

08/00078/LBC  
21st January 2008

**Listed Building consent to construct Elgin flood alleviation scheme between Glen Moray Distillery and Pitgaveny (includes alterations to Listed Buildings at Mary Well, Mansion House Hotel and Bishopmill Bridge) at River Lossie Elgin Moray for The Moray Council**

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**Comments:**

- MEMBERS WILL HAVE VISITED THE SITE
- Application proposes works affecting Category B listed buildings
- Application is integral part of major development - Elgin Flood Alleviation Scheme
- The application is made by the planning authority
- Advertised under the current Listed Buildings and Conservation Area Regulations
- No representations received

**Procedure:**

- If minded to approve:
- notification to Historic Scotland required prior to issue of any consent
- hearing not required

**Recommendation:**

- i) the following conditions

*Note: For the purposes of this schedule, "Elgin FAS" refers to Elgin Flood Alleviation Scheme; "ES" refers to the Environmental Statement (as submitted with application 08/00077/EIA) and "Addendum" refers to the Addendum to the ES (as submitted with application 09/00796/FUL)*

1. That the proposal to which it relates must be begun not later than the expiration of 3 years beginning with the date of this consent.
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. No development shall commence until details have been submitted to and approved by the Council as planning authority regarding:
  - a) in consultation with Historic Scotland, a finalised method statement for the dountaking, marking and storage of the existing balustrade stonework and its re-use/re-instatement on top of the raised floodwall at Mansion House Hotel, together with written confirmation from Historic Scotland regarding acceptance of the statement.
  - b) in consultation with Historic Scotland, a finalised method statement for the partial dismantling, marking and storage of the existing stonework at Old Bishopmill

Bridge and for the re-use of the stone material during the re-building of the abutments at the proposed Lossie Wynd footbridge, together with written confirmation from Historic Scotland regarding acceptance of the statement.

and

- c) thereafter, the development shall be implemented in accordance with the approved details.
4. Sample panels of all new stone and reconstituted stone, including all size, coursing and pointing details shall be prepared on the site for inspection and approval prior to the stonework being erected/re-instated as part of the Elgin FAS works.
5. As part of the requirements of Condition 4:
  - a) natural stone to match the existing stone material finishes shall be used for the new floodwall at Marywell and Mansion House Hotel, and the existing abutments at the proposed Lossie Wynd footbridge.
  - b) lime mortar shall be used for coursing and pointing details where natural stonework is used.
  - c) details of the treatment at the junction or connection between natural and man-made/old and new materials shall be provided to protect the natural stone and historic fabric.
6. Unless already specified or otherwise agreed, no development shall commence until detailed have been submitted to and approved by the Council, as planning authority regarding samples or specifications of all external finishing materials and colouration, including paintwork and timber staining and/or protective coating to be applied.
7. As part of Condition 7 for the Lossie Wynd footbridge, the proposed colouration of the parapets shall match the existing colour finish of the existing footbridge parapets.

**Reasons:**

1. The time limit condition is imposed in order to comply with the requirements of Section 16 of the Planning (Listed Buildings and Conservation Areas) (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 area.
3. To ensure an acceptable form of development in the interests of maintaining the historic character and appearance of these Category B Listed Buildings, in particular to ensure the retention and re-instatement of the balustrade and the abutments supporting the bridge and to mitigate against the any adverse impacts associated with this work.
4. To ensure that the proposed materials are in keeping with the appearance and character of the development including material finishes in the locality.

5. In order to ensure that the development harmonises with the appearance and character of the listed buildings and the surrounding area and to mitigate against any impact associated with the Elgin FAS and in accordance with the applicants agent's submissions.
6. To ensure that the proposed materials are in keeping with the appearance and character of the development including material finishes in the locality.
7. To ensure that the proposed materials are in keeping with the appearance and character of the development including material finishes in the locality, including the use of 'colour' to reflect the association between the new bridge and the current/previous bridges on the site.

**List of Informatives:**

The DEVELOPMENT CONTROL MANAGER has commented that: -

Details of consultation responses have already been forwarded to the Council's agent.