



**REPORT TO: PLANNING AND REGULATORY SERVICES COMMITTEE ON
18 MAY 2021**

**SUBJECT: 21/00308/PAN – PROPOSED ERECTION OF A UNIT FOR USE
CLASSES 4 (BUSINESS) 5 (GENERAL INDUSTRIAL) AND 6
(STORAGE AND DISTRIBUTION) WITH MAXIMUM FLOOR AREA
OF 15,000 SQM, ASSOCIATED LANDSCAPING, CAR PARKING
AND ANCILLARY WORK AT FORRES ENTERPRISE PARK,
FORRES**

**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 8 March 2021 on behalf of Highlands and Islands Enterprise.
- 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 As described, this PAN relates to a proposal for the development of a commercial unit up to 15,000 sq m (covering Use Classes 4, 5 and 6) on land in the south of the park. No further details of the proposed unit have been provided at this stage. A plan is appended showing the location and extent of the site (**Appendix 1**). The site extends to approximately 4.55ha. and is within the BP1 designation (Enterprise Park) of the Forres Settlement Statement in the Moray Local Development Plan 2020 (MLDP). The site boundary follows the C27E road in the southern portion of the park to the north/west (C27E is the road leading from the A96 through the park towards Cathay Nursing Home); further vacant land in the park lies to the north east; and landscaping and the unclassified Scotsburn to C27E road to the south east.
- 3.5 Planning permission is required for this proposal. The application site exceeds 2ha and floor area exceeds 10,000 sq m, therefore the proposal would be a major application relative to the current Hierarchy Regulations and the proposal would comprise a major development for planning purposes. 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.
- 3.6 A formal response has been issued to the applicant's agent to confirm that the proposed arrangements for engaging with the local community outlined in the PAN are suitable. The applicant has confirmed they propose to consult Forres and Finderne Community Councils, local ward members, hold an online public consultation event and publicise this with a notice in the local press.

- 3.7 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. In line with the new regulations the agent has confirmed that a virtual public event will be held in due course. This will be advertised locally prior to opening and the community councils made aware of the arrangements. 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) 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 and Development 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 erection of a unit for Use Classes 4 (Business), 5 (General Industrial) and 6 (Storage and Distribution) with maximum floor area of 15,000 sqm, associated landscaping car parking and ancillary works. 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:

Andrew Miller, Planning Officer

Background Papers:

Ref:

20/01762/PAN