



**REPORT TO: PLANNING AND REGULATORY SERVICES COMMITTEE ON
18 SEPTEMBER 2018**

**SUBJECT: 18/01083/PAN – PROPOSAL OF APPLICATION NOTICE
PROPOSED RESIDENTIAL DEVELOPMENT WITH ASSOCIATED
ROADS, INFRASTRUCTURE, LANDSCAPING AND BOUNDARY
TREATMENT AT SITE R1, GRANTOWN ROAD, KNOCKOMIE,
FORRES**

**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 received on 13 August 2018 on behalf of Tulloch Homes Limited, Stoneyfield Business Park, Inverness.
- 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 be forwarded also 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 PANs 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 be taken into consideration when preparing any future planning 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 The PAN relates to the proposed residential development and associated roads, infrastructure, landscaping and boundary treatment on the Forres R1 Knockomie (South) site, as identified in the Moray Local Development Plan (MLDP) (2015). It also takes in an additional parcel of land that is not subject to any formal designation (i.e. white land) within the northwest corner, to the west of R1 which is within the settlement boundary. Overall, the site extends to approximately 7.5 ha in total and is currently farmland. No design details or site layout arrangements have been provided at this stage. A plan is appended showing the location and extent of the proposed site (**Appendix 1**). The site is located to the south west of Forres, and is bounded to the north by housing, the A940 Grantown Road and housing to the east, Knockomie Hotel to the west, Whiterow Farm to the southwest and woodland/farmland to the south.
- 3.5 The Forres R1 designation within the MDLP 2015 identifies the site as being suitable for a maximum capacity for 85 houses of medium to low density housing within a 6.7 hectares site. The designation highlights various matters that any future development proposal(s) will need to consider. These include retention of existing trees on the site and planting of an avenue of feature trees along the Grantown Road frontage; the setting of the 'B' listed Knockomie Hotel requires to be safeguarded by retaining an open aspect east of the hotel; houses should present a frontage to Grantown Road (with high wooden fencing unacceptable); and planting of feature trees along the Grantown Road to present an attractive gateway into the town. The designation also requires provision of a Transport Assessment and Noise Impact Assessment to evaluate traffic and potential noise from the hotel on adjacent residential properties. A badger survey will also be required along with a species survey and protection plan. Lastly, the site should incorporate a radial cycle route linking Grantown Road and the minor road at Balnageith.

The additional land within the northwest corner would be subject to assessment against policy H1 Housing Land which allows for new housing on land not designated for housing within settlements subject to provisos, i.e. the proposal does not adversely impact the surrounding environment, adequate servicing/infrastructure is available, the site is not designated for an alternative use and the primary policies are met.

- 3.6 The additional land within the northwest corner would be a “windfall site” within a settlement and as subject to assessment against policy H1 Housing Land which allows for new housing on land not designated for housing within settlements subject to provisos, i.e. the proposal does not adversely impact the surrounding environment, adequate servicing/infrastructure is available, the site is not designated for an alternative use and the primary policies are met.
- 3.7 Relevant to the current Hierarchy Regulations and for residential development on a site which exceeds 2 hectares and for a proposed development of more than 50 houses, the proposal would be a major development for planning purposes. As such, the proposal would be subject to PAN and pre-application consultation with the local community procedures. The applicant’s agent has also 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.
- 3.8 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’s agent has served a copy of the PAN on the Forres Community Council.
- 3.9 As part of their pre-application consultation procedures, the applicant’s agent has already sent a copy of the PAN to the Forres Community Council. The agent has been advised that the Forres Area Forum, Forres Community Woodlands Trust and Forres Footpaths Trust should also be consulted. A public exhibition will be held at a venue local to the site, with date and place to be confirmed along with a subsequent drop-in event to allow one-to-one discussion and an offer to present the proposal to the local Community Council. The proposed event will require to be advertised locally prior to the event 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, 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.
- 3.10 In terms of planning history, the site was the subject of detailed planning application for a 90-house development in 2007 (reference 07/02733/FUL). An appeal against non-determination of this application was lodged in 2008 and subsequently dismissed by the Scottish Government in June 2009.
- 3.11 The site is not subject of any statutory, natural heritage or other cultural heritage designation, except in relation to identified areas of archaeological interest which include various prehistoric features (which were subject of a

previous archaeological evaluation in 2007 in advance of housing development on adjacent land to the east).

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 priorities for economic development and improved placemaking 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, Paul Nevin (Senior Solicitor), 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.

5. CONCLUSION

- 5.1 The Council has received a PAN intimating the intention that a formal application for planning permission will be submitted for a major development proposal, in this case for permission for the proposed residential development and associated roads, infrastructure, landscaping and boundary treatment on the Forres R1 Knockomie (South) Site, Grantown Road, Forres. 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: Richard Smith, Senior Planning Officer

Background Papers:
Ref: