



The Moray Council Council Office High Street Elgin IV30 1BX Tel: 01343 563 501 Fax: 01343 563 263 Email: 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 100036015-001

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)

Proposed change of use of domestic garage to commercial garage for the conversion of Volkswagen vans to camper vans

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:	Mantell Ritchie		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Michael	Building Name:	
Last Name: *	Ritchie	Building Number:	27A
Telephone Number: *	01261 812267	Address 1 (Street): *	High Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Banff
Fax Number:		Country: *	Scotland
		Postcode: *	AB45 1AN
Email Address: *	admin@mantellritchie.co.uk		

Is the applicant an individual or an organisation/corporate entity? *

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Other	You must enter a Building Name or Number, or both: *	
Other Title:	Mr and Mrs	Building Name:	
First Name: *	C	Building Number:	17
Last Name: *	Addison	Address 1 (Street): *	Cathay Terrace
Company/Organisation		Address 2:	Cullen
Telephone Number: *		Town/City: *	Buckie
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	AB56 4RX
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

Moray Council

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

Address 1:

17 CATHAY TERRACE

Address 2:

CULLEN

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

BUCKIE

Post Code:

AB56 4RX

Please identify/describe the location of the site or sites

Northing

866660

Easting

351317

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☐ Yes ☒ No

Site Area

Please state the site area:

875.00

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)

Domestic garage/workshop

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.

<p>Are you proposing any change to public paths, public rights of way or affecting any public right of access? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>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.</p>	
<p>How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?</p>	<div style="border: 1px solid black; padding: 2px 10px;">5</div>
<p>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)? *</p>	<div style="border: 1px solid black; padding: 2px 10px;">5</div>
<p>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).</p>	
<h2 style="margin: 0;">Water Supply and Drainage Arrangements</h2>	
<p>Will your proposal require new or altered water supply or drainage arrangements? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>Do your proposals make provision for sustainable drainage of surface water?? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (e.g. SUDS arrangements) *</p> <p>Note:-</p> <p>Please include details of SUDS arrangements on your plans</p> <p>Selecting 'No' to the above question means that you could be in breach of Environmental legislation.</p>	
<p>Are you proposing to connect to the public water supply network? *</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No, using a private water supply</p> <p><input checked="" type="checkbox"/> No connection required</p> <p>If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).</p>	
<h2 style="margin: 0;">Assessment of Flood Risk</h2>	
<p>Is the site within an area of known risk of flooding? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know</p> <p>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.</p> <p>Do you think your proposal may increase the flood risk elsewhere? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know</p>	
<h2 style="margin: 0;">Trees</h2>	
<p>Are there any trees on or adjacent to the application site? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>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.</p>	
<h2 style="margin: 0;">Waste Storage and Collection</h2>	
<p>Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	

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

Existing waste storage points shown on plans

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: Michael Ritchie

On behalf of: Mr and Mrs C Addison

Date: 13/01/2017

☒ 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. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Flood Risk Assessment. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Drainage/SUDS layout. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Transport Assessment or Travel Plan | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Contaminated Land Assessment. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Habitat Survey. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Processing Agreement. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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 Michael Ritchie

Declaration Date: 13/01/2017

Payment Details

Cheque: Mr C Addison and Mrs P Addison, 300092

Created: 13/01/2017 14:44

REPORT OF HANDLING

Ref No:	17/00044/APP	Officer:	Richard Smith
Proposal Description/ Address	Proposed change of use of domestic garage to commercial garage at 17 Cathay Terrace Cullen Buckie Moray		
Date:	05.07.2017	Typist Initials:	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

Consultee	Date Returned	Summary of Response
Environmental Health Manager	05/07/17	Objection/refusal on noise impact grounds.
Transportation Manager	10/03/17	No objection subject to conditions.
Building Standards Manager	28/02/17	Warrant required.

DEVELOPMENT PLAN POLICY

Policies	Dep	Any Comments (or refer to Observations below)
PP1: Sustainable Economic Growth		
EP8: Pollution	Y	
IMP1: Developer Requirements	Y	
T2: Provision of Access		
T5: Parking Standards		

REPRESENTATIONS

Representations Received	YES	
Total number of representations received: 13 from 6 parties		
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		
Issue: Amenity		
• Unacceptable Noise and disturbance from operations, commercial garage unacceptable in a		

quiet residential area, increased air and noise pollution, commercial proposal by its nature would create noise of metal working and other garage equipment, produce smells and require storage of hazardous, toxic flammable material in a residential environment.

- Potential for activity during unsocial hours unacceptable in a resident environment.
- Garage is already being used as a business enterprise without permission, noise from cutting machines being used outside even now causing concern, if permission were to be granted commercial aspect and noise would increase.
- Noise and disturbance from commercial activity would impact amenity in gardens and cause loss of privacy.
- Despite claims to the contrary commercial operation could operate at times when noise, additional traffic would create unwelcome disturbance.
- Potential of noise increase a concern with regard to the close proximity to the early stages of play where the nursery (age 3-4) can be out on a daily basis.

Comments (PO): Assessment of noise impacts from the proposal is detailed below within the observations section.

Issue: Character

- Development proposal is entirely out of character with adjacent housing, this is a quiet residential area which should not be allowed to develop into a commercial one in a person's "back yard". There are other available commercial sites around Cullen without impacting on a quiet residential area; proposal is detrimental to the character of the local neighbourhood.

Comments (PO): Officers share similar concerns which are again outlined within the observations section below.

Issue: Highway safety/traffic/parking/access

- Increased traffic impacts, danger to children attending nearby primary school, roads infrastructure not in place to support commercial premises of this nature, on-street parking and traffic associated with the proposal will impact on access arrangements for nearby properties and cause obstructions in the street where access to a school is in daily use, commercial garage located immediately adjacent to a lane giving access to school would create hazards to pedestrians and children.
- Site is not large enough to accommodate the commercial development as planned; already seen three vans parked on the site, how many vans will require parking? Street is already used by parents dropping/collecting children, proposal will add further congestion. Delivery of materials would mean an unwelcome increase in traffic in a residential street.
- If this is a change of use for commercial purposes one assumes potential for visitors and vehicular traffic, would be of concern for safety of children and for vehicles accessing the school canteen.

Comments (PO): Whilst the above concerns are noted, proposed access arrangements involving the use of the existing access/driveway and parking at the applicant's property would be acceptable in road safety/policy terms. Following consideration of supporting information from the applicant outlining the number of associated vehicular movements onto the adjacent public road and at the site, the Transportation Section has raised no objection to the grant of permission subject to conditions.

Issue: Intensification

- If commercial garage is allowed what future changes might be applied for? If approved what would happen if the property were sold and advertised as being a commercial site?

Comments (PO): Future changes are not relevant to the current application consideration process. The proposal requires to be assessed as submitted, on its individual merits and against relevant

planning policy.

Issue: Property house value

- Proposed commercial operation in a residential area will affect house resale value.

Comments (PO): Impact on house value is not a material planning consideration and therefore cannot be taken account in the assessment of this application.

Issue: Human Rights Legislation

- The Human Rights Act states that, "A person has the right to peaceful enjoyment of all their possessions which includes their home and other land".

Comments (PO): Determining a planning application is not contrary to human rights legislation where all points raised are taken into account and form part of the assessment.

Issue: Previous Complaint

- Previous concerns regarding the potential for the garage building to be used for commercial purposes were addressed by confirmation that the building shall be used 'solely as part of the existing dwelling house'. We feel misled by this response as this did not address our concerns and does not prevent a future application for change of use to commercial garage.

Comments (PO): These comments are noted, although permission was granted for the garage to be used on a domestic basis this does preclude the applicant from submitting the application currently under consideration.

Issue: Comments on Submitted Noise Impact Assessment (NIA)

- A detailed professional report, but based on applicant's stated plans for the garage which need to be challenged. Applicant states intention is to convert only 2-3 vans per year, all work will be inside the garage when the door is shut and that he will working alone. We have already seen three vans all at the same time and working outside the garage, with a van being examined outside the property, and two other men working in the yard with him using some kind of cutting machine. Applicant admits that he plans to convert and sell 2-3 vans a year will be little more than a hobby. The applicant continues to advertise online for vans to convert under the name "Moray Vans Conversions". Notes that author of Noise Impact Assessment calls the application "unusual", which we take to mean that the application requires the closest examination.
- Even if noise issue is removed as suggested by Noise Impact Assessment, this does not address road safety, impact on school access and parking, traffic concerns.
- Assessment appears to adopt a somewhat sympathetic conclusion as to the nature and purpose of the proposed change of use to a commercial garage. Notwithstanding the findings and conclusions of the report, change of use to a commercial facility might in the future change from what is intended at present to a more comprehensive type of commercial garage operation. Building could be sold off to another party, facilitated by the granting of permission now.
- Equipment has been used outside at times, with attendant noise, and not inside as stated.

Comments (PO): Refer to observations section below.

Applicant's Response:

- The van conversion is a hobby and I have no intention of turning this into a full time business. I plan to carry out the conversion in my spare time, some weeks I may work Monday to Friday 09:00 to 17:00 at the most and some weeks I will not work at all.
- There will be no HGV deliveries.
- There will be no more van deliveries to No 17 than any other of the properties that use online shopping.
- The two other vans seen in the drive belong to my sons, the two men seen at my property are my

sons.

- The equipment used outside was a pressure washer, used to wash my car. At present I am making no more noise than other properties tending to their gardens or doing DIY.
- I have said three to four vans per year in my application but in reality it will probably be two maximum.
- I don't use large volumes of hazardous chemicals, I use a small amount of glue and white spirit for cleaning the brush.
- A planning application was requested after a discussion with the Moray Planning Office.
- I have looked at the objections and as far as I can see many of the concerns are as before and since I have responded to these concerns I feel there is little more I can say to try and reassure the planning department that I am NOT planning on having a service station in my back garden. I only want something to do to pass some of my time since I have been forced to retire from the oil industry.
- I have however noticed one of my neighbours has commented on a van being examined on the street. This happened to be a neighbour of my son who had purchased a van elsewhere, which had been fitted with a removable tow bar. He was having issues attaching the tow hitch, I showed him how it worked and attached the hitch for him. Total time two minutes to fit, name and address can be supplied if required.
- My neighbour seems to think that I have been working elsewhere, this is untrue, and even if it were it has no relevance to my application. I do not advertise, however the company where I was trained shows my company name on their website.
- I would also like to add that I was unaware I need permission for my sons (who both work offshore) to visit the property and help with odd jobs e.g.: cut wood for my stove with a table saw. As I have already mentioned both my sons own vans.

OBSERVATIONS – ASSESSMENT OF PROPOSAL

Proposal

Application for planning permission for proposed change of use of domestic garage to commercial garage (used for conversion of 'Volkswagen' vans to campervans) at 17 Cathay Terrace, Cullen. The operation is currently up and running.

A Noise Impact Assessment been submitted in support of the application.

Further supporting information confirms the following:

- 1) Application initially was for the conversion of up to four campervans per year, but this has been reduced to two per year based on the Noise Impact Assessment.
- 2) One vehicle at a time will be converted.
- 3) Daily working hours will be 09:00 to 17:00.
- 4) Equipment to be used, Jigsaw, Wood Router for metal cutting, joinery, grinding and hammering.
- 5) No employees, applicant to carry out all work.
- 6) Noise mitigation to be:
 - a) Doors will be closed when equipment is being used and
 - b) Additional acoustic installation has been added into internal walls and garage roof space.

The Site and Surroundings

A newly built 1½ storey detached domestic garage (measuring 9.39m x 8.14m) located at the rear of the applicant's residential property, 17 Cathay Terrace. The garage originally approved and built under reference 15/01753/APP is subject to a planning condition that it only be used as part of the existing dwelling house for domestic purposes. The reason the condition was imposed was to retain control over the use of the building.

The site lies within an established residential area in the southern part of Cullen, which is

characterised predominantly by bungalows set within spacious plots which enjoy a high level of amenity.

Neighbours' houses lie to the north across a small lane which provides rear access to the Cullen Primary School, and to the east and southeast on the other side of Cathay Terrace. The Cullen Primary School and playing fields lie to the west and south.

The closest neighbours' dwelling is located immediately to the north across the abovementioned lane, and the distance from the house to the garage is approximately 12 metres. Intervening boundary enclosure features include a blockwork wall, timber fence and shrub planting. Neighbouring housing located further away on the opposite side of Cathay Terrace lies approximately 40m from the garage.

Appraisal

Section 25 of the 1997 Act as amended requires applications to be determined in accordance with the development plan i.e. the adopted Moray Local Development Plan 2015 (MLDP) unless material considerations indicate otherwise. The main planning issues are considered below.

Siting, Character and Noise

(MLDP policies EP8: Pollution and IMP1: Developer Requirements) and Scottish Government Planning Advice Note (PAN) 1/2011: Planning and Noise)

The proposed commercial operation located within a residential area of Cullen requires assessment against policies EP8 and IMP1 of the Moray Local Development Plan.

Policy EP8: Pollution aims to ensure that new development does not create pollution (water, noise, air or light) which could adversely affect the environment or local amenity. The policy states inter alia that, "Planning applications for developments that may cause significant pollution in terms of noise....will only be approved where a detailed assessment report on the levels, character and transmission of the potential pollution is provided by the applicant. The assessment should also demonstrate how the pollution can be appropriately mitigated...."

Policy IMP1 Developer Requirements requires new development proposals to be sensitively sited, designed and serviced appropriate to the amenity of the surrounding area and to be comply with set criterion. These include amongst others the requirement for new development to be appropriate to its surrounding area in terms of character and to address any potential risk of pollution.

The proposed campervan operation would occupy an existing domestic garage which is situated within a quiet residential area of Cullen where expectations of amenity levels are high, adjacent to a number of residential properties (one of which lies within very close proximity to the north). The nature and activities of the business would involve metal cutting, wood router/joinery work, grinding and hammering throughout the day, with the type of work changing depending upon the stage of the conversion.

The introduction of the proposed business together with its associated activities into this residential setting would have a significant impact on the existing character and amenity of the area and immediate surroundings contrary to policies IMP1 and EP8. Moreover, its position immediately adjacent and within close proximity to neighbours' houses and gardens to the north and further east would result in a significant loss of amenity and disturbance to the occupiers of these properties due to the nature and characteristics of the operations involved. As such the proposal would represent an inappropriate use which would not be compatible with its surroundings and would fail to satisfy the siting and land use compatibility requirements of policies EP8 and IMP1.

To assist consideration of sound emissions from the proposal a Noise Impact Assessment has been commissioned and submitted at the request of the Environmental Health Section. Following analysis of this assessment and supplementary information the Environmental Health Section has commented as follows:

"Refusal recommendation:

The Noise Impact Assessment (NIA) prepared for the applicant Mr C Addison by FEC Acoustics, dated 24th May 2017, indicates that the rating level for metal cutting will be 28dB(A) over the measured background sound level based on the assumption that cutting will only occur for about 33% of the hour. This level fails to comply with BS 4142 (2014) which states that a significant adverse impact is likely if the rating level is more than 10dB(A) over the measured background sound level. If the business increases (i.e. greater than 33% in a given hour) the noise level is likely to increase beyond the report predictions. The application was originally for the conversion of 4 vans per year but the NIA is based on a figure of 2 vans per year and any increase in business beyond 2 vans per year would increase the noise level beyond the report predictions. In addition to this metal cutting work the NIA identified router work to hole out of wooden panels for the interior of vehicles, which when this occurs, also gives rise to an adverse impact according to BS 4142, with a predicted 5dB(A) increase above the background sound level.

With reference to the Noise Impact Assessment provided by the Agent, this Section is not therefore satisfied that noise associated with the development will not adversely affect the existing residential dwellings with reference to policy EP8 and IMP1."

The above concerns have been taken into account in the assessment of this application and further support the reason for refusal on noise impact grounds.

The applicant's supporting information and the Noise Impact Assessment assert that the intended use of the garage is similar to activities that would normally be carried out within a domestic garage and that the amount of work done will be less than a commercial garage, resembling domestic usage. Whilst these comments are noted, the proposed business with its associated noise impacts, activities and characteristics within this quiet residential area in close proximity to housing would nevertheless be unacceptable. Consideration has been given to the imposition of planning conditions however any mitigation would not be sufficient to override the significant concerns, as already outlined above and would not meet the tests set out in the circular 4/1998 on planning conditions.

Access and Parking (T2 and T5)

Policies T2, T5 and IMP1 require development proposals to include the provision of safe entry and exit for all road users, infrastructure improvements where appropriate and adequate off street parking facilities. The proposed access arrangements involving the use of the existing access/driveway at the to the applicant's property would meet these requirements.

The Transportation Section has assessed the proposal and has raised no objection subject to conditions regarding drainage, parking and an on-site turning area to enable vehicles to enter/exit in a forward gear.

Recommendation

The proposed development is unacceptable in this location, fails to comply with development plan policy and is recommended for refusal.

OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT

None

HISTORY				
Reference No.	Description			
16/01810/ID	Operate business from home at 17 Cathay Terrace Cullen Buckie Moray AB56 4RX			
	Decision	Planning Permission Required	Date Of Decision	16/12/16
15/01753/APP	Proposed garage/workshop/gym at 17 Cathay Terrace Cullen Buckie Moray AB56 4RX			
	Decision	Permitted	Date Of Decision	23/10/15
14/00001/APP	Proposed garage/workshop/gym at 17 Cathay Terrace Cullen Buckie Moray AB56 4RX			
	Decision	Permitted	Date Of Decision	18/03/14
03/02254/FUL	Erect new conservatory at 17 Cathay Terrace Cullen Buckie Banffshire AB56 2RX			
	Decision	Permitted	Date Of Decision	22/01/04
96/01424/FUL	Alter and extend existing dwelling and erect new garage at 17 Cathay Terrace Cullen Buckie Banffshire AB56 2RX			
	Decision	Permitted	Date Of Decision	10/09/96

ADVERT		
Advert Fee paid?	Yes	
Local Newspaper	Reason for Advert	Date of expiry
Banffshire Advertiser	Development specified in Schedule 3 Departure from development plan	20/03/17
PINS	Development specified in Schedule 3 Departure from development plan	20/03/17

DEVELOPER CONTRIBUTIONS (PGU)	
Status	N/A

DOCUMENTS, ASSESSMENTS etc. *

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

Supporting information submitted with application?

YES

Summary of main issues raised in each statement/assessment/report

Document Name: Noise Impact Assessment, information from applicant outlining nature of operation and addressing objections received as a result of neighbour notification procedures.

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)

Consultation Request Notification – Building Standards

Planning Authority Name	The Moray Council
Response Date	8th March 2017
Planning Authority Reference	17/00044/APP
Nature of Proposal (Description)	Proposed change of use of domestic garage to commercial garage at
Site	17 Cathay Terrace Cullen Buckie Moray AB56 4RX
Site Postcode	N/A
Site Gazetteer UPRN	000133020540
Proposal Location Easting	351317
Proposal Location Northing	866660
Area of application site (Ha)	875 m2
Additional Comments	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=OJV2B5BGFR000
Previous Application	16/01810/ID 15/01753/APP 14/00001/APP
Date of Consultation	22nd February 2017
Is this a re-consultation of an existing application?	No
Applicant Name	Mr and Mrs C Addison
Applicant Organisation Name	
Applicant Address	17 Cathay Terrace Cullen Buckie Scotland AB56 4RX
Agent Name	Mantell Ritchie
Agent Organisation Name	
Agent Address	Architects 27 High Street BANFF AB45 1AN
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Iain T Drummond
Case Officer Phone number	01343 563607
Case Officer email address	iain.drummond@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

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: Building Standards

Planning Application Ref. No: 17/00044/APP

Proposed change of use of domestic garage to commercial garage at 17 Cathay Terrace Cullen Buckie Moray for Mr and Mrs C Addison

In terms of Building Warrant requirements.

	Please
(a) A Building Warrant is required	x
(b) A Building Warrant is not required (IBS008)	x
(c) A Building Warrant will not be required but must comply with Building Regulations.(IBS009)	<input type="checkbox"/>
(d) Comments	<input type="checkbox"/>
.....	
.....	
.....	
.....	

Contact: William Clark

email address: William.clark@moray.gov.uk

Consultee: Building Standards

Date 27.02.2017

Phone No 01343 563291

Return response to

consultation.planning@moray.gov.uk

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.

Consultation Request Notification

Planning Authority Name	The Moray Council
Response Date	8th March 2017
Planning Authority Reference	17/00044/APP
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Applicant Name	Mr and Mrs C Addison
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Agent Address	Architects 27 High Street BANFF AB45 1AN
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Iain T Drummond
Case Officer Phone number	01343 563607
Case Officer email address	iain.drummond@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

NOTE:

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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: Environmental Health Manager

Planning Application Ref. No: 17/00044/APP

**Proposed change of use of domestic garage to commercial garage at 17 Cathay Terrace
Cullen Buckie Moray for Mr and Mrs C Addison**

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

- | | Please |
|---|--------------------------|
| (a) I OBJECT to the application for the reason(s) as stated below | x
X |
| (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"/> |

Refusal recommendation

The Noise Impact Assessment (NIA) prepared for the applicant, Mr C Addison by FEC Acoustic , dated 24th May 2017, indicates that the rating level for metal cutting will be 28dB(A) over the measured background sound level based on the assumption that cutting will only occur for about 33% of the hour. This level fails to comply with BS 4142 (2014) which states that a significant adverse impact is likely if the rating level is more than 10dB(A) over the measured background sound level. If the business increases (i.e. greater than 33% in a given hour) the noise level is likely to increase beyond the report predictions. The application was originally for the conversion of 4 vans per year but the NIA is based on a figure of 2 vans per year and any increase in business beyond 2 vans per year would increase the noise level beyond the report predictions. In addition to this metal cutting work the NIA identified router work to hole out of wooden panels for the interior of vehicles, which when this occurs, also gives rise to an adverse impact according to BS 4142, with a predicted 5dB(A) increase above the background sound level.

With reference to the Noise Impact Assessment provided by the Agent, this Section is not therefore satisfied that noise associated with the development will not adversely affect the existing residential dwellings with reference to policy EP8 and IMP1.

Contact: James McLennan
email address:
Consultee:

Date.....05.07.2017.....
Phone No

Return response to	consultation.planning@moray.gov.uk
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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.

Consultation Request Notification

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Applicant Organisation Name	
Applicant Address	17 Cathay Terrace Cullen Buckie Scotland AB56 4RX
Agent Name	Mantell Ritchie
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Agent Phone Number	
Agent Email Address	N/A
Case Officer	Iain T Drummond
Case Officer Phone number	01343 563607
Case Officer email address	iain.drummond@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

NOTE:

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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: 17/00044/APP

**Proposed change of use of domestic garage to commercial garage at 17 Cathay Terrace
Cullen Buckie Moray for Mr and Mrs C Addison**

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

Please

- | | | |
|-----|---|-------------------------------------|
| (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"/> |

Note: The following response is based on additional information provided by the applicant dated 2nd March 2017 confirming the nature of, and number of vehicles and staff members associated with the proposed operations. Transportation considers that this proposal would result in a negligible increase in vehicular movements on the adjacent public road and at the site.

Condition(s)

1. No water shall be permitted to drain or loose material be carried onto the public footway/carriageway.
2. A turning area shall be provided within the curtilage of the site/each plot to enable vehicles to enter and exit in a forward gear.
3. Parking provision shall be as follows:
 - 2 spaces retained for the dwelling
 - 3 spaces for the commercial element (Moray Council Parking Standards Vehicle Servicing 3 spaces per bay)

The car parking spaces shall be provided within the site prior to the occupation or completion of the dwellinghouse, whichever is the sooner. The parking spaces shall thereafter be retained throughout the lifetime of the development, unless otherwise agreed in writing with the Council as Planning Authority.

REASONS

1. To ensure the safety and free flow of traffic on the public road and access to the site by minimising the road safety impact from extraneous material and surface water in the vicinity of the access.

2. To ensure the provision for vehicles to enter/exit in a forward gear in the interests of the safety and free flow of traffic on the public road
3. To ensure the permanent availability of the level of parking necessary for residents/visitors/others in the interests of an acceptable development and road safety.

Further comment(s) to be passed to applicant

Planning consent does not carry with it the right to carry out works within the public road boundary.

No building materials/scaffolding/builder's skip shall obstruct the public road (including footpaths) without permission from the Roads Authority.

Contact: DA/AG

Date 10 March 2017

email address: transport.develop@moray.gov.uk

Consultee: TRANSPORTATION

Return response to	consultation.planning@moray.gov.uk
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Received by e-mail

Hi Teresa
Please record this objection.
Ron
Sent from my iPhone

Begin forwarded message:

From: [REDACTED]
Date: 9 March 2017 at 11:18:42 GMT
To: Ronald Shepherd <Ronald.Shepherd@moray.gov.uk>
Subject: Planning Application Ref 17/00044/APP
Reply-To: [REDACTED]

Proximity

Received by e-mail

Dear Mr Richard Smith,

**Ref: Change of use of domestic garage to commercial
garage at 17 Cathay Terrace, Cullen. AB56 4RX**

I wish to inform you of our strong objections to the above proposed development at the location stated.

Inappropriate:

- Cathay Terrace is a residential street in a residential area of Cullen. Such a development is entirely out of character when considered alongside existing properties.

Traffic:

- A commercial garage as proposed, would undoubtedly generate additional traffic, create additional parking requirements and thus create obstructions in a street where access to a school is in daily use.

Noise pollution:

- Such a commercial property, would, by the nature of the proposed use, create noise of metal working and other typical garage equipment, produce unacceptable smell and require the storage and use of hazardous materials in a residential environment.

Anti social hours activity:

- There is the possibility of activity during unsocial hours which could be considered unacceptable in a resident environment.

Proximity to a school:

- There is a lane giving access to the primary school immediately adjacent to the proposed development. Children and vehicles use this access daily. A commercial garage with its associated vehicular activity would create additional hazards to pedestrians – children, parents and staff emerging from and approaching the school via this lane.... to access Cathay Terrace.

We hope that you will give consideration to the points raised above and that other councillors be afforded the opportunity to consider this application.

I give you my permission to forward this letter of objection to Councillors Cree, Coull and Tuke with a view to the application being considered by a planning committee.

Thankyou.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

Received by e-mail

Subject; Planning Application 17/000/44APP 17 Cathay Terrace

Dear Richard Smith,

I have received today your letter of 8th March 2017 and immediately reply to the Responses made by the applicant, Mr C. Addison. I assume I have the right to reply. (I sought confirmation of this but have received no reply from your office.)

Responses

1. And **2** There will only be three or four Vans per year. Is this true? We have already seen three Vans at a time being worked upon.

5 Two men as well as Mr Addison have on occasion been working on the vans.

6 Equipment has been used outside at times and not as stated, with attendant noise.

We are very wary of these responses and keep returning to the thought – why is it necessary for Mr Addison to be applying to turn his domestic garage into a **commercial** one if he is planning to do so little work?

Kind regards,



Dear Mrs Archibald,

**Planning Application 17/000/44AP to turn Domestic Garage into a
Commercial One
At 17 Cathay Terrace Cullen.**

I have ,by chance, come upon a report on The Moray Council website by a Mr Ron McGovern on a Noise Impact Assessment re the above application.

There have been so many changes among the Councillors following the recent elections and so many different officials have been involved in this application that my wife and I do not know to whom to write with our comments on Mr McGovern's report. Our last letter in April from our MSP. Stewart Stevenson, asked us to be sure to alert the new Councillors and Officials to the on-going situation.

We would be very grateful, therefore, if you would be good enough to pass this letter to all concerned.

Firstly, we thank Mr McGovern for carrying out what is clearly a very detailed and professional report. We note, however, that in his opening remarks Mr McGovern states that his report is "based on the applicant's stated plans for the garage." These attributed remarks need to be challenged.

1)Mr Addison clearly claims that he intends to convert only 2 – 3 vans per year.

Comment We have already seen three vans in his yard all at the same time.

2)It is stated that all the work will be inside the garage with the door shut.

Comment We have already seen work going on outside the garage and we have witnessed a van being examined in the street outside the property.

3)Mr Addison clearly claims that he will be working alone.

Comment Two other men have worked with him in the yard using some kind of cutting machine. We believe these have been his two adult boys who live elsewhere.

4)Mr Addison admits that he plans to sell the vans once they have been converted and with only 2 – 3 vans a year it will be little more than a hobby.

Comment Mr Addison continues to advertise online for vans to convert under the name " Moray Vans Conversions" with accompanying photographs of him working elsewhere but using the address for his business as 17 Cathay Terrace, Cullen, his home address. We believe that this is being done without the Authority's permission

5)We note that, in his report Mr McGovern calls this application "unusual."

Comment We agree. We take it to mean that this application requires the closest examination

Finally, we express a further note of concern. If this application to turn a domestic garage into a commercial one were to be granted what would happen if this property were to be sold and advertised as being a commercial site?

We firmly believe that this quiet residential area should remain a quiet residential area and not a commercial one.

Kind regards,

██████████

Tele. 01542 840794



3 March 2017.

Teresa Ruggeri
Development Services
The Moray Council
Elgin IV30 9BX

Application to convert Domestic Garage into Commercial One
At 17 Cathay Terrace Cullen
Objections

Dear Teresa,

I ask you to give full scrutiny to the comments and objections I raise re the above application.

Please also note that I have sent a letter to my MP, the Rt. Hon. Angus Robertson, on this subject with copies to Mrs Cathy Archibald, Planning Officer, to Mr Richard Smith, Case Officer and to my Local Councillors, Mr Ron Shepherd and Mr Gary Coull.

Objections.

1 Residential. This is a quiet residential area which should not be allowed to develop into a commercial one especially one in a person's "back yard." There are plenty available commercial sites around Cullen without having to impact upon a quiet, residential area. What is proposed is detrimental to the character of the local neighbourhood.

2 Safety The Commercial Development as planned is adjacent to a lane used by young children going to and coming from their Primary and Nursery classes in the local school. The safety issue is obvious and the safety of children must be regarded as paramount.

3 Hazard Three driveways already exit on to Cathay Terrace at the point where the commercial development is planned. Vans moving about the street would constitute an additional hazard.

4 (a) Parking. The site at 17 Cathay Terrace is not large enough to accommodate a commercial development as planned. Already we have seen three vans parked within the house parking area. How many vans are there to be requiring parking space?

(b) The street is already used by parents parking their cars when delivering/collecting their children at school. The proposed development would only cause further congestion.

5 Hazardous Materials. We do not know what hazardous materials would be used or stored in a commercial garage but suspect that there could be a problem with smells and fumes.

6 Noise. This area is a quiet residential area and any noise would be obtrusive and objectionable. The site is already being used clandestinely and illegally as a business enterprise and the noise used by cutting machines being used outside is even now causing

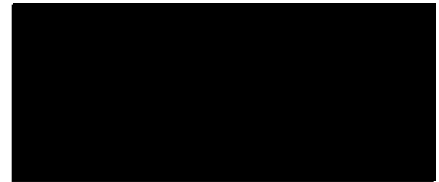
concern. If permission were to be granted it is more than possible that the commercial aspect of the business would increase along with the attendant noise.

7 Delivery of Materials. This would mean an unwelcome increase in traffic in a residential street.

8 Loss of Privacy. Residents who at present can enjoy relaxing peacefully in their gardens would be upset by the noise and disturbance that would be undoubtedly caused by any commercial business.

9 Human Rights. The Human Rights Act states that "A person has the right to peaceful enjoyment of all their possessions which includes their home and other land."

Yours faithfully



Cc. Mrs. Cathy Archibald, Planning Officer
Mr. Richard Smith, Case Officer
Cllr. Ron Shepherd
Cllr. Gary Coulth.

Received by e-mail

Dear Sir/Madam

I write to express my concerns with regards to the planning application submitted for the conversion of a residential garage to a commercial premises at No 17 Cathay Terrace in Cullen.

I feel the safety of all local residents and also the children attending the local primary school which is situated right next to this property could be compromised by the introduction of a commercial property. The increased volume of traffic, air and noise pollution should also be given serious consideration.

Cathay Terrace is currently a very quite residential area and there is not the infrastructure in place to support a commercial premises of this nature. The applicant has indicated they will operate from 9 to 5 but I couldn't see what day of the weeks this relates to. It is Monday to Friday or 7 days per week.

Cathay Terrace is a fairly long and straight section of road however there is a very sharp corner at the top and traffic would have difficulty in negotiating this area if cars are parked on the street outside this property. The houses opposite the property have driveways that lead out onto Cathay Terrace and if traffic is going to be forced over to driving down the street on the right hand side then this could be a potential hazard.

I would be really grateful if you give serious consideration to this request as I fail to see why there is even a need for such a business to be set up in a quiet and safe residential area. The thought of heavy goods vehicles arriving on a regular basis is not something anyone should expect to endure in the privacy of their own home.

Kind regards

[REDACTED]

Received by e-mail

To. Teresa Ruggeri,

We have already strongly objected to this change of use and nothing has changed to alter our response.

Even if the noise issue is removed there are still issues of Road safety, Access to and from the school, Additional parking in the street, Traffic etc.

We did not buy a property in this residential area to have a commercial garage nearby and feel that once permission is granted and a president is set there will be no stopping to what may be applied for in the future.

Yours Sincerely

A solid black rectangular box used to redact the signature of the sender.

Received by e-mail

To: Teresa Ruggeri,

With regard to the "change of use" to the garage at 17 Cathay Terrace you will note that our original complaint (ref no 8170) against this development, we had concern that the building would be used for commercial purposes. In the reply from Jim Grant on the 2nd Feb 2016 to somewhat ease our concern our attention was drawn to the condition that had been added to the planning consent stating that the building shall be used 'solely as part of the existing dwelling house'.

I feel that we were somewhat misled by this response as I now understand that this did not address our concerns, and does not prevent future application for change of use to commercial purpose.

Once again I must comment that the appearance of this building is totally out of character with the surroundings and dwarfs all exciting buildings, we have lost our open aspect view and been deprived of the low winter sunlight to the house and garden.

The lane between our property and number 17 is the rear access to Cullen Primary School. It is used by the children and also delivery vehicles, any additional street parking and traffic around this area could cause further access problems to the school.

This is a quiet residential area and the addition of a commercial garage will cause increase in noise and traffic to the immediate vicinity.

There is also an issue regarding property resale value, will this be affected by the change of use?

We must strongly object to this planning application 17/00044/APP for change of domestic garage to commercial garage.

Yours Sincerely

██████
██████████████
██████████
██████████████████

Comments for Planning Application 17/00044/APP

Application Summary

Application Number: 17/00044/APP

Address: 17 Cathay Terrace Cullen Buckie Moray AB56 4RX

Proposal: Proposed change of use of domestic garage to commercial garage at

Case Officer: Richard Smith

Customer Details

Name: [REDACTED]

Address: [REDACTED]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Height of proposed development
- Noise
- Over-development of site
- Parking
- Poor design
- Precedent
- Road access
- Road safety
- Smell
- Traffic

Comment: An inappropriate proposal in a residential street adjacent to a primary school.

Commercial garage activity includes the storage and use of toxic, flammable and other hazardous substances. This poses an unacceptable health and safety concern for those living nearby.

Despite claims to the contrary commercial operation could operate at times when noise, additional traffic would create unwelcome disturbance.

The Moray Council should reject this application.

Received by e-mail

Ref: Change of use of domestic garage to commercial garage at 17 Cathay Terrace, Cullen.
AB56 4RX

Dear Mr Shepherd

I wish to reiterate my strong objection to the above application ref: 17/00044/APP.

I note that a Noise Impact Assessment has been conducted in relation to the application. It would appear to adopt a somewhat sympathetic conclusion as to the nature and purpose of the proposed change of use to a commercial garage..viz para 6 on the final page.

Notwithstanding the findings and conclusions of this report, the change of use to a commercial facility might, in months/years to come change from that which is intended at present, to a more comprehensive type of commercial garage operation. The building could be sold to another party, for example. Such a further development would be facilitated by the building being granted permission to become a 'commercial garage'.

Taking account of the foregoing and my previous objections, I wish that the Moray Council rejects this change of use application.

Perhaps you might pass my further comment to the other 'new' councillors for Keith and Cullen.

Yours sincerely

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Comments for Planning Application 17/00044/APP

Application Summary

Application Number: 17/00044/APP

Address: 17 Cathay Terrace Cullen Buckie Moray AB56 4RX

Proposal: Proposed change of use of domestic garage to commercial garage at

Case Officer: Richard Smith

Customer Details

Name: [REDACTED]

Address: [REDACTED]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Affecting natural environment
- Noise
- Parking
- Road access
- Road safety
- Smell
- Traffic

Comment: I wish to inform you of our strong objections to the above proposed development at the location stated.

Inappropriate:

Cathay Terrace is a residential street in a residential area of Cullen. Such a development is entirely out of character when considered alongside existing properties.

Traffic:

A commercial garage as proposed, would undoubtedly generate additional traffic, create additional parking requirements and thus create obstructions in a street where access to a school is in daily use.

Noise pollution:

Such a commercial property, would, by the nature of the proposed use, create noise of metal working and other typical garage equipment, produce unacceptable smell and require the storage and use of hazardous materials in a residential environment.

Anti social hours activity:

There is the possibility of activity during unsocial hours which could be considered unacceptable in a resident environment.

Proximity to a school:

There is a lane giving access to the primary school immediately adjacent to the proposed development. Children and vehicles use this access daily. A commercial garage with its associated vehicular activity would create additional hazards to pedestrians - children, parents and staff emerging from and approaching the school via this lane.... to access Cathay Terrace.

We hope that you will give consideration to the points raised above and that other councillors be be afforded the opportunity to consider this application.

Thankyou.

Comments for Planning Application 17/00044/APP

Application Summary

Application Number: 17/00044/APP

Address: 17 Cathay Terrace Cullen Buckie Moray AB56 4RX

Proposal: Proposed change of use of domestic garage to commercial garage at

Case Officer: Richard Smith

Customer Details

Name: [REDACTED]

Address: [REDACTED]

Comment Details

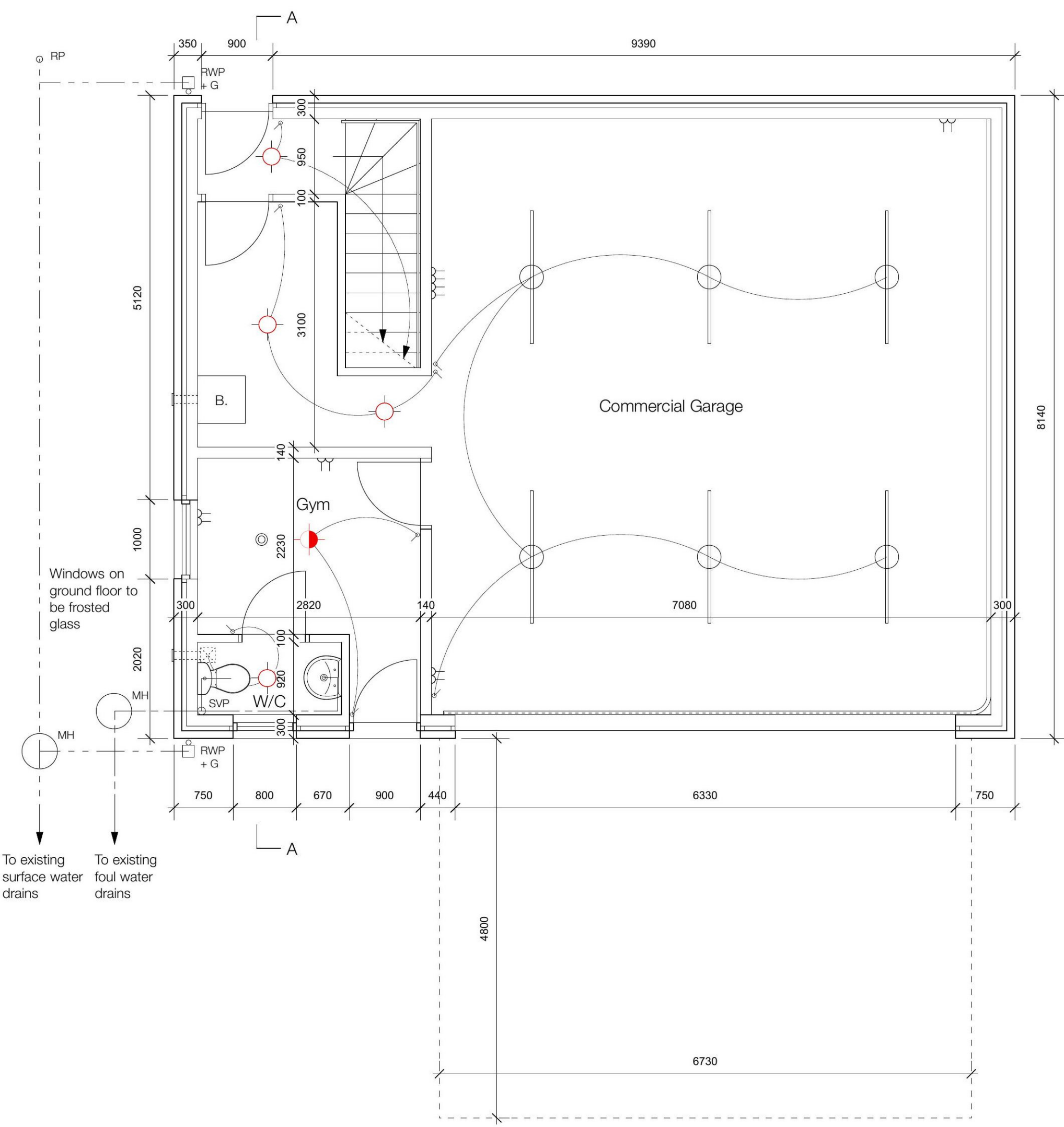
Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

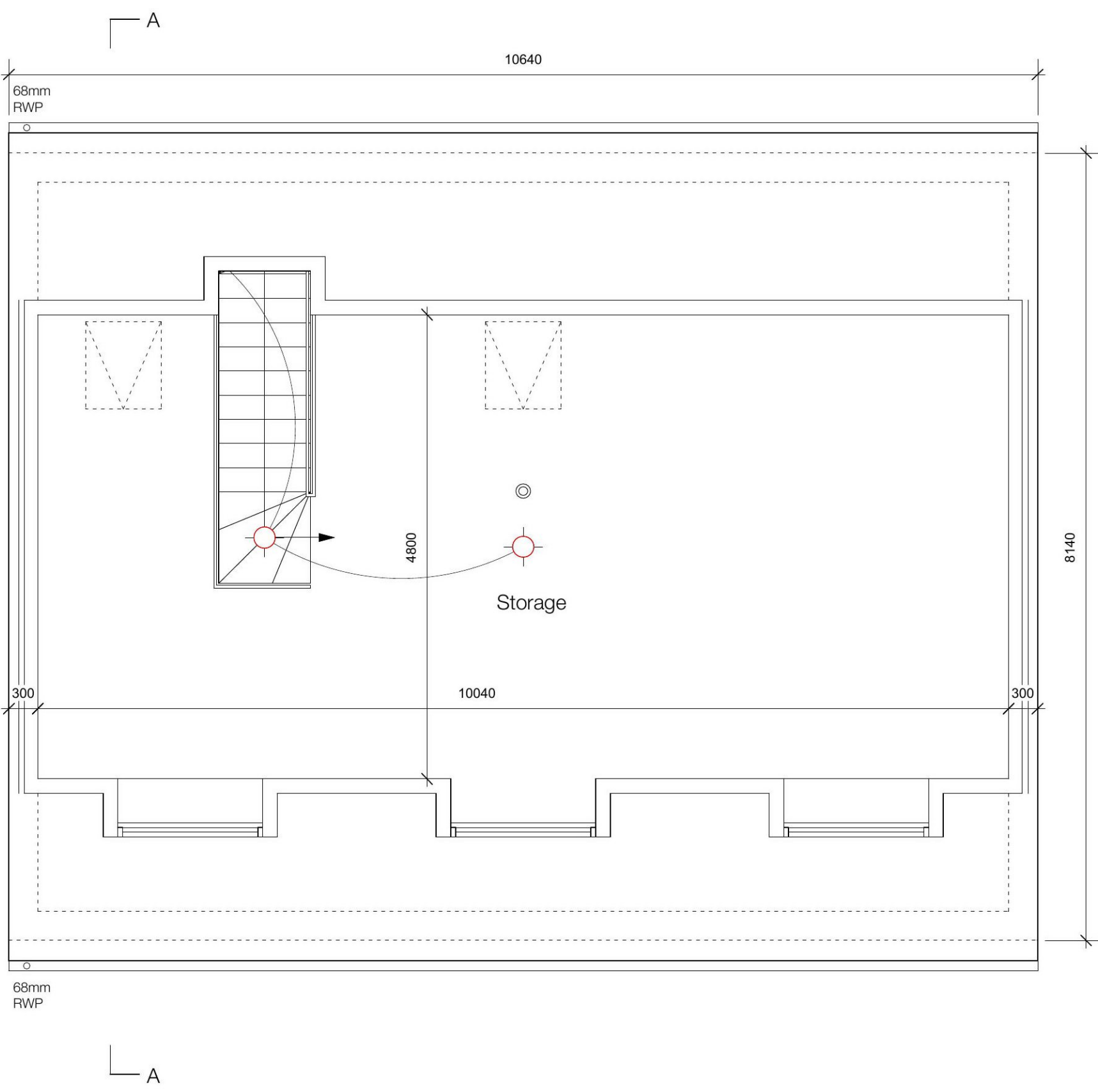
Comment Reasons:

- Noise
- Precedent
- Road access
- Road safety
- Traffic

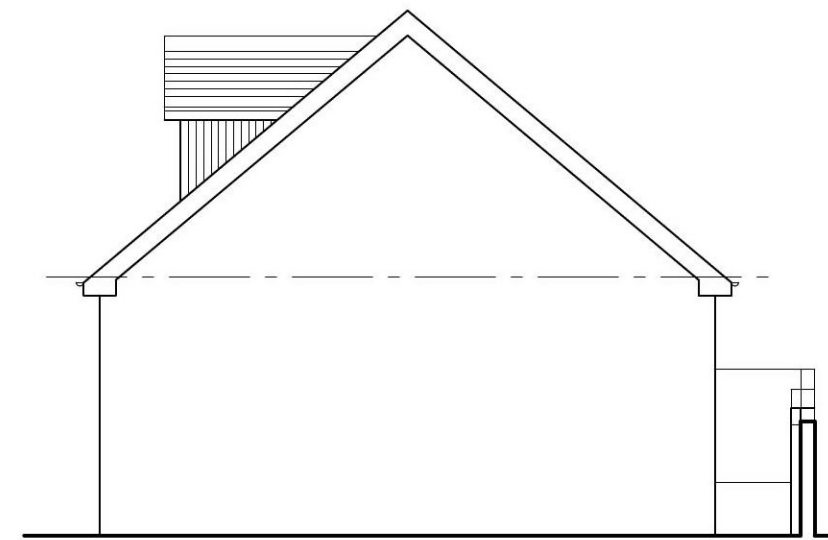
Comment: I wish to object to the development of 17 Cathay terrace cullen into a commercial garage, unacceptable in a quite residential area, increased traffic will be a problem and will prove to be a danger to children attending the primary school close by , if allowed to become a commercial garage what future changes might be applied for.



Ground Floor Plan
1:50



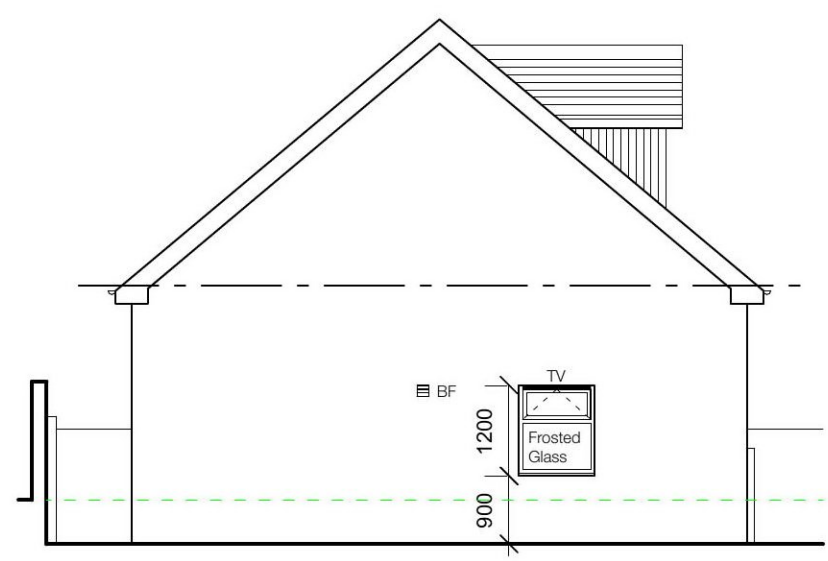
First Floor Plan
1:50



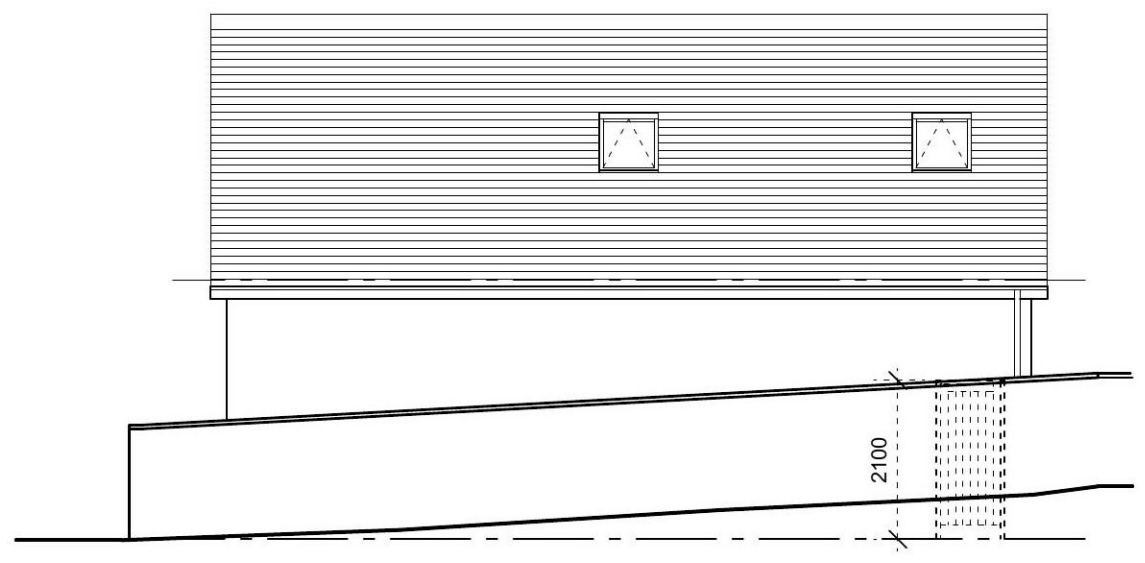
North Elevation
1:100



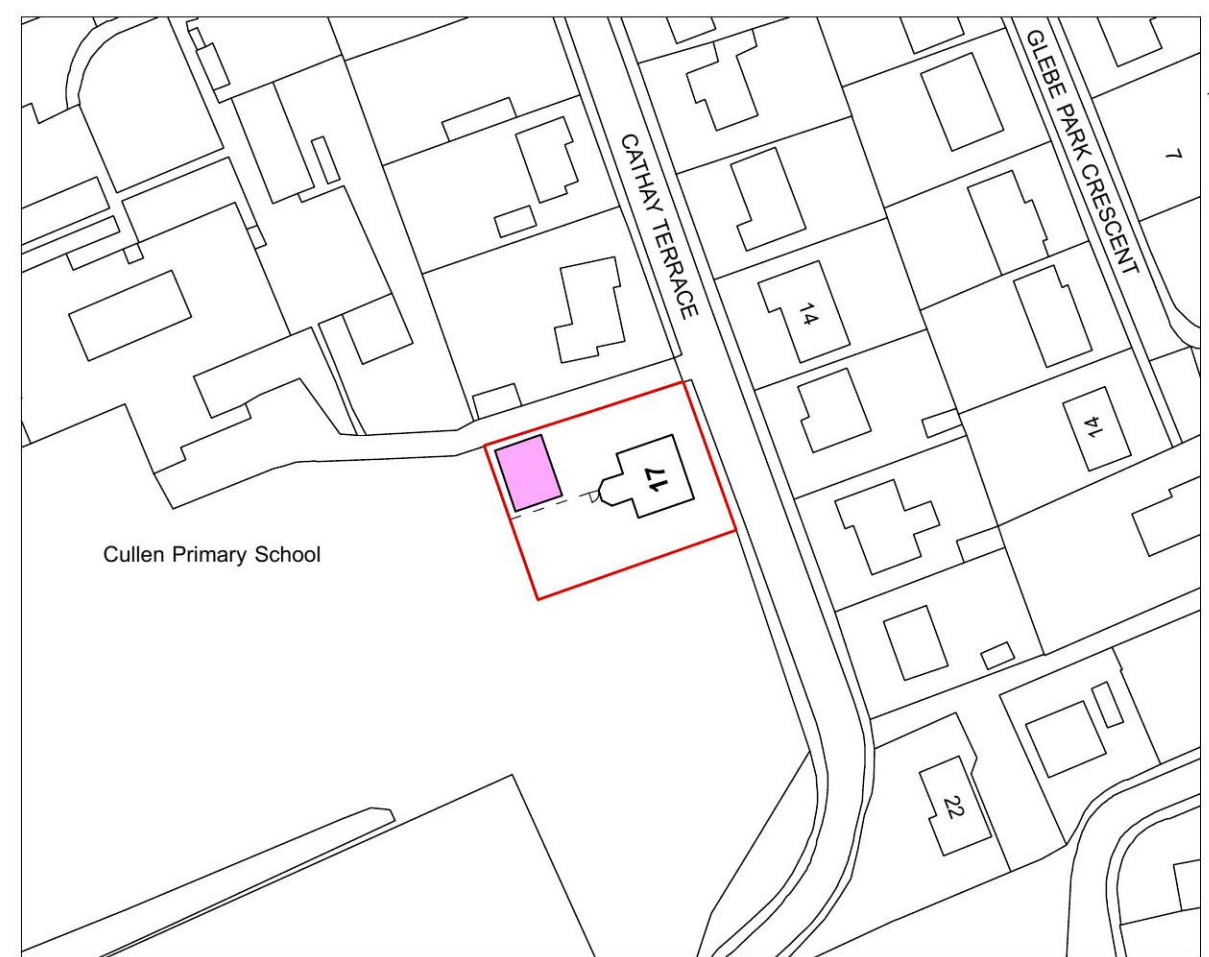
East Elevation
1:100



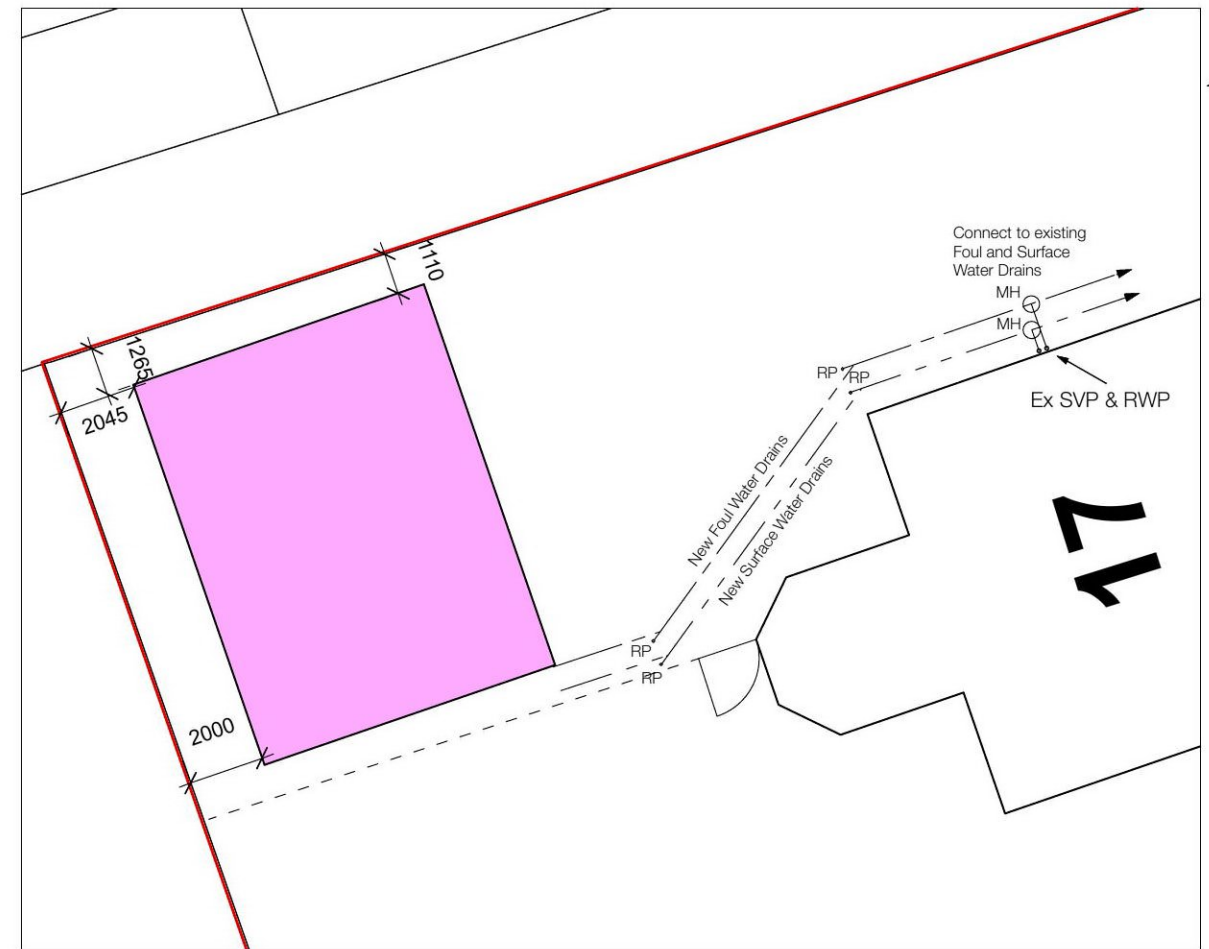
South Elevation
1:100



West Elevation
1:100



Location Plan
1:1250



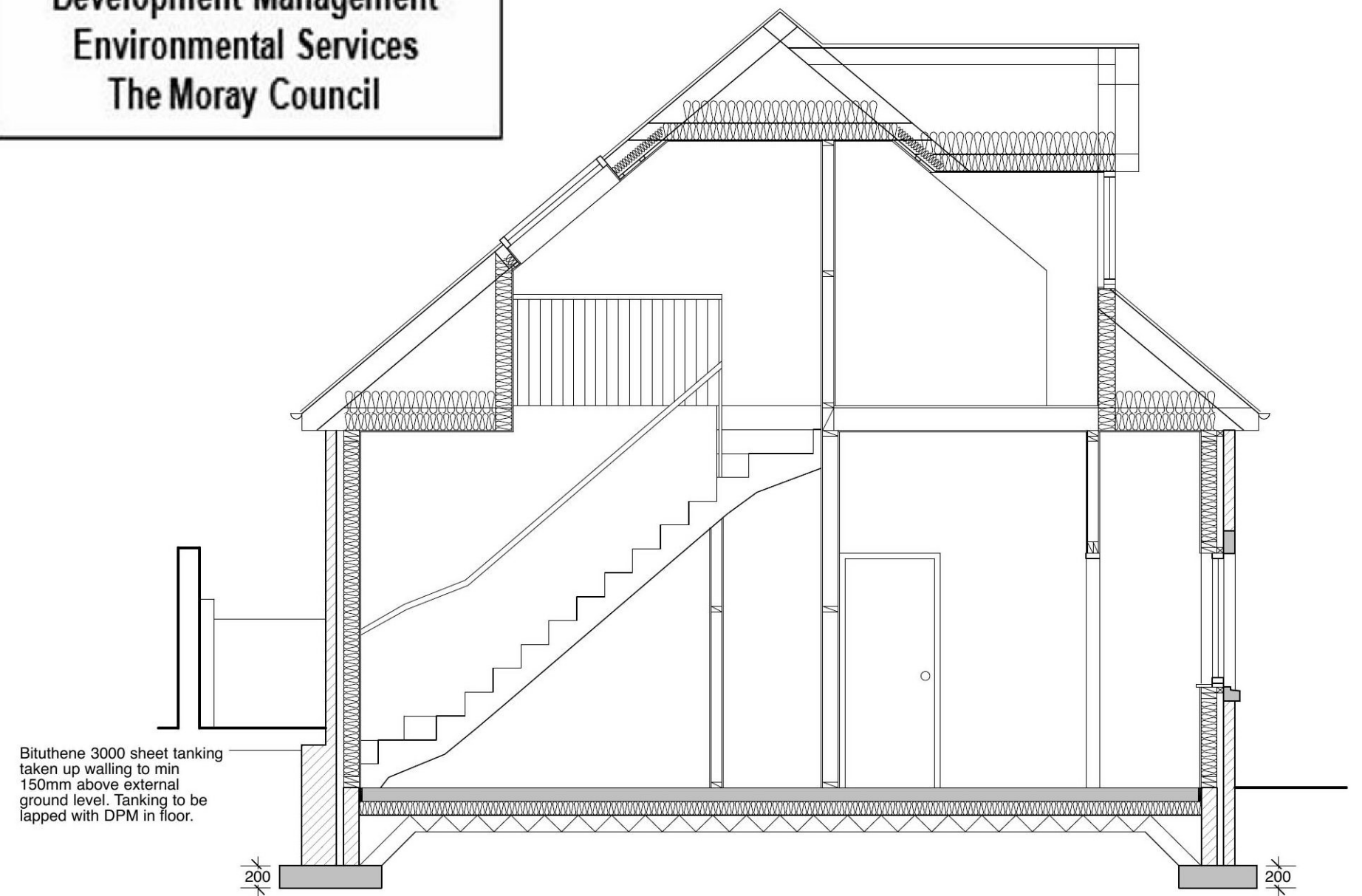
Site Plan
1:200

Town & Country Planning
(Scotland) Act, 1997
as amended

REFUSED

05 July 2017

Development Management
Environmental Services
The Moray Council



Section A-A
1:50



FINISHES

Roof Slates - to match house
Windows Brown UPVC

No	Revisions	Date	Initials

**MANTELL
RITCHIE**

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project
**17 Cathay Terrace,
CULLEN**
Change of Use of Garage from
Domestic to Commercial for Conversion
of Volkswagen Vans to Camper Vans
for
Mr C Addison

content
Proposed Plan, Elevation + Section

scales	size	date
1:50, 1:100, 1:1250	A1	14.09.15
drawn by DJS		

ref **13094** **03A**