

THE MORAY COUNCIL

MINUTE OF SPECIAL MEETING OF THE PLANNING & REGULATORY SERVICES COMMITTEE

WEDNESDAY 19 DECEMBER 2012

COUNCIL OFFICE, ELGIN

Present

Councillors D Ross (Chair), C Tuke (Depute Chair), G Alexander, J Allan, M Howe, G Leadbitter, M McConachie, and P Paul.

Also Present

Councillor A McLean.

Apologies

Apologies were intimated on behalf of Councillors S Cree, J Divers, G McDonald, F Murdoch and A Wright.

In Attendance

The Head of Development Services, Acting Manager (Development Management), Mr A Burnie, Principal Planning Officer (Development Management), Mrs A Scott, Legal Services Manager (Property & Contracts) and Mr D Westmacott, Committee Services Officer as Clerk to the Meeting.

1. DECLARATION OF GROUP DECISIONS

In terms of Standing Order 20 and the Councillor's Code of Conduct the meeting noted there were no declarations from group leaders or spokespersons in regard to any prior decisions taken on how members will vote on any item on the Agenda nor any declarations of Members Interest in respect of any item on the Agenda.

2. PLANNING APPLICATION

- (i) 12/01110/APP **FULL APPLICATION FOR PHASE 1 OF DEVELOPMENT AT SITE R3 FORRES COMPRISING 129 HOUSES AND COMMUNITY FACILITIES (DENTAL PRACTICE AND RETAIL UNITS) WITH ROADS, TRANSPORT LINKS AND STRUCTURAL LANDSCAPING FOR BALANCE OF SITE SERVING A TOTAL OF UP TO 380 HOUSES OVERALL (INCLUDING PHASE 1) ALL BASED ON MASTERPLAN FOR SITE AS A WHOLE R3 FORRES, MORAY FOR SPRINGFIELD PROPERTIES.**

There was submitted a report by the Appointed Officer recommending that, subject to conditions detailed in the report, planning permission be granted for Phase 1 of development at Site R3 Forres comprising 129 houses and community facilities (dental practice and retail units) with roads, transport links and structural landscaping for balance of site serving a total of up to 380 houses overall (including Phase 1) all based on masterplan for site as a whole R3 Forres, Moray for Springfield Properties.

Following consideration, the Committee agreed:-

- (i) to grant full planning permission, subject to the completion of a legal agreement and the following conditions and informatives:-
 1. Prior to the commencement of any works, a surface water drainage scheme shall be submitted for the written approval of the planning authority, in consultation with SEPA and the Flood Risk Management Team, and thereafter, all work shall be carried out in accordance with the approved scheme. This scheme shall include:
 - (a) the provision of one level of SUDS treatment for run off from roofs and two levels for run off from all hard standing areas including roads and car parking in accordance with CIRIA C697: The SUDS Manual;
 - (b) be designed to manage surface water flow for storm events greater than the 1 in 30 year design standard. (Note: This flow must not go onto the Grantown Road and be managed on site without increasing flood risk to any new or existing neighbouring properties);
 - (c) details demonstrating that any surface flow entering phase 1 of the site from any road(s) constructed to serve future housing phases can be controlled/managed;
 - (d) calculations supporting the SUDS designs including pond sizing etc;
 - (e) details to ensure that all private SUDS areas are designed such that the no overland flow from these areas enters new or existing public roads. These areas shall have a higher design standard of 1 in 200 years to mitigate against any future surface water flow problems;
 - (f) a construction phase surface water management plan. This shall be designed such that flood risk is not increased through construction and takes account of any impact to roads serve future phases; and
 - (g) Timescale(s) for provision of SUDs for Phase 1 and for the remaining area beyond Phase 1 identified in Masterplan drawing No. F_L_05 Rev D.
 2. Prior to the commencement of any works, a full site specific construction environmental management plan (CEMP) must be submitted for the written approval of the planning authority in consultation with SEPA and other agencies such as SNH as appropriate and all work shall be carried out in accordance with the approved plan.
 3. For Phase 1, no development shall take place until details of arrangements for the time-scale(s) for all new planting to be undertaken together with the arrangements for the long-term maintenance of all existing (retained) and proposed landscaping arrangements have been submitted to and approved by the Council (as Planning

Authority). Thereafter, the landscaping arrangements shall be carried out in accordance with the approved details.

4. For Phase 1, in relation to the approved Landscape Scheme details, any trees or shrubs which (within a period of 5 years from the planting) die, are removed or become seriously damaged or diseased shall be replaced in the following planting season with others of similar size, number and species unless this Council (as Planning Authority) gives written consent to any variation of this planning condition.
5. For the remaining area of the site beyond Phase 1, as identified in Masterplan drawing No. F_L_05 Rev D no works shall commence 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 and the proposals shall include provision to mitigate against the environmental impact of all transportation infrastructure being provided including new access and road widening arrangements;
 - (d) the arrangements for the time-scale(s) for all new planting to be undertaken together with the arrangements for the long-term maintenance of all existing (retained) and proposed landscaping arrangements; and
 - (e) thereafter, the landscaping arrangements shall be carried out in accordance with the approved details.
6. Prior to the commencement of works, details of an equipped play area as identified within the approved phase 1 masterplan drawing 7.1, including timescales for provision and maintenance arrangements shall be submitted for the written approval of the planning authority. Thereafter, the play area shall be carried out in accordance with the approved details.
7. Prior to the commencement of works, details of public art for inclusion within the development in the form of themed street furniture, gateway features, woodland interpretation or specific commissioned public art to reflect the woodland nature of the site/proposal (including timescales for provision and maintenance arrangements) shall be submitted for the written approval of the planning authority. All work shall be carried out in accordance with the approved details.
8. No works shall take place within the development site until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the Aberdeenshire Council Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the Aberdeenshire Council Archaeology Service.

9. For all of the affordable houses within Phase 1A and 1B (as identified in drawing No. R3/P/SL/05) where air source heat pumps are to be installed, pump noise levels associated with the selected/proposed C series model air source heat pump hereby approved (and rated at no greater than 12kw) shall be equal to or better than that provided in the Supporting Document titled "UKEPCEN12-907 Daikan Altherma LT Split". In the event that an alternative air source pump model is proposed, details of the new model shall be submitted to and approved in writing by the Planning Authority prior to their installation.
10. Prior to the commencement of works the following shall be submitted to and approved by the Council as Planning Authority:
 - 1) For Phase 1 - Construction details, maintenance arrangements and timescale(s) for provision of all footpaths and cycle paths; and
 - 2) For the remaining area of the site beyond Phase 1 as identified in Masterplan drawing No. F_L_05 Rev D:
 - (a) A detailed plan showing a north south cycle link (together with construction details, maintenance arrangements and timescale(s) for provision). This shall link the main spine road cycle path into the northern edge of the development site at a location to be identified by the Council's Access Manager (to allow the path to be subsequently linked to the Core paths network in the Mannachie parkland along Grantown Road);
 - (b) Construction details, maintenance arrangements and timescale(s) for provision of the cycle link eastwards which will link directly into the FR20 core path across Mannachie Road as shown in the masterplan drawing No. No. F_L_05 Rev D. This should also incorporate a safe crossing point of Mannachie Road to a standard specified by the Moray Council Transportation Section; and
 - (c) thereafter, all works shall be carried out in accordance with these approved details.
11. The affordable housing accommodation (67 units) within Phase 1 - North Area as identified in drawing number R3/P/SL/02 shall be provided on the site in accordance with the approved details, unless otherwise agreed by the Council as planning authority in consultation with the Head of Housing and Property. Prior to the commencement of works timescale(s) for this provision shall be agreed with the planning authority in consultation with the Head of Housing and Property.
12. In relation to the house plots along the western site boundary within Phase 1, which front onto the Grantown Road, i.e. plot nos. 1, 23, 24, 26, 27, 29, 30, 33, 34 within the south area as shown in drawing no. R3/P/SL/01 and plot nos. 3, 4, 5, 10, 11 and 12 within the north area as shown in drawing no. R3/P/SL/02 and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, as amended by the Town & Country Planning (General Permitted Development) (Scotland) Amendment Order 2011 (or any Order revoking and re-enacting that Order(s) with or without modifications), no development identified within Article 2(4), Schedule, Part 1 Classes 3B and 3E of the Order 2011 shall be

carried out on the plots as identified above without the express permission of the Council, as planning authority.

13. Notwithstanding the details submitted in respect of the remaining area of the site beyond Phase 1 (a,b,c,d and e) (Masterplan drawing No. F_L_05 Rev D) no works shall commence until details have been submitted to and approved in writing by the Council as planning authority in consultation with the Transportation Manager regarding:
 - Plan(s) confirming the extent and details of all 'public realm' streets/spaces which are intended to be put forward for adoption.
14. Prior to commencement of development the following details shall be submitted for approval to the Planning Authority in consultation with the Roads Authority:
 - a) detailed plan(s) for phase 1e (Community Facilities) confirming the number, location and layout of general parking spaces (49 spaces), disabled parking spaces (6 spaces at appropriate locations) (motorcycle spaces (4 spaces) and swept paths for access to parking, service and delivery vehicles; and
 - b) thereafter, the development shall be constructed in accordance with the plans approved as per Condition 14a) and completed prior to occupation of any of the community facilities or completion of the building works whichever is the sooner.
15. Prior to commencement of development, the following shall be submitted for approval to the Planning Authority in consultation with the Roads Authority, and thereafter, all work shall be carried out in accordance with the approved details:
 - a) Details confirming planting proposals including species type/position within the 'public realm' streets/spaces to be adopted as shown in drawing numbers Phase 1 - North Area Public Realm R3/P/PR/01 and Phase 1 - South Area Public Realm R3/P/PR/02 (including any amended drawings required under the terms of condition 16 c) below); and
 - b) Details confirming the location of bin collection areas, to be located outwith visibility splay areas.
16. Prior to commencement of development, details shall be submitted for approval to the Planning Authority in consultation with the Transportation Manager in respect of:
 - a) Detailed surface water drainage design (to be designed to Sewers for Scotland requirements);
 - b) Details of the intended maintenance regime;
 - c) Plan(s) clarifying the full extent of the 'public realm' streets/spaces to be adopted. (These plan(s) shall supersede the Phase 1 - North Area Public Realm R3/P/PR/01 and Phase 1 - South Area Public Realm R3/P/PR/02 currently submitted which do not include areas at internal road junctions within the public realm); and
 - d) thereafter the development shall be provided in accordance with the approved details.

17. No development shall commence on more than 50 residential units of accommodation (houses and/or flats) in Phases 1a, 1b and 1e, until the emergency access (indicated on Phase 1 Overall Layout drawing No. R3/P/SL/04) from Phase 1a to the A940 is provided and connected to the Principal Street via the Phase 1 road network.
18. No development shall commence on more than 50 residential units of accommodation (houses and/or flats) in Phases 1c+1d, until the emergency access (indicated on Phase 1 Overall Layout drawing No. R3/P/SL/04) from Phase 1d to the A940 is provided and connected to the Principal Street via the Phase 1 road network.
19. No development shall commence on more than 50 residential units of accommodation (houses and/or flats) in the combined Phase 1 (Phases 1a, 1b, 1c, 1d and 1e) until the emergency access (indicated on Phase 1 Overall layout drawing No. R3/P/SL/04) either from Phase 1a or Phase 1d to the A940 is provided and connected to the Principal Street via the Phase 1 road network.
20. Visibility splays and forward visibility areas as shown on Drawings R3/P/SWP/010 and R3/P/SWP/011 shall be maintained clear of any boundary fences, hedges, walls or any other obstruction whatsoever over 0.6m in height for the duration of the permitted development.
21. No water shall be permitted to drain or loose material be carried onto the public footway/carriageway.
22. The opening path of up and over doors shall be contained within the site and shall not encroach onto the public road (including footway/verge).
23. All private boundary walls/fences shall be outwith the 'public realm' streets/spaces in accordance with revised plans to be submitted and approved (under the terms of condition 16 c) above).
24. Houses requiring 2 or more parking spaces shall have a driveway length of 6.0m minimum in front of any garage to permit a second car to park, unless alternative parking arrangements are provided. No part of the driveway shall be included in the public road.
25. Parking provision shall be outwith visibility splays.
26. Driveways over service verges shall be constructed to accommodate vehicles and shall be surfaced with a material agreeable with the Transportation Manager.
27. Upon completion of each phase of the development as soon as practicable after doing so the attached notification of completion of development shall be completed and submitted to the local planning authority to give notice of completion of that phase.

Reasons:

1. To ensure adequate protection of the water environment, infrastructure and properties from surface water run-off and the provision of details currently lacking from the submission.
2. To control pollution of air, land and water.

3. In order that detailed consideration can be given to the landscaping of Phase 1.
4. In order to ensure that the approved landscaping works are timeously carried out and properly maintained in a manner which will not adversely affect the development or amenity and character of the area.
5. In order that detailed consideration can be given to the landscaping of the remaining part of the site beyond Phase 1.
6. To ensure the adequate provision of an equipped play area in line with the approved Moray Council Supplementary Planning Guidance - Developer Requirements for Housing.
7. To contribute towards the provision of a safe and pleasant environment by creating a sense of character and identity within the development in line with the approved Moray Council Supplementary Planning Guidance - People and Places, An Urban Design Guide for Moray.
8. To safeguard and record the archaeological potential of the area.
9. To protect the amenity of neighbouring occupiers against noise disturbance from the approved air source heat pumps.
10. To ensure an acceptable form of development, which includes adequate cycle/footpaths provision, and the provision of details currently lacking from the submission.
11. To ensure an acceptable form of development which provides affordable housing accommodation within the site (as required under Policy R9 of the adopted Moray Local Plan 2008).
12. To ensure that the development maintains a welcoming/positive frontage along its western edge which is an important gateway location into Forres and to safeguard against the unsympathetic siting and design of developments normally carried out without planning permission under Article 2(4) of the Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2011.
13. To ensure acceptable form of development and the provision of details currently lacking from the submission.
14. To ensure acceptable form of development and the provision of details currently lacking from the submission.
15. To ensure acceptable form of development in the interests of road safety and the provision of details currently lacking from the submission.
16. Details of the matters specified are lacking from the submission and to ensure acceptable drainage infrastructure is provided across the development and identify any relationship to proposed roads drainage.
17. To ensure acceptable infrastructure is provided at an appropriate time during the development in the interests of road safety.

18. To ensure acceptable infrastructure is provided at an appropriate time during the development in the interests of road safety.
19. To ensure acceptable infrastructure is provided at an appropriate time during the development in the interests of road safety.
20. To ensure acceptable development that does not create any hazard to road users.
21. To ensure acceptable development that does not create any hazard to road users.
22. To ensure acceptable development that does not create any hazard to road users.
23. To ensure acceptable development that does not create any hazard to road users.
24. To ensure acceptable development that does not create any hazard to road users.
25. To ensure acceptable development that does not create any hazard to road users.
26. To ensure acceptable development.
27. To ensure that the planning authority is aware that a particular phase of the development is complete and is able to follow up any conditions.

List of Informatives:

MANAGER (DEVELOPMENT MANAGEMENT) has commented that:-

The development hereby granted is subject to a legal (S.75) Agreement regarding the arrangements for a series of financial contributions towards community facilities and transportation infrastructure associated with the development.

For the avoidance of doubt, the commencement of development is defined as being the excavation or forming in any other way of part or all of any trench to contain part or all of any foundation for any unit of accommodation or any associated garage, etc.

In the event of any proposed/required revisions made to the site layout arrangements , including any revisions to the road layout, for example as part of any Roads Construction Consent procedure, details of any revision must be submitted to the Council as planning authority, for consideration and determination of any further requirements for planning permission.

In relation to the area beyond Phase 1, as identified in Masterplan drawing No. F_L_05 Rev D, the detailed plot design/layout details shall require to be the subject of a separate detailed planning application.

In relation to condition 12, the classes of development which are not permitted as defined within Article 2(4), Schedule, Part 1, Classes 3B and 3E of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 as amended by the Town & Country Planning (General Permitted Development) (Scotland) Amendment Order 2011 (or any Order revoking and re- enacting that Order(s) with or without modifications) are as follows:

PART 1: DEVELOPMENT WITHIN THE CURTILAGE OF A DWELLINGHOUSE

Class 3B: The carrying out of any building, engineering, installation or other operation within the curtilage of a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse.

Class 3E: The erection, construction, maintenance, improvement or alteration of any gate, fence, wall or other means of enclosure any part of which would be within or would bound the curtilage of a dwellinghouse.

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:-

A contaminated land site investigation has been carried out on the proposed development site. Due to the past agricultural use of the site, there is always a potential for contamination to have arisen from, for example, farm tips, chemical storage or animal burial sites.

Should previously unidentified contamination be found during the development works you should contact the Environmental Health (Contaminated Land) section immediately (contaminated.land@moray.gov.uk 01343 563345) to agree an appropriate course of action.

THE ENVIRONMENTAL HEALTH MANAGER, DEVELOPMENT SERVICES, has commented that:-

In respect of the retail premises:

The premises will require to comply with the Health and Safety at Work etc Act 1974 and the Workplace (Health, Safety and Welfare) Regulations 1992.

The premises will require to comply with the Food Hygiene (Scotland) Regulations 2006.

THE FLOOD RISK MANAGEMENT TEAM, has commented that:

The Flood Risk Management (Scotland) Act 2009 requires every local authority to prepare a map which shows (or more than one map which, taken together, show) relevant bodies of water and sustainable urban drainage systems (SuDS) in its area. The developer shall provide any such information to the Council's Senior Engineer (Flood Risk Management) in an acceptable format on completion of the development.

SCOTTISH NATURAL HERITAGE has commented that:-

The developer is reminded of their statutory obligations regarding badgers which are a protected species and of the need to develop the site in a manner compliant with legislation.

It is noted in this case that the developer will be required to obtain a badger licence from SNH based upon the recommendations of the Badger Survey submitted with the application and that there will be a requirement for all works to be carried out in accordance with the recommendations of the survey.

The developer can contact SNH at any time to seek advice if they are unsure or alternatively our website has advice on badgers, development and licensing; <http://www.snh.gov.uk/protecting-scotlands-nature/protected-species/which-and-how/mammals/badger-protection/>.

The applicant is reminded that all wild birds, their nests and their eggs are protected by law under Schedule 1 of the Wildlife and Countryside Act 1981 (as amended) and that it is their responsibility to develop the site in accordance with all wildlife legislation and that works should be timed carefully to avoid the times of year when wild birds are likely to be nesting, i.e. the breeding season.

THE SCOTTISH ENVIRONMENT PROTECTION AGENCY has commented that:-

See consultation response dated 23 July as previously issued to the applicant/developer/agent direct) regarding regulatory requirements and good practice advice available on SEPA's website together with the detailed advice for the applicant/developer in relation to the information requirements for planning conditions (as set out above) regarding surface water drainage, waste management and pollution prevention. In addition, SEPA advise that the construction environmental management plan should be provided at least 2 months prior to commencement of any works on the site.

THE REGIONAL ARCHAEOLOGIST, has commented that:

Whilst the majority of archaeological mitigation required for this site has been carried out at the pre-application stage, a number of areas have been identified as requiring further work. Six areas have been highlighted as requiring further excavation prior to development works, owing to the presence of significant archaeological features within them; three within the Phase 1 area of the development and three within the Phase 2 area of the development.

Phase 1 of the development, the subject of this particular planning application, will require 3 areas of archaeology to be excavated as per the recommendations of the Data Structure Report of 2010. This work, in conjunction with AOC Archaeology, may be undertaken at any stage of the planning process in order to remove potential risk to the construction timetable. Provision must also be made for the completion of the post-excavation works, including the outstanding work from the roundabout excavation. This complete work package should be agreed between Springfield Properties, AOC Archaeology and the Archaeology Service in the form of an Addendum to the original Written Scheme of Investigation, and a Post-Excavation Research Design agreement.

Phase 2 of the development, will require 3 further areas of archaeology to be excavated (again as per the recommendations of the Data Structure Report of 2010). This work, including all remaining post-excavation work and the final publication for the entire site, can wait until this second phase of development is undertaken. This is based on the understanding that the Phase 2 area is to be left as undisturbed land in the meantime.

SCOTTISH HYDRO ELECTRIC POWER DISTRIBUTION PLC, has commented that:

Our records indicate that we do have an 11,000 volt overhead line passing through the site. All works in proximity to overhead lines must be carried out in accordance with The Health and Safety Guidance note GS 6. The legislation dictates that where works are to be undertaken within 9 metres horizontal distance from an overhead line, positive steps must be taken to manage the risk identified on site. These steps can include, making the line dead, erecting barriers at ground level, erecting high level bunting and goal posts (6 metres from the line), using appropriate excavator, restricting jib movement, etc.

Prior to any works being carried out on the site, the owner/developer must call Tel; 08000 483 515 and request a scheme to be raised to allow the line to be replaced with underground cable. Assuming that the resultant quotation is accepted, there would be no issues with the development. If the owner/developer would like to discuss carrying out any works in proximity to the lines, prior to them being moved, they should contact

our Robbie MacLeod (Tel; 01343 544642) to discuss and agree any precautions that should be taken.

SCOTLAND GAS NETWORKS LIMITED has commented that:

See extract from their gas mains records in the location of the area covered by your proposals together with a comprehensive list of precautions as attached to this decision notice.

GRAMPIAN POLICE has commented that:

See Crime Prevention Through Environmental Design details as attached to this decision notice.

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

Notwithstanding the details submitted in respect of the remaining area of the site beyond Phase 1 (a,b,c,d and e) (Masterplan drawing No. F_L_05 Rev D) a new Transport Assessment which takes account of any additional consented development, new development already constructed and background traffic growth should accompany any detailed application for Phase 2/3.

Planning consent does not carry with it the right to carry out works within the public road boundary and the applicant is obliged to contact the Transportation Manager for road opening permit in accordance with the Roads (Scotland) Act 1984. This includes any temporary access joining with the public road.

Construction Consent for the roads will be required under Section 21 of the Roads (Scotland) Act 1984, which shall include a CCTV survey of all existing roads drainage to be adopted and core samples to determine the construction depths and materials of the existing road. Details in respect of drainage, street lighting and gradients will all require to be approved through the RCC process.

The proposals will be within a 20mph speed limit zone which will be introduced by The Moray Council with all costs met by the developer.

Future Phases beyond Phase 1 (a,b,c,d,e) - Any detailed applications beyond this will require a new TA to be submitted

Private Roads - A responsible party, constituting the road manager, must be nominated for a private road and this information included within the National Gazetteer through the Scottish Road Works Register (SRWR).

Unless otherwise approved in writing, parking provision shall be in accordance with TMC standards.

All public realm streets must include at least 1 footway.

Details for the proposed factoring arrangements for areas outwith the public realm and residents/tenants control must be provided.

Street lighting is required as part of this development proposal.

Grit bins must be provided such that no occupied house is more than 50m from its nearest grit bin, and grit bins are provided within 25m of road junctions.

No building materials/scaffolding/builder's skip shall obstruct the public road (including footpaths) without permission from the Roads Authority.

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 applicants 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 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.

Any additional grit bin requirements will be identified through the Roads Construction Consent process.

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 Passenger Transport Unit at Academy Street, Elgin - Tel (01343) 562500, Ext 2541 to discuss the proposals.

The developer must contact the Roads Authority Roads Maintenance Manager (West) at Ashgrove Depot, Elgin - Tel (01343) 557300, Ext 7349 to discuss the proposals.

Transportation recommend that the Fire Authority is consulted prior to commencement of development to confirm that the proposals will be acceptable in terms of emergency vehicle access.

In relation to condition 20 attached to this decision notice requiring the provision of visibility splays areas as shown on Drawings R3/P/SWP/010 and 011, for the duration of the development unless otherwise agreed in writing by the Moray Council as Roads Authority, this requirement must be included within the title deeds of all properties affected;

- (ii) that further discussion be undertaken with the developer with regard to the most appropriate location of public footpaths; and
- (iii) that, within the informatives, a statement expressing the use of the most efficient method of street lighting be used in line with the Council's aim at increasing energy efficiency.