conform to this Structure Plan until new legislation removes/ confirms Structure Plans for city regions only. The National Park Authority has the power to call in for its own determination any planning applications which raise a planning issue of general significance to the aims of the National Park.

Further guidance on strategic issues will be set out in the National Park Plan and a framework for development control decisions set out in the National Park Local Plan. The National Park also provides gateway opportunities for investment within Moray. Moray also contains part of the Cairngorms National Nature Reserve.

Sites of Special Scientific Interest (SSSI) are sites of key nature conservation and wildlife importance. There are 43 SSSIs in the Moray structure planning area.

Development proposals within national designations will only be supported where the objective of the designation and integrity of the area will not be compromised and social and economic benefits clearly outweigh adverse effects.

The quality of the nature conservation assets of the Moray planning area has been recognised at the European level through the designation of the Cairngorms National Nature Reserve, Special Protection Areas (SPAs) and Special Areas of Conservation (SACs). The Habitats Directive (which complements the Birds Directive of 1979) was adopted in May 1992 and aims to protect the diversity of wildlife in Europe through the designation of a series of SACs. Together SACs and SPAs form a network of internationally important sites within the European Union, known as Natura 2000. Under the guidance of NPPG14, any development which may adversely affect the conservation interests of a Natura 2000 designation will only be permitted where there is no alternative solution and there are imperative reasons of overriding public interest.

In addition to sites which enjoy national statutory protection, there are local sites important to nature conservation. These include the non-statutory Spey Bay Nature Reserve, the Local Nature Reserve at Findhorn Bay, Sites of Interest to Natural Science, Wildlife sites and Biodiversity Action Plan areas.

The Nature Conservation (Scotland) Act 2004 introduced a statutory duty for public bodies to have regard to biodiversity interests. The Council is a partner in the North East Scotland Local Biodiversity Action Plan Project which promotes and implements Action Plans for a range of nationally and locally important habitats and species.

The range of landscape character in Moray forms a distinctive environment for people to live and work in and for people to visit. While all landscapes in the area have value for many people, certain areas have been designated as being of particular scenic quality.

While sound location, design and siting principles must be followed in all areas to ensure acceptable integration of development into the landscape, Moray contains a number of Areas of Great Landscape Value (AGLVs) and the Cairngorms National Scenic Area. Within these designations, priority must be given to scenic quality and any development proposals will require to incorporate best principles of siting and design.

Development likely to have a significant effect on the qualifying interests of a Natura 2000 site will be subject to an appropriate assessment, to ascertain whether there will be adverse effects on the integrity of the site. Where an assessment is unable to conclude that a development will not adversely affect the integrity of the site, development will only be permitted where

(a) there are no alternative solutions; and

(b) there are imperative reasons of overriding public interest. These can be of a social or economic nature except where the site has been designated for a European priority habitat or species. Consent can only be issued in such cases where the reasons for overriding public interest relate to human health, public safety, beneficial consequences of primary importance for the environment or other reasons subject to the opinion of the European Commission (via Scottish Ministers).

The coast is a valuable resource in Moray in terms of its landscape, nature conservation, recreation and tourism benefits. It is also a fragile resource that faces a range of development pressures. National Guidance (NPPG13 'Coastal Planning') requires general protection policies to be set out within Structure Plans on isolated, undeveloped and developed areas of the coastline. Within Moray there are no areas which fit the definition of isolated coastline. Therefore, the coastal area should be safeguarded from inappropriate development through the identification of a Coastal Protection Zone.

The towns and villages of Moray have grown significantly. The use of settlement boundaries maintains a clear distinction between the built up area and the countryside beyond. Inevitably the primary and secondary centres of Elgin, Forres, Lossiemouth, Buckie and Keith are subject to the highest development pressures and around each of these towns, it is appropriate to exercise control to limit development sprawl. "Countryside Around Towns" (CAT's) will be identified in the Moray Local Plan to prevent development sprawl into the countryside.

## **Built Environment**

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Moray has a rich and varied history of human habitation. The area's built heritage includes 2681 archaeological sites, 79 scheduled monuments, 1665 listed buildings, 17 conservation areas, 7 Historic Gardens and Designed Landscapes, townscapes and vernacular (local) buildings. Collectively, this heritage contributes greatly to the Moray character and provides a sense of place. The educational, tourist and recreational value of this heritage is undoubted and the quality of life is greatly enhanced by it.

The conservation, enhancement and promotion of Moray's built heritage is therefore important. In particular, this will mean safeguarding listed buildings, ancient monuments, archaeology and designed landscapes and to retaining buildings, townscapes and artefacts which are part of Moray's character and identity.

As part of this process it will be important to maintain a programme of improvement schemes in partnership with other funding bodies to tackle the worst areas in Moray's built environment which are subject to dereliction, vandalism or contamination, giving particular attention to community regeneration.

## **Environmental Protection**

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NPPG10 on "Planning and Waste Management" states that Plans should include land use policies for waste management within a strategic planning framework. The Environmental Protection Act 1990 established three separate waste management functions – waste collection, waste disposal and waste regulation. Under the provisions of the Environment Act 1995 the Scottish Environment Protection Agency was vested with the preparation of a National Waste Strategy for Scotland which was published in December 1999, and the National Waste Plan, published in February 2003, forms the keystone in the implementation of the National Waste Strategy. The subsequent Area Waste Plan, published in March 2003, forms part of the National Waste Strategy and sets out the proposals for providing a framework for sustainable waste management.

The North East and Highland Area Waste Plans set out the best practicable environmental option for the management of the area's Municipal Solid Waste. This calls for:

- Preventing waste generation at source
- Increasing segregated kerbside collection of recyclable and compostable materials
- More "bring" centres and provision of materials recovery facilities
- Introduction of home composting and expansion of small-scale community composting
- Energy-from-waste (EFW) or other recovery/treatment technologies (in the longer term)
- An end to the landfilling of unsorted waste by 2010.

The strategic approach to waste management in Moray is to safeguard the natural and built environment and to support a move to sustainable waste management. The Local Plans will identify locations for those waste Treatment facilities identified in the Area Waste Plans and provide locational guidance for other waste management facilities.

The North of Scotland Strategic Options Review group consisting of Highland, Moray, Aberdeen City and Aberdeenshire Councils was formed to develop a Strategic Options Case and subsequently an Outline Business Case for the treatment and disposal of residual municipal solid waste by January 2006. This will identify options for joint procurement of strategic waste management facilities and appropriate technologies that will deliver the Best Practicable Environmental Option for disposing of municipal solid waste and meet the landfill directive's statutory targets restricting the amount of Biodegradable Municipal Waste to landfill.

The responsibility for treatment of wastewater now rests with Scottish Water and they are required to implement the EC Directive on Urban Wastewater Treatment. The Council supports measures to reduce the level of polluted water discharged into watercourses and into the sea. Two major wastewater treatment works have been built over the past 5 years to serve Moray East and Moray West.

To better manage the effect of development on water collection systems, the Plan encourages the use of sustainable urban drainage systems (SUDS) in all new developments for dealing with surface water run-off.

Parts of Moray suffered extensive flood damage in 1997 and 2002. Damage to land and buildings and surrounding farmland was significant. There is a recorded history of flooding dating as far back as 1710. Recent rainfall trends in Scotland are rising and current rainfall totals are the highest in the historical record. Flooding events are increasingly difficult to predict and this reinforces the need for a precautionary approach.

The powers under the Flood Prevention (Scotland) Act 1961 were extended in May and July 1997 by new duties contained within the Flood Prevention and Land Drainage (Scotland) Act 1997. The Act places a duty on local authorities to inspect watercourses and assess the likelihood of flooding of non-agricultural land. The Act also empowers a local authority to improve, alter and reinstate a watercourse under a Flood Prevention Scheme authorised by Scottish Ministers. Scottish Planning Policy 7 'Planning and Flooding' requires that flood risk is taken properly into account in planning for new development. It also requires that built development should not take place on functional flood plains and new development should therefore be located outwith areas at risk of flooding. The table below summarises the Flood Risk Framework set out in SPP7. The Framework characterises areas for planning purposes by their annual probability of flooding and gives the planning response;

**Table 5** Flood Risk Framework (extract from SPP7 Planning and Flooding)

Little or no risk area (less than 0.1%(1:1000))- no general constraints  
Low to medium risk area (0.1% to 0.5% (1:1000-1:200))- suitable for most development but not essential civil infrastructure.  
Medium to high risk areas (0.5% (1:200)) or greater- in built up areas with flood prevention measures most brownfield development should be acceptable except for essential civil infrastructure; undeveloped and sparsely developed areas are generally not suited for most development.

Under the 1995 Environment Act, the Scottish Environment Protection Agency (SEPA) now has the responsibility of assessing, as far as it considers appropriate, flood risk based upon the information available.

The Council has approved programmes for flood alleviation schemes for Elgin, Forres (, Burn of Mosset, River Findhorn and Pilmuir) and Rothes. The flood alleviation scheme at Llanbryde is now operational. The projected start dates for the currently programmed Flood Alleviation Schemes are set out in Table 5 below.

**Table 6** Indicative Programme of Flood Alleviation Schemes

<b>Flood Alleviation Schemes</b>	<b>Projected Start date</b>
Burn of Mosset	Feb 2007
River Findhorn	April 2008
Pilmuir	April 2008
Elgin	August 2008
Rothes	January 2008

Until their completion the Council will adopt a cautious approach in its planning policy based on managing the threat from flooding and requiring thorough flood assessments for development proposals in risk areas. It is important that flood relief schemes are designed to be as sensitive as possible utilising natural ecosystems and features where possible and building in wetland habitat creation.

The Water Environment and Water Services (Scotland) Act 2003 places a duty on the Council as a "responsible authority" to promote sustainable flood management and achieve sustainable development.

The 'Flood Liaison and Appraisal Groups' being set up in line with national guidance are seen as a mechanism for achieving wider co-ordination, and for sharing up-to-date practices, knowledge and concerns, and to offer advice on flooding issues.

The town and country planning system and statutory environmental protection regimes are separate and complementary. It is important for the Development Plan to provide an appropriate policy context for controlling matters such as contaminated land, and other forms of pollution such as air, water, and noise pollution. As part of the control process the precautionary principle will apply in the consideration of new development.

## Environmental Resources

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Renewable energy can be in several forms such as wind, hydro, solar, geothermics and biomass. It offers a new technology approach to power provision and brings several benefits including a reduction in the consumption of non-renewable resources. National Planning Policy Guideline 6 on Renewable Energy and Planning Advice Note 45 on Renewable Energy Technologies state that the Development Plan should make positive provision for renewable energy development where it is compatible with other environmental interests. The United Kingdom target for renewable sources is 10 per cent of electricity consumption by 2010. The Scottish Executive have set a target of 40% of electricity generation from renewables by 2020. The Council are committed to preparing a Renewable Energy Strategy to be published in 2006 to set out the Council's proposals for contributing towards the Executive's target.

Moray offers the potential for various forms of renewable energy. Three major wind farms consisting of groups of wind turbines are approved and together will generate up to 175MW. However, wind farms can visually impact on the environment. Therefore, a detailed survey to identify search areas has been undertaken, and is presented within the supplementary planning guidance on wind energy.

There are also potential opportunities to develop medium/small scale biomass (energy) plants to take advantage of the locally available wood resource. Detailed investigation of this opportunity and other practical renewables sources will be undertaken by the Council in the preparation of its strategy.

While the overall aim is to foster the growth of Moray's indigenous industries, a balance has to be struck between development potential and extraction of finite supplies of natural resources, such as prime quality farmland, land best suited to commercial forestry, mineral deposits, and quality water supplies for distilleries.

The National Planning Guidance relating to mineral extraction is contained within SPP4: Planning for Minerals. In line with this advice, Structure Plans are encouraged to:

- Ensure that development does not result in the sterilisation of workable mineral reserves.
- Define 'Preferred Areas' for mineral extraction.
- Define areas of environmental significance where mineral extraction would prove difficult.

Scottish planning policy states that planning authorities should make available a minimum of a 10 year supply of construction aggregates. The estimated supply in Moray at present is 10 years for sand and gravel and 25 years for crushed rock. There are also significant reserves available through potential extensions to existing workings.

Prime quality land is a limited resource. It is therefore in the long term interests of the agriculture industry to seek to minimise the use of prime quality land for irreversible development.

Although forestry is not subject to planning control, the Council are consulted by the Forestry Commission on a limited range of new planting proposals. This is an attempt to ensure that large scale forestry is balanced against the need to protect landscape and nature conservation resources. The Council will use its approved Forestry Strategy as a basis for consultation.

There will be a presumption against development which is likely to sterilise significant workable reserves of mineral resources, prime quality farmland and preferred areas for forestry planting.

## POLICY 2: ENVIRONMENT AND RESOURCES

The Moray Structure Plan Strategy will be supported by: -

- a) protecting international, national and local nature conservation and scenic designations from inappropriate development;
- b) protecting the wider natural environment and local biodiversity from inappropriate development and promote opportunities for environmental enhancement and restoration where possible;
- c) Working in partnership with the Cairngorms National Park Authority and other interested parties to implement the objectives of the National Park.
- d) restricting development within coastal areas outwith settlements to only that in which social and economic benefits outweigh environmental impact;
- e) providing protection from development to the countryside around the towns of Elgin, Buckie, Keith, Forres and Lossiemouth;
- f) conserving and enhancing the areas built heritage resources and their settings.
- g) supporting proposals aimed at regenerating the area's natural and built environment including good design;
- h) providing waste management facilities to deliver Area Waste Plan and National Waste Plan objectives and ensuring that new development is designed to facilitate sustainable waste management practices and promotes the minimisation of waste;
- i) promoting sustainable urban drainage systems(SUDS) in all new developments;
- j) promoting schemes to alleviate flooding in a sustainable and sensitive way using natural ecosystems and features where possible and also restricting development within flood risk areas following the guidance set out in the Risk Framework in SPP7: 'Planning and Flooding' and promoting flood risk management schemes to tackle flooding that threatens existing development and considering development proposals against the Flood Risk Framework set out in Table 5.
- k) safeguarding the area from pollution and contamination,
- l) promoting opportunities for the sensitive development of renewable energy and promoting renewable energy in new development.
- m) safeguarding resources for the production of minerals, preferred forestry areas, and prime quality agricultural land.

## 5. IMPLEMENTATION

The Structure Plan strategy will only be achieved if the policies are translated into action. The Structure Plan strategy and policies provide strategic guidance for the detailed policies in the Local Plan. The Structure Plan will primarily be implemented through the development control policies of the Council and National Park Authority. This will include the need to promote sensitive design achieved through mechanisms such as flooding, environmental, retail and transport impact assessments taking account of the impact of additional residential development on the A96 trunk road.

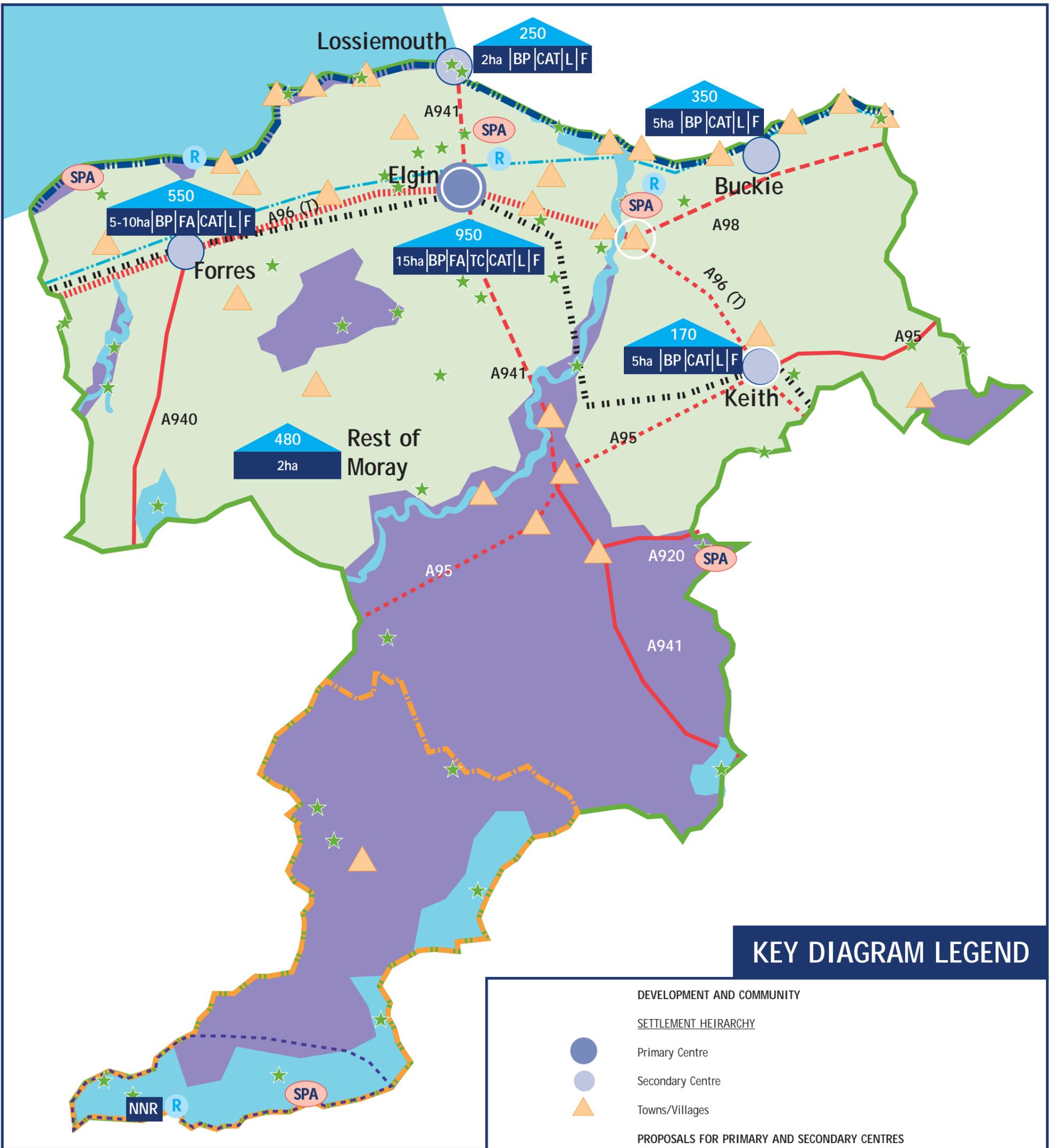
There is also a requirement for other Council services and external organisations to progress their plans and projects in support of the Structure Plan.

## 6. MONITORING

There is a legal requirement for the Council to monitor and review the Development Plan to identify the extent to which the Plan is being implemented and the effectiveness of its policies and strategy. The assumptions and forecasts which underpin the Plan will also require regular assessment to detect any fundamental changes which may impact upon the policies and strategy of the Plan. To meet this requirement the Council proposes to prepare a monitoring report for the Development Plan every two years.

The forthcoming changes in the planning system mean that there is unlikely to be a requirement to prepare a Structure Plan for Moray in future. The strategic guidance set out in this Plan will be reviewed and incorporated into a future review of the Moray Local Plan.





## KEY DIAGRAM LEGEND

- |                                  |  |  |   |
|----------------------------------|--|--|---|
| <b>ENVIRONMENT AND RESOURCES</b> |  | <b>DEVELOPMENT AND COMMUNITY</b>                   |   |
|                                  | Special Protection Area (Policy 2a)              | <b>SETTLEMENT HIERARCHY</b>                        |   |
|                                  | Special Area of Conservation (Policy 2a)         |  | Primary Centre  |
|                                  | Ramsar Site (Policy 2a)                          |  | Secondary Centre  |
|                                  | Area of Great Landscape Value (AGLV) (Policy 2b) |  | Towns/Villages  |
|                                  | Sites of Special Scientific Interest (Policy 2a) | <b>PROPOSALS FOR PRIMARY AND SECONDARY CENTRES</b> |   |
|                                  | Countryside Around Towns (Policy 2e)             |  | Housing Allowances - up to 2012 (Policy 1(c))               |
|                                  | Coastal Protection Zone (Policy 2d)              |  | Industrial Land Allowances up to 2012 (Policy 1(a))         |
|                                  | Flood Alleviation Scheme proposed                |  | Long Term Housing (Indicative) - beyond 2012 (Policy 1(c))  |
|                                  | National Nature Reserve                          |  | Business park (Policy 1(a))                                 |
|                                  | National Scenic Area                             |  | Proposed TC retailing feasibility study (Proposal 1)        |
|                                  | Cairngorms National Park area within Moray       |  | Road Improvement (Policy 1(g) and Proposal 2)               |
|                                  |  |  | Upgrading to Dual Carrigeway (Policy 1(g) and Proposal 2)   |
|                                  |  |  | Trunk Road Improvements (Policy 1(g) and Proposal 2)        |
|                                  |  |  | Proposed By Pass (Policy 1(g) and Proposal 2)               |
|                                  |  |  | Rail Network (Policy 1(g) and Proposal 2)                   |
|                                  |  |  | Aberdeen/Inverness Cycle Route (Policy 1(g) and Proposal 2) |