



The Moray Council Council Office High Street Elgin IV30 1BX Tel: 01343 563 501 Fax: 01343 563 263 Email: [development.control@moray.gov.uk](mailto:development.control@moray.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100022113-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Type of Application

What is this application for? Please select one of the following: \*

- ☒ Application for planning permission (including changes of use and surface mineral working).
- ☐ Application for planning permission in principle.
- ☐ Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- ☐ Application for Approval of Matters specified in conditions.

## Description of Proposal

Please describe the proposal including any change of use: \* (Max 500 characters)

Site 7 No. 20ft x 8ft x 8ft self storage containers.

Is this a temporary permission? \*

☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place?

☐ Yes ☒ No

(Answer 'No' if there is no change of use.) \*

Has the work already been started and/or completed? \*

☒ No ☐ Yes – Started ☐ Yes - Completed

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

## Agent Details

Please enter Agent details

Company/Organisation:	IH Designs ( Moray )		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	ian	Building Name:	Eilean Dubh
Last Name: *	holmes	Building Number:	
Telephone Number: *	01309 674368	Address 1 (Street): *	Councillors Walk
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Forres
Fax Number:		Country: *	Scotland
		Postcode: *	IV36 1HA
Email Address: *	ian54holmes@hotmail.co.uk		
Is the applicant an individual or an organisation/corporate entity? *			
<input checked="" type="checkbox"/> Individual <input type="checkbox"/> Organisation/Corporate entity			

## Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Carlo	Building Number:	
Last Name: *	Miele	Address 1 (Street): *	
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	
Extension Number:		Country: *	
Mobile Number:		Postcode: *	
Fax Number:			
Email Address: *			

## Site Address Details

Planning Authority:

Moray Council

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing

858992

Easting

303899

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

☒ Yes ☐ No

## Pre-Application Discussion Details Cont.

In what format was the feedback given? \*

☐ Meeting ☐ Telephone ☐ Letter ☒ Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) \* (max 500 characters)

Informal Determination confirmed Planning Approval required and that Estates Section be consulted.

Title:

Ms

Other title:

Planning Assistant

First Name:

Amanda

Last Name:

Cruickshank

Correspondence Reference  
Number:

16/01133/ID/AC/FJA

Date (dd/mm/yyyy):

03/08/2016

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

## Site Area

Please state the site area:

242.00

Please state the measurement type used:

☐

Hectares (ha)

☒

Square Metres (sq.m)

## Existing Use

Please describe the current or most recent use: \* (Max 500 characters)

Vacant ground.

## Access and Parking

Are you proposing a new altered vehicle access to or from a public road? \*

☐

Yes

☒

No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? \*

☐

Yes

☒

No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

7

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? \*

7

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

## Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? \*

☐

Yes

☒

No

Do your proposals make provision for sustainable drainage of surface water?? \*  
(e.g. SUDS arrangements) \*

☐

Yes

☒

No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? \*

☐

Yes

☐

No, using a private water supply

☒

No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

## Assessment of Flood Risk

Is the site within an area of known risk of flooding? \*

☐ Yes ☒ No ☐ Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? \*

☐ Yes ☒ No ☐ Don't Know

## Trees

Are there any trees on or adjacent to the application site? \*

☐ Yes ☒ No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

## Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? \*

☐ Yes ☒ No

If Yes or No, please provide further details: \* (Max 500 characters)

No waste produced as part of the proposal.

## Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? \*

☐ Yes ☒ No

## All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? \*

☐ Yes ☒ No

## Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013? \*

☐ Yes ☒ No ☐ Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

## Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? \*

☐ Yes ☒ No

## Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? \*

☒ Yes ☐ No

Is any of the land part of an agricultural holding? \*

☐ Yes ☒ No

## Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

## Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: ian holmes

On behalf of: Mr Carlo Miele

Date: 14/08/2016

☒ Please tick here to certify this Certificate. \*

## Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? \*

☐ Yes ☐ No ☒ Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? \*

☐ Yes ☐ No ☒ Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? \*

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? \*

☐ Yes ☐ No ☒ Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? \*

☐ Yes ☐ No ☒ Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? \*

☐ Yes ☐ No ☒ Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

☒ Site Layout Plan or Block plan.

☒ Elevations.

☐ Floor plans.

☐ Cross sections.

☐ Roof plan.

☐ Master Plan/Framework Plan.

☐ Landscape plan.

☒ Photographs and/or photomontages.

☐ Other.

If Other, please specify: \* (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. \*

☐ Yes ☒ N/A

A Design Statement or Design and Access Statement. \*

☐ Yes ☒ N/A

A Flood Risk Assessment. \*

☐ Yes ☒ N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). \*

☐ Yes ☒ N/A

Drainage/SUDS layout. \*

☐ Yes ☒ N/A

A Transport Assessment or Travel Plan

☐ Yes ☒ N/A

Contaminated Land Assessment. \*

☐ Yes ☒ N/A

Habitat Survey. \*

☐ Yes ☒ N/A

A Processing Agreement. \*

☐ Yes ☒ N/A

Other Statements (please specify). (Max 500 characters)

## Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr ian holmes

Declaration Date: 14/08/2016

## Payment Details



Created: 14/08/2016 10:05



# *Miele's of Forres*

22-28 High Street, Forres, Moray IV36 1DB

Tel: 01309 672382 Fax: 01309 671000

*Vat Reg. No 605 1714 72*

12/09/2016

Dear Mr Wilson

I am contacted you with reference to my planning application No 16/01305/APP on site to rear of 22 – 28 High Street Forres. I wished to inform you of the use of the 7 self - storage containers. The containers would be for long term in frequent use, of which I intend to use two containers for my own business storage requirements. I shall also be detailing to prospective tenants within their lease to what and cannot be stored within the units. There shall be sufficient space within the site so that tenants do not create an accessibility

Traffic would therefore be minimal and would not affect the accessibility for the service vehicles using the road. I shall clearly state to tenants on the parking either within or around the site, so that it would not create congestion. The service road does not have any designated parking spaces, merely a turning point, again I would not envisage heavy use age.

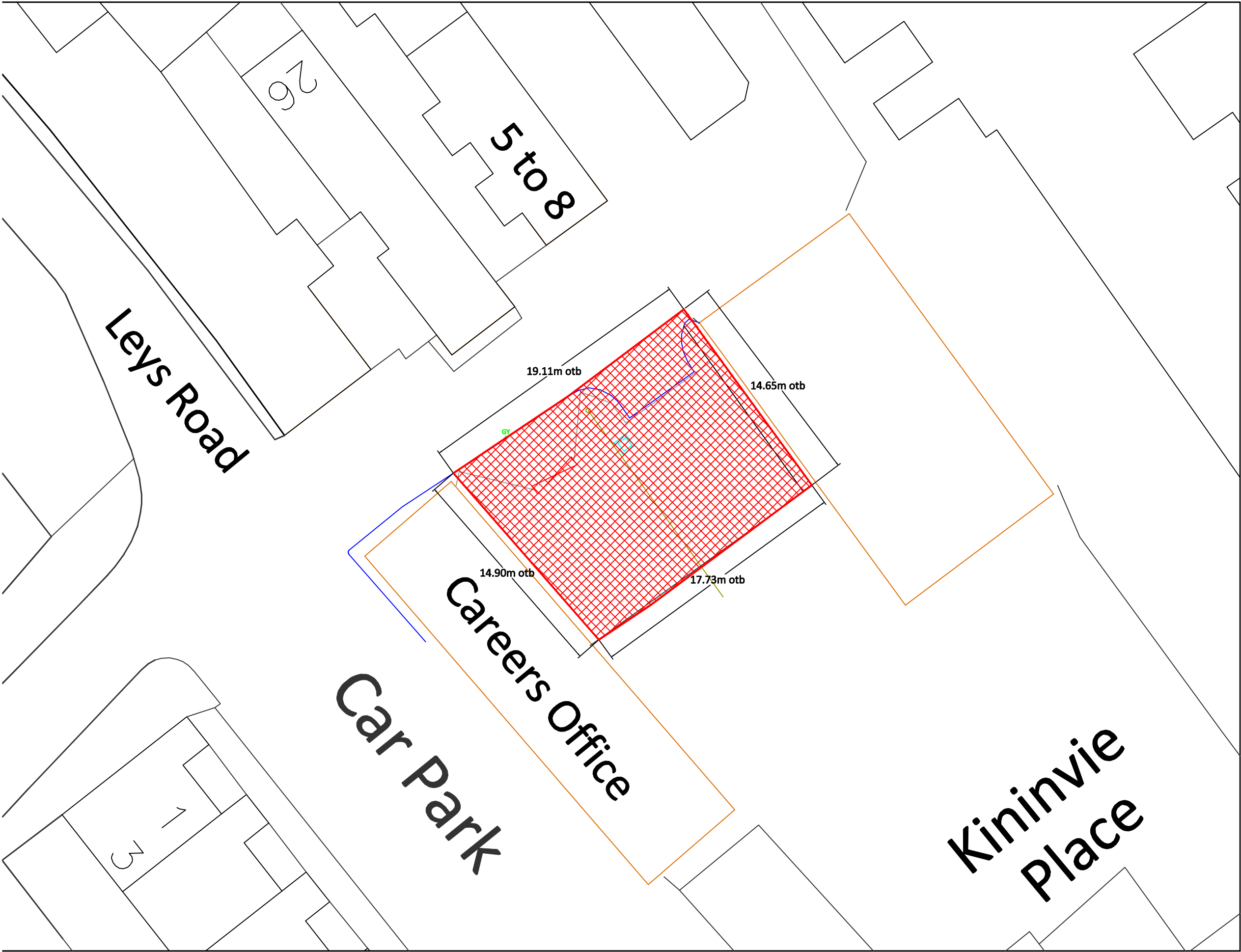
I am also the landlord of properties 1- 8 Varis Wynd, my tenants are aware that they are not permitted to use the turning point for parking.

If I can be of further assistance please feel free to contact me

Yours sincerely

Carlo Miele





Area hatched in Red = 0.027ha otb

REV:	DESCRIPTION:	BY:	DATE:
STATUS:		ISSUE	

**gmcsurveys**  
Surveys, Setting Out, Civil Engineering Design  
T: 07557 431 702  
E: gmcsurveys@gmail.com

CLIENT: Mr C Miele

SITE: Leys Road  
Forres

TITLE: Title Plan

SCALE AT A4: 1:250	DATE: AUG16	DRAWN: GM	CHECKED:
PROJECT NO: LR01	DRAWING NO: 900	REVISION: -	

# Consultation Request Notification

Planning Authority Name	<b>The Moray Council</b>
Response Date	<b>5th September 2016</b>
Planning Authority Reference	<b>16/01305/APP</b>
Nature of Proposal (Description)	<b>Site 7no self storage containers on</b>
Site	<b>Site To Rear Of 24 26 And 28 High Street Forres Moray</b>
Site Postcode	<b>N/A</b>
Site Gazetteer UPRN	<b>000133040925</b>
Proposal Location Easting	<b>303488</b>
Proposal Location Northing	<b>858784</b>
Area of application site (Ha)	<b>242 m<sup>2</sup></b>
Additional Comment	
Development Hierarchy Level	<b>LOCAL</b>
Supporting Documentation URL	<a href="http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&amp;keyVal=OBXSPMBGM1Z00">http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&amp;keyVal=OBXSPMBGM1Z00</a>
Previous Application	<b>16/01133/ID 04/01891/FUL 04/02084/CON</b>
Date of Consultation	<b>22nd August 2016</b>
Is this a re-consultation of an existing application?	<b>No</b>
Applicant Name	<b>Mr Carlo Miele</b>
Applicant Organisation Name	
Applicant Address	<b>Per Agent</b>
Agent Name	<b>IH Design</b>
Agent Organisation Name	
Agent Address	<b>Eilean Dubh 12 Councillors Walk Forres Moray IV36 1HA</b>
Agent Phone Number	
Agent Email Address	<b>N/A</b>
Case Officer	<b>Derek Wilson</b>
Case Officer Phone number	<b>01343 563479</b>
Case Officer email address	<b>derek.wilson@moray.gov.uk</b>
PA Response To	<b>consultation.planning@moray.gov.uk</b>

## NOTE:

If you do not respond by the response date, it will be assumed that you have no comment to make.

The statutory period allowed for a consultation response is 14 days. Due to scheduling

pressures if a definitive response is not received within 21 days this may well cause the two month determination period to be exceeded.

Please respond using the attached form:-

**MORAY COUNCIL**

**PLANNING CONSULTATION RESPONSE**

**From:** Aberdeenshire Council Archaeology Service

**Planning Application Ref. No: 16/01305/APP**

**Site 7no self storage containers on Site To Rear Of 24 26 And 28 High Street Forres Moray  
for Mr Carlo Miele**

I have the following comments to make on the application:-

- |   | <b>Please</b>                        |
|---|--------------------------------------|
| (a) I OBJECT to the application for the reason(s) as stated below   | <b>x</b><br><input type="checkbox"/> |
| (b) I have NO OBJECTIONS to the application and have no condition(s) and/or comment(s) to make on the proposal            | <b>x</b>                             |
| (c) I have NO OBJECTIONS to the application subject to condition(s) and/or comment(s) about the proposal as set out below | <input type="checkbox"/>             |
| (d) Further information is required in order to consider the application as set out below                                 | <input type="checkbox"/>             |

**Reason(s) for objection**

None

**Condition(s)**

None

**Further comment(s) to be passed to applicant**

**Further information required to consider the application**

**Contact: Claire Herbert**  
**email address:**  
[archaeology@aberdeenshire.gov.uk](mailto:archaeology@aberdeenshire.gov.uk)  
**Consultee: Archaeology Service**

**Date...31/08/2016.....**  
**Phone No ...01224 665185.**

<b>Return response to</b>	<b>consultation.planning@moray.gov.uk</b>
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Applicant Organisation Name	
Applicant Address	<b>Per Agent</b>
Agent Name	<b>IH Design</b>
Agent Organisation Name	
Agent Address	<b>Eilean Dubh 12 Councillors Walk Forres Moray IV36 1HA</b>
Agent Phone Number	
Agent Email Address	<b>N/A</b>
Case Officer	<b>Derek Wilson</b>
Case Officer Phone number	<b>01343 563479</b>
Case Officer email address	<b>derek.wilson@moray.gov.uk</b>
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Please respond using the attached form:-



## MORAY COUNCIL

### PLANNING CONSULTATION RESPONSE

**From:** Contaminated Land

**Planning Application Ref. No:** 16/01305/APP

**Site** 7no self storage containers on Site To Rear Of 24 26 And 28 High Street Forres Moray  
**for Mr Carlo Miele**

I have the following comments to make on the application:-

- |   | <b>Please</b>                        |
|---|--------------------------------------|
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| (d) Further information is required in order to consider the application as set out below                                 | <input type="checkbox"/>             |

**Contact:** Adrian Muscutt

**email address:** Adrian.muscutt@moray.gov.uk

**Consultee:** Contaminated Land

**Date** 24.8.16

**Phone No** (01343) 563496

<b>Return response to</b>	<b>consultation.planning@moray.gov.uk</b>
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**From:** Sonia Macdonald  
**Sent:** 29 Aug 2016 15:38:41 +0000  
**To:** DC-General Enquiries  
**Cc:** Developer Obligations  
**Subject:** 16/01305/APP : Developer Obligations Response

Good afternoon,

**Site 7no self storage containers on Site To Rear Of 24 26 And 28 High Street Forres Moray**

We have undertaken a Developer Obligations Assessment and can confirm that given the nature and scale of the development proposed, it will not have a detrimental impact on local infrastructure that requires mitigation by Developer Obligations.

There are no further comments to make on this application. The Moray Council Transportation Service will advise directly of any local roads mitigation required.

Sonia

**Sonia MacDonald** | Developer Obligations Officer  
Legal and Governance | Business Services | Aberdeenshire Council | C/o Area Office | The Square |  
Banchory | AB31 5RW

☎ 01330 825 518

E-mail: [sonia.macdonald@aberdeenshire.gov.uk](mailto:sonia.macdonald@aberdeenshire.gov.uk)

This e-mail may contain privileged information intended solely for the use of the individual to whom it is addressed. If you have received this e-mail in error, please accept our apologies and notify the sender, deleting the e-mail afterwards. Any views or opinions presented are solely those of the e-mail's author and do not necessarily represent those of Aberdeenshire Council.  
[www.aberdeenshire.gov.uk](http://www.aberdeenshire.gov.uk)

# Consultation Request Notification

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## MORAY COUNCIL

### PLANNING CONSULTATION RESPONSE

**From:** Environmental Health Manager

**Planning Application Ref. No:** 16/01305/APP

**Site** 7no self storage containers on Site To Rear Of 24 26 And 28 High Street Forres Moray  
**for** Mr Carlo Miele

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- |   | <b>Please</b>                        |
|---|--------------------------------------|
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| (c) I have NO OBJECTIONS to the application subject to condition(s) and/or comment(s) about the proposal as set out below | <input type="checkbox"/>             |
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**Reason(s) for objection**

**Condition(s)**

**Further comment(s) to be passed to applicant**

**Further information required to consider the application**

**Contact:** Andy Stewart  
**email address:**  
**Consultee:**

**Date:** 29<sup>th</sup> August 2016  
**Phone No** .....

<b>Return response to</b>	<b>consultation.planning@moray.gov.uk</b>
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**MORAY COUNCIL  
PLANNING CONSULTATION RESPONSE**

**From:** The Moray Council, Flood Risk Management

**Planning Application Ref. No:** 16 01305 APP -- Site 7 no self storage containers on Site To Rear Of 24 26 And 28, High Street, Forres

I have the following comments to make on the application:-

- |   | <b>Please<br/>x</b>                 |
|---|-------------------------------------|
| (a) I OBJECT to the application for the reason(s) as stated below   | <input type="checkbox"/>            |
| (b) I have NO OBJECTIONS to the application and have no condition(s) and/or comment(s) to make on the proposal            | <input type="checkbox"/>            |
| (c) I have NO OBJECTIONS to the application subject to condition(s) and/or comment(s) about the proposal as set out below | <input checked="" type="checkbox"/> |
| (d) Further information is required in order to consider the application as set out below                                 | <input type="checkbox"/>            |

**Reason(s) for objection**

**Conditions(s)**

**Further comments(s) to be passed to applicant**

The site for the above planning application is at high risk of surface water per SEPA surface water maps. The addition of storage containers to the site shouldn't increase the flood risk elsewhere; however there would be potential flood risk to the property stored within the containers. This should be considered before any works commence.

**Further information required to consider the application**

Contact:	James Ross	Date	30/08/2016
email address:	James.ross@moray.gov.uk	Phone No	01343 563771

**Consultee:** The Moray Council, Flood Risk Management

# Consultation Request Notification

Planning Authority Name	<b>The Moray Council</b>
Response Date	<b>5th September 2016</b>
Planning Authority Reference	<b>16/01305/APP</b>
Nature of Proposal (Description)	<b>Site 7no self storage containers on</b>
Site	<b>Site To Rear Of 24 26 And 28 High Street Forres Moray</b>
Site Postcode	<b>N/A</b>
Site Gazetteer UPRN	<b>000133040925</b>
Proposal Location Easting	<b>303488</b>
Proposal Location Northing	<b>858784</b>
Area of application site (Ha)	<b>242 m<sup>2</sup></b>
Additional Comment	
Development Hierarchy Level	<b>LOCAL</b>
Supporting Documentation URL	<a href="http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&amp;keyVal=OBXSPMBGM1Z00">http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&amp;keyVal=OBXSPMBGM1Z00</a>
Previous Application	<b>16/01133/ID 04/01891/FUL 04/02084/CON</b>
Date of Consultation	<b>22nd August 2016</b>
Is this a re-consultation of an existing application?	<b>No</b>
Applicant Name	<b>Mr Carlo Miele</b>
Applicant Organisation Name	
Applicant Address	<b>Per Agent</b>
Agent Name	<b>IH Design</b>
Agent Organisation Name	
Agent Address	<b>Eilean Dubh 12 Councillors Walk Forres Moray IV36 1HA</b>
Agent Phone Number	
Agent Email Address	<b>N/A</b>
Case Officer	<b>Derek Wilson</b>
Case Officer Phone number	<b>01343 563479</b>
Case Officer email address	<b>derek.wilson@moray.gov.uk</b>
PA Response To	<b>consultation.planning@moray.gov.uk</b>

## NOTE:

If you do not respond by the response date, it will be assumed that you have no comment to make.

The statutory period allowed for a consultation response is 14 days. Due to scheduling

pressures if a definitive response is not received within 21 days this may well cause the two month determination period to be exceeded.

Please respond using the attached form:-



## MORAY COUNCIL

### PLANNING CONSULTATION RESPONSE

**From:** Transportation Manager

**Planning Application Ref. No: 16/01305/APP**

**Site 7no self storage containers on Site To Rear Of 24 26 And 28 High Street Forres Moray for Mr Carlo Miele**

I have the following comments to make on the application:-

**Please**

- |     |   |                          |
|-----|---|--------------------------|
| (a) | I OBJECT to the application for the reason(s) as stated below   | <b>X</b>                 |
| (b) | I have NO OBJECTIONS to the application and have no condition(s) and/or comment(s) to make on the proposal            | <input type="checkbox"/> |
| (c) | I have NO OBJECTIONS to the application subject to condition(s) and/or comment(s) about the proposal as set out below | <input type="checkbox"/> |
| (d) | Further information is required in order to consider the application as set out below                                 | <input type="checkbox"/> |

*This application is for 7no self-storage containers within a site served by a private road, which itself takes access via the U173E Leys Road.*

*The private road serves as access to a mixture of residential and commercial properties and therefore is used by both cars and larger vehicles such as Heavy Goods Vehicles which require access for delivery purposes.*

*The private road is regularly subject to ad-hoc parking, often resulting in problems with the larger vehicles gaining access and/or being able to manoeuvre as required within the site. A small turning head exists but this is regularly occupied by parked vehicles.*

*The parking/ manoeuvring issues have resulted in a number of complaints to the Moray Council Traffic team.*

*The proposed parking/ turning provision is inadequate within the site. It is likely that the additional vehicles associated with this proposed development which could not be accommodated within the site would further exacerbate existing access issues, and may also potentially result in emergency vehicles being unable to access properties within the private road.*

#### **Reason(s) for objection**

Moray Local Development Plan 2015 - Policy T5 Parking Standards

The proposal does not incorporate adequate on-site vehicular parking and turning facilities to meet the Moray Council Standards. The proposal, if permitted, would therefore be likely to lead to an undesirable increase in parking within the adjacent area, both to the detriment of road safety and access to properties.

**Contact: DA**  
**email address: [transport.develop@moray.gov.uk](mailto:transport.develop@moray.gov.uk)**  
**Consultee: TRANSPORTATION**

**Date 08 September 2016**

<b>Return response to</b>	<b><a href="mailto:consultation.planning@moray.gov.uk">consultation.planning@moray.gov.uk</a></b>
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Please note that information about the application including consultation responses and representations (whether in support or objection) received on the proposal will be published on the Council's website at <http://public.moray.gov.uk/eplanning/>. (You can also use this site to track progress of the application and view details of any consultation responses and representations (whether in support or objection) received on the proposal). In order to comply with the Data Protection Act, personal information including signatures, personal telephone and email details will be removed prior to publication using "redaction" software to avoid (or mask) the display of such information. Where appropriate other "sensitive" information within documents will also be removed prior to publication online.

# Comments for Planning Application 16/01305/APP

## Application Summary

Application Number: 16/01305/APP

Address: Site To Rear Of 24 26 And 28 High Street Forres Moray

Proposal: Site 7no self storage containers on

Case Officer: Derek Wilson

## Customer Details

Name: Mr Graham Murdoch

Address: [REDACTED]

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Inadequate plans
- Legal issues
- Over-development of site
- Parking
- Road access
- Traffic

Comment: Dear Sir/Madam,

I am writing to object to the proposals to provide 7No self storage containers on the site to the rear of 24,26,28 High Street, Forres.

The reason for my objection is that the plans do not accurately reflect the position of the sites existing timber fence boundaries.

The boundary to the rear of the site does not run at a 90 degree angle between the neighbouring buildings, while the boundary fence to the left is shown running down the side elevation of the neighbouring property, which again is not accurate as this area forms part of the existing buildings emergency exit.

The proposals currently show 7No storage containers which run the entire length of the site. As the rear and left hand boundaries are incorrect it may not be possible to install the desired number of containers.

Further to my comments above, the left hand boundary is currently shown running down the side elevation of the neighbouring property, the proposed containers are also shown running the entire

length of the site, this would suggest that the emergency exit from the neighbouring property will be blocked by a container and rendered useless.

Parking at the moment isn't often an issue, but an increased traffic flow may also have an affect on the surrounding properties and businesses who require access and have regular deliveries via arctic lorries and other heavy goods vehicles. If a number of the container owners are on site with separate vehicles, this may cause an issue.

Finally, with the storage containers being located less than 1m from the boundaries, will they be certified as non-combustible should someone wish to store flammable substances, and how would this be regulated.

Architectural drawings in support of my objection can be provided if required and I ask that you do not to hesitate to contact me should you have any queries whatsoever.

Regards,

Graham Murdoch

## **REPORT OF HANDLING**

<b>Ref No:</b>	16/01305/APP	<b>Officer:</b>	Derek Wilson
<b>Proposal Description/ Address</b>	Site 7no self storage containers on Site To Rear Of 24 26 And 28 High Street Forres Moray		
<b>Date:</b>	10.10.2016	<b>Typist Initials:</b>	LMC

### **RECOMMENDATION**

Approve, without or with condition(s) listed below		N
Refuse, subject to reason(s) listed below		Y
Legal Agreement required e.g. S,75		N
Notification to Scottish Ministers/Historic Scotland		N
Hearing requirements	Departure	N
	Pre-determination	N

### **CONSULTATIONS**

<b>Consultee</b>	<b>Date Returned</b>	<b>Summary of Response</b>
Contaminated Land	24/08/16	No objections.
Environmental Health Manager	30/08/16	No objections.
Transportation Manager	08/09/16	Objections – see analysis.
Moray Flood Risk Management	30/08/16	No objections with informative.
Developer Obligations Unit	30/08/16	No contribution required.
Aberdeenshire Council Archaeology Service	31/08/16	No objections.
Estates, Central Services		No objections.

### **DEVELOPMENT PLAN POLICY**

<b>Policies</b>	<b>Dep</b>	<b>Any Comments (or refer to Observations below)</b>
BE3: Conservation Areas	Y	
ED1: Development of New Employment Land	Y	
T5: Parking Standards	Y	
IMP3: Developer Obligations	N	
EP9: Contaminated Land	N	
Forres TC: Policy for Retailing in TC Area	N	
Forres ENV10: Regeneration Proposals	N	
PP1: Sustainable Economic Growth	Y	
PP3: Placemaking	N	
T2: Provision of Access	Y	

IMP1: Developer Requirements	Y	
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REPRESENTATIONS		
Representations Received	YES	
Total number of representations received: ONE		
Names/Addresses of parties submitting representations		
Name and address details of parties submitting representations withheld in accordance with the Data Protection Act.		
Summary and Assessment of main issues raised by representations		
<p><b>Issue:</b></p> <p>Inadequate plans and legal issues - The site boundary on the proposal plan is inaccurate. Over-development of site. Due to the actual site being smaller than the plans show, the number of containers may be too many for the site and may block an emergency door of a neighbouring property.</p> <p>Parking and road access - The road is used for deliveries to surrounding businesses often by large (artic.) lorries. The proposal does not address the increase in traffic the development would attract. The containers should be certified non-combustible and assurances gained that flammable substances should not be stored.</p>		
<p><b>Comments (PO):</b></p> <p>The above issues are broadly examined against policy in the analysis section of this report. Regarding ownership issues the applicant has declared within the planning submission what they believe to be their land. Any private land dispute ongoing or subsequent to the planning application determination will be a private matter.</p>		

## OBSERVATIONS – ASSESSMENT OF PROPOSAL

### The Proposal

An Informal Determination (16/01133/ID) response sent on 03/08/2016 advised that planning permission is required for five containers and that the section of road leading to the site is under the control of Moray Council and accordingly that prior to submitting an application Moray Council Estates Section are contacted to clarify the purpose of the siting of the storage containers and access intentions to the site. No evidence of any consultation has been supplied as supporting information.

- The site is within Forres Town Centre's Conservation area to the rear of High Street shops and their service areas.
- The title document supplied shows the proposal site to be a 272sqm. rectangle.
- The proposal is for a 242sqm site drawn to the same plan as the 272sqm Title Plan and is a rectangle with openings to a service road at the north-west. Wooden fencing is used as boundaries for the site except the south-west where a Careers Office wall is the boundary. This back wall features three large air conditioning extractors approximately 2m from the ground and less than a metre deep. There is a food processing facility to the north -east. The existing fencing is to be retained except the north-west portion where new gates and a timber fence portion will be erected to the same height as existing.
- There is no current use although flatted dwelling uses have been proposed in the last twelve years.
- The land use proposal is for self- storage containers for use by visiting members of the public.

Each of the seven containers is to be 6100mm x 2400mm x 2400mm giving a minimum footprint of 103sqm although space between the containers must increase this slightly and space for the air conditioning units will be required to the south-west.

- The proposal intends to retain seven parking spaces on site. Each standard car parking space must measure no less than 2.5m x 5m for non disabled access spaces. This total footprint is 87.5sqm. The proposal intends to request a drop kerb at the entrance.
- No details have been supplied regarding detailed design or the colour of the storage units.

### Appraisal

Section 25 of the Town and Country Planning (Scotland) etc. Act 1997 requires applications to be determined in accordance with the current Moray Local Development Plan 2015 unless material considerations indicate otherwise. The planning issues and policy implications for this proposal are the following:

#### Analysis

Development proposals within Conservation Areas will be refused if they adversely affect the character and appearance of the Conservation Area in terms of scale, height, colour, detailed design, use and siting. This is a service area for businesses and therefore a storage facility is acceptable. The absence of detail regarding the containers however is unacceptable under Policy BE3.

Provision must be made for on-site and off-site parking. This proposal cannot accommodate the seven proposed spaces. No provision has been made for the collection, separation and management of waste materials and therefore the proposal is unacceptable under Policy ED1.

The site for the above planning application is at high risk of surface water per SEPA surface water maps. The addition of storage containers to the site should not increase the flood risk elsewhere; however there would be potential flood risk to the property stored within the containers. This should be considered before any works commence.

#### Transport

This application is for seven self-storage containers within a site served by a private road, which itself takes access via the U173E Leys Road. The private road serves as access to a mixture of residential and commercial properties and therefore is used by both cars and larger vehicles such as Heavy Goods Vehicles which require access for delivery purposes. The private road is regularly subject to ad-hoc parking, often resulting in problems with the larger vehicles gaining access and/or being able to manoeuvre as required within the site. A small turning head exists but this is regularly occupied by parked vehicles. The parking/ manoeuvring issues have resulted in a number of complaints to the Moray Council as roads authority.

The proposed parking/ turning provision is inadequate within the site. It is likely that the additional vehicles associated with this proposed development which could not be accommodated within the site would further exacerbate existing access issues, and may also potentially result in emergency vehicles being unable to access properties within the private road.

The proposal does not incorporate adequate on-site vehicular parking and turning facilities to meet the Moray Council Standards. The proposal would therefore be likely to lead to an undesirable increase in parking within the adjacent area, both to the detriment of road safety and access to properties. The proposal is unacceptable under Policies T2, T5 and PP1.

New development requires to be sensitively sited, designed and serviced appropriate to the amenity of the surrounding area including acceptable arrangements for waste management. The seven proposed containers are unacceptable as overdevelopment of the site and the effect on the surrounding area in terms of amenity, servicing and infrastructure under Policies IMP1 and IMP3.

### Conclusion

For the reasons described in the analysis section the application is being refused. Provision on site will not adequately contain the proposed storage facility which is deemed to be overdevelopment. The parking provision and adequate vehicle turning areas within the curtilage is not adequate. No amenity has been provided for staff or for the storage and recycling of any waste produced by self-storage activities. The design is incompatible with development in a conservation area. These form the basis for refusal.

### **OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT**

None

### **HISTORY**

Reference No.	Description			
16/01133/ID	Erect 5 no storage containers Site To Rear Of 22, 24 & 26 High Street Forres Moray			
	<b>Decision</b>	Planning Permission Required	<b>Date Of Decision</b>	03/08/16
04/01891/FUL	Erection of one and a half storey block of flats comprising 6No one bedroom units rear at 22, 24 & 26 High Street Forres Moray			
	<b>Decision</b>	Permitted	<b>Date Of Decision</b>	15/03/05
04/02084/CON	Erection of one and a half storey block of flats comprising 6no bedroom units at 22, 24 & 26 High Street Forres Moray			
	<b>Decision</b>	Permitted	<b>Date Of Decision</b>	15/03/05
04/01892/LBC	Listed Building consent for erection of one and a half storey block of flats comprising 6No one bedroom units at 22, 24 & 26 High Street Forres Moray			
	<b>Decision</b>	Permitted	<b>Date Of Decision</b>	15/03/05
01/01961/PE	Proposed dwellinghouse on Site To Rear Of High Street Forres Moray			
	<b>Decision</b>	ID/PE Answered	<b>Date Of Decision</b>	05/02/02

### **ADVERT**

<b>Advert Fee paid?</b>	<b>Yes</b>		
<b>Local Newspaper</b>	<b>Reason for Advert</b>	<b>Date of expiry</b>	
Forres Gazette	Planning application affecting LB/CA	20/09/16	
PINS	Planning application affecting LB/CA	20/09/16	

### **DEVELOPER CONTRIBUTIONS (PGU)**

<b>Status</b>	<b>NONE SOUGHT</b>
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**DOCUMENTS, ASSESSMENTS etc. \***

*\* Includes Environmental Statement, Appropriate Assessment, Design Statement, Design and Access Statement, RIA, TA, NIA, FRA etc*

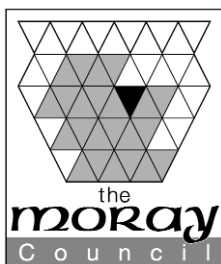
Supporting information submitted with application?		NO
Summary of main issues raised in each statement/assessment/report		
Document Name:		
Main Issues:		

**S.75 AGREEMENT**

Application subject to S.75 Agreement		NO
Summary of terms of agreement:		
Location where terms or summary of terms can be inspected:		

**DIRECTION(S) MADE BY SCOTTISH MINISTERS** (under DMR2008 Regs)

Section 30	Relating to EIA		NO
Section 31	Requiring planning authority to provide information and restrict grant of planning permission		NO
Section 32	Requiring planning authority to consider the imposition of planning conditions		NO
Summary of Direction(s)			



**THE MORAY COUNCIL  
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997,  
as amended**

**REFUSAL OF PLANNING PERMISSION**

**[Forres]  
Application for Planning Permission**

TO Mr Carlo Miele  
c/o IH Design  
Eilean Dubh  
12 Councillors Walk  
Forres  
Moray  
IV36 1HA

With reference to your application for planning permission under the above mentioned Act, the Council in exercise of their powers under the said Act, have decided to **REFUSE** your application for the following development:-

**Site 7no self storage containers on Site To Rear Of 24 26 And 28 High Street  
Forres Moray**

and for the reason(s) set out in the attached schedule.

Date of Notice: **10 October 2016**

Pp

**HEAD OF DEVELOPMENT SERVICES**

Environmental Services Department  
The Moray Council  
Council Office  
High Street  
ELGIN  
Moray  
IV30 1BX

**IMPORTANT**  
**YOUR ATTENTION IS DRAWN TO THE REASONS and NOTES BELOW**

**SCHEDULE OF REASON(S) FOR REFUSAL**

By this Notice, the Moray Council has REFUSED this proposal. The Council's reason(s) for this decision are as follows: -

The proposal is contrary to the provisions of the Moray Local Development Plan 2015 (Policies BE3, ED1, T2, T5, PP1 and IMP1) where:

1. the scale of the proposal it is overdevelopment within the curtilage of the site. The detrimental impact of this overdevelopment would be exacerbated by the site's presence within the conservation area, where a better standard of design and layout is required.
2. the space limitations for traffic movement and customer/staff parking in and around the site would be inappropriate for the use proposed.

**LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT**

The following plans and drawings form part of the decision:-

<b>Reference</b>	<b>Version</b>	<b>Title</b>
BP/1		Elevations site and location plan

**NOTICE OF APPEAL**  
**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**

If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to The Clerk, The Moray Council Local Review Body, Legal and Committee Services, Council Offices, High Street, Elgin IV30 1BX. This form is also available and can be submitted online or downloaded from [www.eplanning.scot/eplanningClient](http://www.eplanning.scot/eplanningClient)

If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.