

Consultation Request Notification

Planning Authority Name	The Moray Council
Response Date	17th June 2011
Planning Authority Reference	11/00700/APP
Nature of Proposal (Description)	Revised application from previously approved 02/00204/FUL to erect to dwellinghouse and detached garage at
Site	Gap Site At County Houses Orton Mosstodloch Moray
Site Postcode	N/A
Site Gazetteer UPRN	000133050968
Proposal Location Easting	330381
Proposal Location Northing	851485
Area of application site (Ha)	1512 m²
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=L2OFDBG0BC00
Previous Application	02/00204/FUL
Date of Consultation	3rd June 2011
Is this a re-consultation of an existing application?	No
Applicant Name	Mr John Cadenhead
Applicant Organisation Name	
Applicant Address	26 Burndale Road Bucksburn Aberdeen AB21 9EH
Agent Name	J W Smith Design
Agent Organisation Name	
Agent Address	Berrybauds Clochan BUCKIE AB56 5HX
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Patrick O'Sullivan
Case Officer Phone number	01343 563399
Case Officer email address	patrick.o'sullivan@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

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: 11/00700/APP

Revised application from previously approved 02/00204/FUL to erect to dwellinghouse and detached garage at Gap Site At County Houses Orton Mosstodloch Moray for Mr John Cadenhead

I consider:-

- | | Please |
|--|-------------------------------------|
| (a) that the application should be refused (<i>please state reasons below</i>) | X |
| (b) that the application should be approved unconditionally | <input checked="" 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

The proposed development is for a single house sited on a plot with outline planning consent for two houses, 07/01860/OUT. The description for this planning application refers to the previous planning consent 02/00204/FUL. However that consent was granted in 2002 and the planning officer has confirmed that it has lapsed.

In 2007 consent was granted for two housing plots subject to the following Transportation related planning conditions:

“Condition 10 The width of vehicular access shall be 2.4m - 3.0m and have a maximum gradient of 1:20 measured for the first 5.0 m from the edge of the public carriageway. Section of access over the public footpath/verge shall be to The Moray Council specification and surfaced in bitmac.

Condition 11 No water shall be permitted to drain onto the public footpath/carriageway.

Condition 12 A parking layby 8.0 m long x 2.5 m wide with 30 degrees splayed ends shall be provided at the edge of the public road to allow visiting and service vehicles to park clear of the public road. The vehicular access(es) should lead off the layby(s). Layby to be to The Moray Council specification and be surfaced in bitmac.

Condition 13 Two private parking space(s) shall be provided at all times.

Condition 14 A turning area shall be provided within the curtilage of the sites to enable vehicles to enter/exit in a forward gear.

Condition 16 Visibility details shall be agreed as part of the detailed application.”

As the 2007 consent was the most recent for this site, the above planning conditions should be met for the current application, with exception of planning condition 13. The current planning application is for a four bedroom house. Therefore three parking spaces would be required.

The visibility available at the site access is restricted, in particular to the north. The applicant has undertaken an assessment to demonstrate the available visibility, once vegetation was cleared at the end of August this year, over land under their control.

The visibility splay which could be achieved to the north-east of the proposed development access over land under the control of the applicant is only 78.8 metres. This distance would correspond to 85th percentile vehicle speeds of 33.8 mph.

The Moray Council speed survey information on the B9015, surveyed from a point outside Pineview (no 3) some 28 metres to the south-west of the proposed development access, has recorded 85th percentile vehicle speeds of 50.9 mph to Rothes and 50.7mph to Boat O’Brig. An 85th percentile vehicle speed of 50.9 mph corresponds to a visibility splay of 152 metres.

The visibility splay which could be achieved over ground under the control of the applicant is a little over a half of the distance required at this location. This is not acceptable.

To date, the applicant has given no indication of whether or not control can be gained of the land required to secure the visibility splay which corresponds to the observed vehicle speeds where it falls outwith the road verge and the development site through either ownership or agreement with the third party land owner. This is not acceptable.

Should the applicant be able to demonstrate control over the required visibility splay, then Transpotration will a review this recommendation accordingly.

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

Date 28 September 2011
Phone No x2557

Return response to

consultation.planning@moray.gov.uk

Please note that information associated with the application will be published on the Council’s website at <http://public.moray.gov.uk/eplanning>.