



**REPORT TO: PLANNING AND REGULATORY SERVICES COMMITTEE ON 9
DECEMBER 2021**

**SUBJECT: 21/01817/PAN - REDEVELOPMENT INCLUDING A NEW
SAWMILL, LOG SORTING LINE ALONG WITH TIMBER YARD AT
JAMES JONES AND SONS LTD. GARMOUTH ROAD
MOSSTODLOCH**

**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 18 November 2021 on behalf of James Jones and Sons Ltd.
- 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.
- 3.5 As described, this PAN relates to an extension to, and re-development of, an existing sawmill site at Garmouth Road, Mosstodloch. The proposed site lies to the immediate north of the existing, long established sawmill site (see location plan at **Appendix 1**) and outwith the settlement boundary of Mosstodloch as designated in the 2020 Adopted Moray Local Development Plan.
- 3.6 The proposed development will comprise new sawmill, log sorting line and timber storage yard; and new access from B9015 road, widening of this road and provision of new shared cycle/foot way alongside. Office and weighbridge facilities are also proposed. Surface water to be drained and treated through three levels of treatment including solids interceptors, SUDS ponds Swales and wetland area with high level overflow proposed to the River Spey for extreme weather events. Landscaped bunding/screening and planting is proposed around the perimeter of the proposed development
- 3.7 Planning permission is required for this proposal. It would be a major development in terms of the current Hierarchy Regulations (development site which exceeds 2 hectares) and would constitute a major development for planning purposes. As such, the proposal will be subject to PAN and pre-application consultation procedures with the local community.
- 3.8 In relation to this requirement for pre- application consultation the Town and Country Planning (Miscellaneous Temporary Modifications) (Coronavirus) (Scotland) Regulations 2020 temporarily suspended the need to hold a public event in relation to PANs from 24 April 2020 provided that the PAN was submitted before the end of the emergency period and that any formal planning application following on from the PAN was lodged within 6 months of the end of the emergency period. There was no statutorily specified alternative to a public event during the emergency period, but it was anticipated that prospective applicants would provide reasonable alternatives, which would include a minimum seven-day period where information could be

inspected and the public could make comments and ask questions to which they should expect to receive a response.

- 3.9 In this case in addition to the information contained in the PAN advising that it was proposed to hold a public drop-in event in Speymouth Hall, Mosstodloch on 9 December 2021 between 1600 hours and 2000 hours to enable the public to view the proposals, give their views and ask question, the applicants agent has advised that the they have now;
- served a copy of the PAN upon the local Community Council, Innes Community Council
 - propose to distribute fliers to all immediate neighbours and households within 200 metres of the site and put up notices in shops/boards around Mosstodloch
 - advertise the public event in the local newspaper (Northern Scot) 7 days before the event.
- 3.10 A formal response is currently being issued to the applicant's agent to confirm that the proposed arrangements for engaging with the local community are sufficient, but highlighting that as some members of the public may have concerns regarding attending a public event at this particular time when COVID19 restrictions are in place, it would be advisable to also provide an online platform for the public to comment on the proposals too.
- 3.11 In order to be valid, any subsequent major application will require to be supported by 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.
- 3.12 Finally the applicants have already engaged in the major application process and pre- application advice has been provided by the Development Management Service.

3 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 & 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 an extension to and re-development at James Jones Sawmill site Mosstodloch. 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: Katherine Donnachie
Planning Officer

Background Papers:
Ref: 21/01817/PAN