

Application Comments for 11/01521/APP

Application Summary

Application Number: 11/01521/APP

Address: 32 Burnbank Fochabers Moray IV32 7EQ

Proposal: Change of use of part of garden to use for burger van business at

Case Officer: Stuart Morrison

Customer Details

Name: MRS JOANNE SWIFT

Address: 12 SPEY CRESCENT FOCHABERS

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Litter
- Parking
- Road safety
- Smell
- Traffic

Comment: Since the initial refusal of the first application this 'business' has continued to trade during school term and during school hours serving children from Milnes High School. The burger van is parked on the road, just after a corner, obstructing other vehicles view of oncoming traffic. Assuming there is no permission for this, does this mean the business is trading without a licence and therefore without inspection for safety, cleanliness and most importantly food worthiness. My first objection to this plan in June/July 2011 was mainly concerned with the safety and health of the school children, these concerns remain.

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Customer Details

Name: mr alexander innes

Address: 30 burnbank fochabers

Comment Details

Commenter Type: Neighbour

Stance: Customer **opposed** to the Planning Application

Comment Reasons:

- Affecting natural environment
- Litter
- Noise
- Parking
- Road safety
- Smell
- Traffic

Comment: **opposed** this plan in the same manor i objected to the first application, if anything these problems have increased since last time


For attention of the PLANNING & ECONOMIC DEVELOPMENT MANAGER

Please find enclosed an OBJECTION to the planning application no 11/01521/APP at

32 Burnbank Fochabers IV32 7EQ for use of part of garden to use for Burger Van Business

I Alexander Innes of 30 Burnbank Fochabers IV32 7EQ ~~object to~~ the above application on the following grounds

- The dangerous parking outside property and on the corner at the bridge on west street by patrons in work vans and cars, which could cause an accident or result in a child from the local high school crossing the road between the parked cars, also the noise the extra traffic is causing.
- Litter being dropped in adjoining gardens and down the burn.
- An increase in the amount of seagulls attracted by the waste and dropping of food, also their increase mess by their defecation.
- The amount of children that are running across the road causing cars to brake hard which WILL eventually result in someone being hurt and their hanging about outside our properties creating noise pollution, as I work till early hours of the morning and sleep till afternoon
- The smell that is created is being wafted in the wind meaning that we have to keep our windows closed, and the smell contamination of our washing when hanging it out in garden.

Alex Innes
30 Burnbank Fochabers


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Customer Details

Name: Mr Raymond CAMPBELL

Address: 107 MILTON DRIVE BUCKIE

Comment Details

Commenter Type: Member of the Public

Stance: Customer ~~objecting~~ to the Planning Application

Comment Reasons:

- Litter
- Parking
- Road safety
- Smell
- Traffic

Comment: With having a family member staying close by to number 32 and I often visit, my comments are as follows

{1} Litter- Any time that I have been to visit at the time that the burger van has finished for the day at no time have I seen the owner / operator come up the street picking up or checking for dropped litter, which I know that there has been dropped {seen} on the pavement/road

{2} Parking - The parking on West at where the burger van / property is and where the cars/vans/lorries park ie, on the bend at the bridge on pavement along the street leading to High Street taking up all available parking which near by residents then find it an inconvenience when they may have been shopping and can't get parked near to their home to take in the shopping in

{3} Road Safety- To the best of my knowledge there seems to be a total disregard to road safety for the safety of road users and pedestrians which use the pavements and roads, it is my belief that the children from Milne's High School may be at risk from being hit by a passing vehicle due to the lack of vision caused by the parking of vehicles on the bad bend over the bridge next to the burger van

{4} Traffic- This part of Fochabers has been and is a quiet area and should stay that way for the sake of all residents close to and surrounding area, this will be affected by the increase volume of

traffic in the area to and from the burger van

{5}Smell- As we all know you can smell the smells from a burger van a good distance away it, I bare to think what the smell from can do to those peoples homes in close vicinity to the burger van

I would strongly ask the Planning Department ~~to refuse~~ this planning application on the the above comments

Received by e-mail 22.11.11

I am writing to make an ~~objection~~ to having the above application approved.

This burger van has been operational for some months and all the foreseeable problems that have accompanied this have been confirmed.

- 1 The van is used by workers from the by pass parking their vans at the burger van/ garden. The garden/ van is at the bend of the road, the parked vehicles cause an obstruction to the view of the road.
- 2 They also stop the flow of the traffic. The congestion builds up stopping the flow of the traffic, resulting in cars not being able to move forward and not being able to reverse back.
- 3 This is added to as the build up of traffic then affects the flow going through the traffic lights at the end of this road. It is an even bigger problem when the school buses are stuck in amongst this and the volume of traffic increases coming from and leaving from the school at the beginning and end of the school day. The by pass will be finished and the workers will go away however the congestion from burger van customers will not.
- 4 This is a designated area for residents it is not for commercial use.
- 5 The neighbours at Burnbank are predominantly elderly and directly across from this house is a disabled person. The burger van will attract youths/the public to this quiet part of Fochabers which may result in neighbours feeling intimidated and being bothered by noise.
- 6 At lunchtime there are around 30-40 pupils from the High School who go to the van and "hang about" while waiting to get served or eating after they have been served. The build up of pupils has grown as word has spread that the burger van is there, amounting to large numbers congregating at a dangerous part of the road as the bend is in front of this garden. Again the traffics view is obstructed with youths, an accident in the making. The garden is right next to the burn which has litter strewn in it and on its newly planted banks.
- 7 The bridge next to the burger van site is often used by tourists and locals admiring the view. The Speyside Way is parallel with this garden as it the Fochabers Community Walks the garden is visible from these paths regardless of the time of the year.
- 8 Fochabers is going to be in a new situation once the bypass is completed. The community in Fochabers have pulled together with the support of Angus Robertson MP. Richard Lochhead MP, George McIntyre Convener of Moray Council and Anita McDonald Councillor. All attempting to ensure that Fochabers will be attractive to tourists and visitors enough to visit and not by pass. The history of Fochabers the uniqueness of the shops the beautiful scenery is all being used to keep Fochabers a popular destination.

At present there are 2 shops in Fochabers vacant, 2 empty shops in a village where someone wants a permit to operate a burger van from their garden. Why give permission for a business to operate in a residential area on the bend of the road when there are two empty commercial premises available.

Moray Council has a responsibility to make sure that this burger van does not have permission to operate in a garden on a dangerous bend. It should be encouraging this business to expand by all means, but in a property that is suitable and fit for purpose.

I would like an acknowledgement that this objection has been registered and is read and looked into by the relevant parties who make a decision on this application.

Thank you
S. Courtney

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Case Officer: Stuart Morrison

Customer Details

Name: mrs angela stevenson

Address: 31 burnbank fochabers

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Litter
- Parking
- Road safety
- Traffic

Comment: My reasons for **objecting** to this plan has not changed from the last time planning permission was requested. There is still the seagulls in the vicinity of our houses. If anything the problems of traffic, parking, road safety etc have not decreased and it is only a matter of time before an accident may occur.