



## **ENVIRONMENTAL SERVICES**

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Our reference: DA/LRB188

Your reference: MLRB0188/ACK

Chief Legal Officer  
Per Ms L Rowan  
Committee Services  
The Moray Council  
High Street  
ELGIN  
IV30 1BX

25 September 2017

Dear Sir

**TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL  
REVIEW PROCEDURE) (SCOTLAND) REGULATIONS 2008**

**REQUEST FOR REVIEW: PLANNING APPLICATION 17/00590/APP ERECT DWELLINGHOUSE  
WITHIN GARDEN GROUND OF ROSEMOUNT 5 MAYNE ROAD ELGIN**

I refer to your letter dated 13 September 2017.

I respond on behalf of the Transportation Manager with respect to our observations on the applicant's grounds for seeking a review of the planning authority's decision to refuse the above planning application.

Transportation has reviewed the appellant's grounds for review and the associated documents, and submits the attached representation with associated documents in response.

Yours faithfully

**Diane Anderson**  
**Senior Engineer**

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## Local Review

LRB Ref 188

Planning Application Reference 17/00590/APP Erection of a bungalow within garden ground at Rosemount, 5 Mayne Road, Elgin

### Response from Transportation, Moray Council

1. This document is in response to the Notice of Review and the Statement of Case submitted on behalf of Mr K Asher and sets out observations by Transportation on the application and the grounds for seeking a review.
2. This review concerns planning application 17/00590/APP for the erection of a dwelling house on a site within the garden grounds of Rosemount 5 Mayne Road Elgin.
3. Transportation received the consultation for planning application 17/00590/APP on 26 April 2017. A copy of the consultation response is attached (**TMC01**), which details Transportation's objection on the grounds that the proposal would be likely give rise to conditions detrimental to the road safety of road users.
4. The proposed dwelling would be accessed via a new access onto the C30E South Street. The site frontage along South Street is some 22 metres long. Along this frontage formal on-street parking bays have been provided for nearby residential properties with no off-street parking, and nearby offices and business premises. Photographs from Transportation's site visit are attached (**TMC02**), which show on-street parking and the street lighting control boxes which are on the footway at this location, and the high boundary wall at this location.
5. The application is for planning permission for a 2 bedroom bungalow. The General Arrangement drawing submitted by the Appellant shows a site layout with an access in the north-west corner of the site. This access would join the public road at a point where formal on-street parking bays have been provided. These parking bays are well utilised throughout the day.
6. The formation of an access at this location would require sightlines onto the public road. This would mean that the extent of formal parking which would need to be removed to form the proposed access would be longer than just the area directly in front of the access (a distance of some 46 metres which would equate to 8 parking spaces). The resulting loss of existing formal on-street parking facilities would lead to an undesirable increase in indiscriminate parking behaviour.
7. In Transportation's consultation response (**TMC01**) further information was provided which confirms that Transportation would not object to the proposed new dwelling if access was to be taken via the existing access to the property 'Rosemount' which is located on Mayne Road as opposed to the proposed new access onto South Street. This remains the case.
8. Transportation, respectfully, requests the MLRB to uphold the decision by the appointed officer on the grounds that the loss of on-street parking would lead to an undesirable increase in indiscriminate parking behaviour giving rise to condition detrimental to the road safety of road users.

Transportation  
25 September 2017

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**Local Review**

**LRB Ref 188**

**Planning Application Reference 17/00590/APP Erection of a bungalow within garden ground at Rosemount, 5 Mayne Road, Elgin**

Documents

TMC01      17/00590/APP Transportation Consultation Planning response 4 May 2017

TMC02      Site Photographs

## Consultation Request Notification

Planning Authority Name	<b>The Moray Council</b>
Response Date	<b>10th May 2017</b>
Planning Authority Reference	<b>17/00590/APP</b>
Nature of Proposal (Description)	<b>Erect dwellinghouse within</b>
Site	<b>Garden Ground Of Rosemount 5 Mayne Road Elgin Moray IV30 1NY</b>
Site Postcode	<b>N/A</b>
Site Gazetteer UPRN	<b>000133016437</b>
Proposal Location Easting	<b>321251</b>
Proposal Location Northing	<b>862574</b>
Area of application site (Ha)	<b>m<sup>2</sup></b>
Additional Comment	
Development Hierarchy Level	<b>LOCAL</b>
Supporting Documentation URL	<a href="http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&amp;keyVal=OPC4JBG0D700">http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&amp;keyVal=OPC4JBG0D700</a>
Previous Application	
Date of Consultation	<b>26th April 2017</b>
Is this a re-consultation of an existing application?	<b>No</b>
Applicant Name	<b>Mr And Mrs Asher</b>
Applicant Organisation Name	
Applicant Address	<b>Rosemount 5 Mayne Road Elgin Moray IV30 1NY</b>
Agent Name	<b>Tulloch Of Cummington Ltd</b>
Agent Organisation Name	
Agent Address	<b>Tulloch House Forsyth Street Hopeman Moray IV30 5ST</b>
Agent Phone Number	
Agent Email Address	<b>N/A</b>
Case Officer	<b>Maurice Booth</b>
Case Officer Phone number	<b>01343 563274</b>
Case Officer email address	<b>maurice.booth@moray.gov.uk</b>
PA Response To	<b>consultation.planning@moray.gov.uk</b>

**NOTE:**

If you do not respond by the response date, it will be assumed that you have no comment to make.

The statutory period allowed for a consultation response is 14 days. Due to scheduling

pressures if a definitive response is not received within 21 days this may well cause the two month determination period to be exceeded.

Please respond using the attached form:-

## MORAY COUNCIL

### PLANNING CONSULTATION RESPONSE

**From:** Transportation Manager

**Planning Application Ref. No: 17/00590/APP**

**Erect dwellinghouse within Garden Ground Of Rosemount 5 Mayne Road Elgin Moray for Mr And Mrs Asher**

I have the following comments to make on the application:-

- |   | <b>Please</b>                       |
|---|-------------------------------------|
| (a) I OBJECT to the application for the reason(s) as stated below   | <input checked="" type="checkbox"/> |
| (b) I have NO OBJECTIONS to the application and have no condition(s) and/or comment(s) to make on the proposal            | <input type="checkbox"/>            |
| (c) I have NO OBJECTIONS to the application subject to condition(s) and/or comment(s) about the proposal as set out below | <input type="checkbox"/>            |
| (d) Further information is required in order to consider the application as set out below                                 | <input type="checkbox"/>            |

*Note: This proposal is for a new dwelling within the garden ground of 'Rosemount'. The location of the proposed access would directly result in a reduction of available on-street parking spaces.*

*The proposed vehicular access is via South Street. This section of South Street is subject to a high volume of passing vehicles throughout the day, and particularly during weekday peak periods. There are limited parking opportunities within this section of South Street, and demand for on-street parking is high due to nearby residential properties with no off-street parking, and nearby offices and business premises.*

#### **Reason(s) for objection**

The proposal, if permitted, would result in the loss of existing formal on-street parking facilities which would lead to an undesirable increase in indiscriminate parking behaviour giving rise to conditions detrimental to the road safety of road users.

#### **Further comment(s) to be passed to applicant**

It should be noted that if the access to the proposed new dwelling were to be via the existing access to 'Rosemount' (off Mayne Road), Transportation would not object to the proposal.

**Contact: DA/AG**

**email address: [transport.develop@moray.gov.uk](mailto:transport.develop@moray.gov.uk)**

**Consultee: TRANSPORTATION**

**Date 04 May 2017**

**Return response to**

**[consultation.planning@moray.gov.uk](mailto:consultation.planning@moray.gov.uk)**

