

Planning and Economic Development Services

A Pre-Application Guide for Major Developments



the **moray** council

Objective

The Moray Council is committed to delivering a major pre-application service to assist in identifying key issues and information that will need to be submitted as part of a major planning application. To ensure these objectives are delivered procedures have been put in place for dealing with pre-application advice for major applications.

This guidance outlines the process that The Moray Council will follow to provide efficient pre-application advice to developers within Moray to support the local economy.

Major Developments

Categories of Major Development

The definition of “major development” is set out in regulations which came into force on 6 April 2009. The Moray Council wishes to encourage developers with proposals for major development which fall within these categories defined in The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulation 2009, to contact us and participate in the pre-application advice process for delivering major developments. The table below details the criterion/threshold for major developments:

| Type of Development | Threshold/Criterion |
|--|---|
| Housing | 50 or more dwellings; or The total area of the site is or exceeds 2 hectares. |
| Business and general industry, storage and distribution | The floor area of the site is or exceeds 10,000 square metres; or The total area of the site is or exceeds 2 hectares. |
| Electricity Generation | The capacity of the generating station is, or exceeds 20MW. |
| Waste Management Facilities | The capacity of facility is or exceeds 25,000 tonnes; or if used for sludge treatment, a capacity to treat more than 50 tonnes (wet weight) per day. |
| Transport and Infrastructure projects | The length of the road, railway, tramway, waterway, aqueduct or pipeline exceeds 8 kilometres |
| Fish Farming | The surface area of water is or exceeds, 2 hectares. |
| Minerals Development | The total area of the site is or exceeds, 2 hectares; or The gross floor space of any building, structure or erection constructed as a result of such developments, or exceeds 5,000 square metres |
| Other Development not classed within any single class of the above development | The total area of the site is or exceeds, 2 hectares. |
| Any Development which falls under Schedule 1 of the Environmental Impact Assessment (Scotland) Regulations 1999. | |

As Moray also deals with a number of large local applications that may fall just outside the major category we still consider these to be of significant importance to the local economy. Where developers/applicants request pre-application advice we will be happy for these types of development to follow the major pre-application process where considered to be appropriate by the manager (Development Management)

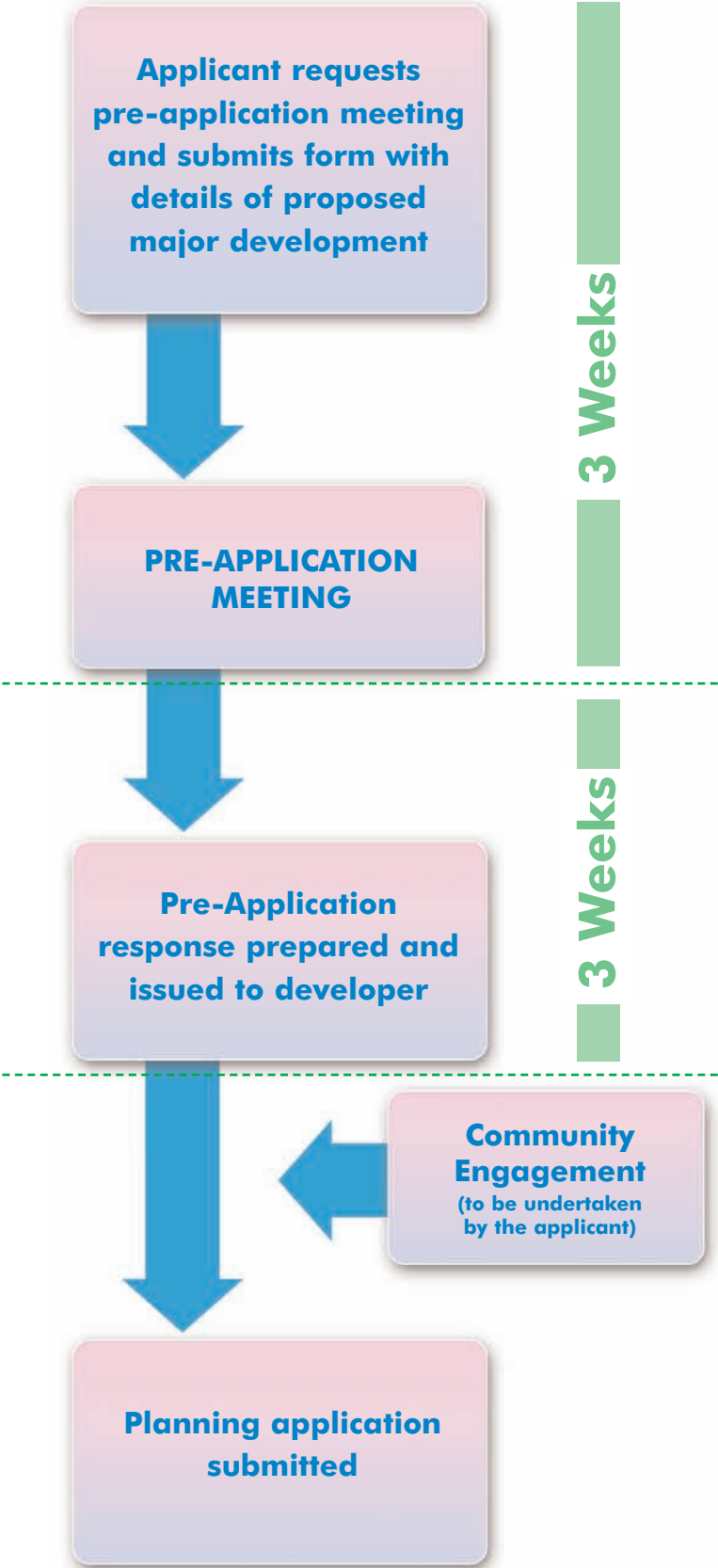
Making a Request

As a developer you will need to complete a form to request a pre-application meeting and submit details of your proposed major development. This form outlines the details that we need to be able to give you appropriate pre-application advice. However, the more detailed information you are able to provide at this stage the more informed our advice will be.

The Process

A pre-application meeting is arranged in advance and held on a monthly basis. A list of dates are published on our website. The meeting will include representatives from the Moray Council Services such as Transportation and Environmental Health and external key agencies such as Scottish Environmental Protection Agency, Scottish Natural Heritage, etc. Depending on the type of development other representatives may be invited to the meeting by the Council.

At the meeting you will be asked to outline your proposal. This will then allow an informal discussion between all parties, with the opportunity to ask questions and seek clarification on specific elements of the proposal. This will assist with the provision of guidance in the form of a pre-application response.



Pre-Application Response

Within three weeks of the pre-application meeting, you will be issued with a pre-application response which will detail the main issues of the discussions identified at the meeting regarding your major proposal. The response will normally contain an outline of the following principle issues although these may vary dependent on the nature of the proposal:

| MAIN ISSUES | Types of information |
|-----------------------------------|---|
| Policy | The principle of the development and any planning policy relating to the site. |
| Site Constraints | Specific site constraints identified on the site. |
| Transportation | Requirements for Transport Assessment, servicing, access and parking standards, public transport requirements, cycle parking. |
| Amenity/Nature Conservation | Who may be affected, need for surveys i.e. Noise Impact Assessment, Tree and Wildlife (habitat/protected species) surveys. |
| Design | Comments on scale, design within its historic setting, materials etc. |
| Planning Gain | Possible contributions, taking into account Council policy and the potential impacts of the proposed development. |
| Flooding & Drainage | Need for Flood Risk assessment and or Drainage Impact Assessments. |
| List of key documents/information | Information and documents that have been identified to be required to be submitted as part of your application. For major applications a Design and Access Statement and a pre-application consultation report are a pre-requisite. |

The advice will make it clear when a proposal is wholly unacceptable as it conflicts with policy and guidance. We will also make it clear where we consider that modifications or amendments could make your proposal acceptable in principle.

Submission of Major Applications

Once you submit a major planning application, we will try to ensure that there is consistency with the case officer for the formal application normally being the lead Principal/Planning Officer who attended the pre-application meeting and prepared the pre-application advice.

DISCLAIMER

The Council will make every effort to try and make sure that the advice given in the pre-application response is as accurate as possible. However any advice given by Council officers for pre-application enquiries does not constitute a formal decision of The Moray Council with regards to any planning application and cannot be held to bind The Council in its formal determination of any subsequent application. If an application is received and fails to take on board the advice provided in the pre-application advice response, The Council may refuse it without further discussion with the developer.

There is a possibility, that under the Freedom of Information Act, The Council will be asked to provide information regarding enquiries for pre-application advice and copies of any associated correspondence. An accompanying letter should set out the reasons why, and for how long, any information relating to the case needs to remain confidential. Unless you indicate, the submitted details will not be treated as confidential.

For more information about this advice note please contact:

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