

# Consultation Request Notification

Planning Authority Name	<b>The Moray Council</b>
Response Date	<b>31st January 2011</b>
Planning Authority Reference	<b>10/02046/APP</b>
Nature of Proposal (Description)	<b>Demolish existing building and erect flatted development (8 no units) and associated infrastrucutre works at</b>
Site	<b>Castle Inn 29 Caroline Street Forres Moray IV36 1AQ</b>
Site Postcode	<b>N/A</b>
Site Gazetteer UPRN	<b>000133000849</b>
Proposal Location Easting	<b>303648</b>
Proposal Location Northing	<b>859036</b>
Area of application site (Ha)	<b>400 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=LCSBF8BGAK000">http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&amp;keyVal=LCSBF8BGAK000</a>
Previous Application	<b>08/00002/LBC 07/01385/CON 04/02338/LBC</b>
Date of Consultation	<b>17th January 2011</b>
Is this a re-consultation of an existing application?	<b>No</b>
Applicant Name	<b>Mr Graham Forbes</b>
Applicant Organisation Name	
Applicant Address	<b>Copperfield Whiteinch Forres Moray IV36 3TS</b>
Agent Name	<b>C M Design</b>
Agent Organisation Name	
Agent Address	<b>St Brendans 69 South Guildry Street Elgin Moray IV30 1QN</b>
Agent Phone Number	
Agent Email Address	<b>N/A</b>
Case Officer	<b>Craig Wilson</b>
Case Officer Phone number	<b>01343 563565</b>
Case Officer email address	<b>craig.wilson@moray.gov.uk</b>

PA Response To	<a href="mailto:consultation.planning@moray.gov.uk">consultation.planning@moray.gov.uk</a>
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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.

Please respond using the attached form:-

## MORAY COUNCIL

### PLANNING CONSULTATION RESPONSE

**From:** Transportation Manager

**Planning Application Ref. No: 10/02046/APP**

**Demolish existing building and erect flatted development (8 no units) and associated infrastrucutre works at**

**Castle Inn 29 Caroline Street Forres Moray for Mr Graham Forbes**

I consider:-

	Please
	<b>x</b>
(a) that the application should be refused ( <i>please state reasons below</i> )	<b>X</b>
(b) that the application should be approved unconditionally	<input type="checkbox"/>
(c) that the application should be approved, subject to certain conditions ( <i>please state conditions and comments below</i> )	<input type="checkbox"/>
(d) that in addition to the above recommendation further information should be passed to the applicant ( <i>please state these below</i> )	<input type="checkbox"/>
(e) that further information is required in order to consider the application.	<input type="checkbox"/>

#### Reasons for refusal

MLP2008 Policy T2: Provision of Road Access

MLP2008 Policy T5: Parking Standards

MLP2008 Policy T7: Cycling, Walking and Equestrian Networks

The proposed development is for the demolition of a former public house, The Castle Inn, and the construction of a building of 8 flats, with a cycle parking and bin store and the provision of 6 parking spaces.

#### Visibility onto the Public Road

The proposed access to the development is in the same position as an existing garage fronting onto North Road. The visibility from this access is restricted to the south-west by an existing property boundary and to the north-east by the proposed building.

Inspection of speed surveys on North Road at a location only 50 metres from the proposed access show the 85<sup>th</sup> percentile vehicle speeds to be 25.2 mph for north-eastbound traffic and 27.4 mph for south-westbound traffic. These observed vehicle speeds correspond to a requirement for visibility splays of 2.4m x 39 metres and 2.4m x 33 metres respectively.

The planning application shows the provision of a 2.4m x 25m visibility splay across the site for the adjacent North Road/Caroline Street junction, which is an improvement on the existing situation. However, the observed vehicle speeds correspond to a requirement for visibility splay of 2.4m x 33 metres across the site. This is not achievable due to the proximity of the boundary wall for the property named Braevail. Therefore the maximum visibility splay should be provided across the site as far as the boundary wall for the property named Braevail.

The development access onto North Road does not have any visibility splays shown on the planning application drawings. To the southwest the visibility is restricted by the boundary wall for the property named Braevail. To the north-east the visibility is available across the site.

### Parking

The proposed development is for 8 flats, 4 x 2 bedroom flats and 4 x 1 bedroom flats. A total of 6 parking spaces have been provided as part of the development. The Moray Council Parking Standards for flats with up to 2 bedrooms are 1.5 parking spaces per flat. This equates to a requirement for 12 parking spaces.

However the proposed development is the replacement of an existing building, a former public house, which itself would have generated parking demand. The floorspace of the former public house (bar/restaurant areas only) cannot be determined from the planning application drawings. Therefore an assessment of the parking demand for the former public house, which could be discounted against the parking requirement for the proposed development, cannot be undertaken.

### Footways

The planning application drawings show building on part of the adopted public footway in the north-east corner of the site, see attached plan showing the extent public footway at this location. However the square area of public footway over which the development would be built is of little value to pedestrians. Transportation considers that the development can be built upon this area as long as the following requirements are met:

- A footway of at least 2.0 metres in width is retained/provided on the Caroline Street and North Road frontages;
- The proposed building does not encroach into the required visibility splay for the adjacent North Road/Caroline Street junction (see above);
- The applicant/developer meets all of the costs associated with the stopping up of the footway and the diversion of any utilities which may be present.

Transportation welcomes the provision of a new footway along the Caroline Street frontage of the site. However the footway shown on the planning application drawings is too narrow. The required width for the footway is 2.0 metres.

Taking into consideration the above Transportation recommends **refusal** for this application.

Should the applicant take into account the above information requirements and reasons for refusal and submit a revised scheme to the satisfaction of Transportation, then Transportation will review this recommendation.

### **Conditions**

### **Further information to be passed to applicant**

### **Further information required to consider the application**

Contact: DA  
email address:  
roadsdevelopmentcontrol@moray.gov.uk

Date 26 January 2011  
Phone No x2557

**Consultee: TRANSPORTATION**

<b>Return response to</b>	<b><a href="mailto:consultation.planning@moray.gov.uk">consultation.planning@moray.gov.uk</a></b>
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Please note information about the application, including this consultation response may be published on the Moray Council's website.