



The Moray Council Council Office High Street Elgin IV30 1BX Tel: 0300 1234561 Email: development.control@moray.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100648431-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Proposed extension to existing car park

Is this a temporary permission? * Yes No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) * Yes No

Has the work already been started and/or completed? *

No Yes – Started Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	S Reid Design		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Stewart	Building Name:	The Sma Glen
Last Name: *	Reid	Building Number:	
Telephone Number: *	+447598299753	Address 1 (Street): *	Rothes
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Aberlour
Fax Number:		Country: *	United Kingdom
		Postcode: *	AB38 7AG
Email Address: *	info@sreiddesign.co.uk		

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Martin	Building Number:	1
Last Name: *	Charlesworth	Address 1 (Street): *	Pinefield Parade
Company/Organisation	Pinefield Glass	Address 2:	
Telephone Number: *		Town/City: *	Elgin
Extension Number:		Country: *	Scotland, UK
Mobile Number:		Postcode: *	IV30 6AG
Fax Number:			
Email Address: *	mcharlesworth@pinefieldglass.com		

Site Address Details

Planning Authority:

Moray Council

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Pinefield Glass, 1 Pinefield Parade, Elgin, Moray IV30 6AG

Northing

862551

Easting

323134

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Site Area

Please state the site area:

5228.00

Please state the measurement type used:

Hectares (ha) Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Pinefield Glass premises with associated car park

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

Yes No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? * Yes No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? * Yes No

Do your proposals make provision for sustainable drainage of surface water?? * Yes No
(e.g. SUDS arrangements) *

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

Yes

No, using a private water supply

No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? * Yes No Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? * Yes No Don't Know

Trees

Are there any trees on or adjacent to the application site? * Yes No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * Yes No

If Yes or No, please provide further details: * (Max 500 characters)

As existing

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

Yes No

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

Yes No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) *

Yes No Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

Yes No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

Yes No

Is any of the land part of an agricultural holding? *

Yes No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Stewart Reid

On behalf of: Pinefield Glass

Date: 19/10/2023

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

Yes No Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

Yes No Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

Yes No Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

Yes No Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

Yes No Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- Site Layout Plan or Block plan.
- Elevations.
- Floor plans.
- Cross sections.
- Roof plan.
- Master Plan/Framework Plan.
- Landscape plan.
- Photographs and/or photomontages.
- Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

- | | | |
|--|---|---|
| A copy of an Environmental Statement. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Flood Risk Assessment. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| Drainage/SUDS layout. * | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> N/A |
| A Transport Assessment or Travel Plan | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| Contaminated Land Assessment. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| Habitat Survey. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Processing Agreement. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |

Other Statements (please specify). (Max 500 characters)

I include a Mabbett drainage report and a Supporting Statement.

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Stewart Reid

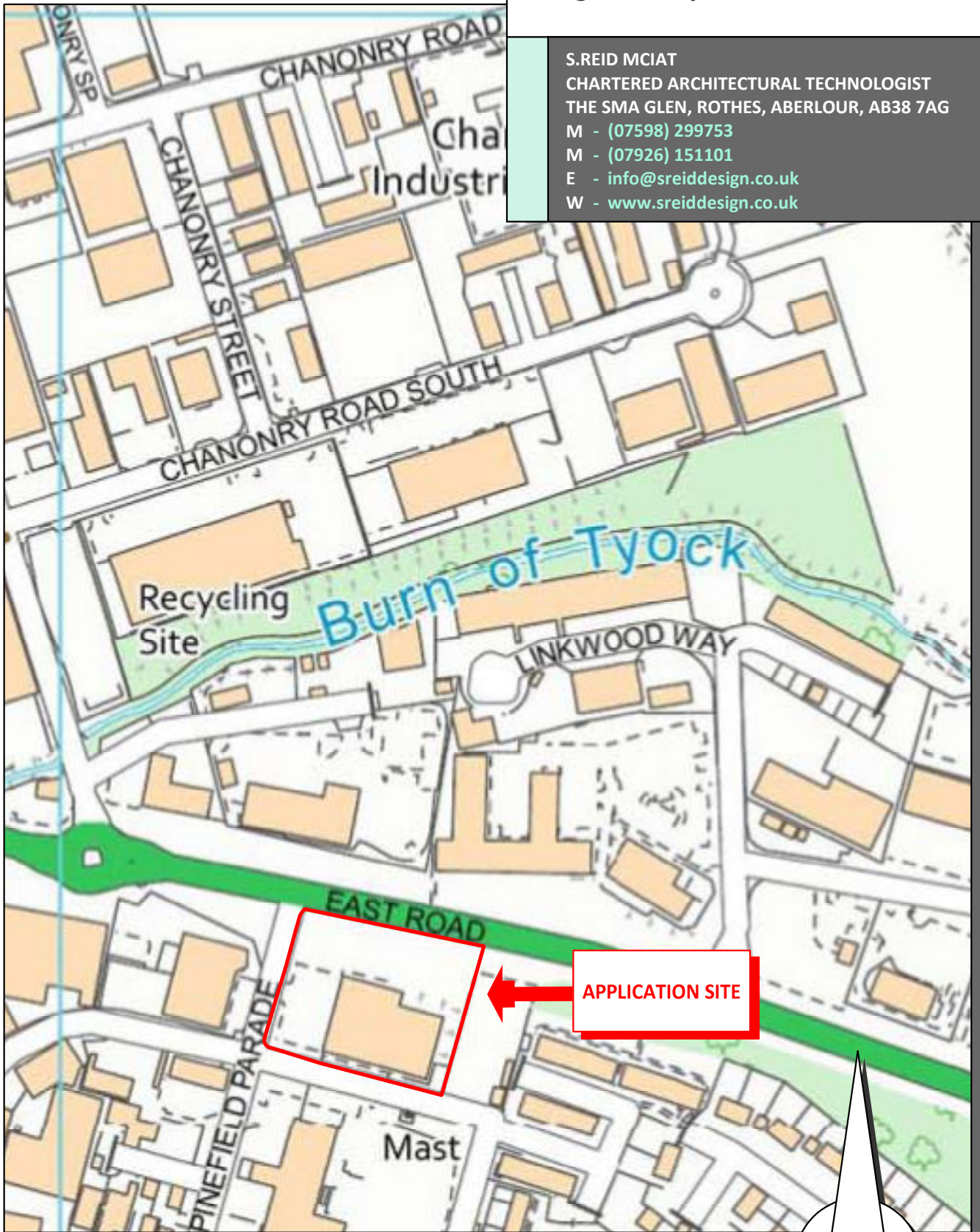
Declaration Date: 19/10/2023

DATE
OCT 2023

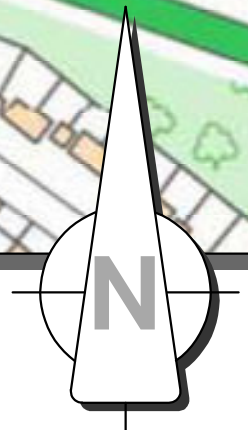
SCALE
1:2500 (A4)

Proposed extension of car park at
Pinefield Glass, 1 Pinefield Parade,
Elgin, Moray IV30 6AG

S.REID MCIAT
CHARTERED ARCHITECTURAL TECHNOLOGIST
THE SMA GLEN, ROTHES, ABERLOUR, AB38 7AG
M - (07598) 299753
M - (07926) 151101
E - info@sreiddesign.co.uk
W - www.sreiddesign.co.uk



OS LOCATION PLAN (1:2500)



Pinefield Glass, Elgin

LANDSCAPE WORKS

Carpark Planting / Biodiversity enhancement - New trees are to be planted out which will consist of a mixture of Birch, Larch, Rowan, Hazel, Willow and cherry trees at spacings denoted. All new trees to be at least half standard (approx 1.5m in height).

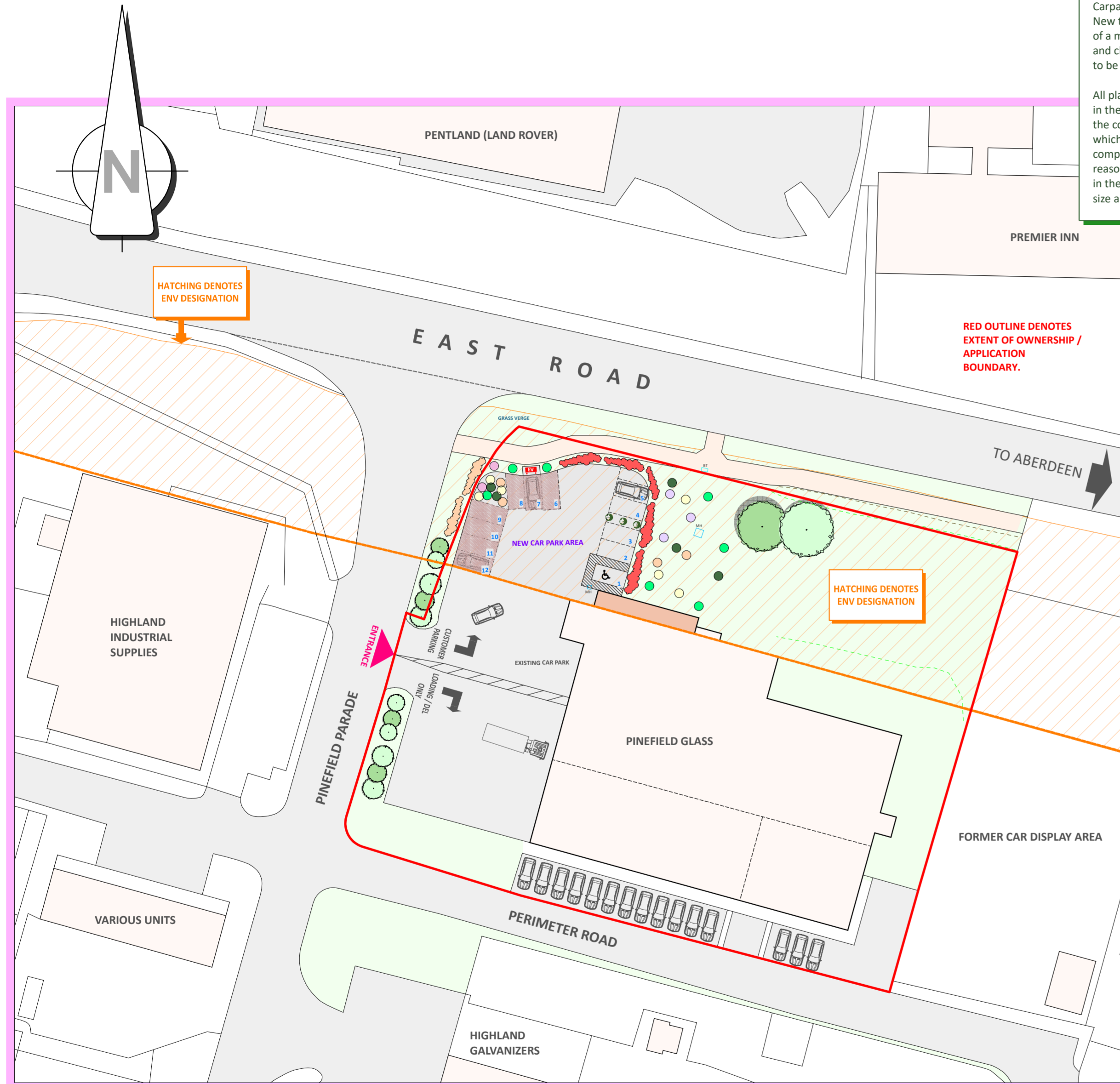
All planting, seeding or turfing shall be carried out in the first planting and seeding seasons following the completion of development. Any trees or plants which within a period of five years from the completion of the development die, for whatever reason are removed or damaged shall be replaced in the next planting season with others of the same size and species.

CARPARK BIODIVERSITY LEGEND -

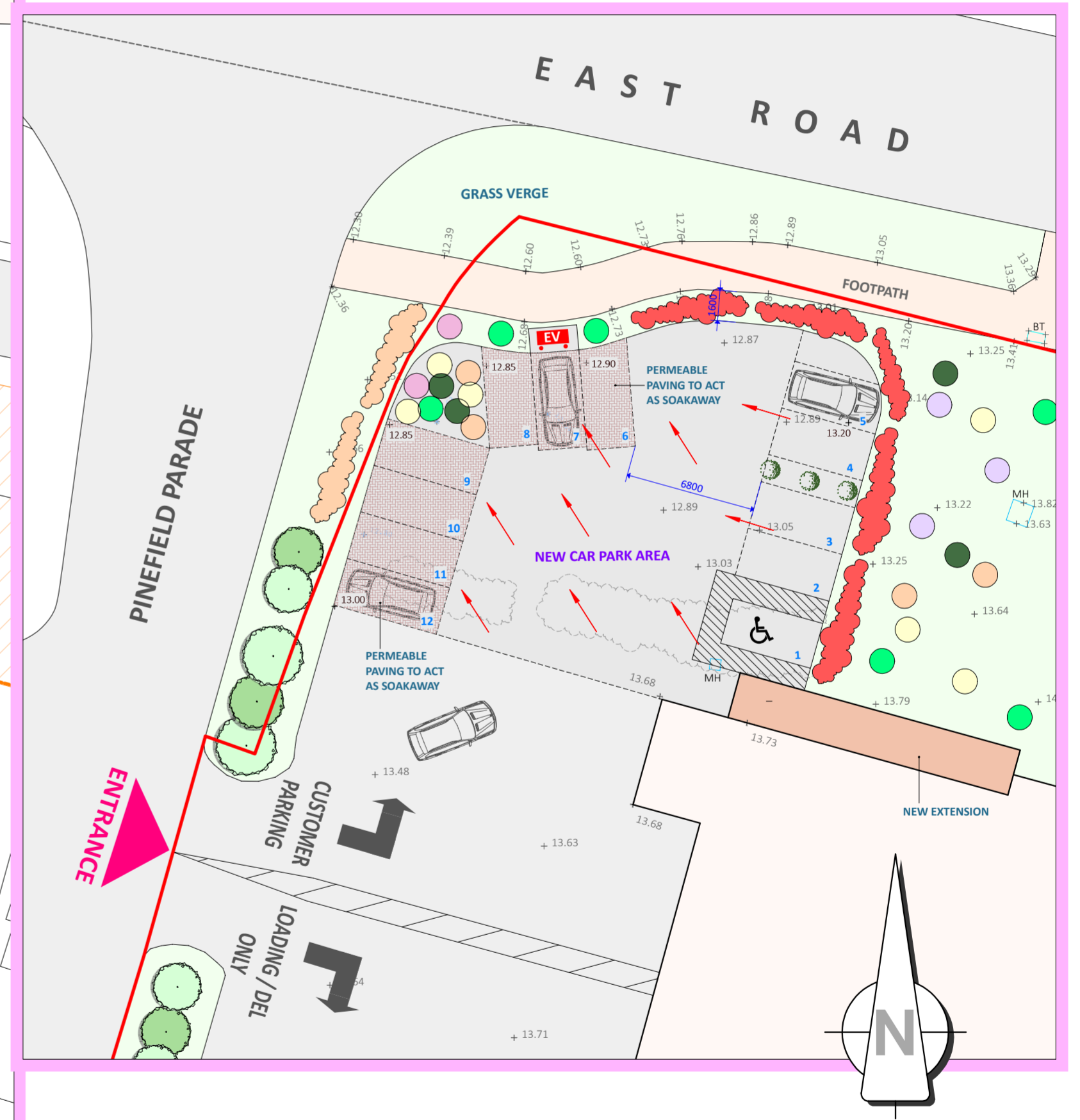
- Birch (150cm min.) ●
- Larch (150cm min.) ●
- Rowan (150cm min.) ●
- Hazel (150cm min.) ●
- Willow (150cm min.) ●
- Cherry (150cm min.) ●

CARPARK BIODIVERSITY LEGEND -

- Holly Hedge (150cm min.) ■
- Laurel Hedge (150cm min.) ■

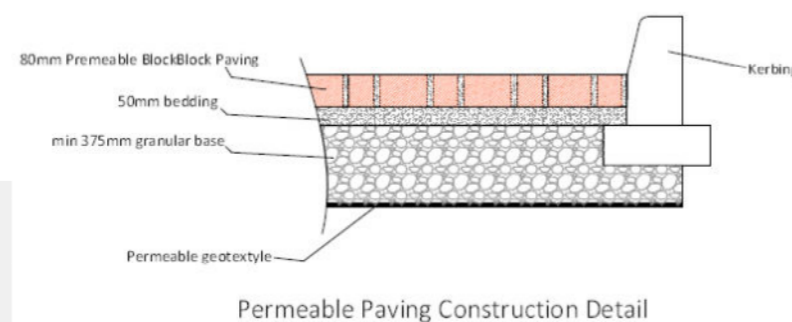


Site Plan (scale 1:500)



Site Plan (scale 1:250)

Proposed extension to existing car park at Pinefield Glass, 1 Pinefield Parade, Elgin, Moray IV30 6AG



EV EV CHARGING STATION WITH 2 TETHERED CONNECTORS CAPABLE OF DELIVERING A MINIMUM POWER OUTPUT OF 150kw.

DRAINAGE

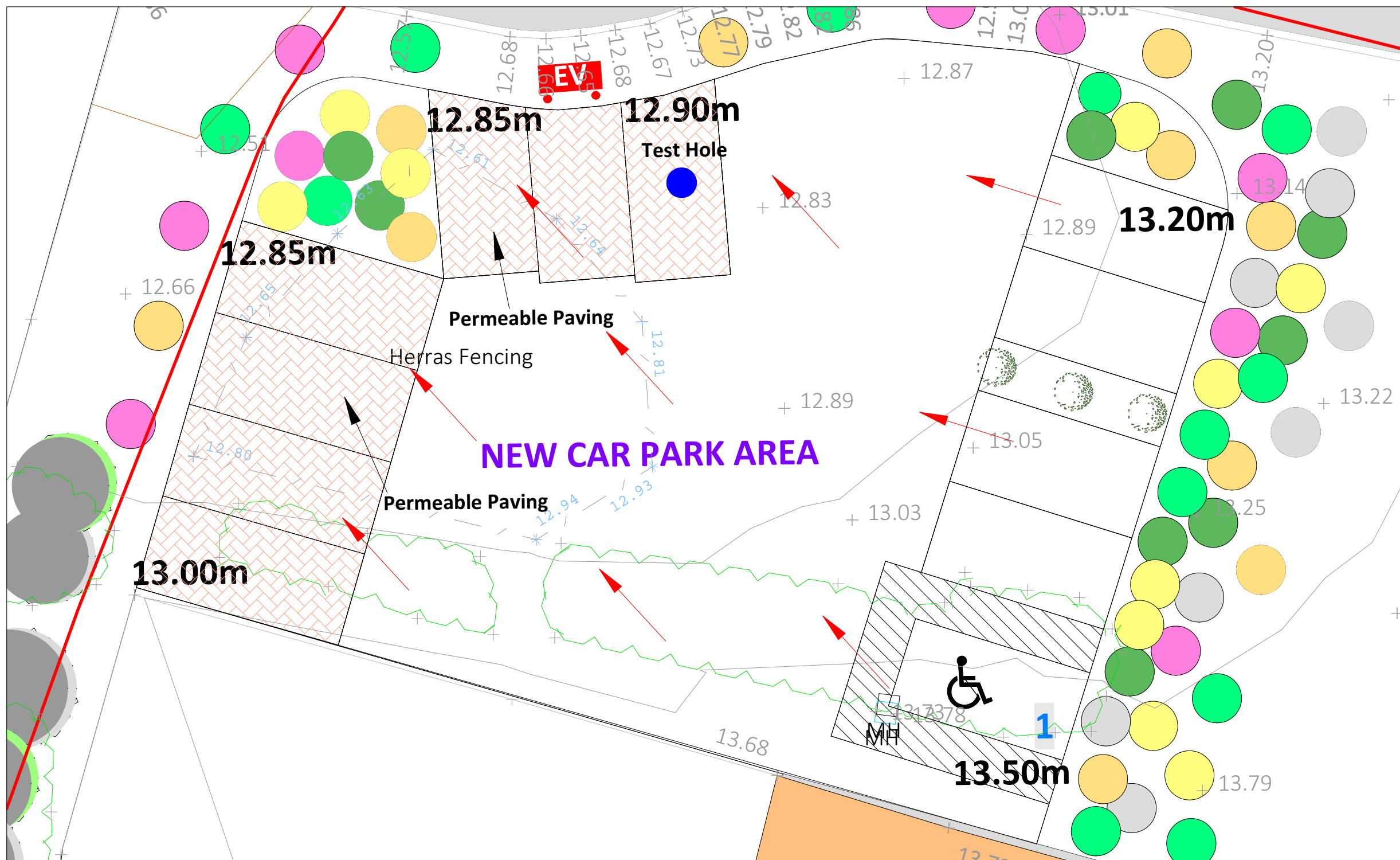
Surface water run-off to fall to north west corner of site and to permeate through permeable paving. All drainage works to be carried in accordance with Mabbett report / design - ref 313889

DATE SEP 2023	SCALE AS STATED (A2)	DRG. NO. PINEFIELD / SP / 01
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S Reid Design

CHARTERED ARCHITECTURAL DESIGN SERVICE

S.REID MCIAT
CHARTERED ARCHITECTURAL TECHNOLOGIST
THE SMA GLEN, ROTHES, ABERLOUR, AB38 7AG
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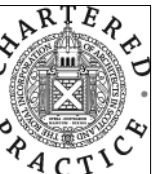


← Fall Arrows

Rev.	Description	Drawn	Date
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Willow House
 Stoneyfield Business Park
 Inverness IV2 7PA
 Tel: 01463 237229
 www.mabbett.eu



Client
 Pinefield Glass Ltd

Project
 Proposed Parking Extension
 Pinefield Glass Ltd
 Pinefield Parade, Elgin

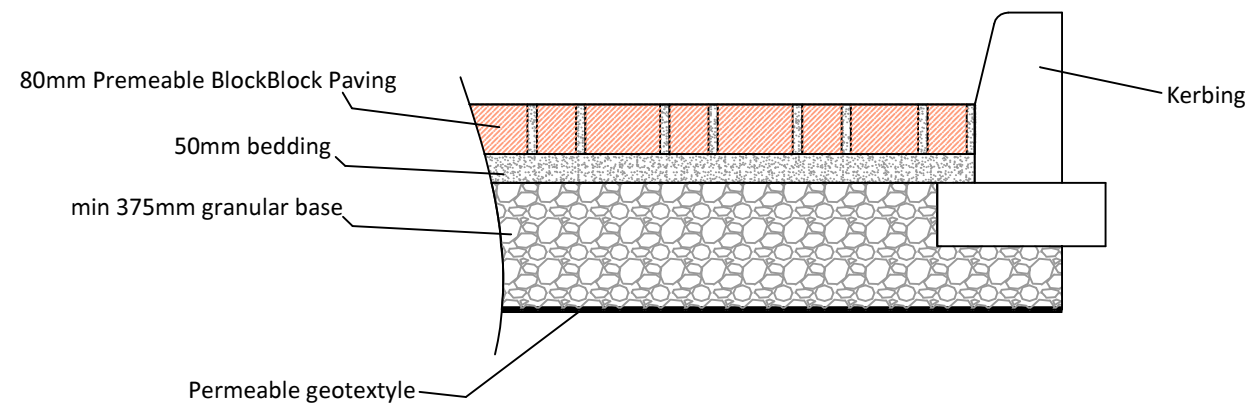
Drawing
 Proposed Layout/
 Testhole Location

Status
 Issue

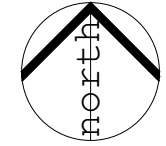
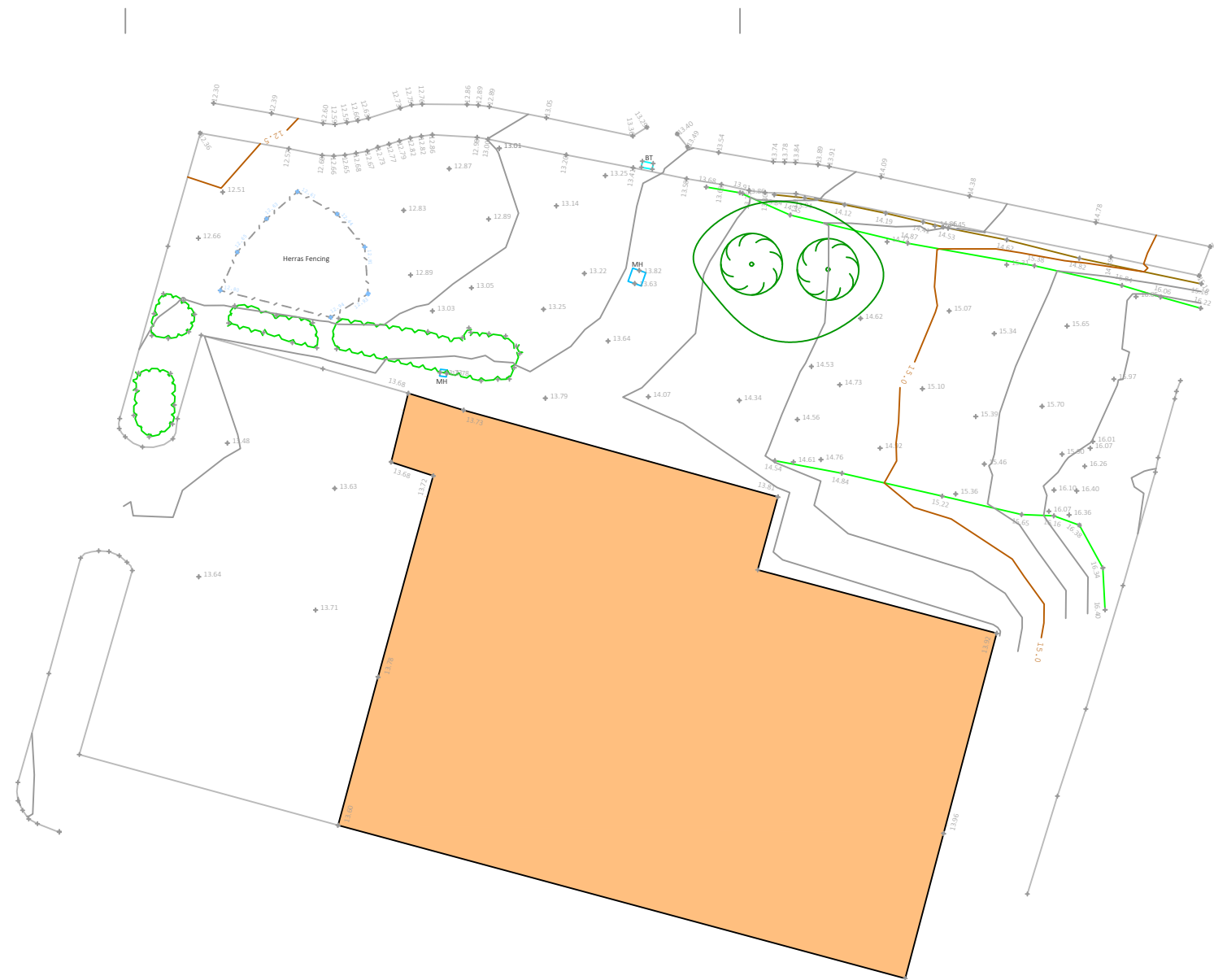
Scale NTS Sheet A3

Drawn GM Check JF Date 2/10/23

Drawing No: 313889 PL01 Rev X



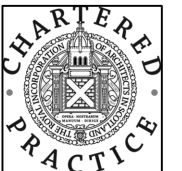
Permeable Paving Construction Detail



Rev.	Description	Drawn	Date
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Willow House
 Stoneyfield Business Park
 Inverness IV2 7PA
 Tel: 01463 237229
 www.mabbett.eu



Client

Pinefield Glass

Project

Proposed Car Park Extension
 Pinefield Glass
 Elgin

Drawing

Topographic Survey

Status

Issue

Scale 1:500

Sheet A3

Drawn SP

Check GM

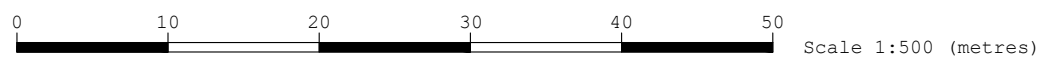
Date 7/09/23

Drawing No:

313889 SU001

Rev

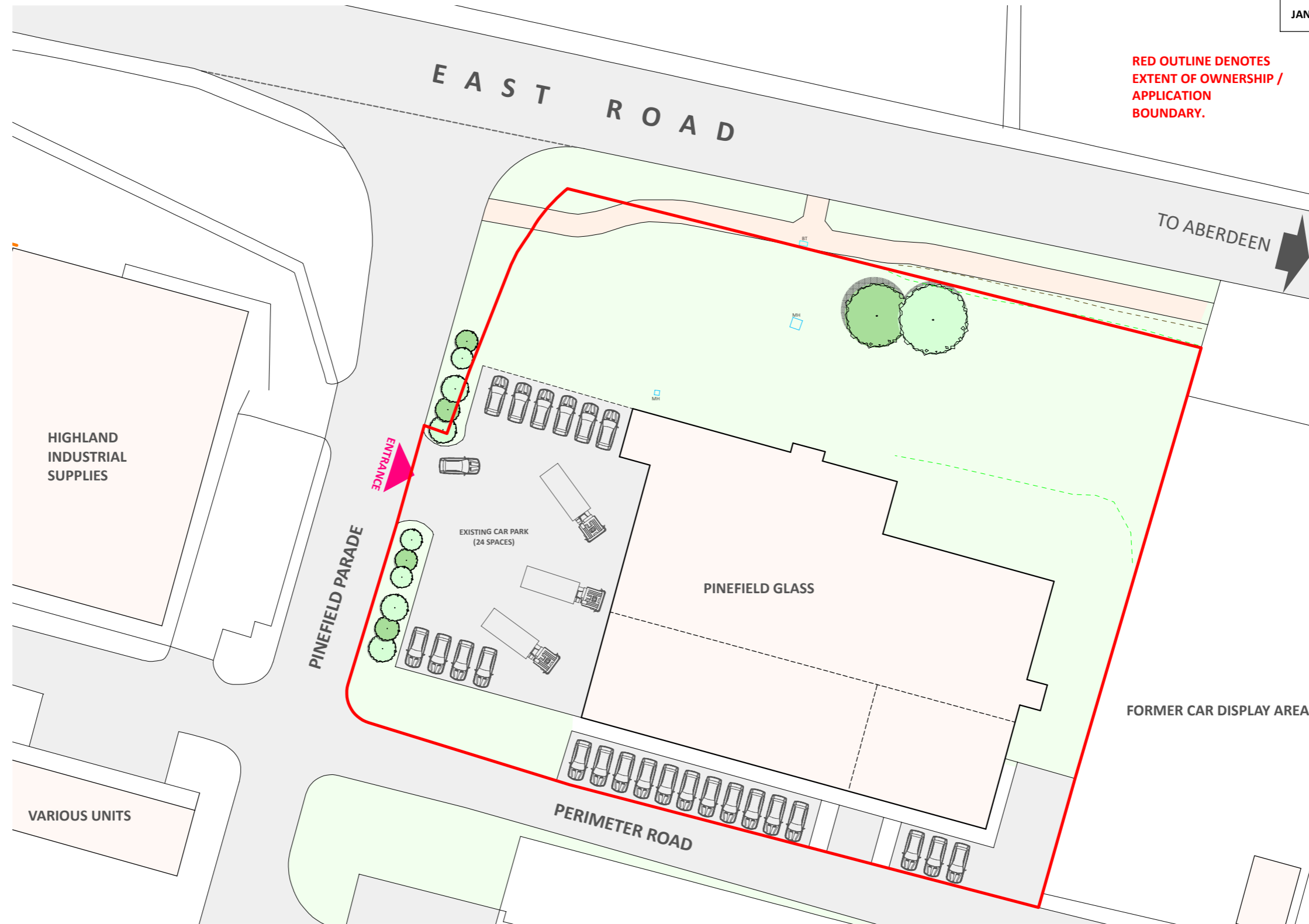
X



Pinefield Glass, Elgin

DATE	SCALE	DRG. NO.
JAN 2024	1:500 (A3)	PINEFIELD / EXIST

RED OUTLINE DENOTES
EXTENT OF OWNERSHIP /
APPLICATION
BOUNDARY.



AS EXISTING

Proposed extension to existing car park
at Pinefield Glass, 1 Pinefield Parade, Elgin,
Moray IV30 6AG

S Reid Design
CHARTERED ARCHITECTURAL DESIGN SERVICE

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Memorandum Report

10th October 2023

TO: Stuart Reid, S Reid Design

FM: Gary Mackintosh

CC: Pinefield Glass

RE: 313889

1.0 Introduction

Mabbett & Associates Ltd (Mabbett) was commissioned by Pinefield Glass to provide a drainage design for a proposed car park extension located at Pinefield Glass, Pinefield Parade, Elgin.

The SEPA Flood Maps have been consulted prior to commencement which confirm that the proposed parking extension lies out with any areas of fluvial and pluvial flooding during a 1:200year event.

1.1 Proposal/Existing Ground Conditions

Excavations were carried out on 17th January 2023 in order to assess the soils for the use of infiltration as a method of surface water management.

The trial pits were excavated to a depth of 1.8m and the existing soils consisted of 400mm Topsoil, dark brown, medium fine slightly gravelly Sands to a depth of 1200mmbgl overlying brown medium to loose, fine, slightly gravelly Sands proved to the depth of the excavations.

Infiltration testing was carried out in full accordance with BRE digest 365. The results can be found in Table 2 below.

Table 2

Infiltration Test Hole No	Pit Dimensions (w/l)	Test Zone (mgl)	Infiltration Rate (m/s)
INF01	0.8m x 1.2m	1.1m - 1.7m	5.921 x 10 ⁻⁵

In addition to the ground investigation, a topographic survey was carried out within the site to establish existing and proposed levels.

Based on the site topography and the test results obtained, it is proposed to install permeable paving to the northwest and west of the proposed parking area as indicated within the enclosed drawing within which the proposed levels and construction for the permeable paving are shown.



SAFETY SCHEMES IN PROCUREMENT



Mabbett & Associates Ltd, Corporate and Registered Office: 13 Henderson Road, Inverness, UK, IV1 1SN

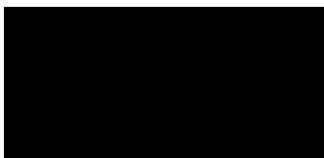
Registered in Scotland No: SC 163378 info@mabbett.eu www.mabbett.eu

[Belfast](#) | [Cardiff](#) | [Dublin](#) | [Dundee](#) | [Edinburgh](#) | [Glasgow](#) | [Inverness](#) | [Leicester](#) | [Liverpool](#)

The calculation sheet enclosed confirms that the permeable paving will require a minimum construction depth of 375mm to manage the surface water flows during a 1:30year event with 42% allowance for climate change.

This memorandum report has been prepared by the following Mabbett personnel:

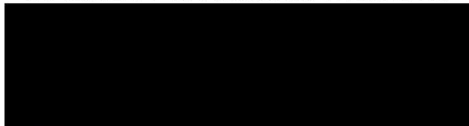
MABBETT & ASSOCIATES LTD



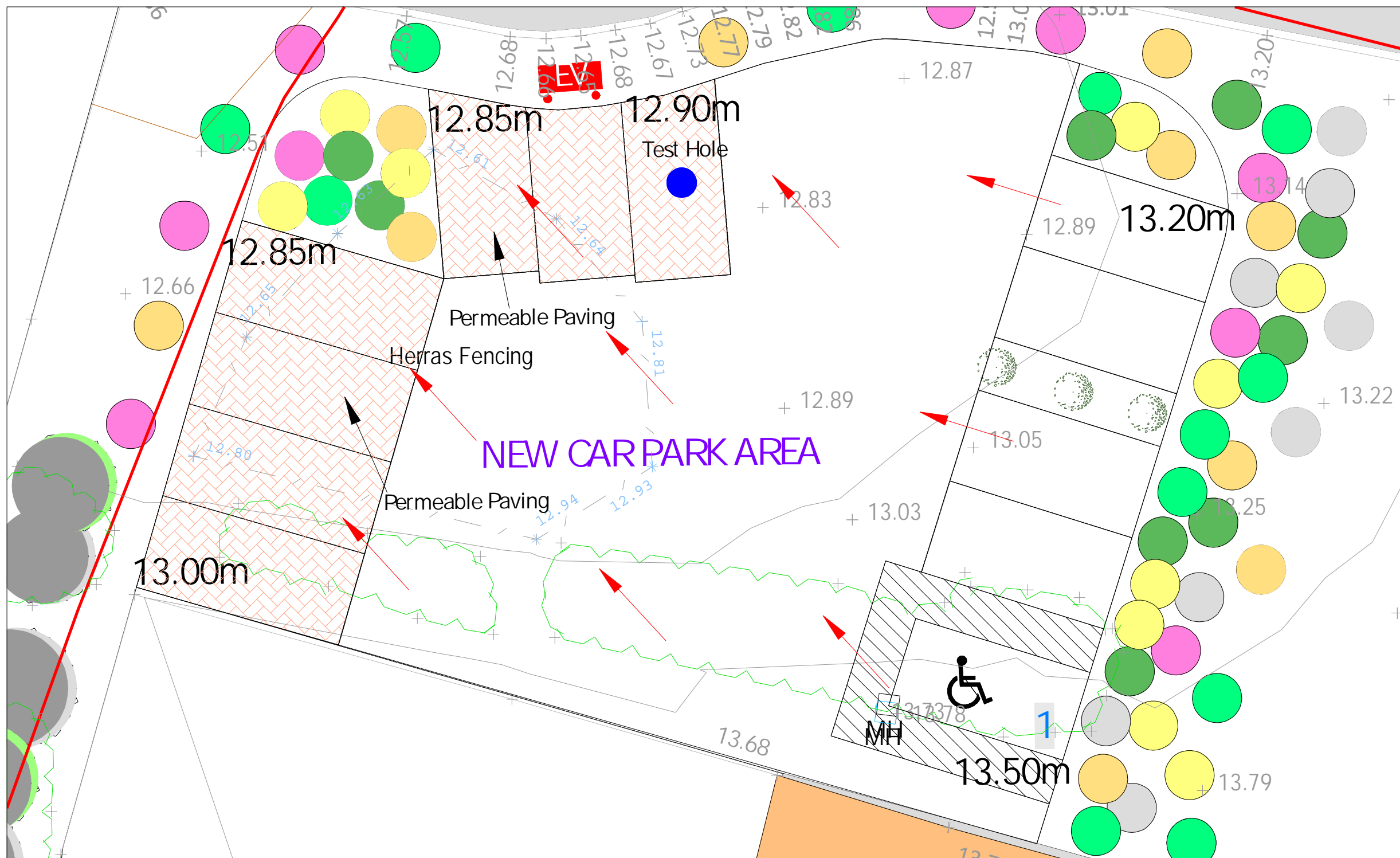
Gary Mackintosh BSc
Principal Engineer

This report has been reviewed and approved by the following Mabbett personnel:

MABBETT & ASSOCIATES LTD



James Forbes, CEng, CEnv, CWEM, MCIWEM
Director, Engineering



← Fall Arrows

Rev.	Description	Drawn	Date
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Willow House
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Client
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Project
 Proposed Parking Extension
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 Pinefield Parade, Elgin

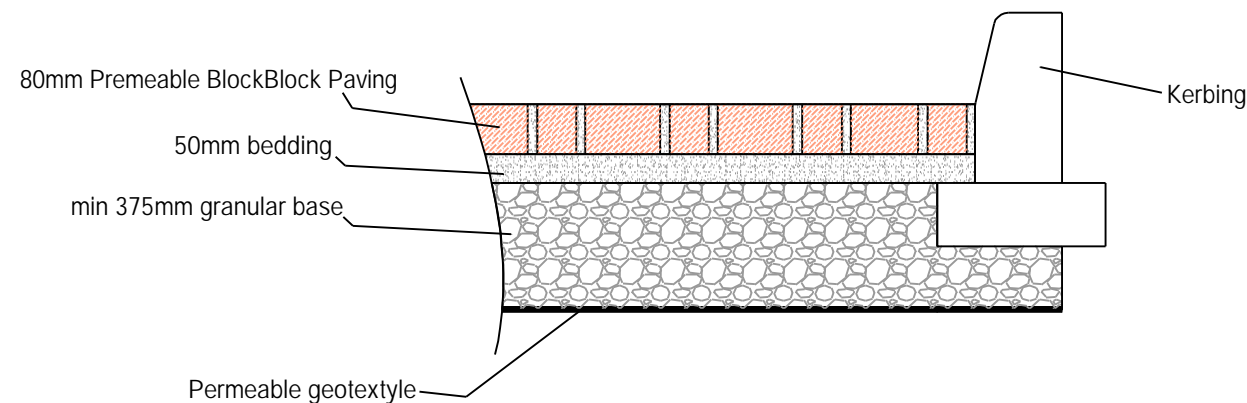
Drawing
 Proposed Layout/
 Testhole Location

Status
 Issue

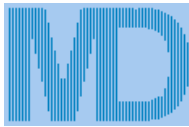
Scale NTS Sheet A3

Drawn GM Check JF Date 2/10/23

Drawing No: 313889 PL01 Rev X



Permeable Paving Construction Detail



Company Mabbett & Associates				Project Pinefield Glass, Elgin	
Item Permeable Paving Calculations				Job Ref 3113889	Sheet no. 1
MasterDrain	Calc. by GM	Date 02/10/23	Checked by	Date	Approved by
					Date

Data :-

FSR Hydrology:-

Location = ELGIN

M 5-60 (mm) :

Soil index = 0.40

Return period = 200

Grid reference = NJ2162

r = 0.24

SAAR (mm/yr) = 800

WRAP

- i) Relatively in permeable soils in boulder and sedimentary clays, and in alluvium, especially in eastern England;
- ii) Permeable soils with shallow ground water in low-lying areas;
- iii) Mixed areas of permeable and impermeable soils, in approximately equal proportion.

Design data :-

Total drained area = 400 m²

Storm duration = 6.00 hrs

Inf. coefficient = 0.1850 m/hr

Saturation depth = 80.0 %

Perm. pavior area = 90 m²

Climate change factor = 1.42

% Voids = 30.0%

Runoff factor = 95%

Calculated data :-

Mean rain intensity = 14.3 mm/hr @ 200yrs/6hrs with 1.42 climate change factor

Total rainfall volume = 34.358 m³.

Total runoff volume = 32.640 m³.

Mean discharge rate = 4.625 l/s.

Infiltration volume = 99.900 m³.

Infiltration volume exceeds the total runoff volume.

Minimum storage is required, therefore a minimum construction thickness of 375mm should be used.

Storm profile used = Summer

Consultee Comments for Planning Application 23/01862/APP

Application Summary

Application Number: 23/01862/APP

Address: 1 Pinefield Parade Elgin Moray IV30 6AG

Proposal: Proposed extension to existing car park at

Case Officer: Shona Strachan

Consultee Details

Name: Mr CL Consultations

Address: Environmental Health, Council Offices, High Street Elgin, Moray IV30 1BX

Email: Not Available

On Behalf Of: Contaminated Land

Comments

Approved unconditionally - Adrian Muscutt

From: Young, Bryan on behalf of Plant Protection And Pipelines North
Sent: Tue, 31 Oct 2023 12:44:56 +0000
To: Planning Consultation
Cc: MBX_PlantProtection_ScNorthElgin
Subject: FW: Moray Council Planning Application Consultation for 23/01862/APP
Attachments: ufm42_EOTH_E-consultation_-_Others.rtf, Moray.jpg

Warning. This email contains one or more attachments and originates from outside of the Moray Council network. You should only open these attachments if you are certain that the email is genuine and the content is safe.

Warning. This email contains web links and originates from outside of the Moray Council network. You should only click on these links if you are certain that the email is genuine and the content is safe.

Classified as Internal

Good afternoon,

SGN would have no objection to the planning consultation from a High Pressure stand point as there is no assets in the vicinity of the work area.

There is however Intermediate/Medium/Low Pressure pipelines within the proposed area

I have Cc'd in the relevant department for comment

Kind regards

Bryan Young
Pipeline Officer
Bryan.young@sgn.co.uk
Axis House Edinburgh
sgn.co.uk
Find us on Facebook and follow us on Twitter: @SGNgas

Smell gas? Call 0800 111 999
Find out how to protect your home from carbon monoxide

-----Original Message-----

From: consultation.planning@moray.gov.uk <consultation.planning@moray.gov.uk>
Sent: 31 October 2023 11:31
To: Plant Protection And Pipelines North <PlantProtectionAndPipelinesNorth@sgn.co.uk>
Subject: Moray Council Planning Application Consultation for 23/01862/APP

WARNING This email is not from the SGN network. Do not open unexpected files or links.

Please find attached notification of consultation

This email is confidential and may be legally privileged. It is intended solely for the addressees and access to this email by anyone else is unauthorised. If you are not the intended recipient, please immediately notify the sender of the error in transmission and then delete this email. Please note that any

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Scotia Gas Networks Limited (company registration number 04958135) and all of its subsidiaries, except for Scotland Gas Networks plc are registered in England and Wales and have their registered office address at St Lawrence House, Station Approach, Horley, Surrey RH6 9HJ.

Scotland Gas Networks plc (company registration number SC264065) is registered in Scotland and has its registered office address at Axis House, 5 Lonehead Drive, Newbridge, Edinburgh EH28 8TG

Response On Development Affecting Trunk Roads and Special Roads

The Town and Country Planning (Scotland) Act 1997

**The Town and Country Planning (Development Management Procedure)
(Scotland) Regulations 2013 S.I.2013 No 155 (S.25)**

Town and Country Planning (Notification of Applications) (Scotland) Direction 2009

To: The Moray Council	Council Reference:-	23/01862/APP
	TS Reference:-	NE/235/2023

Application made by Pinefield Glass per S Reid Design The Sma Glen Rothes Aberlour Moray AB38 7AG and received by Transport Scotland on 01/11/2023 for planning permission for Proposed extension to existing car park located at 1 Pinefield Parade Elgin Moray affecting the A96 Trunk Road.

Director, Trunk Roads Network Management Advice

1. The Director does not propose to advise against the granting of permission
2. The Director advises that planning permission be refused (see overleaf for reasons).
3. The Director advises that the conditions shown overleaf be attached to any permission the council may give (see overleaf for reasons).

To obtain permission to work within the trunk road boundary, contact the Route Manager through the general contact number below. The Operating Company has responsibility for co-ordination and supervision of works and after permission has been granted it is the developer's contractor's responsibility to liaise with the Operating Company during the construction period to ensure all necessary permissions are obtained.

TS Contact:-

Area Manager (A96)
0141 272 7100
Transport Scotland, 2nd Floor, George House, 36 North Hanover St, Glasgow G1 2AD

Operating Company:-

North East

Address:-

Amey, Caledonian House, West Kinfauns, Perth

Telephone Number:-

Not Available

e-mail address:-

occr-northeast@amey.co.uk



Response On Development Affecting Trunk Roads and Special Roads

CONDITIONS to be attached to any permission the council may give:-

- | | |
|---|---|
| 1 | Prior to commencement of the development, details of the frontage landscaping treatment along the trunk road boundary shall be submitted to, and approved by, the Planning Authority, after consultation with Transport Scotland. |
| 2 | Prior to commencement of the development, details of the EV charging point along the trunk road boundary shall be submitted to, and approved by, the Planning Authority, after consultation with Transport Scotland. |

REASON(S) for Conditions (numbered as above):-

- | | |
|---------|---|
| 1 and 2 | To ensure that there will be no distraction to drivers on the Trunk Road and that the safety of the traffic on the Trunk Road will not be diminished. |
|---------|---|

NOTES

This response supersedes our consultation response dated 07/11/2023.

Transport Scotland Response Date:-

29/04/2024

Transport Scotland Contact:-

Iain Clement

Transport Scotland Contact Details:-

Roads - Development Management

Transport Scotland, 2nd Floor, George House, 36 North Hanover St, Glasgow G1 2AD

Telephone Number: 0141 272 7100

e-mail: development_management@transport.gov.scot

NB - Planning etc. (Scotland) Act 2006

Planning Authorities are requested to provide Transport Scotland, Roads Directorate, Network Operations - Development Management with a copy of the decision notice, and notify Transport Scotland, Trunk Roads Directorate if the recommended advice is not accepted.

Consultee Comments for Planning Application 23/01862/APP

Application Summary

Application Number: 23/01862/APP

Address: 1 Pinefield Parade Elgin Moray IV30 6AG

Proposal: Proposed extension to existing car park at

Case Officer: Shona Strachan

Consultee Details

Name: Mr EH Consultations

Address: Environmental Health, Council Offices, High Street Elgin, Moray IV30 1BX

Email: Not Available

On Behalf Of: Environmental Health C12

Comments

Approved unconditionally - Andrew Stewart

**MORAY COUNCIL
PLANNING CONSULTATION RESPONSE**

From: The Moray Council, Flood Risk Management
Planning Application Ref. No: 23/01862/APP

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

- | | Please |
|---|--------------------------------------|
| (a) I OBJECT to the application for the reason(s) as stated below | x
<input 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 checked="" 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"/> |

Contact: Leigh Moreton Date 01/11/23
email address: Leigh.moreton@moray.gov.uk Phone No 07815 647384

Consultee: The Moray Council, Flood Risk Management

From: Susie Simpson <Susie.Simpson@moray.gov.uk>

Sent: 09 Feb 2024 11:18:58

To: DMSMyEmail@moray.gov.uk

Cc:

Subject: FW: 23/01862/APP

Attachments:

Susie Simpson | Clerical Assistant/WPO | Economic Growth and Development

susie.simpson@moray.gov.uk | [website](#) | [facebook](#) | [twitter](#) | [instagram](#) | [news](#)

01343 563092 | 07929784965



From: Darren Westmacott <Darren.Westmacott@moray.gov.uk>

Sent: Friday, February 9, 2024 10:50 AM

To: Planning Consultation <consultation.planning@moray.gov.uk>

Cc: Shona Strachan <Shona.Strachan@moray.gov.uk>

Subject: 23/01862/APP

Good morning,

The revised proposals for landscaping are considered acceptable and will help mitigate the impact of development. However, the proposal will result in the loss of designated open space and is a departure from NPF4 Policy 20 *Blue and green infrastructure* and MLDP Policy EP5 *Open Space & Elgin ENV5 East Road*.

Regards,

Darren

Darren Westmacott | Planning Officer (Strategic Planning & Development) | Economic Growth & Development

darren.westmacott@moray.gov.uk | [website](#) | [facebook](#) | [instagram](#) | [news](#)

01343 563358 | 07929 751481

Working Pattern | Mon (**Home**) | Tues (**Home**) | Wed (**Office – HQ Rm 207a**) | Thurs (**Office – HQ Rm 207a**) | Fri (**Home / Non-Working Day (Alt.)**)



Re-consultation Request Notification

Planning Authority Name	Moray Council
Response Date	23rd April 2024
Planning Authority Reference	23/01862/APP
Nature of Proposal (Description)	Proposed extension to existing car park at
Site	1 Pinefield Parade Elgin Moray IV30 6AG
Site Postcode	N/A
Site Gazetteer UPRN	000133038092
Proposal Location Easting	323137
Proposal Location Northing	862546
Area of application site (M²)	5228
Additional Comments	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	https://publicaccess.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=S2TCPKBGKH300
Previous Application	22/00292/APP 14/00785/APP 98/01099/FUL
Date of Consultation	9th April 2024
Is this a re-consultation of an existing application?	Yes
Applicant Name	Pinefield Glass
Applicant Organisation Name	
Applicant Address	1 Pinefield Parade Elgin Moray IV30 6AG
Agent Name	S Reid Design
Agent Organisation Name	
Agent Address	The Sma Glen Rothes Aberlour Moray AB38 7AG
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Shona Strachan
Case Officer Phone number	01343 563303
Case Officer email address	shona.strachan@moray.gov.uk

PA Response To	consultation.planning@moray.gov.uk
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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.

Data Protection - Moray Council is the data controller for this process. Information collected about you on this form will be used to process your Planning Application, and the Council has a duty to process your information fairly. Information we hold must be accurate, up to date, is kept only for as long as is necessary and is otherwise shared only where we are legally obliged to do so. You have a legal right to obtain details of the information that we hold about you.

For full terms please visit http://www.moray.gov.uk/moray_standard/page_121513.html

For full Data Protection policy, information and rights please see http://www.moray.gov.uk/moray_standard/page_119859.html

You can contact our Data Protection Officer at info@moray.gov.uk or 01343 562633 for more information.

Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Transportation Manager

Planning Application Ref. No: 23/01862/APP

Proposed extension to existing car park at 1 Pinefield Parade Elgin Moray IV30 6AG for Pinefield Glass

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

- | | Please |
|---|-------------------------------------|
| (a) I OBJECT to the application for the reason(s) as stated below | <input 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 checked="" type="checkbox"/> |
| (d) Further information is required in order to consider the application as set out below | <input type="checkbox"/> |

This proposal is for the re-consultation for an extension to an existing private car park to be served via an existing access, and is associated with a recently completed office extension (22/00292/APP relates). It is noted that the previous consent for the office extension required improvements to the visibility splays (cutting back/ removal of an existing hedge). At the time of the site visit for this proposal the visibility improvements had not yet been undertaken, and therefore the condition has been repeated. The developer should note that an existing "Pinefield Industrial Estate" sign will require to be relocated to accommodate the proposed car park extension. For clarity all costs associated with the relocation of the sign shall be borne by the developer.

The proposed works are located in close proximity to a remote footway which falls under the remit of Transport Scotland as Trunk Roads Authority. It is noted that Transport Scotland was previously consulted on the original proposal. However, it would be recommended that Transport Scotland be re-consulted on this revised proposal particularly as the formation of the new car parking spaces adjacent to the recently completed extension would appear to require a fairly significant quantity of upfill of material to make level. Additionally, although as per the previously submitted layout the proposed Electric Vehicle charging infrastructure (space 7) is located in very close proximity to the rear of the remote footway. The following conditions would apply:

Condition(s)

1. Prior to the first occupation/use of the car park extension, works shall take place to ensure that for the lifetime of the development no boundary fences, hedges, walls or any other obstruction whatsoever over 0.9m in height and fronting onto the U171E Pinefield Parade shall be within 2.4m of the edge of the public carriageway.

Reason: To enable drivers of vehicles entering or exiting the site to have a clear view so that they can undertake the manoeuvre safely and with the minimum interference to the safety and free flow of traffic on the public road.

2. No water shall be permitted to drain or loose material be carried onto the public footway/carriageway.

Reason: To ensure the safety and free flow of traffic on the public road and access to the site by minimising the road safety impact from extraneous material and surface water in the vicinity of the new access

3. A turning area shall be retained within the curtilage of the site to enable vehicles to enter and exit in a forward gear.

Reason: To ensure the provision for vehicles to enter/exit in a forward gear in the interests of the safety and free flow of traffic on the public road

Further comment(s) to be passed to applicant

Planning consent does not carry with it the right to carry out works within the public road boundary.

The formation of the required visibility splays will require the cutting back and ongoing maintenance of the existing hedge/ vegetation located along the site frontage. At the time of the site visit a large steel trailer was sitting just within the south west corner of the site and was obstructing the visibility for vehicles exiting Pinefield Crescent loop onto Pinefield Parade and should be removed/ re-located accordingly.

An existing “Pinefield Industrial Estate” sign will require to be repositioned as a result of the proposed car park extension. The sign shall be relocated at the expense of the developer. Advice on this matter can be obtained by emailing Moray Council Estates department at estates@moray.gov.uk

Public utility apparatus may be affected by this proposal. Contact the appropriate utility service in respect of any necessary utility service alterations which have to be carried out at the expense of the developer.

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

Contact: AG
email address: transport.develop@moray.gov.uk
Consultee: TRANSPORTATION

Date 18 April 2024

Return response to	consultation.planning@moray.gov.uk
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Please note that information about the application including consultation responses and representations (whether in support or objection) received on the proposal will be published on the Council’s website at <http://publicaccess.moray.gov.uk/eplanning/> (You can also use this site to track progress of the application and view details of any consultation responses and representations (whether in support or objection) received on the proposal). In order to comply with the Data Protection Act, personal information including signatures, personal telephone and email details will be removed prior to publication using “redaction” software to avoid (or mask) the display of such information. Where appropriate other “sensitive” information within documents will also be removed prior to publication online.

REPORT OF HANDLING

Ref No:	23/01862/APP	Officer:	Shona Strachan
Proposal Description/ Address	Proposed extension to existing car park at 1 Pinefield Parade Elgin Moray IV30 6AG		
Date:	05/06/2024	Typist Initials:	DJP

RECOMMENDATION

Approve, without or with condition(s) listed below	N	
Refuse, subject to reason(s) listed below	Y	
Legal Agreement required e.g. S,75	N	
Notification to Scottish Ministers/Historic Scotland	N	
Hearing requirements	Departure	N
	Pre-determination	N

CONSULTATIONS

Consultee	Date Returned	Summary of Response
Contaminated Land	07/11/23	No objection
Moray Flood Risk Management	01/11/23	No objection
Environmental Health Manager	31/10/23	No objection
Scotland Gas Networks Ltd	06/11/23	No objection
Strategic Planning And Development	09/02/24	Response recognises the proposed use of landscaping to seek to mitigate the impact of the development. However, the proposal will result in the loss of designated open space and is a departure from NPF4 Policy 20 Blue and green infrastructure and MLDP Policy EP5 Open Space & Elgin ENV5 East Road.
Transportation Manager	18/04/24	No objection subject to conditions and informative advice. The conditions would require height restriction for any features within 2.4m of the edge of the carriageway; Acceptable roads drainage and a turning area to be retained at all times within the site.
Transport Scotland	29/04/24	No objection subject to conditions which prior to the commencement of any works on the site would require details of the frontage landscape treatment and any EV charging infrastructure.

DEVELOPMENT PLAN POLICY		
Policies	Dep	Any Comments (or refer to Observations below)
NPF20 - Blue and green infrastructure	Y	See observations
EP5 Open Space	Y	See observations
Elgin ENV5 - Green Corridor	Y	See observations
NPF1 - Tackling the Climate	N	
NPF2 - Climate mitigation and adaptation	N	
NPF3 - Biodiversity	N	
NPF5 - Soils	N	
NPF13 - Sustainable transport	N	
NPF14 - Design, quality and place	Y	See observations
DP1 Development Principles	Y	See observations
EP12 Management and Enhancement Water	N	
NPF22 - Flood risk	N	

REPRESENTATIONS		
Representations Received		NO
Total number of representations received		
Names/Addresses of parties submitting representations		
Summary and Assessment of main issues raised by representations		
Issue:		
Comments (PO):		

OBSERVATIONS – ASSESSMENT OF PROPOSAL

Legislative Framework

Section 25 of the 1997 Act as amended requires planning applications to be determined in accordance with the Development Plan i.e. the adopted National Planning Framework 4 (NPF4) and Moral Local Development Plan 2020 (MLDP) unless material considerations indicate otherwise.

The main planning issues are considered below:

Proposal

Planning permission is sought for the proposed extension to an existing car park at Pinefield Glass 1 Pinefield Parade, Elgin.

Pinefield Glass currently has a car park to the south of the premises which provides car parking spaces for 14 cars, and, a car park located to the west of the premises accessed of Pinefield Parade which provides 24 car parking spaces and is also where existing loading and deliveries take place.

A site inspection report (Safe Hands) has highlighted that there is currently little to no segregation in parking between the loading/unloading area and parking for general public which both take place in

the existing (west) car park.

In order to address the lack of segregation in parking, the proposals are to install an additional parking area. The proposed car park is to adjoin the existing (west) car park to the north and would provide for 12 car parking spaces, landscaping (hedgerows and mixed trees) and EV charging. Spaces 6-12 would have permeable paving to act as the soakaway for the additional parking area. The layout of the existing (west) car park is to be amended to provide delineation for customer parking and loading/deliveries only.

Site

Pinefield Glass is an existing established business located at the Pinefield Industrial Estate (I5 MLDP Designation).

The land to the north of the site which is the location of the proposed car park extension is designated as ENV5 East Road Green Corridor, the public footpath and the A96 Trunk is located beyond.

The ENV5 East Road Green Corridor is a safeguarded area of open space designated at either side of the Trunk Road to improve the amenity and visual appearance of this main gateway access through Elgin taking account of the mixed uses and designs along this locality many of which are more industrialised in nature and appearance.

Planning History

Application 22/00292/APP which sought an office extension located on the ENV5 East Road Green Corridor was permitted as an acceptable departure on the grounds that the proposed development was a particularly small scale low impact extension to the existing premises and was considered to contribute job creation/retention.

Policy Assessment

Siting and Impact of the Development

- MLDP Settlement Designation: Elgin ENV5 East Road
- MLDP Policies: MLDP DP1 and EP5
- MLDP Guidance Open Space Strategy Supplementary Guidance
- National Planning Policies NPF Policies 14 and 20

MLDP Settlement Designation Elgin ENV5 East Road: The supporting settlement text advises that open space that contributes to the environmental amenity of Elgin will be safeguarded from development that is not related to its current ENV use.

MLDP Policy DP1: states that the scale, density and character must be appropriate to the surrounding area, contributing to the sense of place and connect to existing open space as per the requirements of Policy EP5.

MLDP Policy EP5: states that development which would result in a change of use of an ENV designation to anything other than an open space use will be refused.

The Moray Open Space Strategy: Definition of a green corridor; A green corridor links different areas within a town as part of designated and managed network. The ENV designation and the site is coded as EL/OS/008 East Road under the Open Space Strategy. The East Road Green Corridor is described as landscaping at the edge of the Trunk Road on the entrance to Elgin. Planting and trees soften the visual impacts of the industrial areas and make the route more attractive for pedestrians. The Moray Open Space Strategy advises that there are no development opportunities on the ENV5 East Road Green Corridor.

NPF4 Policy 14: requires development proposals be designed to improve the quality of an area

whether in urban or rural locations and regardless of scale. It also states that development proposals will be supported where they are consistent with the six qualities of successful places; Healthy, Pleasant, Connected, Distinctive, Sustainable and Adaptable. Finally, NPF Policy 14 states that proposals which are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places will not be supported.

NPF4 Policy 20: states that development proposals that result in fragmentation or net loss of existing blue and green infrastructure will only be supported where it can be demonstrated that the proposal would not result in or exacerbate a deficit in blue or green infrastructure provision, and the overall integrity of the network will be maintained. It is also advised that the Planning Authorities Open Space Strategy should inform this.

In this case, the proposed car park extension is to be located wholly within the Elgin ENV5 East Road designation and proposes to change the site from its existing ENV designation to car parking. This change of use is not supported by the site designation or the aforementioned local and national policies.

The site has a prominent roadside location in a safeguarded green corridor which has been designated under successive local plans to mitigate the physical and visual impacts of the industrial areas along this location, and, improve the amenity and appearance of this access route through Elgin which forms part of the main eastern approach to the town. The green corridor also serves to encourage pedestrian use by making the route more attractive for their use and forms part of a wider network of green spaces within the town as promoted by the principles of good placemaking.

The proposal seeks a crude encroachment into the safeguarded ENV for car parking in a form and design which would completely erode the purpose and function of the ENV at this prominent location resulting in piecemeal fragmentation and erosion of the overall integrity of the ENV5 East Road Green Corridor as part of the wider green network in the town.

Whilst the supporting information provided as part of the proposal is acknowledged, this must be balanced against the wider public benefits of the purpose and function of the ENV5 East Road Green Corridor as designated in the MLDP. Unfortunately, despite several requests from the Planning Authority no attempt to minimise land take, reconfigure the design of the proposal and or rationalise existing car park use and traffic management across the site has been made. Options to reduce parking demand across the site could have also been explored via car share options for staff and or deliveries management plan for example as these approaches would have helped to reduce the proposed land take associated with the proposal. This is unfortunate given the known ENV designation and the potential to significantly reduce the impacts of the proposal on the ENV these options to revise and reduce the proposal may have offered. The use of native hedging and tree planting to help screen the proposed development is also acknowledged but this in itself does not justify the land take and erosion of the safeguard ENV in which is it stated that there are no development opportunities as per the designation and local and national policy provisions.

Set against this context, the proposal is contrary to site designation ENV5 East Road Green Corridor MLDP Policies DP1 & EP5, The Moray Open Space Planning Guidance, and, National Planning Framework Policies NPF 14 and 20 and will be refused.

Access and Parking NPF 13 / MLDP DP1

The site is located by the Trunk Road Network as such Transport Scotland was consulted as part of the application. The finalised consult response from Transport Scotland has concluded with no objection to the proposal subject to conditions which prior to the commencement of any works on the site would require details of the frontage landscape treatment and any EV charging infrastructure.

The finalised consult response from the Transportation Manager, advises no objection subject to conditions and informative advice which would require a height restriction for any features within

2.4m of the edge of the carriageway; acceptable roads drainage and a turning area to be retained at all times within the site. Compliance with these requirements is likely to be achievable, however, compliance in this regard is separate from and does not override the unacceptable siting of the development on safeguarded ENV land.

Surface Water Drainage NPF 22 / MLDP EP12

The application has been supported by a surface water drainage design which would entail the installation of permeable paving to act as the soakaway on car parking spaces 6-12. The surface water drainage proposals have been accepted by Moray Flood Risk Management. However, compliance with drainage requirements is separate from and does not override the unacceptable siting of the development on safeguarded ENV land.

Climate Change, Soils and Biodiversity NPF 1, 2, 3 & 5

The landscape screening proposed would ensure that opportunity for biodiversity requirements would be integrated into the proposal. The land take associated with the proposal whilst unacceptable in relation to the integrity of the safeguarded ENV's purpose and function would not be of a nature and scale which would render it unacceptable in the context of the global nature and climate crisis. However, these matters are separate from and do not override the unacceptable siting of the development on safeguarded ENV land.

Conclusion and Recommendation

The proposal would result in the loss of an area of land identified as safeguarded green corridor as part of the ENV5 East Road designation under the MLDP 2020. The proposed change of use of ENV to car parking is not supported by the designation or local and national planning policies and as such the application is refused.

OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT

None

HISTORY			
Reference No.	Description		
22/00292/APP	Proposed office extension at 1 Pinefield Parade Elgin Moray IV30 6AG		
	Decision	Permitted	Date Of Decision 06/06/22
14/00785/APP	Build extension to office/showroom 1 Pinefield Parade Elgin Moray IV30 6AG		
	Decision	Permitted	Date Of Decision 17/06/14
98/01099/FUL	Erect showroom extension (conservatory) at A C Yule And Son Limited 1 Pinefield Parade Pinefield Industrial Estate Elgin Moray		
	Decision	Permitted	Date Of Decision 17/09/98
91/00865/FUL	Alteration and extension to premises at A C Yule And Son Limited 1 Pinefield Parade Pinefield Industrial Estate Elgin Moray		
	Decision	Permitted	Date Of Decision 08/10/91

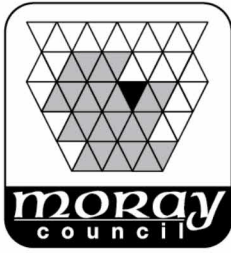
ADVERT		
Advert Fee paid?	Yes	
Local Newspaper	Reason for Advert	Date of expiry
Northern Scot	No PremisesDeparture from development plan	30/11/23
PINS	No PremisesDeparture from development plan	30/11/23

DEVELOPER CONTRIBUTIONS (PGU)	
Status	N/A

DOCUMENTS, ASSESSMENTS etc. *		
<i>* Includes Environmental Statement, Appropriate Assessment, Design Statement, Design and Access Statement, RIA, TA, NIA, FRA etc</i>		
Supporting information submitted with application?	YES	
Summary of main issues raised in each statement/assessment/report		
Document Name:	Drainage Statement	
Main Issues:	Details the drainage design which entails the use of areas of permeable paving as part of the site design.	
Document Name:	Safe Hands Report	
Main Issues:	Observations in relation to parking at the Site (Report held as sensitive on case file).	
Document Name:	Supporting Statement	
Main Issues:	Seeks to provide a background to the proposals referring to the Safe Hands Report and including photos of existing parking issues. Thereafter comments which seek to support the siting and design.	
Document Name:	Parking Statement	
Main Issues:	Seeks to justify the parking proposals in terms of location and number of parking spaces proposed.	

S.75 AGREEMENT		
Application subject to S.75 Agreement		NO
Summary of terms of agreement:		
Location where terms or summary of terms can be inspected:		

DIRECTION(S) MADE BY SCOTTISH MINISTERS (under DMR2008 Regs)			
Section 30	Relating to EIA		NO
Section 31	Requiring planning authority to provide information and restrict grant of planning permission		NO
Section 32	Requiring planning authority to consider the imposition of planning conditions		NO
Summary of Direction(s)			



**MORAY COUNCIL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997,
as amended**

REFUSAL OF PLANNING PERMISSION

**[Elgin City North]
Application for Planning Permission**

TO

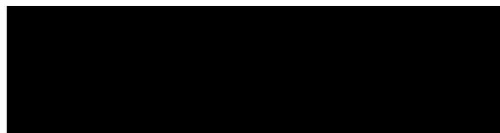


With reference to your application for planning permission under the above mentioned Act, the Council in exercise of their powers under the said Act, have decided to **REFUSE** your application for the following development:-

Proposed extension to existing car park at 1 Pinefield Parade Elgin Moray IV30 6AG

and for the reason(s) set out in the attached schedule.

Date of Notice: **6th June 2024**



HEAD OF ECONOMIC GROWTH AND DEVELOPMENT

Economy, Environment and Finance
Moray Council
Council Office
High Street
ELGIN
Moray
IV30 1BX

IMPORTANT
YOUR ATTENTION IS DRAWN TO THE REASONS and NOTES BELOW

SCHEDULE OF REASON(S) FOR REFUSAL

By this Notice, Moray Council has REFUSED this proposal. The Council's reason(s) for this decision are as follows: -

The proposed change of use of designated ENV land to car parking is contrary to Elgin ENV5 East Road MLDP settlement designation, MLDP Policies: MLDP DP1 and EP5, MLDP Open Space Strategy Supplementary Guidance and National Planning Policies NPF Policies 14 and 20 because: The proposed development seeks a crude encroachment into the safeguarded ENV for car parking in a design and form which would erode the purpose and function of the ENV at this prominent access route in the town. Resulting in piecemeal fragmentation and erosion of the overall integrity of the ENV5 East Road Green Corridor as part of the wider green network in Elgin. In these terms the proposal is unacceptable and contrary to the Elgin ENV5 East Road MLDP settlement designation, MLDP Policies: MLDP DP1 and EP5, MLDP Open Space Strategy Supplementary Guidance and National Planning Policies NPF Policies 14 and 20.

LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT

The following plans and drawings form part of the decision:-

Reference	Version	Title
313889	PL01X	LOCATION PLAN SITE PLAN AND TESTHOLE LOCATION
313889	SU001 X	TOPOGRAPHY SURVEY
PINEFIELD / SP / 01		SITE PLAN

NOTICE OF APPEAL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to The Clerk, Moray Council Local Review Body, Legal and Committee Services, Council Offices, High Street, Elgin IV30 1BX. This form is also available and can be submitted online or downloaded from www.eplanning.scotland.gov.uk

If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

