



**REPORT TO: PLANNING AND REGULATORY SERVICES COMMITTEE ON
19 DECEMBER 2023**

**SUBJECT: 23/02061/PAN – PROPOSED RESIDENTIAL DEVELOPMENT
(MAX. 180 UNITS) AND STUDENT ACCOMMODATION (APPROX.
40 BEDS) INCLUDING ASSOCIATED FACILITIES,
LANDSCAPING, INFRASTRUCTURE, ROADS AND DRAINAGE
AT DALLAS DHU (MLDP2020 R6), MANNACHIE ROAD, 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 21 November 2023 on behalf of Moray Council
- 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 a residential development for a maximum of 180 units and student accommodation (approx. 40 bedspaces) with associated facilities, landscaping, infrastructure and drainage. The proposal is a project that forms part of the Moray Growth Deal (Housing Mix Delivery). This site was subject to a previous PAN (ref. 23/01021/PAN) with a similar description but this did not include student accommodation. That PAN was reported to Members of this Committee at its meeting of 15 August 2023, with Members asking that the Developer considers:
- access concerns - access of A940 busy and access into Dallas Dhu is tight;
 - impact of increased traffic caused by the development on Mannachie Road - need to monitor traffic volumes and put in any necessary safety measures;
 - the creation of a cycle path on Mannachie Road;
 - the possible impact on nearby rural roads being used as short cuts - in particular the link to the B9010 Dallas/Rafford road; and
 - how any crossing of the Dava Way is addressed.
- 3.5 The site is located to the south of Forres, on a site designated for housing in the Moray Local Development Plan (R6 – Dallas Dhu). It is to the east of Mannachie Road, with Dallas Dhu distillery to the south. **Appendix 1** shows the location and extent of the proposal.
- 3.6 Planning permission is required for this proposal. Relative to the current Hierarchy Regulations and the development is in excess of 50 residential units, 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 has used the

Council's pre-application advice service to assist in identifying key issues and information that would be expected to accompany any formal application.

- 3.7 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 Forres and Finnerne Community Councils, local councillors, MSPs and MP. In this case the applicant's agent has been advised that no additional parties require to be notified with a copy of the PAN other than two MSPs who were missed off the list submitted.
- 3.8 The PAN advises that two public events will be held in Forres Town Hall in January and February 2024 (date TBC). The events require 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 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 proposed residential development (max. 180 units) and student accommodation (approx. 40 beds) including associated facilities, landscaping, infrastructure, roads and drainage. 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, Senior Planning Officer
Background Papers:
Ref: