

08/00282/FUL
21st February 2008

Erect new one and a half-storey dwellinghouse on Plot 2 West
Of West Winds Stotfield Road Lossiemouth Moray for Mr
Frank Ralph

Comments:

- MEMBERS WILL HAVE VISITED THE SITE.
- Development Control Manager minded to approve the application (as recommended below) which is a departure from the development plan.
- Advertised as a departure from the development plan.
- Objections/representations received - not more than 5 written competent objections.
- Departure from policy R3 regarding provision of a layby.

Procedure:

- Application to be considered at a Special Meeting of Environmental Services Committee to include a hearing on 12th August 2008 at which applicant/agents and objectors to be given opportunity to speak to application and stated objections prior to determination.

Recommendation: Permit - Subject To The Following:-

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. All living apartments shall be provided with double glazing consisting of 6mm thick glass separated by a 16mm cavity, as highlighted in point 3 of the supplementary letter to the Noise Impact Assessment and titled "Report on Air Traffic Noise for Mr Frank Ralph at Westwinds, Stotfield Road, Lossiemouth, Moray: Charlie Fleming Associates Acoustical Consultants, 14 May 2008: Report reference 1243/29/L.
4. No trees shall be removed from site until such time as a plan has been submitted and approved in writing showing details of trees to be retained and means of their protection during site and construction works.
5. No boundary fences, hedges, walls or any obstruction whatsoever over 1.0 m in height and fronting onto the public road shall be within 2.4 m of the edge of the carriageway.
6. The width of vehicular access shall be 2.4 - 3.0m and have a maximum gradient of 1:20 measured for the first 5.0m from the edge of the public carriageway.
7. No water shall be permitted to drain or loose material be carried onto the public footpath/carriageway.
8. Drop kerbs shall be provided across the access to The Moray Council specification.

9. A minimum of three private parking space(s) shall be provided at all times.
10. A turning area shall be provided within the curtilage of the site to enable vehicles to enter/exit in a forward gear.

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 ensure the acoustical requirements are met for this property.
4. In the interest of amenity and to retain an existing feature of the site.
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.
10. In the interests of road safety.

List of Informatives:

THE BUILDING STANDARDS MANAGER, has commented that:-

A Building Warrant will be required for the proposals. Should you require further assistance please do not hesitate to contact Building Standards, Environmental Services Department, Council Office, High Street, ELGIN IV30 1BX or by telephoning 01343 563243.

Comments received from SCOTTISH WATER are attached for your information.

THE TRANSPORTATION MANAGER, DIRECT SERVICES, ACADEMY STREET, ELGIN has commented that:-

The applicant shall be responsible for ensuring that water does not run from the public road into his property.

The applicant shall ensure that their operations do not adversely affect any Public Utilities which should be contacted prior to commencement of operations.

The applicant shall free and relieve the Roads Authority from any claims arising out of his operations on the road or extension to the road.

The Transportation Manager must always be contacted before any works commence. This includes any temporary access which should be agreed with the Transportation Manager prior to work on it commencing.