



REPORT TO: PLANNING AND REGULATORY SERVICES COMMITTEE ON 12 MARCH 2024

SUBJECT: 24/00162/PAN – REVISED PROPOSAL FOR THE DEVELOPMENT OF HOUSING ASSOCIATED LANDSCAPE AND INFRASTRUCTURE IN THE AREA IDENTIFIED IN THE BILBOHALL MASTERPLAN AT R2 BILBOHALL, ELGIN

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 30 January 2024 on behalf of Moray Council.
- 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 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 proposal for a housing development plant and associated infrastructure. This is a revision to planning permission (20/00905/APP) which was granted in 2022 for a larger development of 194 units covering the wider Bilbohall Masterplan Area encompassing the Elgin R2, R3 and R7 sites. The current proposal relates only to the Elgin R2 site as identified in the MLDP which has an indicative capacity of 75 units. The proposed number of units is not stated in this PAN but is anticipated to be around 106. All approved and proposed units are social housing.
- 3.5 The application site is identified as Elgin R2 in the MLDP 2020 and forms part of the Bilbohall masterplan area. The site extends to 5.4ha and is located on open land at the south west of Elgin. The site is served by Edgar Road to the east. Elgin High School abuts the site to the south and Greenwards Primary to the east. The Wards Wildlife Site is to the north east. There is an electrical substation to the west. Pockets of surface water flood risk are identified across the site on the SEPA flood Risk Maps.
- 3.6 Planning permission is required for this proposal. The proposal is for a residential development where the site exceeds 2ha and it is anticipated that more than 50 houses will be proposed 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.
- 3.7 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 Elgin 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.

- 3.8 The regulations in relation PAC (The Town and Country Planning (Pre-Application Consultation) (Scotland) Amendment Regulations 2021) refers) now 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 in Elgin at times to be confirmed. 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) Climate Change and Biodiversity Impacts

None

(i) 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 & Delivery Manager, 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 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 permission for revised proposal for the development of housing associated landscape and infrastructure in the area identified in the Bilbohall Masterplan. 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: 24/00162/PAN
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