



**REPORT TO: PLANNING AND REGULATORY SERVICES COMMITTEE ON
24 OCTOBER 2023**

**SUBJECT: 23/01222/PAN PROPOSED RESIDENTIAL DEVELOPMENT WITH
RETAIL UNITS, LANDSCAPING AND ASSOCIATED
INFRASTRUCTURE ON LAND EAST OF BARHILL ROAD,
BUCKIE.**

**BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, ENVIRONMENT AND
FINANCE)**

1. REASON FOR REPORT

- 1.1 To inform the Committee that a Proposal of Application Notice (PAN) was submitted on 27 July 2023 on behalf of 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 the Committee:

- (i) in noting the terms of this report, 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 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 This PAN relates to a proposed residential development, landscaping and associated infrastructure. The number of units proposed has not been stated but in order to be a major application it will be in excess of 50.
- 3.5 The site extends to 6.87ha and is located on open farm land to the east of Barrhill Road in Buckie. This includes part of the Buckie R8 designation (indicative capacity 250 units) and part of the Buckie Long 1. Both these designations in the MLDP include land to the west of Barrhill Road but that does not form part of this proposal. The Buckie South Masterplan has been prepared to cover the long term strategic growth of the south west of the town. A notice of intention to grant consent has been issued following an appeal against the refusal of planning permission (21/01224/APP) for a proposed residential development with retail unit and associated infrastructure on the Buckie R8 site subject to a S.75 legal agreement (in the process of being concluded). The site is identified as prime agricultural land.
- 3.6 The site is on the southern edge of the settlement of Buckie as identified in the MLDP 2020 and the land to south and east is within the Countryside Around Town (CAT) around Buckie. Areas of surface water flooding are identified on the SEPA flood risk maps.
- 3.7 Planning permission is required for this proposal. The proposal is for a housing development of more than 50 units and where the site exceeds 2ha and therefore the proposal is a major development for planning purposes. The proposal will be subject to PAN and pre-application consultation procedures with the local community. The applicant(s) have 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 proposes to consult with Buckie and District 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.
- 3.9 The regulations in relation PAC have changed (The Town and Country Planning (Pre-Application Consultation) (Scotland) Amendment Regulations 2021) refers) to require a minimum of two public events for all PANs submitted after 1 October 2022. The final event is primarily about feedback on the views gathered during PAC. In this case, the PAN advises that public events will be held at The Fishermen's Hall in Buckie on Thursday 17 August and Thursday 14 September 2023. Each 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

Depute Chief Executive (Economy, Environment and Finance), the Head of Economic Growth and Development, the Legal Services Manager, the Development Management and Building Standards Manager, the Equal Opportunities Officer, the Strategic Planning and Delivery Manager, and the Democratic Services Manger have been consulted, and comments received have been incorporated into the report.

Members of Moray Council who are not on this 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 a residential development with retail units, landscaping and associated infrastructure. 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: Lisa MacDonald, Senior Planning Officer
Background Papers: 23/01222/PAN
Ref: