



**REPORT TO: PLANNING AND REGULATORY SERVICES COMMITTEE ON
13 NOVEMBER 2018**

**SUBJECT: 18/01190/PAN – PROPOSAL OF APPLICATION NOTICE FOR
RESIDENTIAL DEVELOPMENT AND ASSOCIATED
INFRASTRUCTURE AT ST ANDREW’S ROAD, LHANBRYDE**

**BY: CORPORATE DIRECTOR (ECONOMIC DEVELOPMENT,
PLANNING AND INFRASTRUCTURE)**

1. REASON FOR REPORT

- 1.1 To inform the Committee that a Proposal of Application Notice (PAN) was submitted on 6 September 2018 by Springfield Properties PLC.
- 1.2 This report is submitted to Committee in terms of Section III (E) (1) of the Council’s Scheme of Administration relating to exercising the statutory functions of the Council as a Planning Authority.

2. RECOMMENDATION

2.1 It is recommended that:

- (i) in noting the terms of this report, the Committee advise upon any provisional views/relevant issues that Members of this Committee (or any other Member(s) of the Council) wish to raise about the proposed development so that these matters can be recorded and thereafter fed back to the prospective applicant in order to inform the development of their proposed formal application for planning permission; and
- (ii) the matters raised by the Committee also be forwarded to consultees likely to be involved in any formal application for planning permission for the proposal.

3. BACKGROUND

- 3.1 Scottish Government has published guidance which encourages Elected Members to highlight any issues with a proposed development at the pre-application stage which they would wish to see taken into account within any formal application for planning permission.
- 3.2 Following consideration by this Committee on 11 November 2014 it was agreed that any PAN received after this date would be reported to Committee to give Members of the Committee, and the Council, the opportunity to identify any key issues/provisional views about the proposed development and that these matters be reported back to the applicant (paragraph 4 of the Minute refers).
- 3.3 This current report is not about the merits of the proposed development but rather, based on local knowledge of local issues and wider concerns, etc. Members are invited to identify any matters relevant to the proposal. These will be reported back to the prospective applicant for their information and attention, and to inform the development of the proposed application. It is also proposed that, for information, Members' comments be forwarded to consultees likely to be involved in any formal application for planning permission for the proposal.
- 3.4 As described, this PAN relates to a proposal for a residential development with associated infrastructure. No information has been provided in regard to the proposed number and mix of residential units, nor has any information been provided in respect of the design and site layout arrangements.
- 3.5 The site is located to the west of Lhanbryde (as shown in **Appendix 1**), currently comprising an area of farmland between St Andrew's Road to the north and the A96 Trunk Road to the south. The western roundabout of the Lhanbryde by-pass is to the west of the site and existing residential properties are located to the east. It is located within the settlement boundary of Lhanbryde (as defined in the Moray Local Development Plan (MLDP) 2015).
- 3.6 The site is designated as "Lhanbryde R1 West of St Andrews Road", a 6.8ha site with an indicative capacity of 65 houses. Policy H1 advises that capacity figures are indicative and actual proposed capacity will be considered against the characteristics of the site and conformity with Policies PP3 (Placemaking), H8 (Affordable Housing) and IMP1 (Development Requirements). In practice, a number of relevant and/or related policies and other material considerations (including Supplementary Guidance) will also apply and inform the development, including its formal determination. This will include consideration of the design and layout of housing, landscaping and infrastructure associated with the development together with the impact of the development upon the built and natural environment. In accordance with Policy IMP3 and the associated Supplementary Guidance, the development will also be subject to assessment for developer obligations.
- 3.7 As shown in **Appendix 2**, the designation contains key design principles which any development on the site should address, including a layout with two

points of access onto and development fronting onto St Andrew's Road; and recreational trails and extended footways through woodland planting (acting as a buffer to enhance containment of the site and screen it from the A96). In addition to this, the designation requires transport, archaeological, ecological and flood risk assessments to be undertaken to inform and support any development of the site. Due to the nature of the proposal, it is expected that any application would also be accompanied by a Drainage Impact Assessment.

- 3.8 Whilst no route and detailed design has been decided by Scottish Ministers, the site may be affected by options to dual the A96 trunk road.
- 3.9 Planning permission is required for this proposal. Relative to the current Hierarchy Regulations and based upon development of 50 or more units and/or a site area greater than 2.0 ha, the proposal would comprise a major development for planning purposes. As such, the proposal will be subject to PAN and pre-application consultation procedures with the local community. The applicant has been advised of the Council's pre-application advice service to assist in identifying key issues and information that would be expected to accompany any formal application.
- 3.10 A formal response has been issued to the applicant's agent to confirm that the proposed arrangements for engaging with the local community are sufficient. The applicant proposes to consult with, and has already served a copy of the PAN upon, Innes Community Council. In this case, the applicant's agent has been advised that no additional parties require to be notified with a copy of the PAN. The applicant has been advised that if the Community Council invites the applicant to attend their meeting to discuss their proposal then they should agree to any such request.
- 3.11 The PAN advises that a public exhibition and drop in event will be held at Lhanbryde Community Centre on 15 November 2018. The event requires to be advertised locally in advance (within the local press) and allow an opportunity for feedback upon the proposal. For validation purposes for a major application, the applicant is required to submit a pre-application consultation report setting out the steps taken to consult with the local community together with details of comments made on the proposal and how the applicant has responded to all comments made on the proposal in the development of the application.

4. SUMMARY OF IMPLICATIONS

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

Identifying key issues at an early stage to assist with front loading major planning applications is a vital aspect of supporting and facilitating the Council's priority for economic development in Moray.

- (b) Policy and Legal**
Scottish Government guidance on the role of Councillors in pre-application procedures affords Elected Members the opportunity to offer general provisional views on forthcoming developments which are the subject of a PAN where the details of the development have yet to be finalised.
- (c) Financial implications**
None.
- (d) Risk Implications**
None.
- (e) Staffing Implications**
None.
- (f) Property**
None.
- (g) Equalities/Socio Economic Impact**
None.
- (h) Consultations**
The Corporate Director (Economic Development Planning & Infrastructure), the Head of Development Services, Legal Services Manager (Property and Contracts), Manager (Development Management), the Equal Opportunities Officer, Gary Templeton (Principal Planning Officer), and Lissa Rowan (Committee Services Officer) have been consulted, and comments received have been incorporated into the report.

Members of Moray Council who are not on the Planning & Regulatory Services Committee have also been consulted and any views received on the proposal will be made known at the meeting.

5. CONCLUSION

- 5.1 The Council has received a PAN intimating that a formal application for planning permission will be submitted for a major development proposal, in this case for permission for a residential development with associated infrastructure on land at St Andrews Road Lhanbryde. The Committee (and any other Member(s) of the Council) are asked to identify any provisional views/relevant issues which they would wish to see taken into account and inform the development of the proposal.**

Author of Report: Andrew Miller, Planning Officer

Background Papers: Proposal of Application Notice as received including Appendix 1

Ref: 18/01190/PAN