

**Forres WARD 08\_07**

**09/02350/APP  
12th January 2010**

**Proposed new access to improve visibility on exit at Tor Avon,  
Findhorn, Forres, Moray, IV36 3YY for Mr David Bell**

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**Comments:**

- NO SITE VISIT REQUIRED.
- No objections/ representations received.
- Advertised under the Town and Country Planning (Development Management Procedures) (Scotland) Regulations 2008.

**Procedure:**

- Application requires to be determined by Committee, as the Council is the applicant.

**Recommendation:      **Permit - Subject To The Following:-****

1. The development to which this permission relates must be begun not later than the expiration of 3 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. Prior to work commencing on site the applicant shall complete the attached notification of initiation of development and submit it to the local planning authority.
4. Upon completion of the development or as soon as practicable after doing so the attached notification of completion of development shall be completed and submitted to the local planning authority.
5. No boundary fences, hedges, walls or any other obstruction whatsoever over 1.0m in height and fronting onto the public road shall be within 2.4m of the edge of the carriageway.
6. The width of the vehicular access shall be 2.4m - 3.0m and have a maximum gradient of 1:20 measured for the first 5.0m from the edge of the public carriageway. The part of the access over the public footway/verge shall be to The Moray Council specification and surfaced with bituminous macadam.
7. No water shall be permitted to drain or loose material be carried onto the public footway/carriageway.
8. Drop kerbs shall be provided across the access to The Moray Council specification. A road opening permit must be obtained from the Roads Authority before carrying out this work.

9. A visibility splay of 2.4m x 60m shall be provided and maintained at the access in both directions.

**Reasons:**

1. The time limit condition is imposed in order to comply with the requirements of Section 58(i) of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc. (Scotland) Act 2006.
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. To ensure that the planning authority is aware that development is about to commence and any suspensive conditions can be followed up.
4. To ensure that the planning authority is aware that the development is complete and is able to follow up any conditions.
5. In the interests of road safety.
6. In the interests of road safety.
7. In the interests of road safety.
8. In the interests of road safety.
9. In the interests of road safety.