



Planning and Regulatory Services Committee

Tuesday, 16 August 2022

NOTICE IS HEREBY GIVEN that a Meeting of the **Planning and Regulatory Services Committee** is to be held at **Council Chambers, Council Office, High Street, Elgin, IV30 1BX** on **Tuesday, 16 August 2022** at **09:30**.

BUSINESS

1 **Sederunt**

2 **Declaration of Group Decisions and Members Interests ***

3 **Resolution**

Consider, and if so decide, adopt the following resolution:
"That under Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, as amended, the public and media representatives be excluded from the meeting for Items 14 and 15 of business on the grounds that it involves the likely disclosure of exempt information of the class described in the relevant Paragraphs of Part 1 of Schedule 7A of the Act."

4 **Minutes**

4a) **Minute of Meeting dated 31 May 2022** 7 - 12

4b) **Minute of Special Meeting dated 28 June 2022** 13 - 66

5 **Written Questions ****

Guidance Note 67 - 68

6 **Planning Application 22/00161/APP** 69 -
122

Report by Appointed Officer

S42 to vary condition 1 (delivery of affordable housing) and 8-11 (phasing) of application reference 19/00100/APP at R1 Kinneddar Lossiemouth Moray for Tulloch of Cummingston Ltd

- | | | |
|----|---|--------------|
| 7 | 22/01057/PAN

Report by Depute Chief Executive (Economy, Environment and Finance)

Erection of Class 5 purposes with ancillary Class 4, the installation of bio-refinery plant, formation of car parking and associated infrastructure at North Street, Rothes, Aberlour, Moray | 123 -
128 |
| 8 | 22/00692/PAN

Report by Depute Chief Executive (Economy, Environment and Finance)

Phase 3 of residential development, serviced school site and infrastructure at Elgin South, Elgin, Moray | 129 -
134 |
| 9 | 22/00900/PAN

Report by Depute Chief Executive (Economy, Environment and Finance)

New distillery process building, bio-plant, offices, warehousing, access road and associated infrastructure at Miltonduff Distillery, Miltonduff, Elgin, Moray, IV30 8TQ | 135 -
140 |
| 10 | 22/00920/PAN

Report by Depute Chief Executive (Economy, Environment and Finance)

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, Covesea Road, Elgin | 141 -
146 |
| 11 | 22/00935/PAN

Report by Depute Chief Executive (Economy, Environment and Finance)

Proposed energy management and storage facility (with capacity of up to 50 MW) comprising battery energy storage system, transformers, inverters, cables, access track and boundary landscaping on land south of Westerton Road, Keith | 147 -
152 |
| 12 | Moray Council Archaeology Service 2021-22

Report by Depute Chief Executive (Economy, Environment and Finance) | 153 -
170 |
| 13 | Question Time ***

Consider any oral question on matters delegated to the Committee in terms of the Council's Scheme of Administration. | |

14 Erection of Fence Contrary to Approved Plan at Residential Property in Elgin

- Information, which if disclosed to the public, would reveal that the Authority proposes, for the purposes of consultation, make an order or direction under any enactment which might allow an individual or organisation to defeat the purpose of the notice or order;

15 Breach of Planning Control - Breach of Planning Conditions at Newmill, Keith

- Information, which if disclosed to the public, would reveal that the Authority proposes, for the purposes of consultation, make an order or direction under any enactment which might allow an individual or organisation to defeat the purpose of the notice or order;

Summary of Planning and Regulatory Services

Committee functions:

Town and Country Planning; Building Standards; Environmental Health; Trading Standards; Weights & Measures, Tree Preservation Orders, and Contaminated Land issues.

Any person wishing to attend the meeting should contact customer services on 01343 563217 prior to the meeting as the number of attendees is restricted due to the recent Covid pandemic

You can however watch the webcast of the meeting by going to :
http://www.moray.gov.uk/moray_standard/page_43661.html

GUIDANCE NOTES

* **Declaration of Group Decisions and Members Interests** - The Chair of the meeting shall seek declarations from any individual or political group at the beginning of a meeting whether any prior decision has been reached on how the individual or members of the group will vote on any item(s) of business on the Agenda, and if so on which item(s). A prior decision shall be one that the individual or the group deems to be mandatory on the individual or the group members such that the individual or the group members will be subject to sanctions should they not vote in accordance with the prior decision. Any such prior decisions will be recorded in the Minute of the meeting.

** **Written Questions** - Any Member can put one written question about any relevant and competent business within the specified remits not already on the agenda, to the Chair provided it is received by the Proper Officer or Committee Services by 12 noon two working days prior to the day of the meeting. A copy of any written answer provided by the Chair will be tabled at the start of the relevant section of the meeting. The Member who has put the question may, after the answer has been given, ask one supplementary question directly related to the subject matter, but no discussion will be allowed.

No supplementary question can be put or answered more than 10 minutes after the Council has started on the relevant item of business, except with the consent of the Chair. If a Member does not have the opportunity to put a supplementary question because no time remains, then he or she can submit it in writing to the Proper Officer who will arrange for a written answer to be provided within 7 working days.

*** **Question Time** - At each ordinary meeting of the Committee ten minutes will be allowed for Members questions when any Member of the Committee can put a question to the Chair on any business within the remit of that Section of the Committee. The Member who has put the question may, after the answer has been given, ask one supplementary question directly related to the subject matter, but no discussion will be allowed.

No supplementary question can be put or answered more than ten minutes after the Committee has started on the relevant item of business, except with the consent of the Chair. If a Member does not have the opportunity to put a supplementary question because no time remains, then he/she can submit it in writing to the proper officer who will arrange for a written answer to be provided within seven working days.

THE MORAY COUNCIL

Planning and Regulatory Services Committee

SEDERUNT

Councillor Donald Gatt (Chair)
Councillor Marc Macrae (Depute Chair)

Councillor Neil Cameron (Member)
Councillor John Cowe (Member)
Councillor John Divers (Member)
Councillor Amber Dunbar (Member)
Councillor David Gordon (Member)
Councillor Sandy Keith (Member)
Councillor Scott Lawrence (Member)
Councillor Graham Leadbitter (Member)
Councillor Paul McBain (Member)
Councillor Bridget Mustard (Member)
Councillor Sonya Warren (Member)

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