

DEVELOPMENT SERVICES

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Mr Andrew Housby

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Website: www.moray.gov.uk

Your reference:

Our reference: 14/00840/PE/CW/LMC

Sent by email to:

[REDACTED]

25 June 2014

Dear Sir

Proposed extension at Kinloss Garage Seapark Road Kinloss Forres Moray IV36 3TJ

I refer to your enquiry regarding the above proposal.

Any formal planning application which you may submit will be considered in relation to planning policies in the Adopted Moray Local Plan 2008 and the Moray Structure Plan 2007 and any other material considerations.

A list of the relevant planning policies is attached. These can also be found at:

http://www.moray.gov.uk/moray_standard/page_51210.html

You should also note that other issues may arise during the course of a formal planning application for example as a result of comments by consultees or points raised in representations which may need to be taken into account.

Officer comments

The aim of policy BE2 is to encourage the protection, maintenance, enhancement and active use of listed buildings. However, proposals will be refused where they would have a detrimental effect on the character, integrity or setting of the listed building. Setting is defined as the way in which the surroundings of a historic asset or place contribute to how it is experienced, understood and appreciated. A listed building should remain the focus of its setting with key views of it and intended views from it protected.

Given the scale of the existing vehicle repair building it is unlikely that the small scale proposed extension would have a detrimental impact on the setting of the nearby listed building.

General information regarding Transportation's requirements for small scale developments can be found on the Moray Council website at:

Access and Parking

Checklist: <http://www.moray.gov.uk/downloads/file68812.pdf>

Parking Standards: <http://www.moray.gov.uk/downloads/file79871.pdf>

To avoid possible delays it is suggested that development proposals are submitted to the Council's Transportation Team a minimum of 4 weeks prior to the target date for the submission of the planning application. Details should be submitted to transport.develop@moray.gov.uk or telephoning 01343 562500.

In all cases assessment will be required in relation to possible contaminated land issues. Where investigations are required to be undertaken by the applicant, the Council's Contaminated Land team will advise accordingly. To avoid possible delays it is suggested that prior to submitting any formal planning application informal contact should be made with the Council's Contaminated Land team who will advise on any relevant issues. A plan clearly showing the location of the proposed site is required. Initial contact may be made by telephoning 01343 563162, faxing 01343 563483 or e-mailing contaminated.land@moray.gov.uk.

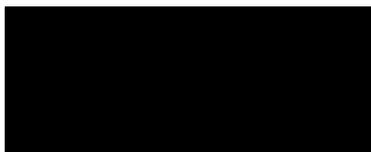
Please contact the Building Standards Duty Officer in order to ascertain whether a Building Warrant will be required for these proposals. A duty officer is available each week day afternoon for consultation. At the Access Point, Council Office, Elgin between 2pm and 4pm or telephone the duty officer on 01343 563243. No appointment is necessary.

The above comments are those of an officer given without prejudice to the final recommendation of any future application and are not binding upon the Council.

Submission of an application will involve completion of the relevant forms, submission of appropriate scale drawn plans, the above mentioned supporting information and the payment of the appropriate fee.

Planning applications can be made using the online application and appeal service or you can download applications forms, which should be completed and returned to this office, together with plans specified, drawn to scale and the appropriately fee, both are available at www.eplanning.scotland.gov.uk . You are encouraged to submit the application online as this makes registration/file management procedures easier and can assist with improving determination rates.

Yours faithfully



Craig Wilson
Planning Officer

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Policy 2: Environment and Resources

The Moray Structure Plan Strategy will be supported by: -

- f) conserving and enhancing the areas built heritage resources and their settings.

IMP1: Development Requirements

New development will require to be sensitively sited, designed and serviced appropriate to the amenity of the surrounding area. It must meet the following criteria:

- a. the scale, density and character must be appropriate to the surrounding area,
- b. the development must be integrated into the surrounding landscape,
- c. adequate roads, public transport, and cycling and footpath provision must be available, at a level appropriate to the development,
- d. adequate water, drainage and power provision must be made,
- e. sustainable urban drainage systems should be used where appropriate, in all new developments
- f. there must be adequate availability of social, educational, healthcare and community facilities,
- g. the development should, where appropriate, demonstrate how it will incorporate renewable energy systems and sustainable design and construction. Supplementary Guidance will be produced to expand upon some of these criteria,
- h. provision for the long term maintenance of public landscape and amenity areas must be made,
- i. conservation of natural and built environment resources must be demonstrated,
- j. appropriate provision to deal with flood related issues must be made, including the possibility of coastal flooding from rising sea levels and coastal erosion,
- k. pollution, including ground water must be avoided,
- l. appropriate provision to deal with contamination issues must be made, and
- m. the development must not sterilise significant workable reserves of minerals, prime quality agricultural land, or preferred areas for forestry planting.
- n. where appropriate, arrangements for waste management should be provided.

BE2: Listed Buildings

The Council will encourage the protection, maintenance, enhancement and active use of listed buildings.

Development proposals will be refused where they would have a detrimental effect on the character, integrity or setting of the listed building(s). Alterations and extensions to listed buildings or new developments within their curtilage must be of the highest quality, and respect the original structure in terms of setting, scale, materials and design.

The demolition of listed building(s) will not be permitted unless it is demonstrated beyond reasonable doubt that every effort has been exerted by all concerned to find practical ways of retaining the building and that the community would benefit from the redevelopment. All applications for the demolition of listed buildings should be supported by a report on the condition of the building, a study on the viability of retaining the building in active use, a report on the steps taken to advertise and market the building and, the proposals to recycle existing building materials into the future use of the site. Any proposed replacement of a demolished listed building should be of comparable quality in terms of construction and design.

Buildings which are allowed to fall into a state of disrepair may be placed on the Buildings at Risk Register and remedial works to buildings in disrepair may be enforced in the public interest.

Proposals should be in accordance with guidelines laid out in Historic Scotland's Memorandum of Guidance on Listed Buildings with regard to listed building consent applications.

EP9: Contaminated Land

Development proposals on potentially contaminated land will be approved if:

- a. site specific risk assessments are undertaken by the applicant to identify any actual or possible significant risk to human health or safety, or to the environment and that any previous historic uses are not continuing to cause significant pollution to the water environment, and
- b. effective remediation measures are agreed to ensure the site is made suitable for any new use granted consent, and
- c. appropriate measures for the disposal of any contaminated material is agreed with the Council.

The Council will consult SEPA in respect of pollution of controlled waters and licensing issues arising from remediation works.