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**REPORT TO: PLANNING AND REGULATORY SERVICES COMMITTEE ON 4  
APRIL 2022**

**SUBJECT: 22/00287/PAN RESIDENTIAL DEVELOPMENT AND  
ASSOCIATED INFRASTRUCTURE AT R2 SPEYVIEW,  
ABERLOUR**

**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 25 February 2022 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:**

- (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 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 (with associated infrastructure) at R2 Speyview, Aberlour, as designated in the Moray Local Development Plan (MLDP) (2020). The PAN area covers phase two of the development and extends to around 10.94ha and a plan is appended showing the location and extent of the site (**Appendix 1**). Phase one covering the north eastern portion of the designation already has planning permission granted (18/01373/APP) for the erection of 39 residential units. A subsequent application (21/00348/APP) has been approved by this committee pending the conclusion of an amended Section 75 agreement, which relates to the change in 9 of the house types approved under the original planning permission granted (18/01373/APP). The PAN site is bounded to the north by agricultural land with Aberlour beyond, to the west by phase one, the A95 trunk road and neighbouring houses, to the east by further agricultural land and several neighbouring houses and to the south by the U103H Ruthrie Road, with a neighbouring house beyond.
- 3.5 R2 covers an area of 14 hectares and is identified as having an indicative capacity of 60 residential units and 1 hectare of employment land. The text accompanying the R2 designation highlights that proposals must comply with the Key Design Principles diagram within the MLDP, which supports the designation text. The Key Design Principles diagram outlines that key frontage houses must have their principle elevation facing onto the A95 and must be 1½ storeys. Development must be located predominantly on the flat areas of the site. Development on the flanks of the hill will not be permitted. These areas must instead be landscaped to create a setting for new development. An extensive landscaped area must be provided to separate the housing and employment land elements of the development. 1ha of employment land, compatible with residential uses at the southern end of the site must be provided. Landscaping must provide connecting paths to encourage more active use of the space. There are limited opportunities for development on the plateau at the top of the hill to the east of the site. A maximum of 10 individual house plots will be permitted here. Significant advanced woodland planting of a sufficient height and maturity to create

appropriate levels of enclosure and containment must be provided. Houses in this location must meet the design requirements set out in Policy DP4 Rural Housing. A substantial band of new mature woodland planting must be provided along the eastern edge of the site to create a backdrop and containment for buildings and create an attractive edge to the town. A significant area of accessible greenspace must be provided on the higher areas of the site creating a vantage point with views across the wider countryside. A network of accessible footpath/cyclepath connections must be provided linking to Taylor Court and the wider countryside.

- 3.6 In addition the remainder of the designation text outlines that proposals must provide a Masterplan for the site. The site will provide a gateway into the settlement and proposals must be designed to reflect this. The development must reflect the woodland character of the site. Houses fronting onto the A95 must be 1½ storey in height, have their primary elevations facing the road with no direct access onto the A95 and be of traditional design with stone frontages, natural slate roofs and low stone walls with metal railings. A Phase 1 Habitat Survey will be required. Early phase(s) must provide a central greenspace with pocket park and later phase(s) must provide a neighbourhood park or a pocket park, depending on the balance of residential and industrial use. Footpath along or parallel to the extent of the site frontage onto the A95 must be provided. Once completed, the development must provide active travel connections from U103H (Ruthrie Road) on the southern boundary with the A95 frontage and Sellar Place and potential for future connectivity from the eastern site boundary. A Flood Risk Assessment (FRA) may be required and a Drainage Impact Assessment (DIA) will be required.
- 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 Speyside Community Council. In this case the applicant's have been advised that no additional parties require to be notified with a copy of the PAN.
- 3.8 The Town and Country Planning (Miscellaneous Temporary Modifications) (Coronavirus) (Scotland) Regulations 2020 have 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 is lodged within 6 months of the end of the emergency period. There is no statutorily specified alternative to a public event during the emergency period but it is anticipated that prospective applicants propose reasonable alternatives which must include a minimum seven day period where information can be inspected and the public can make comments and ask questions to which they can expect to receive a response. In line with the new regulations an online public event/exhibition is proposed from 25 April to 4 May 2022 via <https://www.springfield.co.uk/> and an online Q&A at 7pm on Thursday 28th accessed via the same webpage. The online event will be advertised locally prior to opening and the community council made aware of the arrangements. The applicants have also offered to attend community council meeting to discuss the proposals.

- 3.9 In order to be valid a major application must 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.

#### **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**

As this is a Proposal of Application Notice there is limited information provided at this stage to give full consideration to the climate change and biodiversity impacts of this proposal. Nonetheless all development will result in a degree of impact on climate change and biodiversity and this will be considered as the proposal progresses through the planning process. Identifying general concerns about the climate change impacts of major planning applications at an early stage can allow consideration of these aspects before details of the development are finalised.

**(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 (with associated infrastructure) at R2 Speyview, Aberlour. 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: Iain Drummond, Planning Officer  
Background Papers:  
Ref: 22/00287/PAN