



the **MORAY** council

The Moray Council Council Office, High Street Elgin IV30 1BX

Tel: 01343 563 501

Fax: 01343 563 263

Email: [development.control@moray.gov.uk](mailto:development.control@moray.gov.uk)

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

Thank you for completing this application form:

ONLINE REFERENCE                      000135036-001

The online ref number 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: \*

We strongly recommend that you refer to the help text before you complete this section.

- ☐ 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)

Provide a 3 bedroom, 1.5 storey cubature in an area of open garden ground which fits into its surroundings through its simplicity and homogeneous appearance.

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

Have the works already been started 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:

Denis E Forrest Chartered Architect

Ref. Number:

First Name: \*

Denis

Last Name: \*

Forrest

Telephone Number: \*

01343 814437

Extension Number:

Mobile Number:

Fax Number:

Email Address: \*

denisforrest@btinternet.com

You must enter a Building Name or Number, or both:\*

Building Name:

Building Number:

37B

Address 1 (Street): \*

Commerce Street

Address 2:

Town/City: \*

Lossiemouth

Country: \*

UK

Postcode: \*

IV31 6QD

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



Individual



Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title: \*

Mr

Other Title:

First Name: \*

James

Last Name: \*

Jackson

Company/Organisation:

Telephone Number:

Extension Number:

Mobile Number:

Fax Number:

Email Address:

You must enter a Building Name or Number, or both:\*

Building Name:

Building Number:

Address 1 (Street): \*

Address 2:

Town/City: \*

Country: \*

Postcode: \*

## Site Address Details

Planning Authority:

Moray Council

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

Address 1:

Address 5:

Address 2:

Town/City/Settlement:

Address 3:

Post Code:

Address 4:

Please identify/describe the location of the site or sites.

Garden Ground of Inyanga, Findhorn, Forres IV30 3YY

Northing

Easting

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

☒ Yes ☐ No

## Pre-Application Discussion Details

In what format was the feedback given? \*

☒ Meeting ☐ Telephone ☐ Letter ☐ Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) \* (Max 500 characters)

Advised ENV 6 Local Plan 13/000/PE applies to this site. Intention to preserve wooded approach to Findhorn. Only buildings designated for public use considered. As site is open garden ground - no risk to surrounding trees and owners valid reasons for considering proposal planning in principle submission will be made.

Plan must show exact location. Views of Transportation Team sought (obtained 12/10/15 - sufficient visibility both directions / specific minor alterations to fences).

Title:

Mr

Other title:

First Name:

Iain

Last Name:

Drummond

Correspondence Reference Number:

Date (dd/mm/yyyy):

09/10/15

Note 1. A processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

## Site Area

Please state the site area:

0.07

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)

Garden ground of Inyanga

## Access and Parking

Are you proposing a new or 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 changes to public paths, public rights of way or affecting any public rights 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.

## Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? \*

☒ Yes ☐ No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? \*

- ☒ Yes – connecting to public drainage network
- ☐ No – proposing to make private drainage arrangements
- ☐ Not Applicable – only arrangements for water supply required

Do your proposals make provision for sustainable drainage of surface water? (e.g. SUDS arrangements) \*

☒ Yes ☐ No

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.

## 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) REGULATIONS 2013

One Certificate must be completed and submitted along with this 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: Denis Forrest

On behalf of: Mr James Jackson

Date: 23/10/2015

☒ Please tick here to certify this Certificate. \*

## Checklist - Application for Planning Permission

Town and County 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 developments (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 County 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.

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. \*

☐ Yes ☒ N/A

A Design Statement or Design and Access Statement. \*

☒ Yes ☐ N/A

A Flood Risk Assessment. \*

☐ Yes ☒ N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). \*

☐ Yes ☒ N/A

Drainage/SUDS layout. \*

☐ Yes ☒ N/A

A Transport Assessment or Travel Plan. \*

☐ Yes ☒ N/A

Contaminated Land Assessment. \*

☐ Yes ☒ N/A

Habitat Survey. \*

☐ Yes ☒ N/A

A Processing Agreement \*

☐ Yes ☒ N/A

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

## 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 .

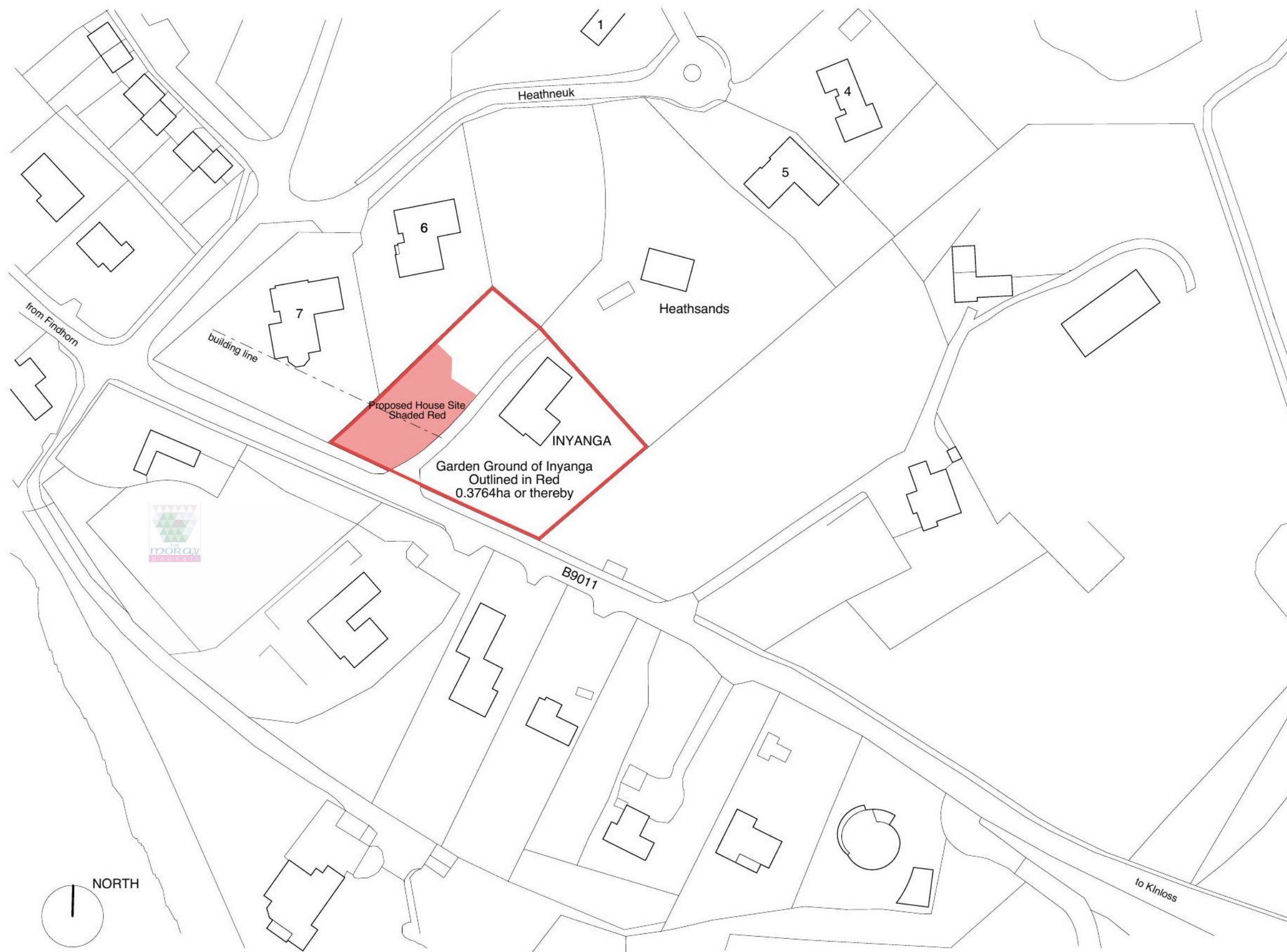
Declaration Name: Denis Forrest

Declaration Date: 09/11/2015

Submission Date: 09/11/2015

## Payment Details

Created: 09/11/2015 00:47



Denis Eugene Forrest  
RIAS RIBA ARBUK  
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Architect  
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E: denisforrest@btinternet.com

Job Title:

LAND AT INYANGA  
FINDHORN

Drawing Title:

LOCATION PLAN

Drawing Status:

for planning in principle

Drawing No.	Drawn:	Checked:
	DF	***
1508 L(--)01	Date:	Reviewed:
	09/15	***
	Scale:	Authorised:
	1:1250 @ A3	***

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Revisions:	
• Date	Initials
Description of amendment.	

Town & Country Planning  
(Scotland) Act, 1997  
as amended

**REFUSED**

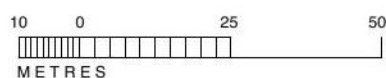
16/12/15

Development Management  
Environmental Services  
The Moray Council

THIS IS NOT A CONSTRUCTION DRAWING.  
INFORMATION RESTRICTED TO STATUTORY  
APPROVALS ONLY.

LOCATION PLAN  
1:1250

Grid Reference: NJ 04604 63786  
Lat: 57.653838 Longit: -3.6002007





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Job Title:

LAND AT INYANGA  
FINDHORN

Drawing Title:

SITE PLAN

Drawing Status:

for planning in principle

Drawing No.	Drawn:	Checked:
	DF	***
1508 L(0-01	Date:	Reviewed:
	09/15	***
	Scale:	Authorised:
	1:500 @A3	***

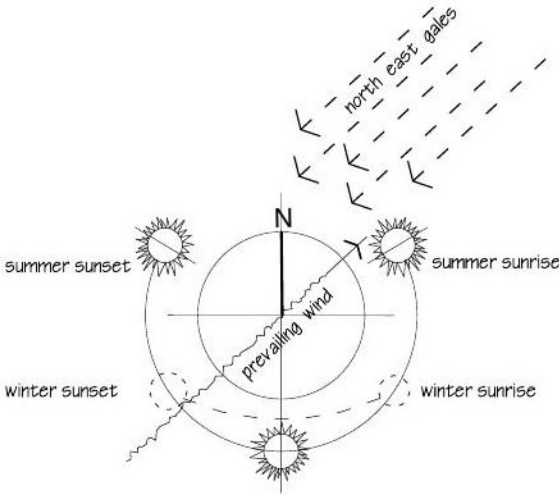
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Revisions:

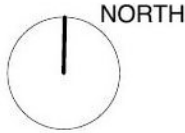
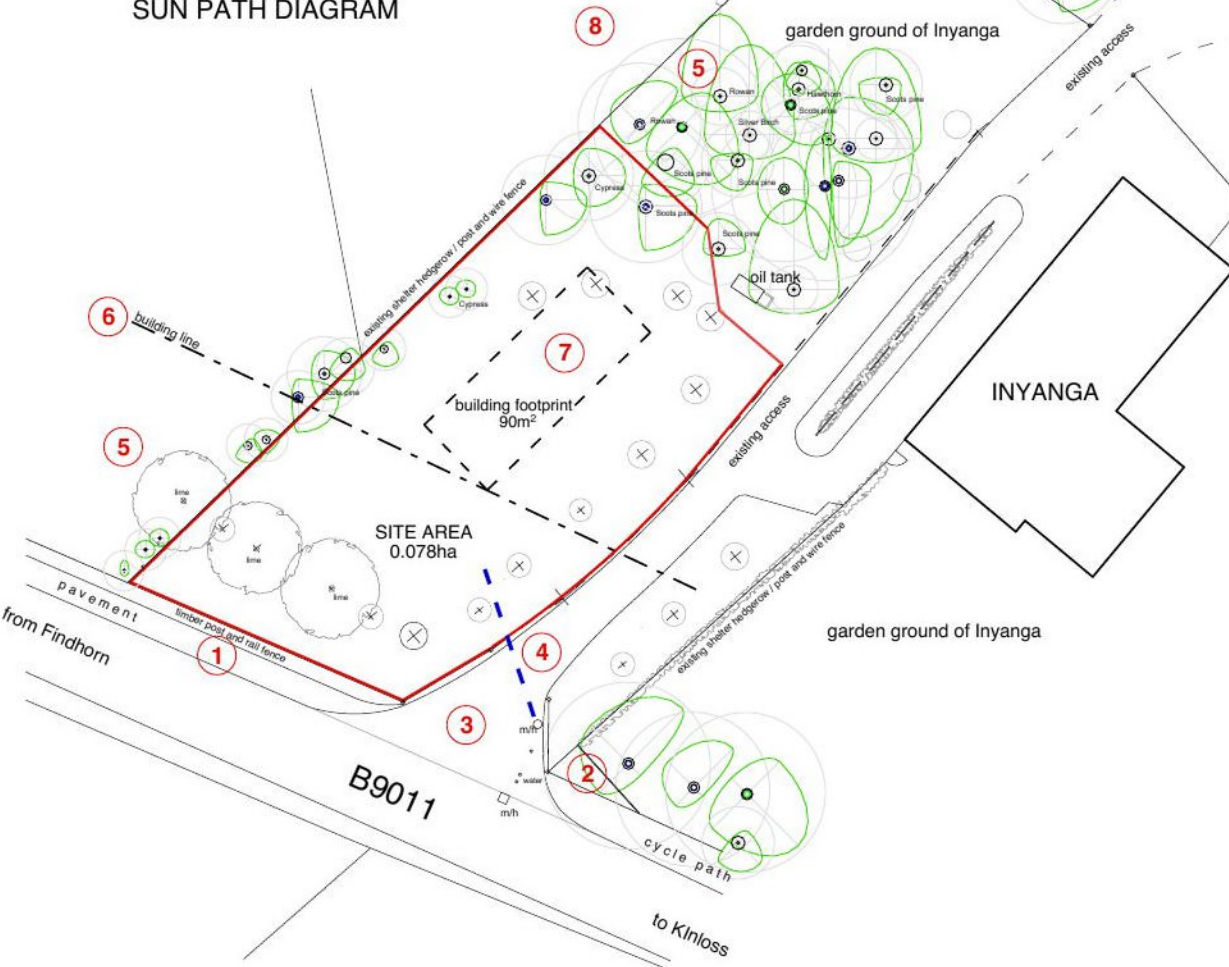
\* Date Initials  
Description of amendment.

NOTES:

- Existing post and rail fence to be lowered to a height of not more than 600mm across the entire frontage of the site and vegetation kept clear in line with Moray Transport Department recommendations.
- Existing hedge to the south of bellmouth to be removed to improve visibility to the cycle path and visibility maintained in line with Moray Transport Department recommendations.
- Existing access to service proposed development to limit disruption and to enhance approach.
- Drainage connection / Water Supply for site to tie in to existing soil branch servicing the current development.
- Existing trees to be retained to enhance the overall design, provide weather protection, privacy, define space, direct views and attenuate airborne sound.
- Position building to sensitively reflect existing building line, maintain green corridor and minimise visual impact.
- Preferred location for house (traditional linear form) creating a building of a size, shape and character sensitive to the established character of surrounding residential buildings and appropriate for size of plot.
- Retain and utilise established boundaries, thereby allowing existing landscape to form an appropriate and mature setting.

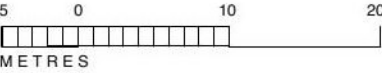


SUN PATH DIAGRAM



SITE PLAN  
1:500

Grid Reference: NJ 04604 63786  
Lat: 57.653838 Longit: -3.6002007



**Town & Country Planning  
(Scotland) Act, 1997  
as amended**

**REFUSED**

16/12/15

**Development Management  
Environmental Services  
The Moray Council**

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APPROVALS ONLY.



# DENIS E FORREST

Chartered Architect



## PROPOSED NEW HOUSE SITE IN GARDEN GROUND OF INYANGA, FINDHORN APPLICATION FOR PLANNING IN PRINCIPLE

### DESIGN STATEMENT

The house site to which this application refers is located within an existing house site in the village of Findhorn, at the northern edge of the designated ENV6 Area, shown on the local Development / Settlement Plan, which seeks to preserve the wooded approach to the village. The overall area of the existing house site is approximately 0.3764 Hectare and is divided into two parts by a shared common access serving adjoining properties.

The parcel of land identified as a potential house site is an open area of garden ground extending to approximately 0.078 Hectare, which could be developed without endangering the established natural wooded green corridor.

The reasons for submitting this proposal are founded on life stage and family needs - a basic need to plan for later years and improve the 'living environment' in the process. Due to age the present owner now finds the garden ground difficult to maintain and has no wish to re-locate. The sale of the ground would contribute to future financial security.

The brief is to submit an application for Planning In Principle for a single dwelling in the garden ground of Inyanga. As part of that process a site analysis has been undertaken to identify and understand the characteristics of the site and wider surroundings in terms of landscape, pattern of settlement, size of building etc. to determine if the site is suitable for development. From the information gathered the site can support a modest 3 bedroom building which, with proper site planning architectural design and attention to detail, will result in a building that will maintain and reinforce the distinctive local character/ building traditions, fulfil sustainable requirements and make a positive contribution to the 'sense of place' that Findhorn enjoys. It will be for the purchaser to develop and finalise the brief.

The final design strategy would follow this design statement and endeavoured to:

- understand and evaluate how to work within inherited space;
- create a house plot of an appropriate size and shape, compatible to those surrounding;
- siting and design of new house to be site specific and sensitive;
- maintain and reinforce distinctive local character in sensitive interesting ways;
- adopt a sustainable approach in the design and construction to provide a building that is inherently energy efficient and compliant with current building standards whilst respecting traditional building forms;
- use a simple palette of materials including timber, glass, slate and zinc;
- ensure that the proposed development is in line with the Moray Council's Planning Guidance which aims to achieve sensitive development that contributes to the local character and provides a distinctive asset.

The challenges:

- Respect the traditional building forms that help define Findhorn;
- Design within the limitations of the site;
- Let the unique aspects of the site inform the design and;
- Harmonise traditional with modern technical construction standards.

The application is described in the following drawings:

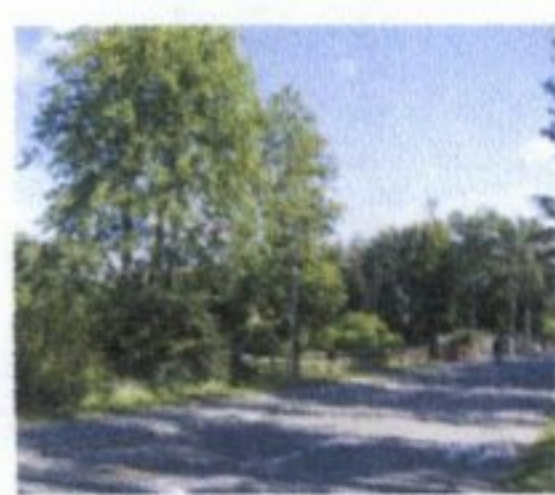
- 1508 L(-)01 Location Plan
- 1508 L(0-)01 Site Plan
- 1508 Preliminary Investigation (Site Analysis / Design Development etc)

28 October 2015

Denis E Forrest *Chartered Architect*  
37b Commerce Street,  
Lossiemouth  
IV31 6QD



Existing Site Entry With Site Beyond



Site Frontage Viewed from West



Site Frontage Viewed from East



Site Viewed Along North Western Boundary



Access Road - View In



Access Road - View Out



Open 'Garden' Site



HOUSE IN GARDEN GROUND OF INYANGA, FINDHORN

PRELIMINARY INVESTIGATION

Denis E Forrest Chartered Architect



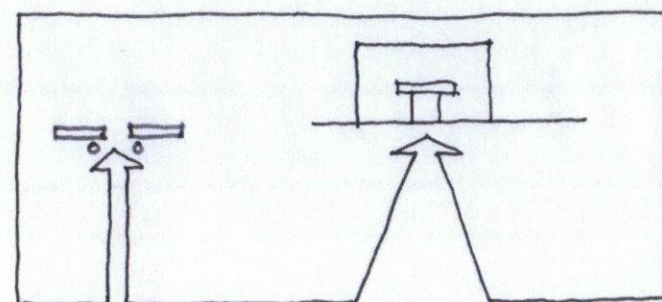
October 2015

# THE BUILDING APPROACH

- THE DISTANT VIEW -

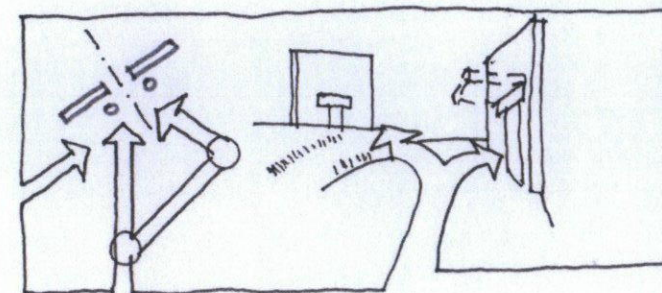
HOUSE IN GARDEN GROUND OF INYANGA

Denis E Forrest | Chartered Architect



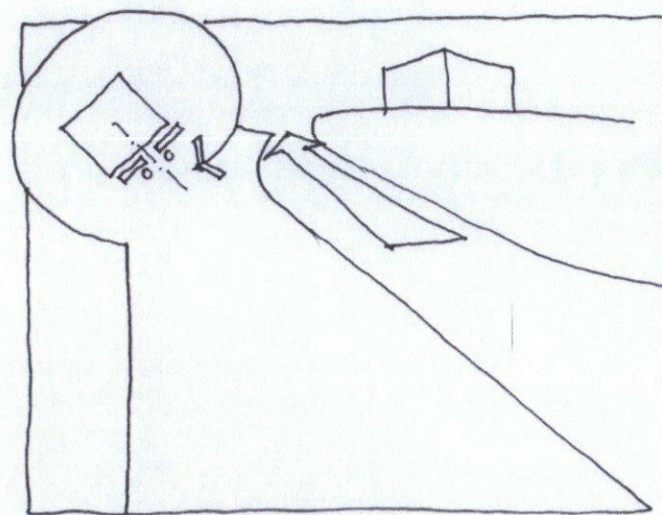
FRONTAL

Direct approach leading to the buildings entrance along a straight axial path.



OBLIQUE

Enhances the effect of perspective on the building's form. Can be directed to delay and prolong the sequence of the approach.



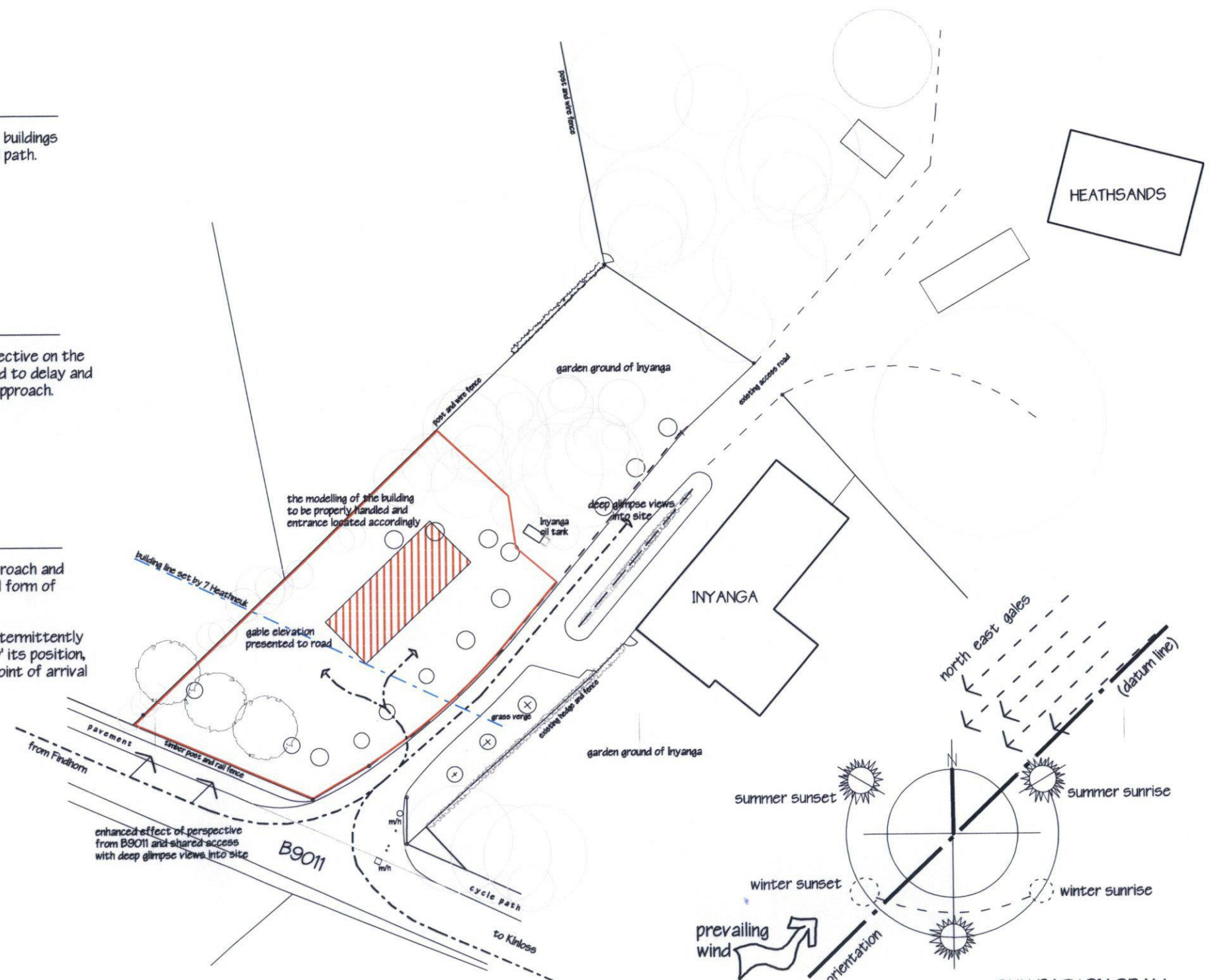
SPIRAL

Prolongs the sequence of approach and emphasises the 3-dimensional form of the building.

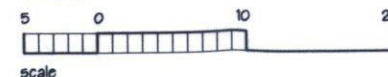
The entrance can be viewed intermittently during the approach to 'clarify' its position, or, it can be hidden until the point of arrival

## NOTE

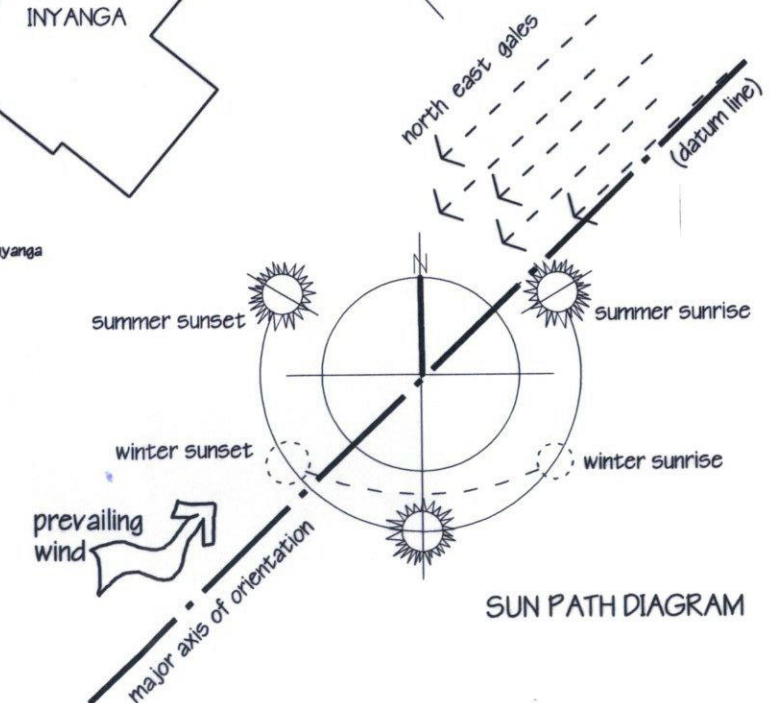
The approach is the first phase of the circulation system which prepares the visitor to 'see', 'experience', and 'use' the building spaces.



SITE PLAN  
1:500



Grid Reference: NJ 04604 63786  
Lat: 57.653838 Longit: -3.6002007



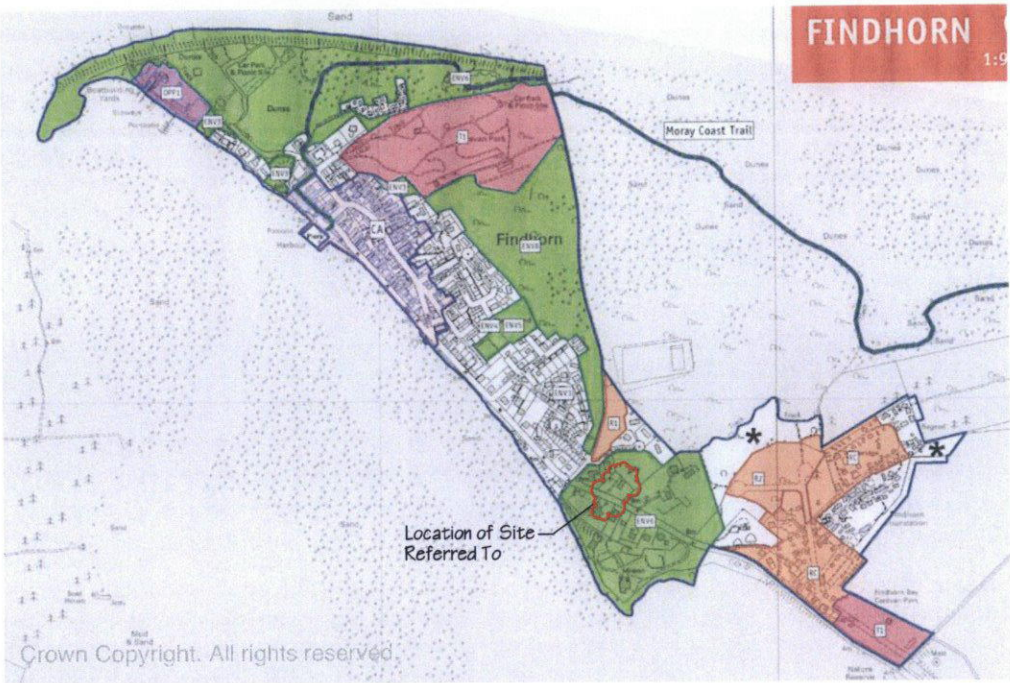
Date: 10/15 Scale: As Noted @ A3 Delt: DF

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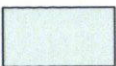

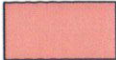
SITE ANALYSIS

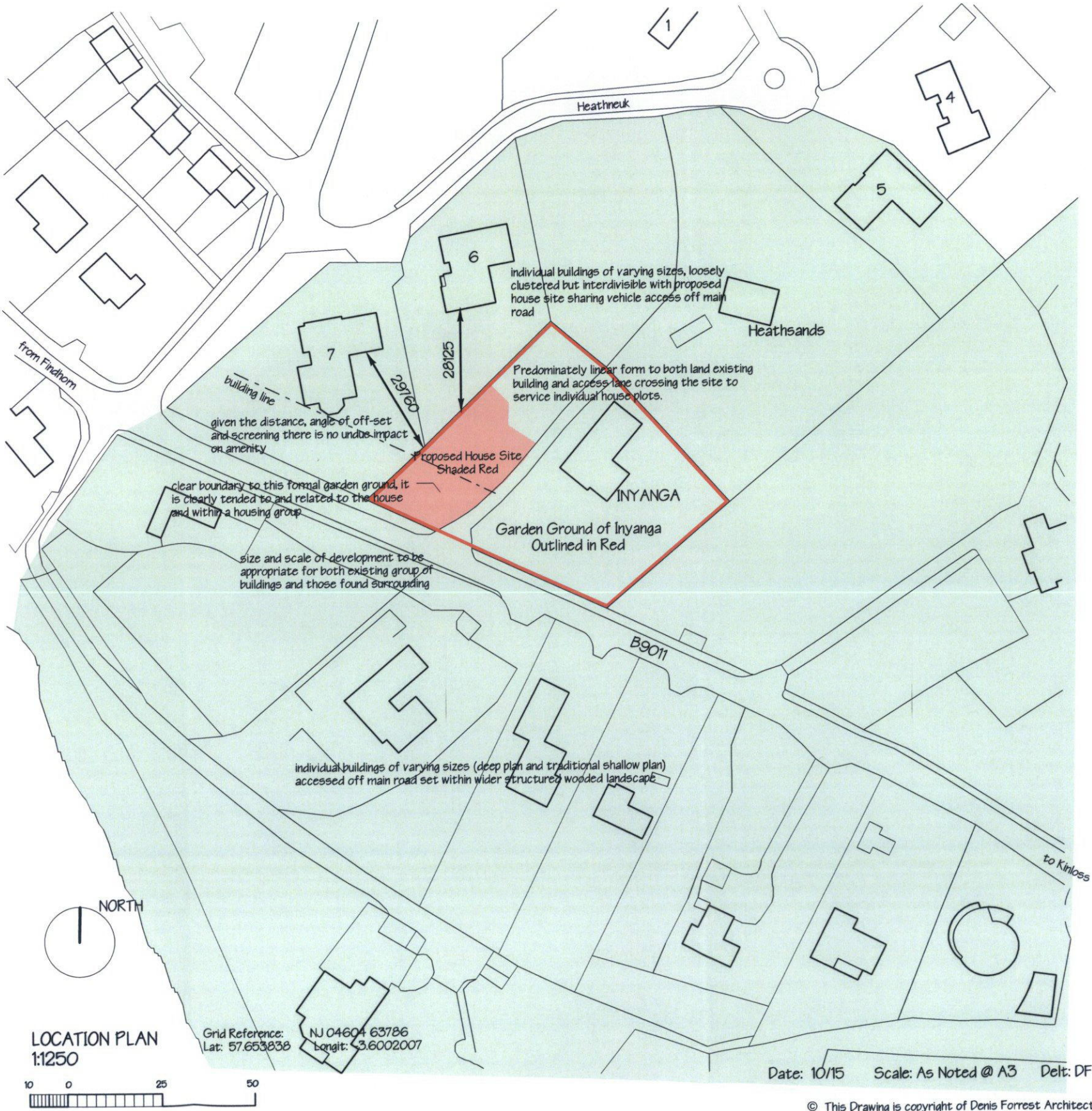
WIDER COTEXT



FINDHORN LOCAL PLAN

LEGEND FOR LOCATION PLAN

-  Land designated ENV6 Area in the Local Development/Settlement Plan  
The object is to preserve the wooded approach to the village
-  The present garden ground of Inyanga outlined in red, extending to approximately 0.3764 ha
-  The proposed house site located in open garden ground shaded red, extending to approximately 0.07 ha



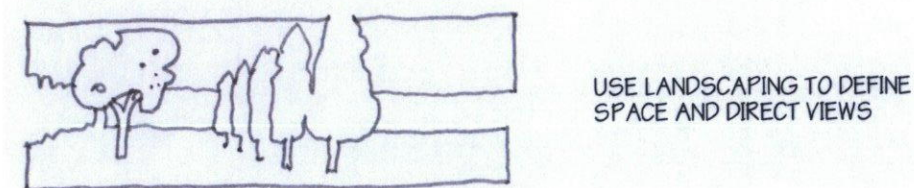
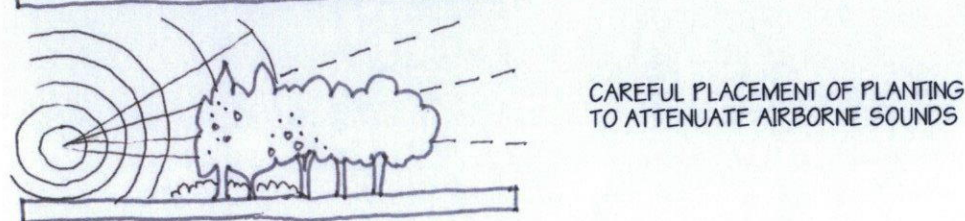
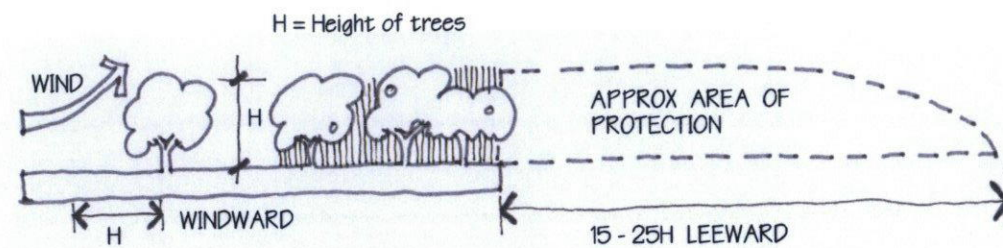


# SITE ANALYSIS

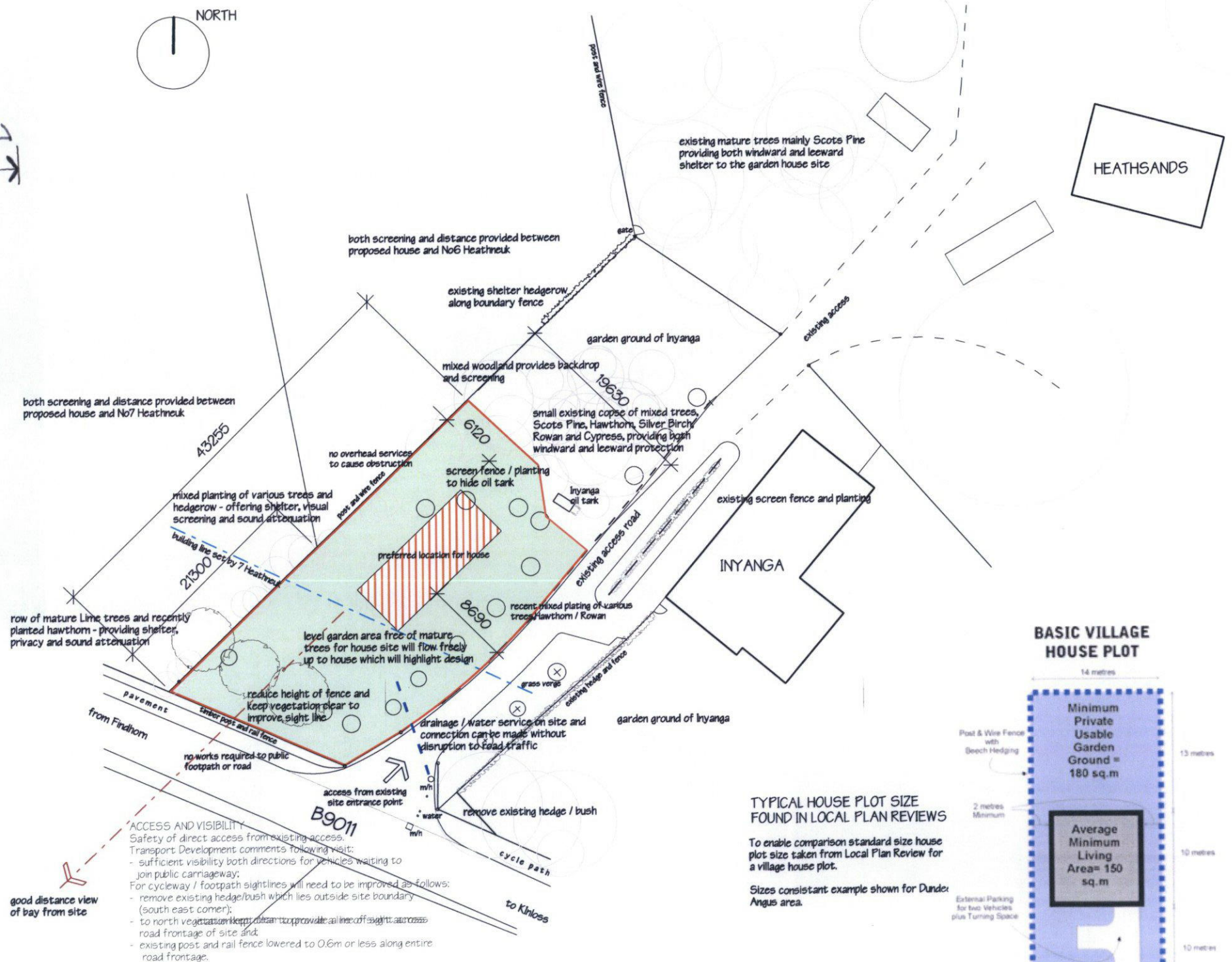
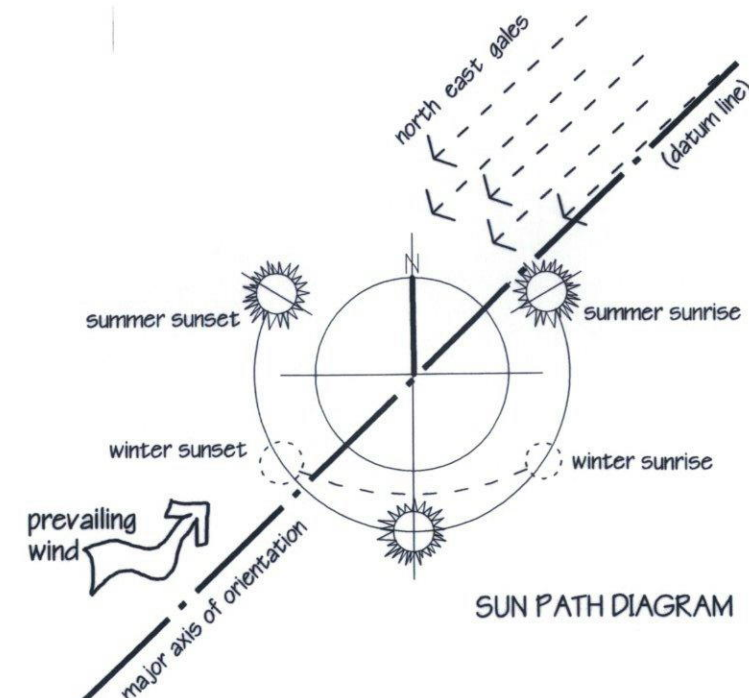
- POINTS FOR DISCUSSION -

HOUSE IN GARDEN GROUND OF INYANGA

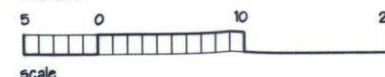
Denis E Forrest | Chartered Architect



INFLUENCE OF EXISTING LANDSCAPE

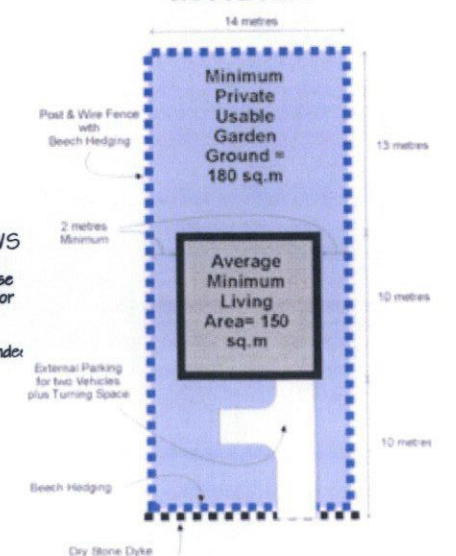


SITE PLAN  
1:500



Grid Reference: NJ 04604 63786  
Lat: 57.653838 Longit: -3.6002007

BASIC VILLAGE HOUSE PLOT



TYPICAL HOUSE PLOT SIZE FOUND IN LOCAL PLAN REVIEWS

To enable comparison standard size house plot size taken from Local Plan Review for a village house plot.

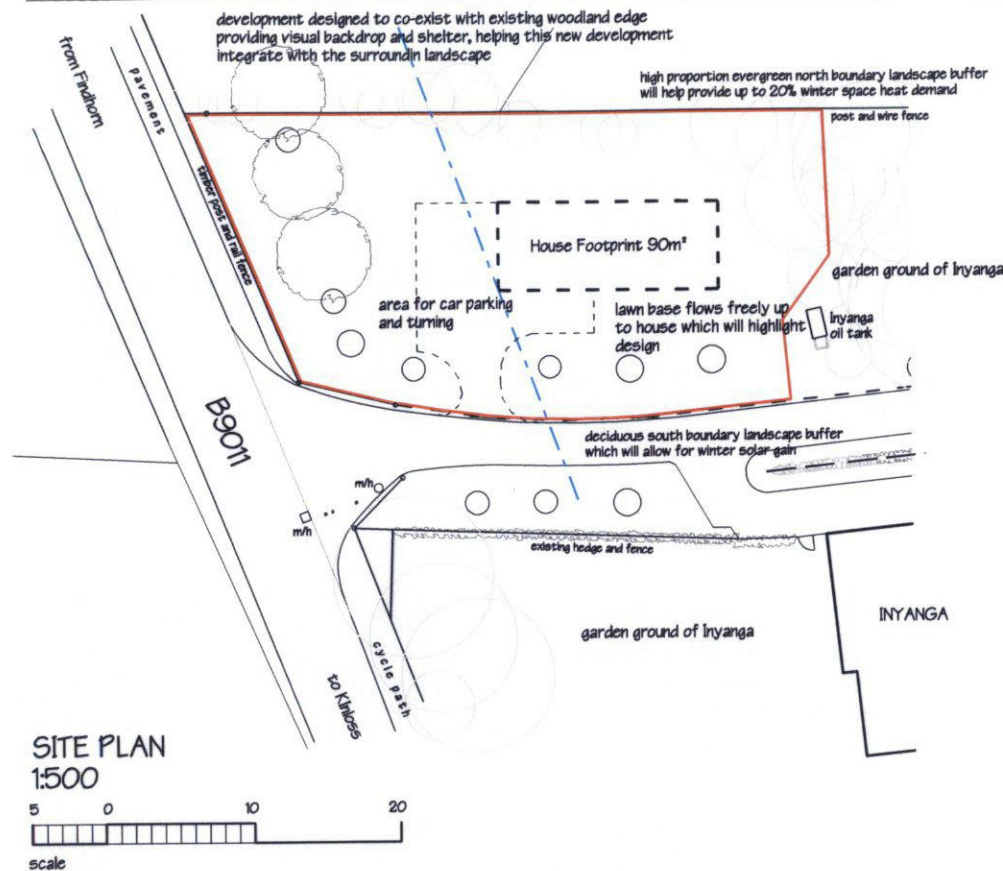
Sizes consistent example shown for Dundee Angus area.

Date: 10/15 Scale: As Noted @ A3 Delt: DF

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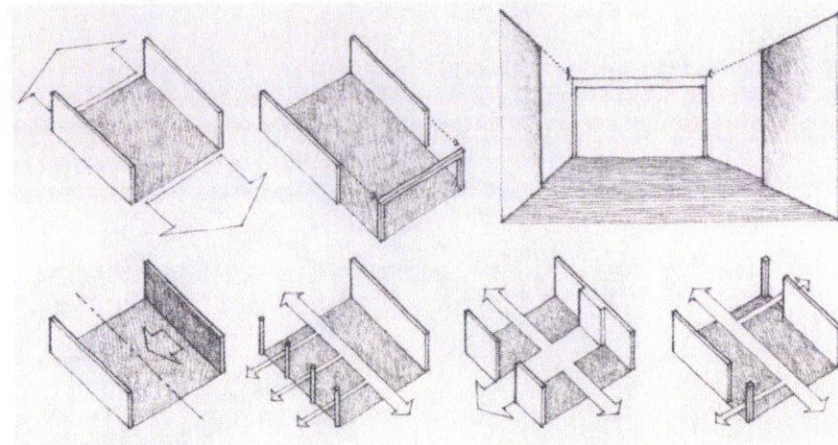
# DESIGN DEVELOPMENT



The object is to apply design principles to this site to establish if it is possible to develop this site without compromising the wooded approach to Findhorn and integrate the building into the landscape without detriment to the existing woodland. As in all good design the site, the buildings context and the sun path will serve as organising elements in the design and life of a house and help it blend into the landscape.

The arrangement of the land, existing access and neighbouring building suggests a linear organisation which by its nature is inherently flexible and can respond to the various conditions of the site and is the form of settlement adopted in a large part of Findhorn.

The sets of parallel planes (interior or exterior) can be transferred into a wide variety of configurations. Their spatial fields can be related to one another and linked in intriguing ways. On a small site this can be used to good effect. Extending the base plane beyond an open end between vertical wall planes the space becomes extroverted in nature linking with the space beyond (site as a whole).



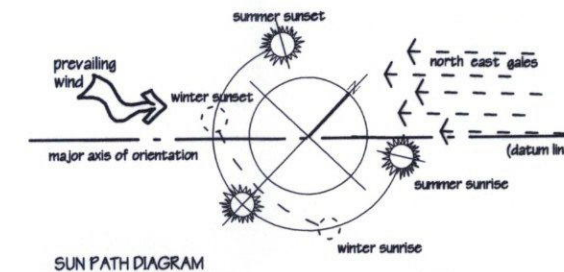
If the vertical planes are differentiated from one another in form colour or texture secondary axis will be produced.

The siting and design of the new house must:

- Make a positive contribution to the 'sense of place' of its surroundings;
- Maintain and reinforce distinctive local characteristics by being sympathetic to the landscape setting, patterns of settlement, and prevalent building traditions;
- Be sustainable by applying common sense design principles to layout in relation to orientation, shelter etc.

Principles held by architects include:

- should reflect history and culture of local area;
- should be site specific and sensitive;
- be ecologically sound using natural materials with climate awareness;
- be low maintenance and have high insulation



## LAYOUT AND DESIGN

Ensure that this is in line with current guidelines to achieve an attractive and interesting living environment. High quality design required from skilled qualified designers who will be able to discuss and develop the design through early pre-application discussion with The Moray Council.

In true architectural design linear organisations although consisting of a series of spaces in line can have their importance articulated by their size and form and their significance by their location.

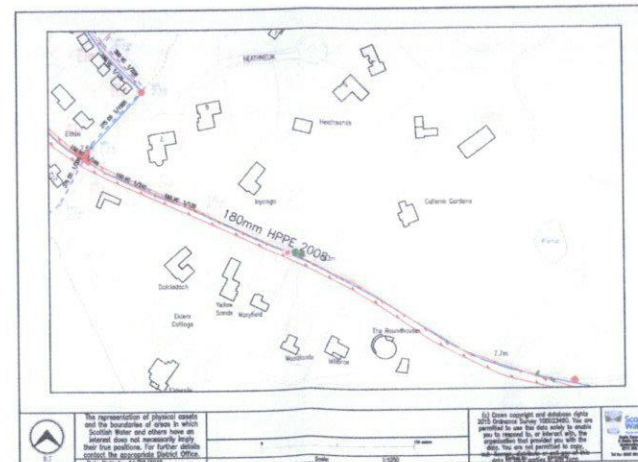
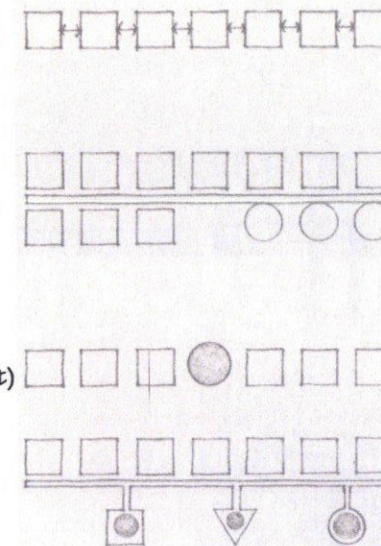
The paths of movement within a building also express the natural flow of the space defined by parallel planes.

## Path Space Relationships

Circulation used as an axis regulating spaces in clear simple forms along its length:

- pass by spaces (give flexibility)
- pass through spaces (pattern of stop / rest)
- terminate in space (importance of space)

All of this gives opportunity for exciting, well considered design.



**INFRASTRUCTURE**  
Water and drainage already exist on the site. Road access is already in place.

# HOUSE IN GARDEN GROUND OF INYANGA

Denis E Forrest | Chartered Architect

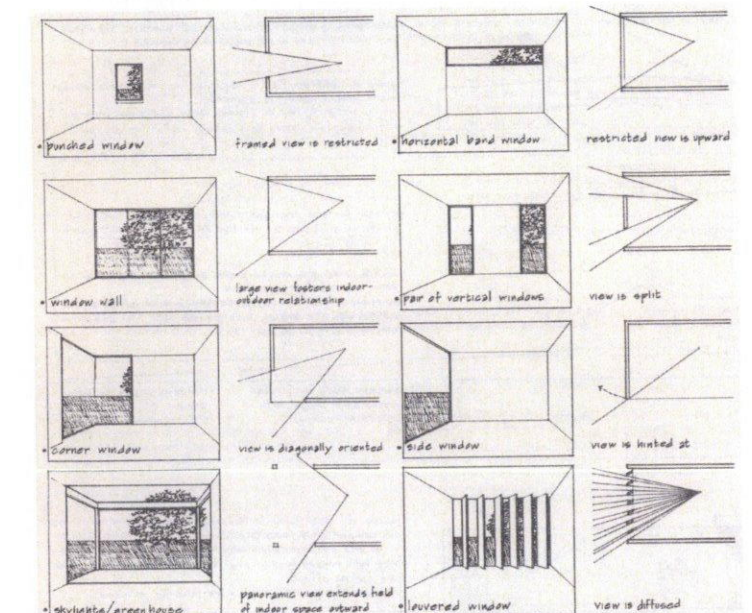
## DEGREE OF ENCLOSURE:

This will be determined by a wide range of design and practical factors:

- light
- view
- solar gain
- access
- privacy
- massing of the building

All requiring a skilled design / technical knowledge to implement successfully.

"Architecture is the mastery, correct and magnificent play of masses brought together in light. Our eyes are made to see forms in light; light and shade reveal these forms..... Le Corbusier.



Location, orientation, size, and purpose all need to be carefully considered.

In the absence of a firm proposal to demonstrate the various points raised (*Application in Principle*) reference is made to similar types of projects being undertaken by skilled architects in the Highland area to illustrate what is possible.

Date: 10/15 Scale: As Noted @ A3 Delt: DF

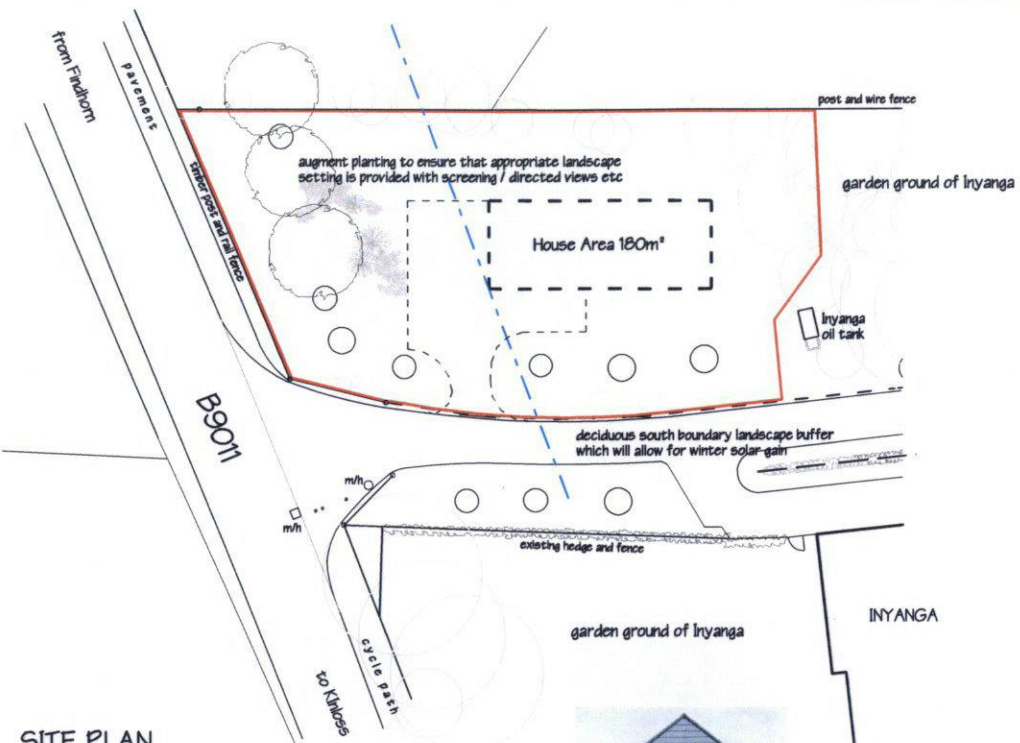
© This Drawing is copyright of Denis Forrest Architect



DESIGN DEVELOPMENT

HOUSE IN GARDEN GROUND OF INYANGA

Denis E Forrest | Chartered Architect



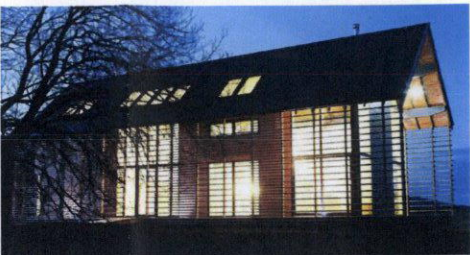
NOTIONAL SCHEDULE OF ACCOMMODATION

Living Area	all areas compliant with Building Standards requirements
Dining Area	
Kitchen Area	
GF WC / Shower	
Utility	
3 Bedrooms	
Bathroom and En-suite	
Related storage	

The above accommodation provided within a house area of 180m² sitting on a 90m² footprint.

BUILDING TO CREATE SENSE OF PLACE

Progressive sensitive highland architecture. Over the last half-dozen years Scotland's far north has witnessed the emergence of a new Highland's regionalist architecture in tandem with the growing use of timber in construction. Here are a number of the contrasting ways practices in the Highland's are applying timber to their work.



FORM FUNCTION AND DELIGHT

Although simple in form proper architectural working of the massing, interior volumes and surface finishes does create spaces that excite and delight the senses and make it a pleasure to live there



left + right: opening up of the enclosed area to change perception of space and relationship to site

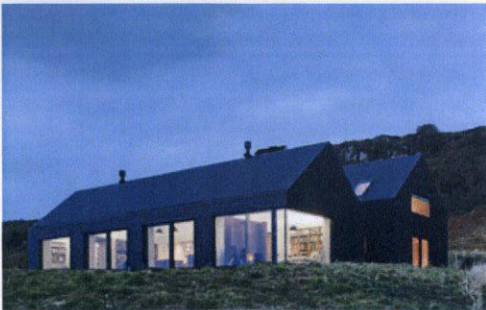
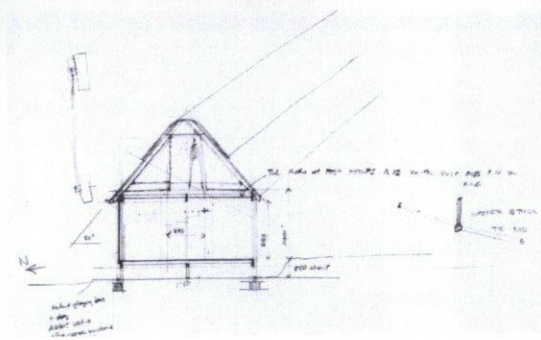
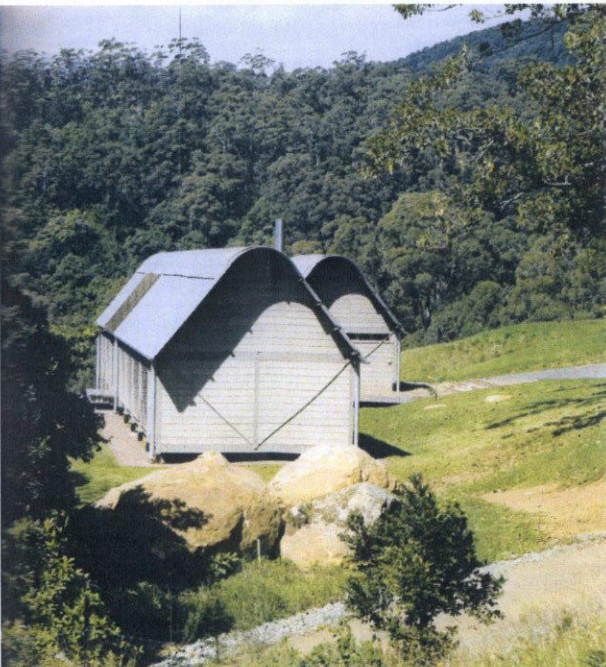


above: wall texture adding to a directed view

left: wall / ceiling texture linked with linking of 1 1/2 storey and double volume spaces.

VARIATIONS IN TREATMENT OF GABLE ELEVATION

Simple well proportioned building shape with traditional pitch (35° - 50°)  
1 1/2 storey to provide the level of accommodation required from a small width plot  
Vertical traditional proportioning of windows and careful placement and internal planning to enhance views and take advantage of passive solar benefits offered by the site;  
Presenting gable to the road will repeat a Findhorn practice and help avoid a feeling of 'linear' suburban development;  
Simple palette of materials, wisely used, well detailed (timber, stone, glass, slate, lead, zinc);  
Stepped wall plane to assist in indicating direction;  
Open end wall plane and extended base plane to link interior / exterior  
On this site integrate with the landscape and shelter from the prevailing wind and rain.



current examples of buildings being designed by skilled architects sensitive to the needs of client and site, working with planning authorities.

Date: 10/15 Scale: As Noted @ A3 Delt: DF

©This Drawing is copyright of Denis Forrest Architect



# Consultation Request Notification

Planning Authority Name	<b>The Moray Council</b>
Response Date	<b>30th November 2015</b>
Planning Authority Reference	<b>15/02023/PPP</b>
Nature of Proposal (Description)	<b>Proposed dwellinghouse in</b>
Site	<b>Garden Ground Of Inyanga Findhorn Forres Moray</b>
Site Postcode	<b>N/A</b>
Site Gazetteer UPRN	<b>000133067078</b>
Proposal Location Easting	<b>304576</b>
Proposal Location Northing	<b>863792</b>
Area of application site (Ha)	<b>700 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=N XJCSYBGAK000">http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&amp;keyVal=N XJCSYBGAK000</a>
Previous Application	<b>13/00088/PE</b>
Date of Consultation	<b>16th November 2015</b>
Is this a re-consultation of an existing application?	<b>No</b>
Applicant Name	<b>Mr James Jackson</b>
Applicant Organisation Name	
Applicant Address	■■■■■ ■■■■■ ■■■■■ ■■■■■
Agent Name	<b>Denis E Forrest Chartered Architect</b>
Agent Organisation Name	
Agent Address	<b>37B Commerce Street Lossiemouth IV31 6QD</b>
Agent Phone Number	
Agent Email Address	<b>N/A</b>
Case Officer	<b>Richard Smith</b>
Case Officer Phone number	<b>01343 563256</b>
Case Officer email address	<b>richard.smith@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:** Contaminated Land

**Planning Application Ref. No:** 15/02023/PPP

**Proposed dwellinghouse in Garden Ground Of Inyanga Findhorn Forres Moray for Mr James Jackson**

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   | <b>x</b><br><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            | <b>x</b>                             |
| (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"/>             |

**Reason(s) for objection**

**Condition(s)**

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

**Further information required to consider the application**

**Contact:** Adrian Muscutt  
**email address:** [Adrian.muscutt@moray.gov.uk](mailto:Adrian.muscutt@moray.gov.uk)  
**Consultee:**

**Date** 17.11.2015  
**Phone No** 3496

<b>Return response to</b>	<b>consultation.planning@moray.gov.uk</b>
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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://public.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.

# Consultation Request Notification

Planning Authority Name	<b>The Moray Council</b>
Response Date	<b>30th November 2015</b>
Planning Authority Reference	<b>15/02023/PPP</b>
Nature of Proposal (Description)	<b>Proposed dwellinghouse in</b>
Site	<b>Garden Ground Of Inyanga Findhorn Forres Moray</b>
Site Postcode	<b>N/A</b>
Site Gazetteer UPRN	<b>000133067078</b>
Proposal Location Easting	<b>304576</b>
Proposal Location Northing	<b>863792</b>
Area of application site (Ha)	<b>700 m<sup>2</sup></b>
Additional Comment	<b>RAF Kinloss Noise Zone 57dBA Category B</b>
Development Hierarchy Level	<b>LOCAL</b>
Supporting Documentation URL	<a href="http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&amp;keyVal=NXJCSYBGAK000">http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&amp;keyVal=NXJCSYBGAK000</a>
Previous Application	<b>13/00088/PE</b>
Date of Consultation	<b>16th November 2015</b>
Is this a re-consultation of an existing application?	<b>No</b>
Applicant Name	<b>Mr James Jackson</b>
Applicant Organisation Name	
Applicant Address	■■■■■ ■■■■■ ■■■■■ ■■■■■
Agent Name	<b>Denis E Forrest Chartered Architect</b>
Agent Organisation Name	
Agent Address	<b>37B Commerce Street Lossiemouth IV31 6QD</b>
Agent Phone Number	
Agent Email Address	<b>N/A</b>
Case Officer	<b>Richard Smith</b>
Case Officer Phone number	<b>01343 563256</b>
Case Officer email address	<b>richard.smith@moray.gov.uk</b>
PA Response To	<b>consultation.planning@moray.gov.uk</b>

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Please respond using the attached form:-

**MORAY COUNCIL**

**PLANNING CONSULTATION RESPONSE**

**From:** Environmental Health Manager

**Planning Application Ref. No: 15/02023/PPP**

**Proposed dwellinghouse in Garden Ground Of Inyanga Findhorn Forres Moray for Mr James Jackson**

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   | <b>x</b><br><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 | X                                    |
| (d) Further information is required in order to consider the application as set out below                                 | <input type="checkbox"/>             |

**Reason(s) for objection**

**Condition(s)**

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

**Further information required to consider the application**

**Contact: Douglas Caldwell**  
**email address:**  
**Consultee:**

**Date.....24/11/15.....**  
**Phone No .....**

<b>Return response to</b>	<b>consultation.planning@moray.gov.uk</b>
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# Consultation Request Notification

Planning Authority Name	<b>The Moray Council</b>
Response Date	<b>8th December 2015</b>
Planning Authority Reference	<b>15/02023/PPP</b>
Nature of Proposal (Description)	<b>Proposed dwellinghouse in</b>
Site	<b>Garden Ground Of Inyanga Findhorn Forres Moray</b>
Site Postcode	<b>N/A</b>
Site Gazetteer UPRN	<b>000133067078</b>
Proposal Location Easting	<b>304576</b>
Proposal Location Northing	<b>863792</b>
Area of application site (Ha)	<b>700 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=NXJCSYBGAK000">http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&amp;keyVal=NXJCSYBGAK000</a>
Previous Application	<b>13/00088/PE</b>
Date of Consultation	<b>24th November 2015</b>
Is this a re-consultation of an existing application?	<b>No</b>
Applicant Name	<b>Mr James Jackson</b>
Applicant Organisation Name	
Applicant Address	■■■■■ ■■■■■ ■■■■■ ■■■■■
Agent Name	<b>Denis E Forrest Chartered Architect</b>
Agent Organisation Name	
Agent Address	<b>37B Commerce Street Lossiemouth IV31 6QD</b>
Agent Phone Number	
Agent Email Address	<b>N/A</b>
Case Officer	<b>Richard Smith</b>
Case Officer Phone number	<b>01343 563256</b>
Case Officer email address	<b>richard.smith@moray.gov.uk</b>
PA Response To	<b>consultation.planning@moray.gov.uk</b>

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Please respond using the attached form:-

**MORAY COUNCIL**

**PLANNING CONSULTATION RESPONSE**

**From:** Findhorn And Kinloss Community Council

**Planning Application Ref. No: 15/02023/PPP**

**Proposed dwellinghouse in Garden Ground Of Inyanga Findhorn Forres Moray for Mr James Jackson**

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   | <b>x</b><br><input checked="" type="checkbox"/> <u>X</u> |
| (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"/>                                 |

**Reason(s) for objection**

The proposed development is situated in an area designated ENV6 and is required to comply with Policy E5. The Community Council discussed this application and decided to object on the grounds that the development did not meet the requirements of Policy E5

**Condition(s)**

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

**Further information required to consider the application**

**Contact:**F&KCC

**Date...**25thNovember2015.....  
.....

email address:findhornkinlosscc@gmail.com      Phone No .....

Consultee:

Return response to	consultation.planning@moray.gov.uk
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# Consultation Request Notification

Planning Authority Name	<b>The Moray Council</b>
Response Date	<b>30th November 2015</b>
Planning Authority Reference	<b>15/02023/PPP</b>
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Site Gazetteer UPRN	<b>000133067078</b>
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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=NXJCSYBGAK000">http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&amp;keyVal=NXJCSYBGAK000</a>
Previous Application	<b>13/00088/PE</b>
Date of Consultation	<b>16th November 2015</b>
Is this a re-consultation of an existing application?	<b>No</b>
Applicant Name	<b>Mr James Jackson</b>
Applicant Organisation Name	
Applicant Address	<b>[REDACTED]</b>
Agent Name	<b>Denis E Forrest Chartered Architect</b>
Agent Organisation Name	
Agent Address	<b>37B Commerce Street Lossiemouth IV31 6QD</b>
Agent Phone Number	
Agent Email Address	<b>N/A</b>
Case Officer	<b>Richard Smith</b>
Case Officer Phone number	<b>01343 563256</b>
Case Officer email address	<b>richard.smith@moray.gov.uk</b>
PA Response To	<b>consultation.planning@moray.gov.uk</b>

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Please respond using the attached form:-

## MORAY COUNCIL

### PLANNING CONSULTATION RESPONSE

**From:** Transportation Manager

**Planning Application Ref. No:** 15/02023/PPP

**Proposed dwellinghouse in Garden Ground Of Inyanga Findhorn Forres Moray for Mr James Jackson**

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 | <b>X</b>                 |
| (d) | Further information is required in order to consider the application as set out below                                 | <input type="checkbox"/> |

### Condition(s)

1. No boundary fences, hedges, walls or any other obstruction whatsoever over 0.6m in height and fronting onto the public road shall be within 4.5m of the edge of the carriageway. This will involve the lowering of the existing post and rail fence, and the removal of the existing hedge along the site frontage and to the south-east of the access onto the public road.
2. No water shall be permitted to drain or loose material be carried onto the public footway/carriageway
3. Parking provision shall be as follows:
  - 2 spaces for a dwelling with three bedrooms or less; or
  - 3 spaces for a dwelling with four bedrooms or more.The car parking spaces shall be provided within the site prior to the occupation or completion of the dwellinghouse, whichever is the sooner. The parking spaces shall thereafter be retained throughout the lifetime of the development, unless otherwise agreed in writing with the Council as Planning Authority.
4. A turning area shall be provided within the curtilage of the site/each plot to enable vehicles to enter and exit in a forward gear.

### REASONS

1. To enable drivers to vehicles leaving the site to have a clear view over a length of road sufficient to allow safe exit, in the interests of road safety for the proposed development and other road users.

2. 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. To ensure the permanent availability of the level of parking necessary for residents/visitors/others in the interests of an acceptable development and road safety.
4. 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.

Before starting any work on the existing public road the applicant is obliged to apply for a road opening permit in accordance with Section 85 of the Roads (Scotland) Act 1984. This includes any temporary access joining with the public road. Advice on these matters can be obtained by emailing [roadspermits@moray.gov.uk](mailto:roadspermits@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.

The applicant shall be responsible for ensuring that surface/ground water does not run from the public road into his property.

The applicants shall free and relieve the Roads Authority from any claims arising out of his operations on the road or extension to the road.

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

**Date 27 November 2015**

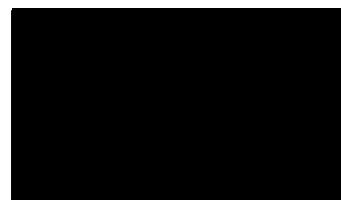
<b>Return response to</b>	<b><a href="mailto:consultation.planning@moray.gov.uk">consultation.planning@moray.gov.uk</a></b>
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Manager (Development  
Management)  
The Moray Council  
PO Box 6760  
Elgin  
Moray  
IV30 9BX



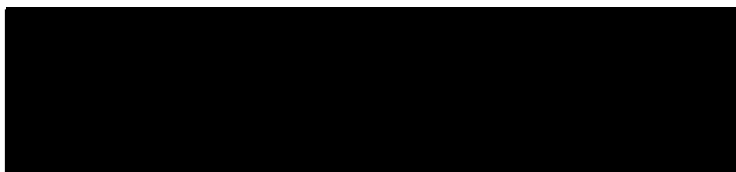
23 November 2015

Dear Sir,

Planning Application No 15/02023/PPP: Proposed dwelling house in garden of Inyanga,  
Findhorn, Forres, Moray

We enclose herewith our comments on the above Planning Application.

Yours faithfully,



J A and F M Lord

## Comments on Planning Application No 15/02023/PPP

1        *Inappropriate and not in keeping with the 2015 Local Development Plan which aims to “maintain the distinctive characteristics of the village, including the area incorporating **residences at the south end**”. This is designated in the local plan as “ENV6 Green Corridors/Natural/Semi Natural Greenspaces – trees at the village entrance”.*

The proposed site forms part of this green corridor, having been, until very recently, a thickly wooded area of pine trees. When these trees were felled by the applicant, we were given to understand this to be because of the possible danger of some of the higher ones falling during a storm and that they were to be replaced with mixed woodland. This new proposal, to site a dwelling on this land, therefore contravenes the Development Plan and means that this area of the “established natural wooded green corridor” cannot be reinstated and would more likely be further compromised.

2        The site is not an appropriate size and shape to accommodate a house in keeping with the local area. The nearby R1 Heathneuk development guidance states that a 0.9 hectare site has “a maximum capacity of 5 houses ..... reflecting the adjacent low density developments”, i.e. 0.18 hectares per house. The Inyanga site, according to the application, has a maximum area of 0.078 hectares (less than half the recommended plot size for the area).

3        Development of this site would result in an increase of traffic joining the main Findhorn access road at what is already a dangerous junction.

4        According to the drawings enclosed with the notice of application, the proposed location of any future building on the site would inevitably be close to the boundary of our land, thus having a serious impact on our enjoyment of our garden. Since the windows of all the main rooms in our house face south, looking towards the proposed development, any building would dominate our view and reduce privacy and sunlight.

# Comments for Planning Application 15/02023/PPP

## Application Summary

Application Number: 15/02023/PPP

Address: Garden Ground Of Inyanga Findhorn Forres Moray

Proposal: Proposed dwellinghouse in

Case Officer: Richard Smith

## Customer Details

Name: Mr Timothy negus

Address: [REDACTED]

## Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Contrary to Local Plan
- Over-development of site
- Precedent

Comment: This application contravenes the local plan. Successive recent local plans including the present one, have consistently protected the ENV 6 tree-lined approach to Findhorn, and have highlighted the low density arrangement of the houses. The proposed plot will be both close to the road and extremely close to Inyanga itself and could hardly be called 'low density'. This application constitutes over-development in what should be a protected location.

## **REPORT OF HANDLING**

<b>Ref No:</b>	15/02023/PPP	<b>Officer:</b>	Richard Smith
<b>Proposal Description/ Address</b>	Proposed dwellinghouse in Garden Ground Of Inyanga Findhorn Forres Moray		
<b>Date:</b>	16/12/15	<b>Typist Initials:</b>	LRM

### **RECOMMENDATION**

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

### **CONSULTATIONS**

<b>Consultee</b>	<b>Date Returned</b>	<b>Summary of Response</b>
Environmental Health Manager	25/11/15	No objection.
Contaminated Land	19/11/15	No objection.
Transportation Manager	27/11/15	No objection subject to conditions.
Scottish Water		No comment received.
Findhorn And Kinloss Community Council	27/11/15	Object as proposal is contrary to development plan.

### **DEVELOPMENT PLAN POLICY**

<b>Policies</b>	<b>Dep</b>	<b>Any Comments (or refer to Observations below)</b>
Moray Local Development Plan 2015		
PP1: Sustainable Economic Growth		
PP2: Climate Change		
PP3: Placemaking		
H3: Sub division for House Plots	Y	
E5: Open Spaces	Y	
Findhorn ENV6: Green Corrid/N/SN Greensp	Y	
EP8: Pollution		
EP9: Contaminated Land		
EP10: Foul Drainage		
T2: Provision of Access		

T5: Parking Standards		
IMP1: Developer Requirements	Y	
EP13: MoD Safeguarding Areas		

REPRESENTATIONS		
Representations Received	YES	
Total number of representations received 2		
Names/Addresses of parties submitting representations		
Name and address details of parties submitting representations withheld in accordance with the Data Protection Act.		
Summary and Assessment of main issues raised by representations		
<p><b>Issue:</b></p> <ul style="list-style-type: none"> <li>Contrary to Moray Local Development Plan - Proposed site on designated "ENV6 Green Corridors/Natural/Semi Natural Greenspaces - trees at village entrance" contravenes development plan, would result in the permanent loss of green corridor and further compromise designation. Proposal is inappropriate and not in keeping with aims of the local plan. Proposed site, until recently was covered with pine trees which were apparently felled for safety reasons, the proposal means that this area of 'established natural wooded green corridor' cannot be reinstated and would more likely be further compromised.</li> <li>Out of character with area - The proposed plot is of inappropriate size and shape to accommodate a house, and is out of keeping with local area and density. Proposed plot close to road and applicant's property is not low density, application constitutes overdevelopment in a protected location.</li> <li>Road safety impacts - Additional traffic from proposal joining onto main road using dangerous access.</li> <li>Amenity impacts - Proposed location of any future building close to boundary (according to drawings) would impact on privacy, sunlight and outlook of neighbour's property.</li> </ul>		
<p><b>Comments (PO):</b></p> <ul style="list-style-type: none"> <li>Local Plan/Character - For full observations refer to section below; the proposal represents an inappropriate form of development that would adversely impact on protected ENV land and would be out of keeping with the character/density of surrounding properties. Although trees have been felled on the site (outwith planning control), this does not diminish its value as an integral part of the green corridor or the protection afforded by the ENV designation.</li> <li>Road safety - The proposed use of the existing access in this location to serve the development is acceptable in road safety terms, the Transportation Section has raised no objection to the grant of permission subject to conditions.</li> <li>Residential amenity - The proposal raises no amenity issues at this stage in relation to overlooking and overshadowing, as details regarding siting and design are reserved for consideration as part of any future application for matters specified in conditions/detailed application and are not relevant to the determination of this application for planning permission in principle. Impact on an individual's private view as a result of development is not a material planning consideration.</li> </ul>		

## OBSERVATIONS – ASSESSMENT OF PROPOSAL

### The Proposal:

- o Application for planning permission in principle to erect a 1½ storey dwellinghouse in garden ground of 'Inyanga', Findhorn.
- o Submitted indicative site plan shows the building footprint positioned centrally within the plot, trees to be retained on site and current access to applicant's property to be shared.
- o The house would connect to the public water supply and public foul drainage network.
- o Supporting submissions accompanying application include a design statement.

### The Site:

- o Site comprises an irregular shaped area of garden land (of 780 sqm), which forms the western part of the curtilage of 'Inyanga', currently lawn and trees. Pine trees previously covered the application area, but these have been felled in recent years.
- o Neighbouring dwellings lie to the northwest, north, the parent property to the east, the B9011 road to the south, with dwellings opposite.
- o The site is located within an area of trees at the southern entrance to the village which is subject of an ENV6 'Green Corridors/Natural/Semi Natural Greenspaces - Trees at village entrance' designation within the Moray Local Development Plan 2015.

### Appraisal:

Section 25 of the 1997 Act as amended requires applications to be determined in accordance with the development plan i.e. the adopted Moray Local Development Plan 2015 (MLDP) unless material considerations indicate otherwise. The main planning issues are considered below.

### Impact of development upon ENV6 Green Corridors/Natural/Semi Natural Greenspaces (MLDP 2015 - policies ENV6 and E5):

The application site forms part of the ENV6 'Green Corridor/Natural/Semi Natural Greenspaces - Trees at village entrance' designation in Findhorn, an established green corridor identified within the Moray Local Development Plan (MLDP) 2015 as an area which contributes to the environmental amenity of the village. Governing policy E5 Open Spaces of the MLDP presumes against the development of such areas, and states that development which would cause the loss of, or adversely impact on ENV designations will be refused unless

- 1) it is for public use that outweighs the value of the open space or is ancillary to the principle use and will enhance sport and recreation;
- 2) is sited and designed to minimise adverse impacts on the recreational, amenity and biodiversity value of the site;
- 3) there is an excess of the type of ENV designation within easy access to the wider area and loss of the open space will not negatively impact upon the overall quality and quantity of open space provision or
- 4) Alternative provision or equal or greater benefit will be made available and is easily accessible for users of the developed space.

The proposed house site would not fall within any of the above categories of excepted development and as such would be contrary to this policy.

In terms of Policy IMP1 Developer Requirements this requires new development to be sensitively sited, designed and serviced appropriate to the amenity of the surrounding area and to comply with set criterion (as detailed within the policy). This includes the requirement for development to be appropriate to the surrounding area in terms of scale, density and character. In addition Policy H3 Sub Division for House Plots allows for plots to be formed through sub division provided the new plot is less than 50% of the original, it covers at least 400 sqm, has a road frontage and is capable of accommodating a dwelling which relates satisfactorily to the scale and architecture of the parent and neighbouring properties, and does not impact on residential amenity.

In essence the proposal would result in the loss of part of designated site ENV6, currently an established green wooded corridor positioned at the entrance to Findhorn village which has been specifically protected under the terms of policy E5 of MLDP to maintain environmental amenity of this part of village. The introduction of a new dwelling and associated development (irrespective of design or type) on the subject site positioned between two existing houses would consolidate the built form in the immediate locality, eroding the existing pleasant and attractive open character of the ENV designation contrary to policies E5, ENV6 and IMP1 of the MLDP. Any visual impact in this regard would be exacerbated further by the prominent roadside location of the development which would be readily visible on the approach to the village.

In addition, the house site of the proportions proposed located between existing housing, would fail to reflect the low density and spacing pattern of development in this area, which is largely typified by spacious plots dispersed across the ENV. The proposal would therefore constitute an inappropriate form of development that would be out of keeping with the surrounding area and would fail to accord with the requirements of policies IMP1 and H3 in terms of being of an appropriate scale, density and character.

The proposal raises no amenity issues at this stage in relation to overlooking and overshadowing, as details regarding siting and design are reserved for consideration as part of any future application for matters specified in conditions/detailed application and are not relevant to the determination of this application for planning permission in principle.

**Access and Parking (T2, T5 and IMP1):**

Policies T2, T5 and IMP1 require the provision of a safe entry/exit from development and appropriate infrastructure and parking. The proposed access arrangements utilising the existing access to the parent property and space to accommodate parking would in principle conform to these requirements in principle subject to conditions, as recommended by the Transportation Manager. Had the application been recommended for approval these matters would have been covered by condition.

**Water and Drainage (MLDP EP10 and IMP1):**

Proposed drainage arrangements comprising a connection to the public sewer and public water supply are sufficient to satisfy policy EP10 and IMP1 requirements.

Scottish Water has elected not to provide comments following consultation on the application, and on this basis it is assumed that it has no observations or objections to the proposal.

**MOD Safeguarding and Noise (EP13 and EP8):**

The proposal of the nature and scale submitted does not fall within any category of development requiring formal consultation with the MOD Defence Infrastructure Organisation under policy EP13 (or agreed consultation procedures). Also, in terms of policy EP8: Pollution, the requirement for a Noise Impact Assessment has not been identified in this case as the site is sufficiently distant from the nearby military aerodrome, as confirmed by Environmental Health.

**Recommendation:**

The application is considered to represent an unacceptable form of development which fails to comply with development plan policy and is recommended for refusal.

<b>OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT</b>
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N/A

HISTORY				
Reference No.	Description			
13/00088/PE	Proposed dwellinghouse on Site Adjacent To Inyanga Findhorn Moray			
	Decision	ID/PE Answered	Date Of Decision	19/12/12

ADVERT			
Advert Fee paid?	Yes		
Local Newspaper	Reason for Advert	Date of expiry	
Forres Gazette	Departure from development plan	15/12/15	
PINS	Departure from development plan	15/12/15	

DEVELOPER CONTRIBUTIONS (PGU)	
Status	

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:	Design Statement	
Main Issues:		

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)			



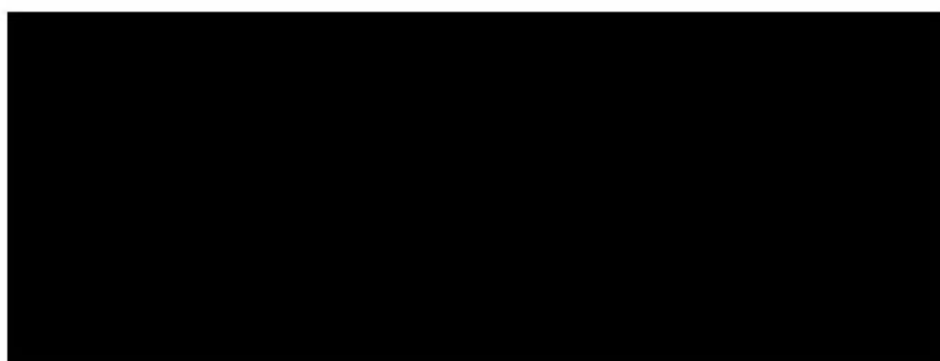


THE MORAY COUNCIL  
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997,  
as amended

REFUSAL OF PLANNING PERMISSION

[Forres]  
Planning Permission in Principle

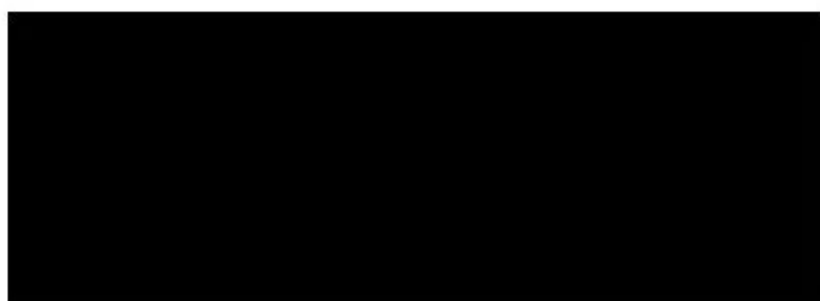
TO



With reference to your application for planning permission in principle 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 dwellinghouse in Garden Ground Of Inyanga Findhorn Forres Moray**  
and for the reason(s) set out in the attached schedule.

Date of Notice: 16th December 2015



**HEAD OF DEVELOPMENT SERVICES**

Environmental Services Department  
The 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, the Moray Council has REFUSED this proposal. The Council's reason(s) for this decision are as follows: -

The proposal is contrary to policies E5, ENV6, IMP1 and H3 of the Moray Local Development Plan (MLDP) 2015 the following reasons:

1. The proposal would result in the loss of part of designated site ENV6, an established green wooded corridor at the entrance to Findhorn village which is specifically protected under the terms of policy E5 to maintain the environmental amenity of this part of the settlement. Furthermore, the introduction of a dwelling and associated development on the subject site positioned between two existing houses would consolidate built form in this locality, and in turn would erode the pleasant and attractive open character of the ENV designation contrary to policies E5, ENV6 and IMP1 of the MLDP. Any visual impact in this regard would be exacerbated further by the prominent roadside location of the development which would be readily visible on the approach to the village.
2. The house site of the proportions proposed located between existing housing would fail to reflect the low density and spacing pattern of development in this area, which is largely characterised by spacious plots dispersed across the ENV. The proposal would therefore represent an inappropriate form of development that would be out of keeping with its immediate surroundings and would fail to accord with the requirements of policies IMP1 and H3 in terms of appropriate scale, density and character.

**LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT**

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

Reference	Version	Title
1508 L(--)-01		Location plan
1508 L(0-)-01		Site plan

**DETAILS OF ANY VARIATION MADE TO ORIGINAL PROPOSAL,  
AS AGREED WITH APPLICANT (S.32A of 1997 ACT)**

N/A

**DETAILS OF MATTERS SPECIFIED IN CONDITIONS**

Approval, consent or agreement has been GRANTED for the following matter(s):-

N/A

The matter(s) was/were specified in conditions imposed on the earlier grant of planning permission:-

N/A

**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, The 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](http://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.