

## Elgin City North WARD 06\_07

09/02208/AMC  
4th December 2009

**Construction of new secondary school and associated sports pitches with demolition of existing school at Elgin Academy, Morriston Road, Elgin, Moray, IV30 4ND for Stewart Milne Construction**

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### **Comments:**

- MEMBERS WILL HAVE VISITED THE SITE
- Application is a major development, as the site exceeds 2 hectares in area, and is referred to Committee on this basis.
- Objections/representations received.
- This application is in accordance with the designations in the Local Plan.

### **Procedure:**

- In the event that Committee are minded to approve the application, this will require to be referred to Ministers as the Council has an interest as owners of the site.
- This is a "Reserved Matters" application following the approval of the outline application for the same site, and reflects the conditions of that consent. (As a Reserved Matters application, there is no statutory requirement for public consultation prior to submission of the application, despite its "Major" status).

**Recommendation: Delegation to permit, subject to the receipt of information confirming compliance with policy ER2 (Energy Reduction), to the receipt of information to the satisfaction of SEPA in terms of flood risk, to Sport Scotland response in respect of the proposed changing facilities, and to the following;**

1. 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 3 years from the date of the grant of planning permission in principle; or
  - (ii) the expiration of 2 years from the final approval of the matters specified in conditions or in the case of approval on different dates the final approval of the last such matter to be approved.
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. Prior to the commencement of development, details of the measures proposed for the dispersal of surface water shall be submitted for the written approval of the Planning Authority in consultation with SEPA.
6. Prior to the occupation of the new school building and/or use of the sports pitches, the SUDS scheme required for the site as referred to in condition 5 of this permission shall be installed and fully operational.
7. No works shall commence on site until details have been submitted to and approved by the Moray Council as Planning and Roads Authority in respect of a Construction Traffic Management Plan (TMP). Details should include information on the proposed phasing of works, temporary parking provision for the school operation (if required), construction parking, temporary access proposals, and proposals to safeguard pedestrian and cycle routes.
8. No works shall commence on site until details have been submitted to and approved by the Moray Council as Planning and Roads Authority in respect of;
  - a) Forward visibility and visibility splays in both the horizontal and vertical planes for the vehicular access junctions onto Morriston Road
  - b) An acceptable internal road layout including details of signage and lining proposals,
  - c) A stage 2 Road Safety Audit for the proposed road layout and junctions onto Morriston Road, and
  - d) Vehicle swept path analysis for service vehicle and bus requirements related to the vehicular access for junctions along Morriston Road and internal roads in addition to those already submitted.
9. Parking provision for the completed school shall provide a total of 161 car parking spaces and 120 cycle parking spaces in accordance with the site layout as shown in Aedas Drawing No: L(9)001. Temporary parking provision for the school during school construction and demolition works shall not be less than 69 spaces (including 2 disabled spaces) during any period of the works.
10. No water shall be permitted to drain or loose material be carried onto the public footpath/carriageway.
11. Prior to the school becoming operational a Travel Plan shall be submitted to and approved by The Moray Council as Planning Authority. The Plan should cover: access to the school for pedestrians, cyclists and bus users; parking arrangements and management; travel option awareness initiatives; and monitoring regime and reports and a minimum of 3 Annual Monitoring Reports should be published.
12. Prior to the commencement of development, details of any proposed lighting for the facility, including the hours during which this will be functional shall be submitted for the approval in writing of the Planning Authority.

13. That no development shall take place until a Landscape Scheme (drawn to scale) is submitted to and approved by this Council (as Planning Authority). This Landscape Scheme shall show: -
  - (a) the location of any existing trees, shrubs and hedgerows on the site and identify those to be retained and those to be removed;
  - (b) details of the measures to be taken to protect any existing trees, shrubs and hedgerows during the course of developing the site;
  - (c) details of the numbers, species, position, planting distances and sizes of all planting to be undertaken.
14. Unless otherwise agreed with the Council (as Planning Authority) the development shall not commence until samples of the proposed roof and wall finishes have been submitted to and approved by the Head of Development Services.

**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 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 amenity and effective planning control.
6. In the interests of amenity and effective planning control.
7. In the interests of an acceptable form of development and the provision of details currently lacking from the submission.
8. In the interests of and acceptable form of development, road safety and the provision of details currently lacking from the submission.
9. In the interests of an acceptable level of parking provision.
10. In the interests of road safety.
11. In the interests of sustainable transport and the provision of details currently lacking from the submission.
12. In the interests of amenity and effective planning control.

13. In order that detailed consideration can be given to the landscaping of the site.
14. In order to ensure that the development harmonises with the appearance and character of the surrounding properties and area.

**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.

THE CONTAMINATED LAND SECTION has commented that: -

Your property has been identified as being in the vicinity of the following potential sources of contamination:

- Steadings on site as indicated on map group A and D.
- Gas governor approximately 3 metres to the west as indicated on map group F.

Map Group A 1868 - 1897 Ordnance Survey Maps

Map Group B 1898 - 1906 Ordnance Survey Maps

Map Group C 1930 - 1938 Ordnance Survey Maps

Map Group D 1959 - 1971 Ordnance Survey Maps

Map Group E 1969 - 1992 Ordnance Survey Maps

Map Group F Present Day Ordnance Survey Maps

The Moray Council does not have information to confirm whether or not the ground has been contaminated; however it is recommended that you investigate this matter prior to proceeding with the proposed works. Should contamination be identified you should contact the Environmental Health section immediately and carry out agreed remediation works. For advice on researching/investigating a site, please visit the Council" website at [www.moray.gov.uk/ContaminatedLand](http://www.moray.gov.uk/ContaminatedLand). Alternatively you can contact the Environmental Health Section on 01343 563345 or by email to [contaminated.land@moray.gov.uk](mailto:contaminated.land@moray.gov.uk)

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

Details should be submitted to the Moray Council Planning Authority for:

- a) The location, design specifications and arrangements for maintenance for all proposed arrangements for the disposal of surface water from the site and unless otherwise agree, all arrangements shall be located within the site;
- b) Details of the timescale(s) for the proposed implementation of all approved surface water drainage arrangements (to be implemented and operational prior to occupation of the development); and

- c) A construction method statement to include details of all temporary measures to deal with surface water run-off during construction and prior to operation of the final SUDS arrangements.
- The applicant shall be responsible for ensuring that surface/ground 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.
  - A Road Opening Permit will be required.
  - The Transportation Manager must always be contacted before any works commence. This includes any temporary access, which should be agreed with the roads Authority prior to work commencing on it.
  - No retaining structures or embankments shall be constructed along the edge of the road, whether retaining the public road or ground adjoining the public road without prior consultation and agreement of the Roads Authority.
  - The developer must contact the Roads Authority Street Lighting Section at Ashgrove Depot, Elgin - Tel (01343) 557300, Ext. 7343 to discuss the proposals.
  - The developer must contact the Roads Authority Maintenance Manager (West) at Ashgrove Depot, Elgin - Tel (01343) 557300, Ext. 7325 to discuss the proposals.