



REPORT TO: PLANNING AND REGULATORY SERVICES COMMITTEE ON 3 AUGUST 2021

SUBJECT: 21/00803/PAN PROPOSED RESIDENTIAL DEVELOPMENT, LANDSCAPING AND ASSOCIATED INFRASTRUCTURE AT R7 LAND AT MUIRTON, BUCKPOOL, BUCKIE

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 May 2021 on behalf of Morlich Homes Ltd.
- 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 housing development (with associated infrastructure and landscaping) at R7 Land at Muirton, Buckie, as designated in the Moray Local Development Plan (MLDP) (2020). The PAN area covers the whole of the R7 designation and extends to around 5.19ha and a plan is appended showing the location and extent of the site (**Appendix 1**). The site is bounded to the north/northwest by Golf View Drive, with Buckpool Golf Course beyond, to the east by the existing cemetery/houses, to the west by the new cemetery and south by a small portion of R8 Buckie with the remainder of the southern boundary being open farmland.
- 3.5 The text accompanying the R7 designation highlights that proposals must comply with the Key Design Principles diagram within the MLDP, which supports the designation text. The key design principles outline that views towards the sea must be integrated into the development, buildings must front Golf View Drive, avenue planting along the cemetery road should the road be kept as part of the layout, two points of access are required as a minimum, a vehicular and pedestrian/cycle connection must be made to Site R8 to the south and the provision of substantial structural planting to create robust settlement edge is required to the south of the site and this landscaping must include active use of the space by providing connecting paths and seating areas.
- 3.6 In addition the remainder of the designation text outlines that proposals must provide links to core paths BK01 (to the north along Golf View Drive) and BK06 (through the centre) and a central pocket park. In terms of access requirements, two points of access are required as a minimum. Vehicular access via the cemetery is not acceptable and proposals must include measures to close off vehicular access to the old part of the cemetery and provide alternative access to the new part of the cemetery. The recommended vehicular access points are onto Alba Road (existing residential development bounding the site to the east) and Golf View Drive (to the north) subject to approval of detailed proposals. Both parts of the site must be connected to provide a permeable network for walking, cycling, and

vehicular traffic. Access improvements required to remove pinch point at Golf View Road and provision of a 5.5m wide access road and 2m footway on south side. Access to Muirton Way should be for emergency access only. Muirton Farm (which bounds the site to the east) must be accessed from new site access and not from Muirton Way. Any application should also be supported by a Transport Assessment, Flood Risk Assessment (FRA) and Drainage Impact Assessment (DIA), SUDS and construction phase water management plan.

- 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 Buckie 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 which will be hosted for a period of no less than 7 days, where questions will be answered where possible within 48 hours of being submitted during the online event. The online event will be advertised locally prior to opening and the community council 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.

