

**THE MORAY COUNCIL****MINUTE OF MEETING OF THE ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE****29 SEPTEMBER, 1998****COUNCIL HEADQUARTERS, ELGIN****PRESENT**

Councillors G. McDonald (Chairman), H. McDonald (Vice-Chairman), E. Aldridge, M. Anderson, M.C. Howe, T.A. Howe, W. Jappy, A. Keith, P. Mann, R.L. Patterson, A.M. Scott, J. Stewart and H.M. Cumiskie (ex-officio).

**IN ATTENDANCE**

The Director of Economic Development and Planning, the Forward Planning Manager, the Chief Development Control Officer, the Chief Roads Officer, the Chief Officer, Development Plans/Strategy, the Principal Building Control Officer, the Transport Co-Ordinator, the Public Relations Officer, P. McTernan and M. Wanless, Principal Planning Officers, Development Planning/Strategy, the Senior Business Development Executive, the Principal Estates Surveyor, the Senior Engineer (Traffic), A. McEachan, Solicitor (Commercial and Conveyancing) and R. Ritchie, Senior Administration Officer who acted as Clerk to the Meeting.

**1. ADDITIONAL BUSINESS**

In terms of the relevant Standing Order, the Committee agreed to accept as additional business to be transacted at the meeting, the undernoted reports, on the Chairman certifying that, in his opinion, they required to be considered on the grounds of urgency having regard to the timescales involved.

- (i) Scottish Office Rural Transport Fund – Report by Director of Economic Development and Planning
- (ii) Approval of Lease – Report by Director of Economic Development and Planning

**2. EXEMPT INFORMATION**

The Meeting agreed, in terms of Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, as amended, that the public and media representatives be excluded from the Meeting during consideration of the Items of Business appearing at the relative paragraphs of this Minute as specified below so as to avoid disclosure of exempt information of the class described in the appropriate paragraph of part I of schedule 7A of the Act.

<u>Para No. of Minute</u>	<u>Para No. of Schedule 7A</u>
23	4
24	6
25	9
26	9
27	8
28	8
29	13
30	13

**3. BUILDING (SCOTLAND) ACTS: APPLICATIONS FOR BUILDING WARRANTS****(i) Applications for Building Warrants and Letters of Comfort Approved Under Delegated Powers**

There was submitted a report by the Control Services Manager advising that 58 applications for Building Warrants and 11 Letters of Comfort had been determined in powers delegated to him since his last report to Committee on 8 September, 1998.

The meeting noted the report.

**(ii) Applications for Relaxations/Recommendations**

There was submitted a report by the Control Services Manager making recommendations in regard to the following applications for relaxation in terms of the Building Regulations (Relaxation of Local Authorities) (Scotland) Regulations 1991.

- 1) 98/00036/REL Proposed installation of disabled stair lift at 17 Kellas Avenue, Lossiemouth for Mrs Campbell, per Finlay McKinnell Associates, W Sportfield, Glenalmond, Perth.

1) Regulation 9(S2.6):  
Requirements with regard to the minimum width of a private stair.

2) Regulation 9(S2.18):  
Requirements with regard to minimum width of landings.

Recommendation  
That relaxation be granted.

Following consideration the meeting agreed to approve the recommendations subject, where appropriate, to consultation with the Firemaster and the Health and Safety Executive.

**4. DRAFT NATIONAL PLANNING POLICY GUIDELINE ON TRANSPORT AND PLANNING:  
DRAFT PLANNING ADVICE NOTE ON TRANSPORT AND PLANNING**

There was submitted a report by the Director of Economic Development and Planning seeking the Committee's agreement on a proposed draft response to the Scottish Office on the Draft National Planning Policy Guidance (NPPG) and Planning Advice Note (PAN) on Transport and Planning.

Following consideration the Committee agreed:-

- (i) to respond to the Scottish Office on the draft NPPG and PAN on Transport and Planning as follows:-
- that the draft NPPG should provide a balanced positive approach to transport and accessibility within rural areas and that this should include a positive approach towards improving accessibility through trunk road improvements.
  - that the draft NPPG should acknowledge the need to promote development related to trunk roads particularly within rural areas where it is essential to economic growth.
  - that the draft NPPG should provide a more positive general requirement for developers to provide pedestrian, cycling and public transport links related to the proposals.
  - that the Government should review its policy guidance production to provide greater brevity, clarity and precision;
- (ii) that a copy of the report be forwarded to COSLA for consideration as part of its response to the Scottish Office; and
- (iii) that a Moray Transportation Strategy be prepared which builds upon the draft National Guidance

**5. REQUEST FOR NON-MATERIAL VARIATION TO PLANNING CONSENT AT THE PARK,  
FINDHORN**

Under reference to paras. 6(c) and (d) of the Minute of this Committee dated 9 June, 1998 there was submitted a report by the Director of Economic Development and Planning advising the Committee in regard to a request for a non-material variation to a planning consent associated with the development at The Park, Findhorn.

Following consideration the meeting agreed:-

- (i) to note the terms of the request;

- (ii) that the applicant be advised that the proposed start date of the site works at the field by one week in advance of the works commencing to disconnect the Living Machine and provide alternative soakaway disposal arrangements can, in this case, be regarded as a non-material variation to the permission for the development granted under the formal decision notice 97/02010/FUL dated 16 June, 1998 on the understanding that the disconnection works would be both undertaken and completed at an early stage within the proposed contract for the site works at the field and prior to any building being occupied; and
- (iii) that the applicant be requested to notify the Council, as planning authority, once the disconnection works have been completed.

## **6. DEVELOPMENT PLAN: INTEGRATION OF POLICIES**

There was submitted a report by the Director of Economic Development and Planning seeking approval for final editing of the policies of the Structure Plan and Local Plan to create an integrated "Unitary" Development Plan.

Following consideration the meeting agreed:-

- (i) to approve the procedures detailed in the report for integrating the Structure Plan with the Local Plan in order to achieve a coherent "Unitary" Plan; and
- (ii) that an invitation be extended to representatives of Community Councils/Associations [up to a maximum of 2 per organisation] to attend, in an observer capacity, the Special Meeting of the Committee on 20 October, 1998.

## **7. LIST OF PLANNING APPEALS FOR NOTING**

There was submitted and noted a report by the Legal and Administration Services Manager advising the Committee of the current position relating to Planning Appeals for the period 25 July to 18 September, 1998.

## **8. CURRENT PLANNING APPLICATIONS**

### **BISHOPMILL – NO. 1 WARD**

- |     |              |   |
|-----|--------------|---|
| (a) | 98/00688/FUL | Extend and alter existing house at 40 East Back Street Elgin Moray IV30 2EQ for Mr And Mrs J Linemann |
|-----|--------------|---|

There was submitted a report by the Director of Economic Development and Planning recommending that, subject to conditions as detailed in the report, planning permission be granted in regard to an application to extend and alter an existing house at 40 East Back Street, Elgin for Mr. and Mrs. J. Linemann.

The meeting noted that a site visit had been undertaken by Members of the Committee on 28 September, 1998.

Following consideration the meeting agreed that planning permission be granted subject to the following conditions:-

1. The development to which this permission relates must be begun not later than the expiration of five years beginning with the date on which this permission is granted.
2. Unless otherwise agreed with the Council, as Planning Authority, the development hereby approved shall be carried out strictly in accordance with the approved plans and conditions.

#### **Reasons:**

1. The time limit condition is imposed in order to comply with the requirements of Section 58 of the Town and Country Planning (Scotland) Act 1997.
2. In order to ensure that there are no unauthorised departures from the approved plans which could adversely affect the development or character and amenity of the surrounding properties and area.

- (b) 98/00837/OUT Outline to erect 1no dwellinghouse on Plot 1 at Oakbank Duffus Road Elgin Moray IV30 2NP for A Client

There was submitted a report by the Director of Economic Development and Planning recommending that, subject to conditions detailed in the report, planning permission be granted for outline consent to erect one dwellinghouse on Plot 1 at Oakbank, Duffus Road, Elgin.

Following consideration the meeting agreed that planning permission be granted subject to the following conditions:-

1. (a) That in the case of any reserved matter, application for approval must be made before:-
  - (i) that expiration of 3 years from the date of the grant of outline planning permission; or
  - (ii) the expiration of 6 months from the date on which an earlier application for such approval was refused; or
  - (iii) the expiration of 6 months from the date on which an appeal against such refusal was dismissed; whichever is the latest: provided that only one such application may be made in the case after the expiration of the 3 year period mentioned in sub-paragraph (i) above.
- (b) That the development to which the permission relates must be begun not later than whichever is the later of the following dates:-
  - (i) the expiration of 5 years from the date of the grant of outline planning permission; or
  - (ii) the expiration of 2 years from the final approval of the reserved matters or in the case of approval on different dates the final approval of the last such matter to be approved.
2. The approval hereby granted is in outline and prior to the commencement of the development approval of the details, including the siting, design and external appearances of the building(s) the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Council, as Planning Authority.
3. The proposed development shall be carried out only in accordance with detailed drawings which shall previously have been submitted to and approved by the Council, as Planning Authority. These drawings shall show the reserved matters numbered 4-8 below.
4. Plans, sections and elevations of all buildings proposed with details of the type and colour of all external materials and finishes shall be submitted in accordance with condition no. 3 above.
5. The proposed layout of the site showing the exact position of the site boundaries, the position of all buildings, the means of access, areas for vehicle parking and the arrangements for the disposal of foul and surface water shall be submitted in accordance with condition no. 3 above.
6. Details of the exact extent, type and finish of all other works including walls, fences and other means of enclosure and screening shall be submitted in accordance with condition no. 2 above.
7. Sections through the site showing the development on its finished levels in relation to existing levels shall be submitted in accordance with condition no. 3 above.
8. Landscaping proposals showing any existing trees/hedges/shrubs to be retained or removed together with details of the type, position and number of all planting to be undertaken and details of all surfacing materials shall be submitted in accordance with condition no. 3 above.
9. Details of surface water disposal on site shall be submitted along with the details referred to in conditions 4-8.

10. No boundary fences, hedges, walls or any obstruction whatsoever over 1.0 m in height and fronting onto the public road shall be within 2.1 m of the edge of the carriageway.
11. The width of vehicular access shall be 2.4 - 3 m for each dwelling and 5.5 m onto Duffus Road and have a maximum gradient of 1:20 measured for the first 5.0 m from the edge of the public carriageway. Section of access over the public footpath/verge shall be to Grampian Regional Council specification and surfaced in bitmac.
12. No water shall be permitted to drain onto the public footpath/carriageway.
13. Drop kerbs shall be provided across the access to Grampian Regional Council specification.
14. Parking to be provided at a rate of two private parking spaces for up to a 3 bedroomed dwelling and three private parking spaces for a 4 bedroomed dwelling.
15. The access radii shall be 10.7 m and shall be kerbed using 254 x 127mm hppc kerbs (at the end) to Duffus Road.
16. A visibility splay of 2.4 metres x 60 metres shall be provided at the access (at the end) to Duffus Road.
17. New boundary walls/fences shall be set back from the edge of the public road at a distance of 1.8 metres.
18. That unless otherwise agreed with the Control Services Manager the proposed layout shall retain and protect existing trees, shrubs and hedgerows as far as is practicable.

**Reasons:**

1. The time limit condition is imposed in order to comply with the requirements of Section 59 of the Town and Country Planning (Scotland) Act 1997.
2. In order to ensure that the matters specified can be fully considered prior to the commencement of development.
3. As the consent is in outline only and in order that detailed consideration can be given to the matters specified.
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9. As the consent is in outline only and in order that detailed consideration can be given to the matters specified.
10. In the interests of road safety.
11. In the interests of road safety.

12. In the interests of road safety.
  13. In the interests of road safety.
  14. In the interests of road safety.
  15. In the interests of road safety.
  16. In the interests of road safety.
  17. In the interests of road safety.
  18. In order to ensure that the existing trees, shrubs or hedgerows are retained as they add interest and character to the site and will contribute to the appearance of the development approved herewith.
- (c) 98/00838/OUT Outline to erect 1 no dwellinghouse on Plot 2 at Oakbank Duffus Road Elgin Moray IV30 2NP for A Client

There was submitted a report by the Director of Economic Development and Planning recommending that, subject to conditions detailed in the report, planning permission be granted for outline consent to erect one dwellinghouse on Plot 2 at Oakbank, Duffus Road, Elgin.

Following consideration the meeting agreed that planning permission be granted subject to the following conditions:-

1. (a) That in the case of any reserved matter, application for approval must be made before:-
  - (i) that expiration of 3 years from the date of the grant of outline planning permission; or
  - (ii) the expiration of 6 months from the date on which an earlier application for such approval was refused; or
  - (iii) the expiration of 6 months from the date on which an appeal against such refusal was dismissed; whichever is the latest: provided that only one such application may be made in the case after the expiration of the 3 year period mentioned in sub-paragraph (i) above.
- (b) That the development to which the permission relates must be begun not later than whichever is the later of the following dates:-
  - (i) the expiration of 5 years from the date of the grant of outline planning permission; or
  - (ii) the expiration of 2 years from the final approval of the reserved matters or in the case of approval on different dates the final approval of the last such matter to be approved.
2. The approval hereby granted is in outline and prior to the commencement of the development approval of the details, including the siting, design and external appearances of the building(s) the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Council, as Planning Authority.
3. The proposed development shall be carried out only in accordance with detailed drawings which shall previously have been submitted to and approved by the Council, as Planning Authority. These drawings shall show the reserved matters numbered 4-8 below.
4. Plans, sections and elevations of all buildings proposed with details of the type and colour of all external materials and finishes shall be submitted in accordance with condition no. 3 above.
5. The proposed layout of the site showing the exact position of the site boundaries, the position of all buildings, the means of access, areas for vehicle parking and the arrangements for the disposal of foul and surface water shall be submitted in accordance with condition no. 3 above.

6. Details of the exact extent, type and finish of all other works including walls, fences and other means of enclosure and screening shall be submitted in accordance with condition no. 3 above.
7. Sections through the site showing the development on its finished levels in relation to existing levels shall be submitted in accordance with condition no. 3 above.
8. Landscaping proposals showing any existing trees/hedges/shrubs to be retained or removed together with details of the type, position and number of all planting to be undertaken and details of all surfacing materials shall be submitted in accordance with condition no. 3 above.
9. Details of surface water disposal on site shall be submitted along with the details referred to in conditions 4-8.
10. No boundary fences, hedges, walls or any obstruction whatsoever over 1.0 m in height and fronting onto the public road shall be within 2.1 m of the edge of the carriageway.
11. The width of vehicular access shall be 2.4 - 3 m for each dwelling and 5.5 m onto Duffus Road and have a maximum gradient of 1:20 measured for the first 5.0 m from the edge of the public carriageway. Section of access over the public footpath/verge shall be to Grampian Regional Council specification and surfaced in bitmac.
12. No water shall be permitted to drain onto the public footpath/carriageway.
13. Drop kerbs shall be provided across the access to Grampian Regional Council specification.
14. Parking to be provided at a rate of two private parking spaces for up to a 3 bedroomed dwelling and three private parking spaces for a 4 bedroomed dwelling.
15. The access radii shall be 10.7 m and shall be kerbed using 254 x 127mm hppc kerbs (at the end) to Duffus Road.
16. A visibility splay of 2.4 metres x 60 metres shall be provided at the access (at the end) to Duffus Road.
17. New boundary walls/fences shall be set back from the edge of the public road at a distance of 1.8 metres.
18. That unless otherwise agreed with the Control Services Manager the proposed layout shall retain and protect existing trees, shrubs and hedgerows as far as is practicable.

**Reasons:**

1. The time limit condition is imposed in order to comply with the requirements of Section 59 of the Town and Country Planning (Scotland) Act 1997.
2. In order to ensure that the matters specified can be fully considered prior to the commencement of development.
3. As the consent is in outline only and in order that detailed consideration can be given to the matters specified.
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  8. As the consent is in outline only and in order that detailed consideration can be given to the matters specified.
  9. As the consent is in outline only and in order that detailed consideration can be given to the matters specified.
  10. In the interests of road safety.
  11. In the interests of road safety.
  12. In the interests of road safety.
  13. In the interests of road safety.
  14. In the interests of road safety.
  15. In the interests of road safety.
  16. In the interests of road safety.
  17. In the interests of road safety.
  18. In order to ensure that the existing trees, shrubs or hedgerows are retained as they add interest and character to the site and will contribute to the appearance of the development approved herewith.
- (d) 98/00839/OUT                      Outline to erect 1no dwellinghouse on Plot 3 at Oakbank Duffus Road Elgin Moray IV30 2NP for A Client

There was submitted a report by the Director of Economic Development and Planning recommending that, subject to conditions detailed in the report, planning permission be granted for outline consent to erect one dwellinghouse on Plot 3 at Oakbank, Duffus Road, Elgin.

Following consideration the meeting agreed that planning permission be granted subject to the following conditions:-

1. (a) That in the case of any reserved matter, application for approval must be made before:-
  - (i) that expiration of 3 years from the date of the grant of outline planning permission; or
  - (ii) the expiration of 6 months from the date on which an earlier application for such approval was refused; or
  - (iii) the expiration of 6 months from the date on which an appeal against such refusal was dismissed; whichever is the latest: provided that only one such application may be made in the case after the expiration of the 3 year period mentioned in sub-paragraph (i) above.
- (b) That the development to which the permission relates must be begun not later than whichever is the later of the following dates:-
  - (i) the expiration of 5 years from the date of the grant of outline planning permission; or
  - (ii) the expiration of 2 years from the final approval of the reserved matters or in the case of approval on different dates the final approval of the last such matter to be approved.
2. The approval hereby granted is in outline and prior to the commencement of the development approval of the details, including the siting, design and external appearances of the building(s) the

means of access thereto and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Council, as Planning Authority.

3. The proposed development shall be carried out only in accordance with detailed drawings which shall previously have been submitted to and approved by the Council, as Planning Authority. These drawings shall show the reserved matters numbered 4-8 below.
4. Plans, sections and elevations of all buildings proposed with details of the type and colour of all external materials and finishes shall be submitted in accordance with condition no. 3 above.
5. The proposed layout of the site showing the exact position of the site boundaries, the position of all buildings, the means of access, areas for vehicle parking and the arrangements for the disposal of foul and surface water shall be submitted in accordance with condition no. 3 above.
6. Details of the exact extent, type and finish of all other works including walls, fences and other means of enclosure and screening shall be submitted in accordance with condition no. 3 above.
7. Sections through the site showing the development on its finished levels in relation to existing levels shall be submitted in accordance with condition no. 3 above.
8. Landscaping proposals showing any existing trees/hedges/shrubs to be retained or removed together with details of the type, position and number of all planting to be undertaken and details of all surfacing materials shall be submitted in accordance with condition no. 3 above.
9. Details of surface water disposal on site shall be submitted along with the details referred to in conditions 4-8.
10. No boundary fences, hedges, walls or any obstruction whatsoever over 1.0 m in height and fronting onto the public road shall be within 2.1 m of the edge of the carriageway.
11. The width of vehicular access shall be 2.4 - 3 m for each dwelling and 5.5 m onto Duffus Road and have a maximum gradient of 1:20 measured for the first 5.0 m from the edge of the public carriageway. Section of access over the public footpath/verge shall be to Grampian Regional Council specification and surfaced in bitmac.
12. No water shall be permitted to drain onto the public footpath/carriageway.
13. Drop kerbs shall be provided across the access to Grampian Regional Council specification.
14. The access radii shall be 10.7 m and shall be kerbed using 254 x 127mm hppc kerbs (at the end) to Duffus Road.
15. The access radii shall be 10.7 m and shall be kerbed using 254 x 127mm hppc kerbs (at the end) to Duffus Road.
16. A visibility splay of 2.4 metres x 60 metres shall be provided at the access (at the end) to Duffus Road.
17. New boundary walls/fences shall be set back from the edge of the public road at a distance of 1.8 metres.
18. That unless otherwise agreed with the Control Services Manager the proposed layout shall retain and protect existing trees, shrubs and hedgerows as far as is practicable.

**Reasons:**

1. The time limit condition is imposed in order to comply with the requirements of Section 59 of the Town and Country Planning (Scotland) Act 1997.

2. In order to ensure that the matters specified can be fully considered prior to the commencement of development.
  3. As the consent is in outline only and in order that detailed consideration can be given to the matters specified.
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  8. As the consent is in outline only and in order that detailed consideration can be given to the matters specified.
  9. As the consent is in outline only and in order that detailed consideration can be given to the matters specified.
  10. In the interests of road safety.
  11. In the interests of road safety.
  12. In the interests of road safety.
  13. In the interests of road safety.
  14. In the interests of road safety.
  15. In the interests of road safety.
  16. In the interests of road safety.
  17. In the interests of road safety.
  18. In order to ensure that the existing trees, shrubs or hedgerows are retained as they add interest and character to the site and will contribute to the appearance of the development approved herewith.
- (e) 98/00840/OUT                      Outline to erect 1no dwellinghouse on Plot 4 at Oakbank Duffus Road Elgin Moray IV30 2NP for A Client

There was submitted a report by the Director of Economic Development and Planning recommending that, subject to conditions detailed in the report, planning permission be granted for outline consent to erect one dwellinghouse on Plot 4 at Oakbank, Duffus Road, Elgin.

Following consideration the meeting agreed that planning permission be granted subject to the following conditions:-

1. (a) That in the case of any reserved matter, application for approval must be made before:-
  - (i) that expiration of 3 years from the date of the grant of outline planning permission; or
  - (ii) the expiration of 6 months from the date on which an earlier application for such approval was refused; or

- (iii) the expiration of 6 months from the date on which an appeal against such refusal was dismissed; whichever is the latest: provided that only one such application may be made in the case after the expiration of the 3 year period mentioned in sub-paragraph (i) above.
  - (b) That the development to which the permission relates must be begun not later than whichever is the later of the following dates:-
    - (i) the expiration of 5 years from the date of the grant of outline planning permission; or
    - (ii) the expiration of 2 years from the final approval of the reserved matters or in the case of approval on different dates the final approval of the last such matter to be approved.
2. The approval hereby granted is in outline and prior to the commencement of the development approval of the details, including the siting, design and external appearances of the building(s) the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Council, as Planning Authority.
  3. The proposed development shall be carried out only in accordance with detailed drawings which shall previously have been submitted to and approved by the Council, as Planning Authority. These drawings shall show the reserved matters numbered 4-9 below.
  4. Plans, sections and elevations of all buildings proposed with details of the type and colour of all external materials and finishes shall be submitted in accordance with condition no. 3 above.
  5. The proposed layout of the site showing the exact position of the site boundaries, the position of all buildings, the means of access, areas for vehicle parking and the arrangements for the disposal of foul and surface water shall be submitted in accordance with condition no. 3 above.
  6. Details of the exact extent, type and finish of all other works including walls, fences and other means of enclosure and screening shall be submitted in accordance with condition no. 3 above.
  7. Sections through the site showing the development on its finished levels in relation to existing levels shall be submitted in accordance with condition no. 3 above.
  8. Landscaping proposals showing any existing trees/hedges/shrubs to be retained or removed together with details of the type, position and number of all planting to be undertaken and details of all surfacing materials shall be submitted in accordance with condition no. 3 above.
  9. Plans, sections and elevations, showing the proposed method of conversion and external alterations to existing building(s), the design and external appearance of all proposed building(s) and the type and colour of all external materials and finishes shall be submitted in accordance with condition no. 3 above.
  10. Details of surface water disposal on site shall be submitted along with the details referred to in conditions 4-9.
  11. No boundary fences, hedges, walls or any obstruction whatsoever over 1.0 m in height and fronting onto the public road shall be within 2.1 m of the edge of the carriageway.
  12. The width of vehicular access shall be 2.4 - 3 m for each dwelling and 5.5 m onto Duffus Road and have a maximum gradient of 1:20 measured for the first 5.0 m from the edge of the public carriageway. Section of access over the public footpath/verge shall be to Grampian Regional Council specification and surfaced in bitmac.
  13. No water shall be permitted to drain onto the public footpath/carriageway.
  14. Drop kerbs shall be provided across the access to Grampian Regional Council specification.
  15. Parking to be provided at a rate of two private parking spaces for up to a 3 bedroomed dwelling and three private parking spaces for a 4 bedroomed dwelling.

16. The access radii shall be 10.7 m and shall be kerbed using 254 x 127mm hppc kerbs (at the end) to Duffus Road.
17. A visibility splay of 2.4 metres x 60 metres shall be provided at the access (at the end) to Duffus Road.
18. New boundary walls/fences shall be set back from the edge of the public road at a distance of 1.8 metres.
19. Unless otherwise agreed with the Control Services Manager, any dwellinghouse on plot 4 must be of a single or one and a half storey design.
20. That unless otherwise agreed with the Control Services Manager the proposed layout shall retain and protect existing trees, shrubs and hedgerows as far as is practicable.

**Reasons:**

1. The time limit condition is imposed in order to comply with the requirements of Section 59 of the Town and Country Planning (Scotland) Act 1997.
2. In order to ensure that the matters specified can be fully considered prior to the commencement of development.
3. As the consent is in outline only and in order that detailed consideration can be given to the matters specified.
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14. In the interests of road safety.
15. In the interests of road safety.
16. In the interests of road safety.

17. In the interests of road safety.
18. In the interests of road safety.
19. In order to ensure that the development harmonises with the appearance and character of the surrounding properties and area.
20. In order to ensure that the existing trees, shrubs or hedgerows are retained as they add interest and character to the site and will contribute to the appearance of the development approved herewith.

#### **CATHEDRAL – NO. 2 WARD**

- (f) 98/00358/OUT Outline planning application for low cost housing at Housing Development Ashgrove Road Elgin Moray for Watson Group

There was submitted a report by the Director of Economic Development and Planning recommending that, subject to conditions detailed in the report, outline consent be granted in respect of a planning application for low cost housing at Housing Development, Ashgrove Road, Elgin for the Watson Group.

The meeting noted that a site visit had been undertaken by Members of the Committee on 28 September, 1998.

Following consideration the meeting agreed that given Members concerns regarding the evidence of recent flooding and problems associated with the dispersment of surface water in the vicinity of the proposed development consideration of the application be deferred for clarification from SEPA regarding these concerns.

#### **NEW ELGIN – NO. 3 WARD**

- (g) 98/00188/OUT Outline for a proposed retailing development at Linkwood Road Elgin Moray for Messrs Murrayfield Properties Limited

The meeting noted that this application had been withdrawn from the Agenda at the request of the applicant's agents.

#### **FORRES – NO. 5 WARD**

- (h) 97/01857/FUL Build one detached dwelling on Land At Rear Of 133 High Street Forres Moray for Mr Michael Laycock

There was submitted a report by the Director of Economic Development and Planning recommending that, subject to conditions detailed in the report, planning permission be granted in respect of an application to build one detached dwelling on land at rear of 133 High Street, Forres for Mr. Michael Laycock.

The meeting noted that a site visit had been undertaken by Members of the Committee on 28 September, 1998.

Following consideration and on the motion by Councillor G. McDonald, seconded by Councillor H. McDonald, the meeting agreed that the application be refused on the grounds of access, constituting bad neighbour development in terms of policy ENV3 and did not comply with policy ENV25.

#### **INNES – NO. 8 WARD**

- (i) 98/00805/OUT Outline to erect new dwellinghouse on site at Upper Whitefield Mosstowie Elgin Moray IV30 3TX for Mr Fraser

There was submitted a report by the Director of Economic Development and Planning recommending that, subject to conditions detailed in the report, planning permission be granted in respect of an outline application to erect a new dwellinghouse on a site at Upper Whitefield, Mosstowie, Elgin for Mr. Fraser.

The meeting noted that a site visit had been undertaken by Members of the Committee on 28 September, 1998.

Following consideration the meeting agreed that planning permission be granted subject to the following conditions:-

1. (a) That in the case of any reserved matter, application for approval must be made before:-
  - (i) that expiration of 3 years from the date of the grant of outline planning permission; or
  - (ii) the expiration of 6 months from the date on which an earlier application for such approval was refused; or
  - (iii) the expiration of 6 months from the date on which an appeal against such refusal was dismissed; whichever is the latest: provided that only one such application may be made in the case after the expiration of the 3 year period mentioned in sub-paragraph (i) above.
- (b) That the development to which the permission relates must be begun not later than whichever is the later of the following dates:-
  - (i) the expiration of 5 years from the date of the grant of outline planning permission; or
  - (ii) the expiration of 2 years from the final approval of the reserved matters or in the case of approval on different dates the final approval of the last such matter to be approved.
2. The approval hereby granted is in outline and prior to the commencement of the development approval of the details, including the siting, design and external appearances of the building(s) the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Council, as Planning Authority.
3. The proposed development shall be carried out only in accordance with detailed drawings which shall previously have been submitted to and approved by the Council, as Planning Authority. These drawings shall show the reserved matters numbered 4 - 8 below.
4. Plans, sections and elevations of all buildings proposed with details of the type and colour of all external materials and finishes shall be submitted in accordance with condition no. 3 above.
5. The proposed layout of the site showing the exact position of the site boundaries, the position of all buildings, the means of access, areas for vehicle parking and the arrangements for the disposal of foul and surface water shall be submitted in accordance with condition no. 3 above.
6. Details of the exact extent, type and finish of all other works including walls, fences and other means of enclosure and screening shall be submitted in accordance with condition no. 3 above.
7. Sections through the site showing the development on its finished levels in relation to existing levels shall be submitted in accordance with condition no. 3 above.
8. Landscaping proposals in accordance with a landscape scheme which shall show:
  - a) the location of all existing trees, shrubs and hedgerows within the site and identify those to be retained and those to be removed
  - b) details of all measures to be undertaken to protect any existing trees, shrubs and hedgerows during the course of developing the site. (This may include the erection of temporary fencing or similar to define the area(s) around the tree(s) to be protected and where within the said area(s) no building or structures, materials and vehicles associated with the development shall be located, stored or encroach thereon)
  - c) details of the numbers, species, position, planting distances and sizes of all planting to be undertaken, including the proposed hedging along the road frontage and tree planting elsewhere within and around the boundaries of the site
9. As part of the requirements of Condition 3:

- a) the dwelling shall be of single-storey construction (although accommodation within the roofspace may be permissible)
  - b) the design of the property shall comply with the requirements of policy HC5 of the Moray District Local Plan 1993-1998 (Final Approved Version) (Housing in the Countryside document), including the interpretation of policy regarding proportions of gable width and roof pitches.
10. Car parking shall be provided within the site at the rate of 2 spaces for a dwellinghouse with 3 or less bedrooms or 3 spaces for a dwellinghouse of 4 or more bedrooms.
  11. A turning area shall be provided within the curtilage of the site to enable vehicles to enter/exit in a forward gear.
  12. The width of vehicular access shall be 2.4 - 3.0 m and have a maximum gradient of 1:20 measured for the first 5.0 m from the edge of the public carriageway. Section of access over the public footpath/verge shall be to Grampian Regional Council specification and surfaced in bitmac.
  13. A parking layby 8.0 m long x 2.5 m wide with 30 degrees splayed ends shall be provided at the edge of the public road to allow visiting and service vehicles to park clear of the public road. The vehicular access(es) should lead off the layby(s). Layby to be to Grampian Regional Council specification and be surfaced in bitmac.
  14. A visibility splay of 2.4 metres x 60 metres shall be provided at the access.
  15. No boundary fences, hedges, walls or any obstruction whatsoever over 1.0 m in height and fronting onto the public road shall be within 2.1 m of the edge of the carriageway.
  16. New boundary walls/fences shall be set back from the edge of the public road at a distance of 2.5 metres.
  17. No water shall be permitted to drain onto the public footpath/carriageway.
  18. All parking, access and layby requirements shall be provided and made available for use prior to the occupation of the dwellinghouse.

**Reasons:**

1. The time limit condition is imposed in order to comply with the requirements of Section 59 of the Town and Country Planning (Scotland) Act 1997.
2. In order to ensure that the matters specified can be fully considered prior to the commencement of development.
3. As the consent is in outline only and in order that detailed consideration can be given to the matters specified.
4. As the consent is in outline only and in order that detailed consideration can be given to the matters specified.
5. As the consent is in outline only and in order that detailed consideration can be given to the matters specified.
6. As the consent is in outline only and in order that detailed consideration can be given to the matters specified.
7. As the consent is in outline only and in order that detailed consideration can be given to the matters specified.
8. As the consent is in outline only and in order that detailed consideration can be given to the matters specified.

9. To ensure a satisfactory form of development, in the interests of the amenities and appearance of the dwellinghouse and the surrounding area.
10. In the interests of road safety.
11. In the interests of road safety.
12. In the interests of road safety.
13. In the interests of road safety.
14. In the interests of road safety.
15. In the interests of road safety.
16. In the interests of road safety.
17. In the interests of road safety.
18. In the interests of road safety and to provide for the servicing of the property at an early stage in its development.

#### **STRATHISLA – NO. 16 WARD**

- (j) 95/00639/FUL Change of use from blacksmith to workshop (repair classic cars/tractor vintage store) at Nethermills Farm Grange Keith Banffshire AB55 3SN for Mr Gordon Neil Maver

There was submitted a report by the Director of Economic Development and Planning recommending that, subject to conditions detailed in the report, planning permission be granted in respect of an application for the change of use from a blacksmith to workshop (repair classic cars/tractor vintage store) at Nethermills Farm, Grange, Keith for Mr. Gordon Neil Maver.

Following consideration the meeting agreed:-

- (i) that planning permission be granted for a temporary period of 1 year and subject to the following conditions:-
  1. The development to which this permission relates must be begun not later than the expiration of five years beginning with the date on which this permission is granted.
  2. Unless otherwise agreed with the Council, as Planning Authority, the development hereby approved shall be carried out strictly in accordance with the approved plans and conditions.
  3. The development shall relate to the amended plan(s) B/13252 'B', submitted under cover of the applicants/agents letter dated 27 August 1997 regarding the inclusion of a septic tank and partial soakaway with discharge point at the River Isla at NGR 5085 5062.
  4. The site shall not be used for the development permitted before Midday and after 4.00 pm Monday to Saturday, nor at any time on Sundays.
  5. Unless otherwise approved by the Control Services Manager there shall no external storage of any materials, including scrap, wrecked cars, spare parts/machinery, spare tyres, timber and rubble etc.
  6. All customer vehicles visiting the site and the applicants own working vehicles shall be parked in the approved parking area in the south of the site.

7. For the avoidance of doubt the consent hereby granted relates solely to the use as applied for ie, for the use of the workshop for the repair and storage of classic cars and vintage tractors and for no other use or purpose without the prior consent in writing, of the Council, as Planning Authority.
8. Unless otherwise agreed with the Council (as Planning Authority) the septic tank and soakaway arrangements shown on the plans shall be provided to the satisfaction of the Control Services Manager with a period of 2 months from the date of this consent.

**Reasons:**

1. The time limit condition is imposed in order to comply with the requirements of Section 58 of the Town and Country Planning (Scotland) Act 1997.
  2. In order to ensure that there are no unauthorised departures from the approved plans which could adversely affect the development or character and amenity of the surrounding properties and area.
  3. In order to avoid any ambiguity regarding the terms of this consent.
  4. In the interests of amenity so as to ensure that the development does not cause a nuisance or disturbance to residents in the area.
  5. In order to ensure that the development harmonises with the appearance and character of the surrounding properties and area.
  6. In the interests of road safety.
  7. In accordance with the applicants submitted particulars, in order to avoid any ambiguity regarding the terms of this consent, and in order to retain Local Authority control over the use of the site and to ensure that consideration can be given to the effects and impact of uses other than that approved herewith.
  8. In order to ensure that adequate drainage arrangements are provided so as to avoid the likelihood of a nuisance from the drainage facilities.
- (ii) that the change of use be monitored during the period of temporary consent.
- (k) 98/00884/OUT Outline to erect house on Site At Braco Brae, Grange, Keith Banffshire for Mrs Bessie Stewart

There was submitted a report by the Director of Economic Development and Planning recommending that, for reasons detailed in the report, planning permission be refused in respect of an application for outline consent to erect a house on a site at Braco Brae, Grange, Keith for Mrs Bessie Stewart.

The meeting noted that a site visit had been undertaken by Members of the Committee on 28 September, 1998.

Following consideration Councillor R.L. Patterson, seconded by Councillor W. Jappy, moved that given the site previously housed a croft prior to being used for agricultural land; that existing buildings are spread randomly and sparsely within the area and therefore the proposal would blend in with its surroundings; it has a natural backdrop and a boundary on three sides; that the applicant's agent was prepared to comply with any conditions placed on a consent, the application be approved subject to appropriate conditions.

As an amendment Councillor G. McDonald, seconded by Councillor H. McDonald, moved that the application be refused as recommended.

On a division there voted:-

For the motion (5) Councillors G. McDonald, H. McDonald, M. Anderson, T.A. Howe and A. Keith

For the amendment (7)

Councillors R.L. Patterson, W. Jappy, E. Aldridge, M.C. Howe, P. Mann, A.M. Scott and J. Stewart

Abstentions (0)

Thereafter the Chairman declared the amendment carried and it was agreed that planning permission be granted subject to appropriate conditions.

Councillors G. McDonald and T.A. Howe indicated that they wished their dissent at the Committee's decision recorded.

## **9. NEW DEAL: ENVIRONMENTAL TASK FORCE**

Under reference to para. 6 of the Minute of the Economic Development and Planning Services Committee dated 26 May, 1998 there was submitted a report by the Director of Economic Development and Planning seeking the Committee's approval for two additional "placements" to be considered by the Environmental Task Force (ETF), details of which were set out in Appendix 1 to the report.

Following consideration the meeting agreed:-

- (i) to approve the two ETF placements as detailed in the Appendix to the report; and
- (ii) that the identification of future projects be delegated to the Forward Planning Manager in consultation with the Chairman, Vice-Chairman and Local Member.

## **10. NORTH EAST OF SCOTLAND TOURISM PARTNERSHIP FORUM**

Under reference to para. 15 of the Minute of the Economic Development and Planning Services Committee dated 2 December, 1997 there was submitted a report by the Director of Economic Development and Planning advising the Committee that as part of a strategic review it was suggested that a North East Scotland Tourism Partnership Forum be formed involving all funding partners, the two Local Enterprise Companies, the Scottish Tourist Board and the Aberdeen and Grampian Tourist Board, details of which were appended to the report.

The report also invited the Committee to consider nominating up to three Members to represent the Council's interest on the Partnership Forum.

Following consideration the meeting agreed that the Council be represented on the Partnership Forum by the Chairman, Vice-Chairman and Councillor T.A. Howe, whom failing.

## **11. CREATING SUSTAINABLE COMMUNITIES CONFERENCE**

There was submitted a report by the Director of Economic Development and Planning inviting the Committee to consider participating at the Creating Sustainable Communities Conference to be held at The Park, Findhorn on 17 – 24 October, 1998 and in an associated "Planning for Real" workshop.

Following consideration the meeting agreed to be represented at the Conference by an officer, to be nominated by the Director of Economic Development and Planning.

## **12. TREE PRESERVATION ORDER**

Under reference to para. 13 of the Minute of the Economic Development and Planning Services Committee dated 26 May, 1998 there was submitted a report by the Director of Economic Development and Planning inviting the Committee to consider recommending to the Council confirmation of a Tree Preservation Order (TPO) at King George V Playing Fields, Rothiemay in light of comments received during the consultation process.

Following consideration the meeting agreed to recommend to the Council confirmation of the Tree Preservation Order at King George V Playing Fields, Rothiemay subject to the Order being amended to include all species of trees.

### **13. STREET NAMING AND NUMBERING**

There was submitted a report by the Director of Economic Development and Planning seeking the Committee's approval that the name "Plasmon Lane" be given to a new road off the junction of Fleurs Place and McDonald Drive, Forres.

Following consideration the meeting agreed that the name "Plasmon Lane" be given to the new road off the junction of Fleurs Place and McDonald Drive, Forres.

### **14. SCOTTISH OFFICE RURAL COMMUNITY TRANSPORT INITIATIVE**

There was submitted a report by the Director of Economic Development and Planning advising the Committee on the process by which funds for Community Transport projects, part of the additional rural transport funds, is to be distributed.

Following consideration the meeting agreed that the relevant information on the Community Transport Project Initiative be distributed to Community Councils, Community Associations, Voluntary Organisations and also posted on the Moray Internet page and in the local press to attract as wide an audience as possible to the Scheme.

### **15. SCOTTISH INTEGRATED TRANSPORT WHITE PAPER: TRAVEL CHOICES FOR SCOTLAND**

There was submitted a report by the Director of Economic Development and Planning advising the Committee of the Government's recently published White Paper "Travel Choices for Scotland" which is supplementary to the White Paper published for the whole of the UK, a summary of which was set out in Appendix A of the report. There was also attached Appendix B to the report an annex to the White Paper which outlined transport responsibilities after devolution.

Following consideration the meeting agreed to note the report and that further more detailed reports on specific topics of transport policy be submitted as and when appropriate.

### **16. CAPITAL PROGRAMME 1998/99: NEW TRAFFIC SIGNS AND ROAD MARKINGS**

Under reference to para. 2 of the Minute of the Special Meeting of the Moray Council on 24 February, 1998 there was submitted a report by the Director of Economic Development and Planning seeking approval of a list of new traffic signs and road markings to be funded from the 1998/99 Capital budget.

Following consideration the meeting agreed:-

- (i) to approve the list of new traffic signs and markings listed in Appendix 1 to be funded from the Capital budget for 1998/99; and
- (ii) to note the reserve list of new traffic signs and marking listed in Appendix 2 which will form the basis of a future programme when funding is available.

### **17. ABERLOUR: QUEENS ROAD AND MARY AVENUE WAITING RESTRICTIONS**

There was submitted a report by the Director of Economic Development and Planning seeking the Committee's approval to introduce waiting restrictions on Queens Road, Aberlour.

Following consideration the meeting agreed to recommend the introduction of no waiting at any time on Queens Road, Aberlour and that the Director of Economic Development and Planning and the Legal and Administration Services Manager proceed with the statutory process.

### **18. BRIDGE ASSESSMENT AND STRENGTHENING PROGRAMME UPDATE**

Under reference to para. 10 of the Minute of the Economic Development and Planning Services Committee dated 26 May, 1998 there was submitted a report by the Director of Economic Development and Planning advising the Committee of the current position and progress of the Council's Bridge Assessment and

Strengthening Programme. The report also sought approval of the means of procurement for all railtrack bridge assessment and invited the Committee to note the position regarding British Rail property board bridges.

Following consideration the meeting agreed:-

- (i) to note the progress on bridge assessment and strengthening;
- (ii) that the Chief Roads Officer and Legal Services Manager be authorised to invite Railtrack to carry out bridge assessments on their own bridges on the Council's behalf based on the cost estimate contained in the report, subject to Railtrack satisfying that appropriate tendering methods have been employed;
- (iii) that the report be referred to the Policy and Resources Committee for consideration for next year's financial implications;
- (iv) that the temporary appointments within the Roads Service approved staff structure be reviewed and reported to a future meeting; and
- (v) that a further report be submitted to Committee relating to bridge rail property board bridges and updating progress on other bridges.

#### **19. MORAY CRAFTS INITIATIVE: CHRISTMAS FAYRE**

There was submitted a report by the Director of Economic Development and Planning inviting the Committee to consider approving the organisation of a Christmas Craft Fayre to be held within the Gallery and Foyer areas of the Elgin Library on Sunday 22 November, 1998 at a cost of £100 to be met from the Department's Aid to Industry budget.

Following consideration the meeting agreed to approve a Moray Crafts Christmas Fayre to be held within the Elgin Library on Sunday 22 November, 1998 with a budget to cover general costs not exceeding £100 to be met from the 1998/99 Aid to Industry budget.

#### **20. APPOINTMENT OF EXTERNAL CONSULTANTS/SUPPLIERS**

There was submitted a report by the Director of Economic Development and Planning seeking delegated powers in relation to the appointment of external engineering consultants or suppliers to assist roads staff in the preparation of road and other engineering contracts.

Following consideration the meeting agreed:-

- (i) to the preparation of a list of suitable external consultants/suppliers to assist with the engineering project;
- (ii) that specific projects, dictated by workload peaks or skill shortages be subject to competitive tender, with a financial limit of £10,000 applied to any commission; and
- (iii) that it be recommended to the Policy and Resources Committee that the appointment of consultants/suppliers be delegated to the Director of Economic Development and Planning, in consultation with the Chair and Vice-Chair of the Committee, to accelerate the appointment and that all appointments be reported on a regular basis to Committee.

#### **21. ATTENDANCE AT SEMINAR: REVIEW OF COMMON FISHERIES POLICY**

There was submitted a report by the Director of Economic Development and Planning inviting the Committee to consider an invitation to be represented at a Seminar being organised by the Scottish Office to discuss the review of the Common Fisheries Policy to be held in Aberdeen on Wednesday 7 October, 1998 as part of the European Commission Consultation exercise.

Following consideration the meeting agreed to be represented at the Conference by the Councils representation on the North East Scotland Fisheries Development Partnership.

## **22. APPROVAL OF LEASE**

There was tabled at the meeting a report by the Director of Economic Development and Planning inviting the Committee to approve the terms of a lease in respect of Units 4, 5 and 6 Greshop Industrial Estate, Forres.

Following consideration the meeting agreed to approve the terms of the lease as follows:-

<u>Tenant and Address</u>	<u>Length of Lease</u>	<u>Review Period</u>	<u>Rent</u>
Varis Engineering Limited, Units 4, 5 and 6 Greshop Industrial Estate, Forres	3 years	----	£13,000 p.a.

## **23. MORAY BUSINESS ENTERPRISE SCHEME – APPLICATION 068 (Para. 4)**

There was submitted a report by the Director of Economic Development and Planning recommending approval of a grant in respect of application 068 for financial assistance in terms of the Moray Business Enterprise Scheme.

Following consideration the meeting agreed to approve the recommendations in regard to application 068.

## **24. UNIT 28 TYOCK INDUSTRIAL ESTATE, ELGIN: REQUEST FOR EARLY TERMINATION OF LEASE (Para. 6)**

There was submitted a report by the Director of Economic Development and Planning inviting the Committee to consider a request from the tenant of Unit 28 Tyock Industrial Estate, Elgin for early termination of the lease on the grounds of ill health.

Following consideration the meeting agreed to approve the early termination of the lease on the terms outlined in the report and that it be remitted to the Principal Solicitor (Commercial and Conveyancing) to formalise the agreement.

## **25. ACQUISITION OF LAND FOR ROAD IMPROVEMENT SCHEME (Para. 9)**

Under reference to para. 18 of the Minute of this Committee dated 9 June, 1998 there was submitted a report by the Director of Economic Development and Planning seeking the Committee's approval of provisional terms agreed with the landowner for the acquisition of land required in connection with road improvement schemes on the A95 Ordens-Keith-Grantown Road and the B9008 Dalnashack-Auchenbreck-Tomintoul Road in light of further information and relevant location maps which were appended to the report.

Following consideration the meeting agreed to approve the proposed exchange of land between the Council and Ballindalloch Estate in respect of the road improvements on the A95 Ordens-Keith-Grantown Road at Dalnashack and the B9008 Dalnashack Road-Tomintoul Road between Aldrich and Delchirach.

## **26. PORTACABINS ADJACENT TO COUNCIL HEADQUARTERS (Para. 9)**

Under reference to para. 13 of the Minute of this Committee dated 31 March, 1998 there was submitted a report by the Director of Economic Development and Planning seeking approval of a proposal from the Keith Community Education Area Management Committee that the Council use the portacabins adjacent to the Council's Headquarters to provide additional accommodation at Keith Community Centre.

Following consideration the meeting agreed, in principle, to permit Keith Community Education Area Management Committee to remove the portacabins to provide additional accommodation at Keith Community Centre subject to:-

- (a) there being no capital or revenue costs to the Council;
- (b) that the Management Committee obtaining all necessary Planning Consents and Building Warrants;  
and

- (c) the submission of a further report on potential revenue costs and consultation with Education in regard to the siting of the portacabins at Keith Grammar School.

### **27. CULLEN VIADUCT: CULLEN BURN SECTION (DECK WATERPROOFING) (Para. 8)**

There was submitted a report by the Director of Economic Development and Planning inviting the Committee to consider accepting a tender in respect of waterproofing the deck of the Cullen Burn section of the Cullen Viaduct.

Following consideration the meeting agreed:-

- (i) to accept a tender from William Douglas & Sons to carry out repairs to the deck of the Cullen Viaduct (Cullen Burn section) in the sum of £58,418.49 being the lowest of four tenders submitted;
- (ii) to execute the work detailed within the tender during this financial year; and
- (iii) to further the design and tender process for the final phase of works to open the Cullen Burn section of the Viaduct (as part of the National Cycling Network and Local Footpath Network).

### **28. PURCHASE OF FUEL ENERGY: COUNCIL POLICY (Para. 8)**

Under reference to para. 30 of the Minute of the Policy and Resources Committee dated 21 May, 1998 there was submitted a report by the Director of Economic Development and Planning advising the Committee on the current position on the purchase of fuel energy on behalf of the Council in relation to the deregulation of fuel markets and seeking approval for action on two fuel contracts.

Following consideration the meeting agreed:-

- (i) to note the progress being made to obtain fuel energy at the most competitive rates available to the Council;
- (ii) that the current extended contract for the supply of gas to over 2,500 Therm sites is further extended under negotiation for the short period necessary to coincide with the tender acceptance date for the North East Consortium; anticipated October, 1999; and
- (iii) that the current contract for the supply of gasoil kerosene is extended for a further period of 12 months.

### **29. MORAY DEVELOPMENT PLAN (Para. 13)**

#### **(a) Submit Note of 5<sup>th</sup> Meeting of the Development Plan Working Party dated 28 August, 1998**

There was submitted and noted a Note of the Fifth Meeting of the Development Plan Working Party held on Friday 28 August, 1998.

#### **(b) Local Plan Policies**

There was submitted a report by the Director of Economic Development and Planning inviting the Committee to consider text changes to the Moray Local Plan Policies following public consultation representations, details of which were appended to the report.

During discussion Councillor A. Keith, seconded by Councillor W. Jappy, moved that in regard to Policy L/H16: House Plot Sub-Division the minimum size of sub-divided plot be retained at 300 sq.m.

As an amendment, Councillor R.L. Patterson, seconded by Councillor J. Stewart, moved that the minimum size of sub-divided plot be 400 sq.m. excluding access as proposed in the draft Local Plan.

On a division there voted:-

For the motion (4)

Councillors A. Keith, W. Jappy, G. McDonald and P. Mann

For the amendment (7) Councillors R.L. Patterson, J. Stewart, H. McDonald, E. Aldridge, M.C. Howe, T.A. Howe and A.M. Scott

Abstentions (1) Councillor M. Anderson

Thereafter the Chairman declared the amendment carried and it was agreed to approve the proposal that the minimum size of sub-divided plot be 400 sq.m excluding access, as proposed in the draft Local Plan.

Following consideration the meeting agreed the text changes to the Local Plan as contained in Schedule 1 subject to the following amendments:-

- (a) Page 12 - "Provision of Facilities" to be amended to reflect that sale of tourist caravan sites did not progress"
- (b) Page 51 – cross reference Policy L/H13 with section relating to Developer Contributions
- (c) Page 69 – "Access" – delete "to protect historic fishing rights" from end of first paragraph
- (d) Page 74 – Under "Exceptions to Town Centre Shopping" delete last sentence i.e. In consequence, no retail allocations will be made in the Edgar Road area.

### **30. SCOTTISH OFFICE RURAL TRANSPORT FUND: TENDERS**

Under reference to para. 10 of the Economic Development and Planning Services Committee dated 8 September, 1998 there was submitted a report by the Director of Economic Development and Planning seeking approval for the award of additional tendered local bus service contracts from the Special Rural Public Passenger Transport Grant Funds awarded to the Council details of which were appended to the report.

Following consideration the Committee agreed, that subject to the agreement with the Scottish Office of the proposed expenditure plan from this Special Grant, to:-

- (a) the award of all group 1 tenders (withdrawn services);
- (b) the award of group 2 tenders MR04, MR07 and MR16 (new journeys);
- (c) the provision of new enhanced facilities detailed in Appendix D of the report;
- (d) contribute to the publicising of timetable information on the Internet in conjunction with other Highland and Islands Convention Partners; and
- (e) further reports being brought back to this Committee periodically on the level of usage of these additional services, and of the level of Scottish Office grant awarded in future years for consideration on the sustainability of the routes.