



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

**SUBJECT: 18/01132/PAN – PROPOSAL OF APPLICATION NOTICE FOR
RESIDENTIAL DEVELOPMENT AND ASSOCIATED
INFRASTRUCTURE AT SPEYVIEW, ABERLOUR**

**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 24 August 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 residential development and associated infrastructure. The PAN includes a Location Plan (**Appendix 1**) which defines the extent of the proposed development site. No house design and site layout arrangements etc. for the development are included.
- 3.5 As defined, the site is located on the southern edge but within the settlement boundary of Aberlour (Proposals Map, Aberlour settlement statement, Moray Local Development Plan (MLDP) 2015 refers). The irregular shaped site is bounded by the A95 and existing houses to the west, by Ruthrie Road and existing houses set within mature woodland to the south, by mature woodland to the east and by a field to the north with the existing built-up area of Aberlour beyond.
- 3.6 The site is the subject of a site specific designation within the MLDP 2015 as Aberlour R4, Speyview (**Appendix 2**), a 13.1ha site with an indicative capacity of 100 houses. (Subject to demand, the designation also indicates that there may be an opportunity for modest release for employment land). The PAN does not specify the proposed number of residential units for the site, however, 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. The extent of the designation and provision for employment land may be altered as part of the emerging new local development plan.

- 3.7 From the R4 designation, a detailed design brief will be prepared for the site and reflect the design principles set out in an accompanying plan (**Appendix 2**). A design brief has yet to be adopted for this site however, key points from the designation text and plan are that the development should be progressed in phases of 25 houses; entrance gateways to be provided on the western (A95) and southern (Ruthrie road) boundaries (with employment land located along the latter); dwellings should front onto the road side to reflect the character of the older part of Aberlour; public access routes including footways should create safe and attractive routes; and to reduce the visual impact and prominence of housing, single and one and a half storey houses should be provided (and orientated to take advantage of views and maximise solar gain) together with significant structural landscape planting to be provided on the higher, most exposed high points of the site (within the central part and along the eastern boundary of the site) to provide substantial backdrop, setting, and shelter, and reinforce the containment of the development (**Appendix 2**).
- 3.8 In addition, a flood risk assessment and badger survey may be required. An assessment of surface water drainage is needed to ensure no adverse impact on the River Spey SAC together with requirements for archaeological investigation and a transport assessment. Details of any primary access junction onto the A95 will require to be considered in consultation with Transport Scotland; for development over 100 units, a second vehicular access from the public road network will be required; and prior to commencement of the 50th house (or traffic equivalent from a combined house and employment development) an emergency access will be required at a location to be agreed (potentially onto Ruthrie road) (**Appendix 2**).
- 3.9 Planning permission is required for this proposal. Relative to the current Hierarchy Regulations and based upon a development comprising 50 or more dwellings and a site exceeding 2ha, 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 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.
- 3.10 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, Speyside Community Council. In this case, the applicant's agent has also been advised to issue a copy of the PAN to, and consult with, Aberlour Community Association. The consultation with the Community Council and/or Association should be by invitation to attend the public consultation event and/or by attending, where requested to do so, any

meeting(s) that the Community Council and Community Association may hold to discuss the proposal.

- 3.11 The PAN advises that a drop-in public exhibition event will be held at the Speyside Sports and Community Centre. No details have been provided to confirm the exact date of the event. This will require to be confirmed within any report prepared on the consultation undertaken with the community (see below).
- 3.12 The event requires to be advertised locally in advance 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 and associated infrastructure at Speyview Aberlour. 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.**

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Background Papers: PAN as received including Location Plan (Appendix 1)

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