



**REPORT TO: PLANNING AND REGULATORY SERVICES COMMITTEE ON
20 AUGUST 2019**

**SUBJECT: 19/00783/PAN – PROPOSAL OF APPLICATION NOTICE FOR
HOUSING DEVELOPMENT OF 75 UNITS AND
NURSING/RETIREMENT HOME AT R1 AND LONG SITE,
HOPEMAN, MORAY**

**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 21 June 2018 on behalf of Tulloch of Cummingston Limited, Tulloch House, Forsyth Street, Hopeman.
- 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 applicant in order to inform their proposed planning application; 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 As described, this PAN relates to a proposal for a residential development of 75 houses and a nursing/retirement home on the Hopeman R1 Manse Road site and adjacent LONG site identified in the Moray Local Development Plan (MLDP) (2015). The PAN includes a Location Plan (**Appendix 1**) which shows the location and extent of the proposed development. A Site Plan (**Appendix 2**) has also been submitted showing a proposed layout of 48 units (comprising bungalows, houses and flats) and the nursing/retirement home on the R1 designation and a further 27 plots on an indicative layout on the adjacent LONG site to the north, along with landscaping, a play park and SUDs drainage. No house designs or a design for the nursing home have been provided at this stage. Additional information outlining the applicant's timeline for development of the site has been submitted.
- 3.5 The site extends to approximately 4.3 hectares (2.3ha for R1 and 2ha for the LONG) and comprises an area of rough ground and coastal foreshore (scrub and gorse) on the western edge of Hopeman. It is irregular in shape, gently falls to the north and is bounded by housing to the east and south, foreshore to the north and farmland to the west.
- 3.6 The Hopeman R1 designation in the MDLP 2015 identifies the site as being suitable for up to 25 houses within a 2.3 hectare site. (A further 30 houses are identified within the adjacent LONG site). The R1 designation highlights various matters that any future development proposal(s) will need to consider. These include preparation of a masterplan covering both the R1 and LONG sites, along with provision of connections into adjacent streets, footpaths and cycleways, a landscaped strip along the western edge of the site and requirement for buildings to present a frontage onto Manse Road. The designation also requires submission of a Transport Assessment, provision of vehicular link between the B9040 and Manse Road, a north-to-south link between the B9040 and the Coastal path to the north and east-to-west connections to Cooper Street, Duff Street and Manse Road. Further requirements include avoidance of ground clearance work during the breeding bird season, archaeological evaluation, provision of suitable surface

water/drainage arrangements (avoiding direct sea outfalls) which do not adversely impact the interests of the Moray Firth Special Area of Conservation to the north and a Landfill Gas Assessment. The site is subject to a housing designation R1 Manse Road (75 units), in the Proposed Moray Local Development Plan 2020, which combines both the current R1 and LONG sites, and will be subject to the Examination process.

- 3.7 Relative to the current Hierarchy Regulations and for residential development of 50 or more houses, on a site which exceeds 2 hectares, 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 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 the Hopeman Community Association. 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 PAN advises that a public event will be held at a venue with date and location to be confirmed. The event requires to be advertised locally in advance and to 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), Development Management and Building Standards Manager, the Equal Opportunities Officer, 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 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 the proposed housing development of 75 units and nursing/retirement home on the Hopeman R1 and LONG Sites. 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, Principal Planning Officer

Background Papers:

Ref: