



REPORT TO: PLANNING AND REGULATORY SERVICES COMMITTEE ON 1 MARCH 2022

SUBJECT: 22/00074/PAN: PROPOSED RESIDENTIAL DEVELOPMENT LANDSCAPING AND ASSOCIATED INFRASTRUCTURE AT R1 SEAFIELD ROAD CULLEN

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 January on behalf of Morlich Homes Limited.
- 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 proposed residential development including associated roads, drainage and landscaping at Seafield Road, Cullen on land which is designated wholly as R1 Seafield Road Cullen under the terms of the MLDP 2020.
- 3.5 The area subject to the PAN extends to approximately 3.39ha and covers the whole of the R1 Seafield Cullen designation. The extent of the PAN area is shown on the site plan appended to this report (**APPENDIX 1**)
- 3.6 The Settlement Statement Designation for R1 Seafield Road advises that the site has an indicative capacity of 55 units and requires Key Design Principles for the site and layout of the site which sets out: The existing stone boundary wall frontage must be retained; there must be a character area at the northern part of the site to reflect farm buildings laid out as a steadings/courtyard; A new priority junction onto Seafield Road will be required, the existing field access could be a potential location for this and would minimise the impact on the stone wall. Houses must be designed to have a frontage on to Seafield Road; footway along the site frontage to be widened to 3m. Alternatively this can be provided as a 3m path within the site behind the stone wall; and landscaping along the eastern and southern boundary is required to provide shelter and sense of enclosure.
- 3.7 Other site specific requirements under the Settlement Designation include: a design and layout that reflects the sites gateway position into Cullen. Phasing of development may be acceptable where policy terms have been met. Separation from Seafield Farm may be required to avoid potential conflicts. No individual driveways/access on to Seafield Road will be permitted. All houses must be served by an internal road layout. Investigation should be given to providing a crossing point onto footway on western side of road, providing a link that leads to the primary school. Transportation Statement required. Drainage Impact Assessment Required and a pocket park must be provided.
- 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 Cullen and Deskford Community Council and host an online/event exhibition to be hosted for a minimum period of 7 days. 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 Town and Country Planning (Miscellaneous Temporary Modifications) (Coronavirus) (Scotland) Regulations 2020 have temporally suspended the need to hold a public event in relation to PANs provided a planning application is validly made on or before 30 September 2022. The (online) consultation 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

Identifying general concerns about climate change impacts of major planning applications at an early stage allows consideration of these aspects before details of the development are finalised. The PAN is located on a designated site for residential use within the MLDP 2020

and matters such as drainage and flood risk, biodiversity and landscaping will be considered as part of the planning application.

(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 a proposed residential development landscaping and associated infrastructure at R1 Seafield Road Cullen. 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:
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