

Consultation Request Notification

Planning Authority Name	The Moray Council
Response Date	9th August 2011
Planning Authority Reference	10/02046/APP
Nature of Proposal (Description)	Demolish existing building and erect flatted development (8 no units) and associated infrastrucutre works at
Site	Castle Inn 29 Caroline Street Forres Moray IV36 1AQ
Site Postcode	N/A
Site Gazetteer UPRN	000133000849
Proposal Location Easting	303648
Proposal Location Northing	859036
Area of application site (Ha)	400 m²
Additional Comment	URGENT - AMENDED SITE PLAN RECEIVED SHOWING CHANGE TO PARKING LAYOUT FOR SITE
Development Hierarchy Level	LOCAL
Supporting Documentation URL	http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=LCSBF8BGAK000
Previous Application	08/00002/LBC 07/01385/CON 04/02338/LBC
Date of Consultation	26th July 2011
Is this a re-consultation of an existing application?	No
Applicant Name	Mr Graham Forbes
Applicant Organisation Name	
Applicant Address	Copperfield Whiteinch Forres Moray IV36 3TS
Agent Name	C M Design
Agent Organisation Name	
Agent Address	St Brendans 69 South Guildry Street Elgin Moray IV30 1QN
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Craig Wilson
Case Officer Phone number	01343 563565

Case Officer email address	craig.wilson@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: Transportation Manager

Planning Application Ref. No: 10/02046/APP

Demolish existing building and erect flatted development (8 no units) and associated infrastrucutre works at

Castle Inn 29 Caroline Street Forres Moray for Mr Graham Forbes

I consider:-

	Please
	x
(a) that the application should be refused (<i>please state reasons below</i>)	X
(b) that the application should be approved unconditionally	<input type="checkbox"/>
(c) that the application should be approved, subject to certain conditions (<i>please state conditions and comments below</i>)	<input type="checkbox"/>
(d) that in addition to the above recommendation further information should be passed to the applicant (<i>please state these below</i>)	<input type="checkbox"/>
(e) that further information is required in order to consider the application.	<input type="checkbox"/>

This response is based on drawing no 090011.TABOO.P12 and drawing no 090011.FORBES.S03A, uploaded onto DMS on 6 July 2011 (Transportation informed on additional information by email on 26 July 2011).

Reasons for refusal

MLP2008 Policy T5: Parking Standards

The applicant has supplied additional information with regard to the previous use of the existing building on this site with respect to the floorspace for the public house and what appears to be five units within a HMO. Further information has been supplied by Moray Licensing Board with regard to the dates of the last license application for the Castle Inn.

The Castle Inn last had a valid licence in 2007. There have been no further applications for a licence. It can therefore be assumed that the Castle Inn ceased trading during 2007.

A HMO application was made in 2004 (04/02349/HMO). Consent has not been granted for this application.

The HMO units therefore cannot be considered as a previous use when calculating the parking requirement for this development. Furthermore it has been more than three years since the Castle Inn was trading, parking associated with this former use cannot be counted either in the calculation of the parking requirement.

The proposed development is for 8 flats, 4 x 2 bedroom flats and 4 x 1 bedroom flats. The Moray Council Parking Standards for flats with up to 2 bedrooms are 1.5 parking spaces per flat. This equates to a requirement for 12 parking spaces.

A total of 6 parking spaces have been shown on the planning application drawings. However not all of these spaces are readily accessible. There is no clearance between the walls and parking spaces 5 and 6. Clearance of at least 0.5m is required when a parking space is adjacent to a wall. Transportation considers that the area for parking spaces 5 and 6 could only provide 1 parking space with the necessary clearance. Again no clearance has been provided between the wall and parking space 4, furthermore any vehicle parking in space 4 would partially block the access to the bike store. Transportation considers that only 1 parking space could be provided within the area for parking spaces 3 and 4.

Transportation considers that only 4 parking spaces could be provided within the parking area. The proposed development would have a shortfall of 8 parking spaces.

Transportation recommends **refusal** as the proposed development does not meet Local Plan Policy T5.

It should be noted that this development does not qualify for the new Town Centre Zero Parking Policy as it is more than 5 units and the existing building is not being re-used.

It should also be noted that Transportation's previous concerns regarding visibility and footways have been resolved on drawing no 090011.TABOO.P12.

Furthermore, setting aside the lack of parking provision, it would be acceptable for the area of public footway under the proposed building, indicated in sketch no 10-0246 SK01, to be "Stopped Up" and removed from the List of Public Roads. All costs associated with the preparation and implementation of the Stopping Up order along with the costs associated with the diversion of any utilities within the area of public footway to be "Stopped Up" would have to be met by the developer.

Contact: DA
email address:
roadsdevelopmentcontrol@moray.gov.uk
Consultee: TRANSPORTATION

Date 28 July 2011
Phone No x2557

Return response to	consultation.planning@moray.gov.uk
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Please note that information associated with the application will be published on the Council's website at <http://public.moray.gov.uk/eplanning>.