

**REPORT TO: PLANNING AND REGULATORY SERVICES COMMITTEE 24
NOVEMBER 2009**

SUBJECT: MORAY LOCAL PLAN 2008: DEVELOPMENT BRIEFS

BY: DIRECTOR OF ENVIRONMENTAL SERVICES

1. REASON FOR REPORT

1.1 This report asks the Committee to consider the terms of 3 Development Briefs that have been prepared (for sites in Cullen; Portknockie; Findochty), and to agree that they be issued for consultation with interested parties.

1.2 This report is submitted to Committee in terms of Section D(2) of the Council's Administrative Scheme relating to the review and preparation of strategic and local plans.

2. RECOMMENDATION

2.1 It is recommended that the Committee agrees:

- (i) **To approve the content of the Development Briefs;**
- (ii) **To issue them for consultation with interested parties/stakeholders;**
- (iii) **That a further report is submitted to Committee following consultation.**

3. BACKGROUND

3.1 Development Briefs are a means of expanding upon Local Plan site designations, and providing additional information and detail on technical and design matters, so that potential developers have a better understanding of what form their development proposals should take.

3.2 Briefs have been prepared for 3 sites that have residential designations in the Moray Local Plan 2008.

These are at:

Cullen R1: Seafield Place
Portknockie R1: Seabraes
Findochty R1: Morven Crescent

Copies of the Briefs are attached at Appendices 1, 2 and 3.

3.3 Once confirmed, the Briefs will have Supplementary Planning Guidance (SPG) status and will be a material consideration in the assessment of any future planning applications.

- 3.4 In line with procedures under the new Planning System, SPG's that are subject to consultation with responses considered by Committee, can become a statutory part of the Local Development Plan.

SPG's promoted under the current Local Plan system must remain only as a "material consideration" and not part of the statutory development plan (despite being subject to consultation).

- 3.5 It is proposed to consult with the following:

- all technical consultees
- landowner (Seafield Estate in all 3 instances)
- community council/association
- area forum (Community Plan)

- 3.6 Development Briefs such as these are intended to be part of a Hierarchy of SPG's –

- (i) Developer Requirements for Housing: (approved by Committee on 29 September 2009): this provides broad advice on the range of Local Plan policies that apply to housing developments, which developers will have to comply with.
- (ii) Moray Urban Design Guide: (Also being presented to this Committee). Gives examples of good practice in designing housing layouts, and the key features that should be observed.
- (iii) Development Briefs: Site specific advice, incorporating technical infrastructure and services related comments, as the 'sharp end' of this suite of guidance.

- 3.7 It had been intended to produce Development Briefs for many of the sites designated in the Local Plan.

However, with the introduction through the new planning system of pre-application discussions on major applications (50 or more houses), the need for Development Briefs is somewhat diluted.

Additionally, proposals have come forward for some sites before Briefs could be written, thus negating the need for a Brief.

The 3 Briefs that are being presented had been started, and a commitment given to the landowner (Seafield Estate) that these would be provided as a means of stimulating interest and promoting development in these locations where development rates were generally quite low.

- 3.8 Accordingly it is proposed to complete the process for these 3 Briefs. Thereafter the programme of Briefs will be suspended and instead staff resources will be diverted into the identification of developer contributions that might be sought from the development of sites, which can then be fed into the Service Level Agreement to be entered into with Aberdeenshire Council.

4. SUMMARY OF IMPLICATIONS

(a) *Single Outcome Agreement/Service Improvement Plan*

The preparation of Briefs is in accord with Outcome 10 of the Single Outcome Agreement (we live in well designed, sustainable places), and is included in the Planning and Development Service Improvement Plan.

(b) Policy and Legal

None.

(c) Resources (Financial, Risks, Staffing and Property)

None.

(d) Consultations

Consultation has taken place with:

The Transportation Manager
The Environmental Protection Manager
Principal Officer (Contaminated Land)
Principal Accountant (Lorraine Paisey)
Head of Estates
Aileen Scott, Principal Solicitor

And their comments incorporated into the Briefs.

5. CONCLUSION

- 5.1 A programme of Development Briefs had been proposed, as part of a hierarchy of Supplementary Planning Guidance.
- 5.2 Due to changes in circumstances, Briefs for only 3 sites will be progressed.
- 5.3 These should be issued for consultation with a further report submitted following the consultation period, to advise on responses, and agree any subsequent changes.
- 5.4 Ultimately the Briefs will become Material Considerations in any future planning application.

ITEM:

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Background Papers:
Ref: MC/JC