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**REPORT TO: PLANNING AND REGULATORY SERVICES COMMITTEE ON 16 AUGUST 2022**

**SUBJECT: 22/00920/PAN – PROPOSED PRIMARY SCHOOL WITH NURSERY AND ASN DEPARTMENTS, ASSOCIATED FACILITIES, NEW ACCESS TO FACILITATE OFF-STREET CAR PARKING AND DROP-OFF, NEW EXTERNAL AREA FOR OUTDOOR PLAY ON LAND TO SOUTH OF MYRESIDE COTTAGE, COVSEA ROAD, ELGIN**

**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 21 June 2022 on behalf of the Moray Council Education, Resources and Communities Service.
- 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 new 450 pupil Primary School with nursery and ASN Departments and associated facilities, new access to facilitate off-site car parking and drop-off, and new external area for outdoor play on land to the south of Myreside Cottage, Covesea Road, Elgin. A plan is appended showing the location and extent of the site (**Appendix 1**). The site extends to approximately 3 hectares and currently comprises farmland, a section of Covesea Road and an adjoining stretch of Sey Burn. It forms the primary school site which has been granted planning permission in principle as part of the Area 1 "mixed use development" (application references 17/00834/PPP and 19/01085/APP), and which forms part of the Findrassie Masterplan R11 Site identified in the Moray Local Development Plan 2020. The site is bounded by farmland to the north and west, Covesea Road to the east and Sey Burn to the south.
- 3.5 Planning permission is required for this proposal. The proposal is for a development where the area of the site exceeds 2 hectares, and therefore under the current hierarchy regulations 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 is currently using 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 are sufficient. The applicant proposes to consult with Elgin Community Council and to hold an in-person local event/public exhibition within 2 months of the submission of the PAN notice which is to be advertised in the local press.
- 3.7 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 and Biodiversity Impacts**

None.

**(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 Primary School with nursery and ASN Departments and associated facilities at the subject site. 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: 22/00920/PAN