



The Moray Council Council Office High Street Elgin IV30 1BX Tel: 01343 563 501 Fax: 01343 563 263 Email: development.control@moray.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE 100001080-001

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

Type of Application

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

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

Description of Proposal

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

Residential development in principle (4x residential units via formation of semi-detached buildings)

Is this a temporary permission? *

☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place?

☐ Yes ☒ No

(Answer 'No' if there is no change of use.) *

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

☒ No ☐ Yes – Started ☐ Yes - Completed

Applicant or Agent Details

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

☒ Applicant ☐ Agent

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text"/>	Building Name: <input type="text"/>
First Name: *	<input type="text" value="john"/>	Building Number: <input type="text" value="36-1"/>
Last Name: *	<input type="text" value="russell"/>	Address 1 (Street): * <input type="text" value="High Street"/>
Company/Organisation	<input type="text" value="Interurban Developments Ltd"/>	Address 2: <input type="text"/>
Telephone Number: *	<input type="text" value="01738 621129"/>	Town/City: * <input type="text" value="Perth"/>
Extension Number:	<input type="text"/>	Country: * <input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text" value="PH1 5TQ"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text" value="jr@iudev.co.uk"/>	

Site Address Details

Planning Authority:	<input type="text" value="Moray Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text"/>
Post Code:	<input type="text"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="818298"/>	Easting	<input type="text" value="317110"/>
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Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☐ Yes ☒ No

Site Area

Please state the site area:

666.00

Please state the measurement type used:

☐ Hectares (ha) ☒ Square Metres (sq.m)

Existing Use

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

Vacant land with previous planning consent for a dwellighthouse

Access and Parking

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

☒ Yes ☐ No

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

Are you proposing any change to public paths, public rights of way or affecting any public right of access? *

☐ Yes ☒ No

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

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) REGULATION 2013

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

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

☒ Yes ☐ No

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

☐ Yes ☒ No

Certificate Required

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

Certificate A

Land Ownership Certificate

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

Certificate A

I hereby certify that –

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

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

Signed: Mr john russell

On behalf of:

Date: 13/02/2016

☒ Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

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

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

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

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

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☒ Yes ☐ No ☐ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

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

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

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

Provide copies of the following documents if applicable:

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

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

Declare – For Application to Planning Authority

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

Declaration Name: Mr john russell

Declaration Date: 13/02/2016



ID1

LOCATION PLAN EXISTING
SCALE 1:1250

0
50
100M

1:1250 SCALE

ID2

LOCATION PLAN PROPOSED
SCALE 1:1250

SITE PLAN SHOWS AREA (AT A SCALE OF 1:1250) THE REPRESENTATION OF A ROAD, TRACK OR PATH IS NO EVIDENCE OF A RIGHT OF WAY. THE REPRESENTATION OF FEATURES AS LINES IS NO EVIDENCE OF A PROPERTY BOUNDARY. MAP PRODUCED FROM THE ORDNANCE SURVEY NATIONAL GEOGRAPHIC DATA BASE AND INCORPORATING SURVEYED REVISION AVAILABLE AT THIS DATE. REPRODUCTION IN WHOLE OR PART IS PROHIBITED WITHOUT THE PRIOR PERMISSION OF ORDNANCE SURVEY. © CROWN COPYRIGHT 2015. SUPPLIED BY MAPSERVE A LICENSED ORDNANCE SURVEY PARTNER

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

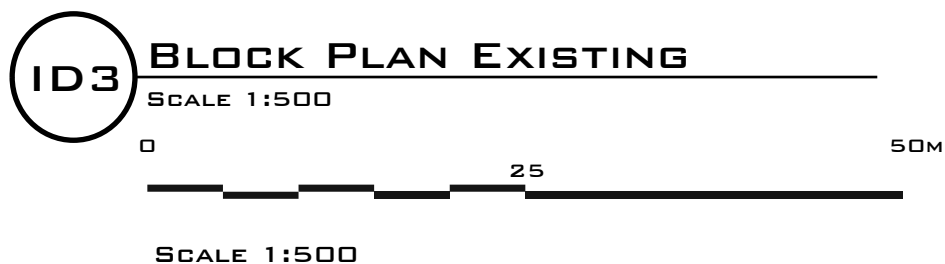
REFUSED
11/04/16
Development Management
Environmental Services
The Moray Council

INTERURBAN
DEVELOPMENTS LTD

LAND ACQUISITION - PLANNING - DEVELOPEMNT
CONNECTING THE URBAN GRAIN
36/1 HIGH STREET, PERTH, PERTSHIRE, SCOTLAND
INFO@IUDEV.CO.UK WWW.IUDEV.CO.UK
DRAWING TO BE SCALED AND USED FOR PLANNING PERMISSION PURPOSES
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DRAWINGS AND SPECIFICATIONS. ALL LEVELS AND DIMENSIONS TO BE CHECKED
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IT MAY NOT BE COPIED OR DISCLOSED TO ANY THIRD PARTY WITHOUT THE
WRITTEN CONSENT FROM INTERURBAN DEVELOPMENTS LTD.

PROPOSED DEVELOPMENT OF 4X
RESIDENTIAL UNITS
TOMNABAT LANE
TOMINTOUL (TO THE REAR OF
HEATHERLEA, MAIN STREET)

DATE: 24.01.16
DRAWN BY: JR
CHECKED BY: JR



SITE PLAN SHOWS AREA (AT A SCALE OF 1:500) THE REPRESENTATION OF A ROAD, TRACK OR PATH IS NO EVIDENCE OF A RIGHT OF WAY. THE REPRESENTATION OF FEATURES AS LINES IS NO EVIDENCE OF A PROPERTY BOUNDARY. MAP PRODUCED FROM THE ORDNANCE SURVEY NATIONAL GEOGRAPHIC DATA BASE AND INCORPORATING SURVEYED REVISION AVAILABLE AT THIS DATE. REPRODUCTION IN WHOLE OR PART IS PROHIBITED WITHOUT THE PRIOR PERMISSION OF ORDNANCE SURVEY. © CROWN COPYRIGHT 2015. SUPPLIED BY MAPSERVE A LICENSED ORDNANCE SURVEY PARTNER

<p>INTERURBAN DEVELOPMENTS LTD</p>	
<p>LAND ACQUISITION - PLANNING - DEVELOPEMNT CONNECTING THE URBAN GRAIN 36/1 HIGH STREET, PERTH, PERTSHIRE, SCOTLAND INFO@IUDEV.CO.UK WWW.IUDEV.CO.UK</p> <p><small>DRAWING TO BE SCALED AND USED FOR PLANNING PERMISSION PURPOSES ONLY. DRAWING NOT TO BE USED FOR ANY OTHER PURPOSES. ALL DIMENSIONS TO BE CHECKED ON SITE. ANY DISCREPANCIES TO BE BROUGHT TO THE ATTENTION OF INTERURBAN DEVELOPMENTS LTD. COPYRIGHT RESERVED. THIS DRAWING MAY ONLY BE USED FOR THE CLIENT AND LOCATION SPECIFIED IN THE BLOCK PLAN. IT MAY NOT BE COPIED OR DISCLOSED TO ANY THIRD PARTY WITHOUT THE WRITTEN CONSENT FROM INTERURBAN DEVELOPMENTS LTD.</small></p>	<p>PROPOSED DEVELOPMENT OF 4X RESIDENTIAL UNITS TOMNABAT LANE TOMINTOUL (TO THE REAR OF HEATHERLEA, MAIN STREET)</p> <p>DATE: 24.01.16</p> <p>DRAWN BY: JR</p> <p>CHECKED BY: JR</p>



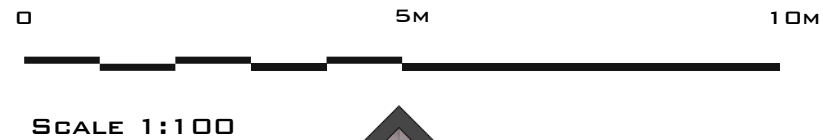
 SOUTH ELEVATION



 WEST ELEVATION

ID5 ELEVATIONS PROPOSED


SCALE 1:100

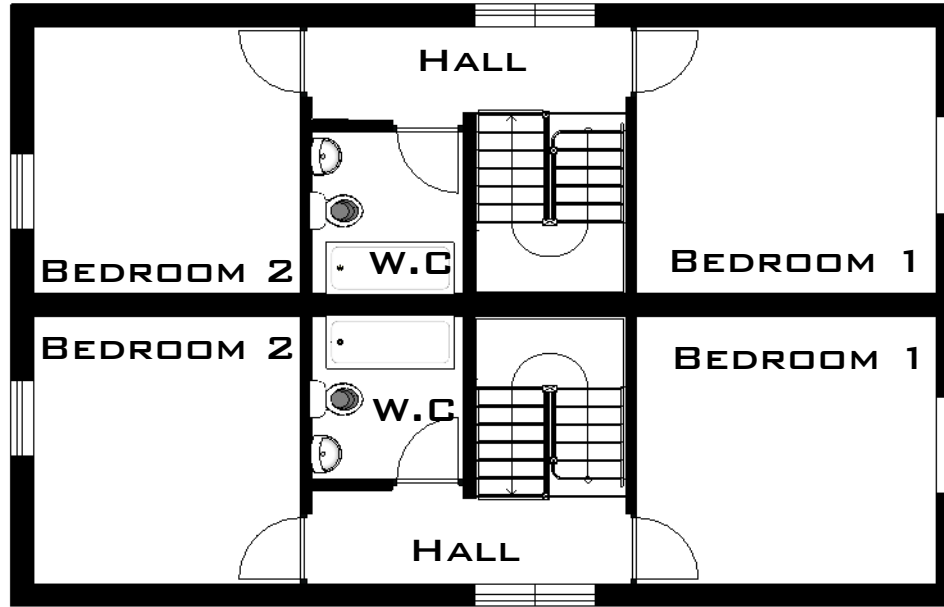


 NORTH ELEVATION

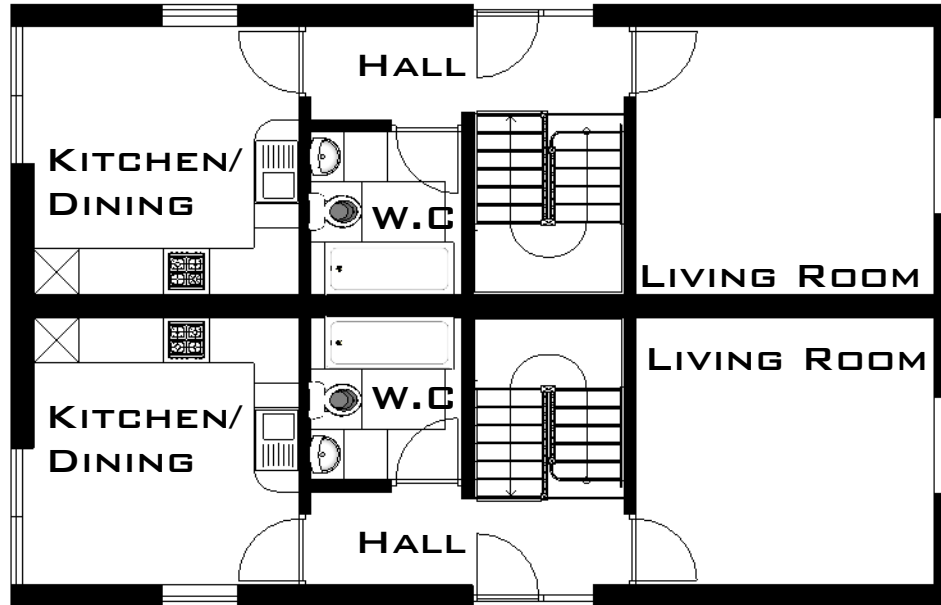


 EAST ELEVATION

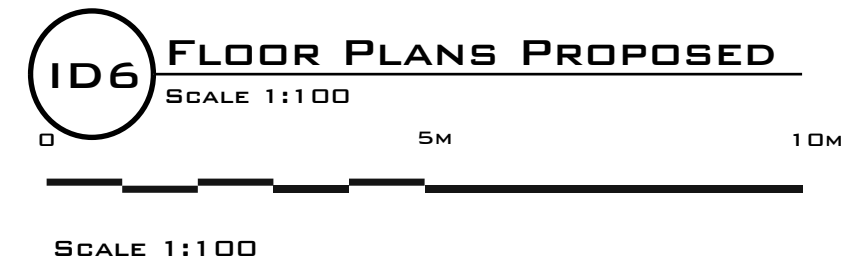
	
INTERURBAN DEVELOPMENTS LTD	
LAND ACQUISITION - PLANNING - DEVELOPMENT CONNECTING THE URBAN GRAIN 36/1 HIGH STREET, PERTH, PERTSHIRE, SCOTLAND INFO@IUDEV.CO.UK WWW.IUDEV.CO.UK DRAWING TO BE SCALED AND USED FOR PLANNING PERMISSION PURPOSES ONLY. DRAWINGS NOT TO BE USED FOR CONSTRUCTION. ALL ELEVATIONS TO BE CHECKED ON SITE. ANY DISCREPANCIES TO BE BROUGHT TO THE ATTENTION OF INTERURBAN DEVELOPMENTS LTD. COPYRIGHT RESERVED. THIS DRAWING MAY ONLY BE USED FOR THE CLIENT AND LOCATION SPECIFIED IN THE BLOCK PLAN. IT MAY NOT BE COPIED OR DISCLOSED TO ANY THIRD PARTY WITHOUT THE WRITTEN CONSENT FROM INTERURBAN DEVELOPMENTS LTD.	
PROPOSED DEVELOPMENT OF 4X RESIDENTIAL UNITS TOMNABAT LANE TOMINTOUL (TO THE REAR OF HEATHERLEA, MAIN STREET)	DATE: 24.01.16 DRAWN BY: JR CHECKED BY: JR




FIRST FLOOR



GROUND FLOOR



	
<p>LAND ACQUISITION - PLANNING - DEVELOPEMNT CONNECTING THE URBAN GRAIN 36/1 HIGH STREET, PERTH, PERTSHIRE, SCOTLAND INFO@IUDEV.CO.UK WWW.IUDEV.CO.UK DRAWING TO BE SCALED AND USED FOR PLANNING PERMISSION PURPOSES ONLY. DRAWINGS SHOULD BE CHECKED FOR ALL RELEVANT DRAWINGS AND SPECIFICATIONS. ALL LEVELS AND DIMENSIONS TO BE CHECKED ON SITE. ANY DISCREPANCIES TO BE BROUGHT TO THE ATTENTION OF INTERURBAN DEVELOPMENTS LTD. COPYRIGHT RESERVED. THIS DRAWING MAY ONLY BE USED FOR THE CLIENT AND LOCATION SPECIFIED IN THE BLOCK PLAN. IT MAY NOT BE COPIED OR DISCLOSED TO ANY THIRD PARTY WITHOUT THE WRITTEN CONSENT FROM INTERURBAN DEVELOPMENTS LTD.</p>	<p>PROPOSED DEVELOPMENT OF 4X RESIDENTIAL UNITS TOMNABAT LANE TOMINTOUL (TO THE REAR OF HEATHERLEA, MAIN STREET)</p>
<p>DATE: 24,01,16</p>	
<p>DRAWN BY: JR</p>	
<p>CHECKED BY: JR</p>	

Moray Council
High Street
Elgin
IV30 1BX

22 February 2016

Dear Sir or Madam

Application Number: 2016/0050/PPP
Your Ref: 16/00241/PPP
Development Proposed: Erect 4no Dwelling Houses
Location: Site To Rear Of Heatherlea, Main Street, Tomintoul

The Cairngorms National Park Authority were notified of the above planning application by Moray Council on 15 February 2016. The application was considered by the Cairngorms National Park Authority under their Call-in powers on 22 February 2016.

The decision of the Committee is that the above planning application does not raise any planning issues of general significance to the park aims and as such No Call-in is necessary in this case.

Should you require any further information, please do not hesitate to contact us using the details below.

Yours faithfully

Planning Support Team

Email: planning@cairngorms.co.uk
Website: www.cairngorms.co.uk

Consultation Request Notification

Planning Authority Name	The Moray Council
Response Date	6th April 2016
Planning Authority Reference	16/00241/PPP
Nature of Proposal (Description)	Erect 4 no dwellinghouses on
Site	Site To Rear Of Heatherlea Main Street Tomintoul Moray
Site Postcode	N/A
Site Gazetteer UPRN	000133051370
Proposal Location Easting	317117
Proposal Location Northing	818301
Area of application site (Ha)	666 m²
Additional Comment	Urgent
Development Hierarchy Level	LOCAL
Supporting Documentation URL	http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=O2KU76BGLLW00
Previous Application	16/00240/PPP 15/01995/PE 14/01037/APP
Date of Consultation	23rd March 2016
Is this a re-consultation of an existing application?	No
Applicant Name	Interurban Developments Ltd
Applicant Organisation Name	
Applicant Address	36-1 High Street Perth Scotland PH1 5TQ
Agent Name	
Agent Organisation Name	
Agent Address	
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Iain T Drummond
Case Officer Phone number	01343 563607
Case Officer email address	iain.drummond@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: Contaminated Land

Planning Application Ref. No: 16/00241/PPP

Erect 4 no dwellinghouses on Site To Rear Of Heatherlea Main Street Tomintoul Moray for Interurban Developments Ltd

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

- | | Please |
|---|--------------------------------------|
| (a) I OBJECT to the application for the reason(s) as stated below | x
<input type="checkbox"/> |
| (b) I have NO OBJECTIONS to the application and have no condition(s) and/or comment(s) to make on the proposal | x |
| (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:
Consultee:

Date: 24th March 2016
Phone No

Return response to	consultation.planning@moray.gov.uk
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Please note that information about the application including consultation responses and representations (whether in support or objection) received on the proposal will be published on the Council's website at <http://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

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Applicant Organisation Name	
Applicant Address	36-1 High Street Perth Scotland PH1 5TQ
Agent Name	
Agent Organisation Name	
Agent Address	
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Iain T Drummond
Case Officer Phone number	01343 563607
Case Officer email address	iain.drummond@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

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two month determination period to be exceeded.

Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Environmental Health Manager

Planning Application Ref. No: 16/00241/PPP

Erect 4 no dwellinghouses on Site To Rear Of Heatherlea Main Street Tomintoul Moray for Interurban Developments Ltd

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

- | | Please |
|---|--------------------------------------|
| (a) I OBJECT to the application for the reason(s) as stated below | x
<input type="checkbox"/> |
| (b) I have NO OBJECTIONS to the application and have no condition(s) and/or comment(s) to make on the proposal | x |
| (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: Kevin Boyle
email address:
Consultee:

Date: 30th March 2016
Phone No

Return response to	consultation.planning@moray.gov.uk
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Please note that information about the application including consultation responses and representations (whether in support or objection) received on the proposal will be published on the Council's website at <http://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.

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Applicant Address	36-1 High Street Perth Scotland PH1 5TQ
Agent Name	
Agent Organisation Name	
Agent Address	
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Iain T Drummond
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Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Transportation Manager

Planning Application Ref. No: 16/00241/PPP

Erect 4 no dwellinghouses on Site To Rear Of Heatherlea Main Street Tomintoul Moray for Interurban Developments Ltd

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

Please

- | | |
|---|--------------------------|
| (a) I OBJECT to the application for the reason(s) as stated below | X |
| (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"/> |

Objection(s)

The proposed development does not incorporate adequate on-site vehicular parking to the standard required by the Roads Authority. The proposal, if permitted, would therefore be likely to lead to an undesirable increase in on-street parking to the detriment of road safety, and is contrary to Moray Local Development Plan 2015 Policy T5 Parking Standards.

Further Information

The proposed development is for four 2-bedroom flats with only four parking spaces. The parking standards for flats are 1.5 spaces per flat. The reduced rate of 1 parking space per flat is only available for affordable housing developments (where the applicant is a registered affordable housing provider).

A copy of the Moray Council parking standards can be found at:

<http://www.moray.gov.uk/downloads/file79871.pdf>

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

Date 7 April 2016

Return response to	consultation.planning@moray.gov.uk
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Please note that information about the application including consultation responses and representations (whether in support or objection) received on the proposal will be published on the Council's website at <http://public.moray.gov.uk/eplanning/>

Received by e-mail

To: Manager (Development Management)

From: Mr & Mrs Foran, [REDACTED]

Reference the 2 planning applications listed above we would like to make the following points and oppose both planning applications.

We were informed when the property was sold that only one house plus garage would be built on this site.

We have been informed the new houses adjacent to this site have difficulties with flooding at the rear and therefore we are concerned that any disturbance to the site might cause us the same problems. Any problems caused to our property would not come to light until some time after the building work had been completed !

We have contacted Teresa Ruggeri at Moray Council reference the water and sewage to the proposed properties (surely these should appear on the plans) asking where they will run and told its up to the builders where they will run.

We have also been informed that the sewerage system at the bottom of the village is backing up and overflowing at times. How can more house alleviate this problem no new properties should be build until this problem is resolved.

If any new properties where to be built in the interest of locals and Moray Council it would be to only approve new work at the site of the old school and this would give Moray Council money which could then be put back into the local community.

We also feel new houses and not needed in the village as there is various empty properties that have been on the market for both sale or rent for a few years even no more social housing is not required as one property has been empty since early December. Most properties sold in the last 12 months have now been turned into second homes and only used now and then.

Yours faithfully
Mr & Mrs Foran

Comments for Planning Application 16/00241/PPP

Application Summary

Application Number: 16/00241/PPP

Address: Site To Rear Of Heatherlea Main Street Tomintoul Moray

Proposal: Erect 4 no dwellinghouses on

Case Officer: Iain T Drummond

Customer Details

Name: Mr GREGOR JOHN MCGILLIVRAY

Address: [REDACTED]

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Parking
- Road safety
- Traffic

Comment: Is the hedging going to be kept? or fence going to be erected. If hedging is to be removed my property will be overlooked and will not have the same privacy.

Comments for Planning Application 16/00241/PPP

Application Summary

Application Number: 16/00241/PPP

Address: Site To Rear Of Heatherlea Main Street Tomintoul Moray

Proposal: Erect 4 no dwellinghouses on

Case Officer: Iain T Drummond

Customer Details

Name: Mrs ruth metcalfe

Address: [REDACTED]

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Contrary to Local Plan
- Drainage
- Loss of privacy (being overlooked)

Comment: will be a problem if too many houses are put in that small space regarding drainage sewage pipes etc, also there are large trees in that area that need to stay.

Comments for Planning Application 16/00241/PPP

Application Summary

Application Number: 16/00241/PPP

Address: Site To Rear Of Heatherlea Main Street Tomintoul Moray

Proposal: Erect 4 no dwellinghouses on

Case Officer: Iain T Drummond

Customer Details

Name: Mrs PHILOMENA RUSHTON

Address: [REDACTED]

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Drainage
- Height of proposed development
- Loss of privacy (being overlooked)
- Over-development of site

Comment: I do not object to the two houses being built but I do object to the four flats as it would mean that they would be looking down on me. I am concerned about land drainage as it has been and still a problem with langstain housing properties next door. There are mature trees around the plot

REPORT OF HANDLING

Ref No:	16/00241/PPP	Officer:	Iain T Drummond
Proposal Description/ Address	Erect 4 no dwellinghouses on Site To Rear Of Heatherlea Main Street Tomintoul Moray		
Date:	11/04/16	Typist Initials:	LRM

RECOMMENDATION

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

CONSULTATIONS

Consultee	Date Returned	Summary of Response
Cairngorm National Parks Authority	22/02/16	No call in
Developer Obligations Unit		Contribution sought
Environmental Health Manager	31/03/16	No objections
Contaminated Land	24/03/16	No objections
Transportation Manager	07/04/16	No objections
Scottish Water		No response received

DEVELOPMENT PLAN POLICY

Policies	Dep	Any Comments (or refer to Observations below)
Policy 1: New Housing Development (All)	Y	
Policy 3: Sustainable Design (All)	Y	
Policy 10: Resources (All)	N	
Policy 11: Developer Contributions (All)	N	

REPRESENTATIONS

Representations Received	YES	
Total number of representations received 4		
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>Issue: Increased risk of flooding of existing neighbouring properties as a result of the erection of the houses.</p> <p>Comments (PO): If being recommended for approval a condition could be attached to the consent to ensure surface water runoff from the site is managed to ensure post development run off does not exceed pre development runoff.</p>
<p>Issue: Lack of information on the plans relating to water supply and foul sewerage.</p> <p>Comments (PO): The developers would have to contact Scottish Water, to agree a connection to the public water and sewerage systems. At this stage Scottish Water would assess the capacity of the existing network and if required the developers would need to upgrade the system to accommodate the development.</p>
<p>Issue: Houses should be built on other sites in the village instead or not at all as new houses are not needed due to lack of demand.</p> <p>Comments (PO): Local Development Plan policies support the erection of houses in infill sites within settlements, where the presence or otherwise of other available land is not a policy consideration on determining such applications. This application must be considered on the basis on which it has been submitted.</p>
<p>Issue: Will the hedging be retained.</p> <p>Comments (PO): If the application were being approved then conditions could be placed on the consent for the developers to either retain the hedging or replace it with privacy fencing which would ensure an acceptable level of privacy is maintained.</p>
<p>Issue: Concerns regarding the four units looking down on neighbouring properties.</p> <p>Comments (PO): This application is being refused on the basis that the erection of four units within the site would result in overdevelopment of the site and an overbearing impact on the neighbouring properties.</p>

OBSERVATIONS – ASSESSMENT OF PROPOSAL

Proposal

This application seeks planning permission in principle for the erection of 4 dwellinghouses on a site to the rear of Heatherlea, Main Street, Tomintoul.

Indicative plans have been submitted in support of the application, which show a potential design and layout of the site. These comprise 4 semi-detached units with rectangular footprint and pitched roof design.

Site

The site is bounded to the north, west and east by existing two and one and a half storey residential properties and by public open green space to the south.

Planning permission in principle was granted in July 2014 (14/01037/APP) for the erection of a single dwellinghouse on this site.

Appraisal

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

Siting & Design (Policies 1 & 3)

Policies 1 and 3 outline amongst other things, that new development within settlements will be supported where they reinforce and enhance the character of the settlement, maximise opportunities for infill, conversion, small scale development, use of derelict or underused land or the redevelopment of land.

In this case the applicants have submitted indicative designs which show 4 semi-detached, 2 storey, pitched roof houses with rectangular footprints. The houses are orientated with gable facing onto the public road in front of the site and measure 9.5m from ground to ridge.

The units have a considerably larger footprint than the surrounding houses and will fill almost the whole width of the site, with the exception of pathways round the buildings. In order to achieve 4 units within this relatively small site the indicative designs show buildings which would be notably higher than the neighbouring properties (minimum 1m higher).

Although it is accepted that the proposed designs are only indicative, it is felt that this illustrates the issues with trying to accommodate 4 houses on this site. The indicative units would result in a cramped development, with east west facing windows looking directly into blank walls or boundary fencing. To achieve adequate floorspace, the units would have to be of a scale and height which would result in an unacceptable dominant effect on the surrounding streetscape and neighbouring amenity and it is on this basis this application is recommended for refusal.

In addition to the above the Transportation service has recommended refusal of the application on the basis that the indicative plans show a shortfall of two car parking spaces, in that the plans show 4 spaces and the Council's car parking standards require 6. Due to the issues in relation to the principle of the development this matter was not raised with the applicants and although it represents a further reason for refusal it is one which could potentially be overcome, with the provision of further car parking on the frontage of the site, which is a characteristic of the surrounding street layout.

Developer contributions (policy 11)

The applicants have confirmed that they are agreeable to providing the development contribution which has been identified in relation to this proposal. On this basis the proposal is considered compliant with policy 11 and had the application been approved, this would have been either secured up front prior to the release of the consent or via a Section 75 legal agreement.

Drainage, water supply & contaminated land (policy 10)

The applicants have identified that the site would connect to the public foul sewer and dispose of surface water via Suds, which is considered sufficient for the determination of this application for planning permission in principle.

A public water supply is proposed, and although Scottish Water have not responded, they have their own powers to ensure any new development does not adversely affect existing users and as such the proposed use of a public supply is considered acceptable.

There are no objections to the proposal in terms of contaminated land.

Recommendation

Refuse for the reasons identified above.

OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT

None

HISTORY				
Reference No.	Description			
16/00240/PPP	Erect 2no dwellinghouses on Site To Rear Of Heatherlea Main Street Tomintoul Moray			
	Decision		Date Of Decision	
15/01995/PE	Proposed dwellinghouses on Site To Rear Of Heatherlea Main Street Tomintoul Moray			
	Decision	ID/PE Answered	Date Of Decision	08/01/16
14/01037/APP	Extend planning consent 11/01033/APP (original ref 03/00368/OUT) for erection of one dwellinghouse and garage on Site To Rear Of Heatherlea Main Street Tomintoul Moray			
	Decision	Permitted	Date Of Decision	14/07/14
11/01033/APP	Renewal of outline planning consent 03/00368/OUT for erection of one dwellinghouse and garage on Site To Rear Of Heatherlea Main Street Tomintoul Moray			
	Decision	Permitted	Date Of Decision	10/08/11
08/01878/FUL	Renewal of outline planning consent 03/00368/OUT for erection of one dwellinghouse and garage on Site To Rear Of Heatherlea Main Street Tomintoul Moray			
	Decision	Permitted	Date Of Decision	16/09/08
05/02485/FUL	Renewal of outline planning consent for erection of one dwellinghouse and garage on Site To Rear Of Heatherlea Main Street Tomintoul Moray			
	Decision	Permitted	Date Of Decision	17/11/05
03/00368/OUT	Outline for erection of one dwellinghouse and garage on Site To Rear Of Heatherlea Main Street Tomintoul Ballindalloch			
	Decision	Permitted	Date Of Decision	20/03/03

ADVERT		
Advert Fee paid?	Yes	
Local Newspaper	Reason for Advert	Date of expiry
Northern Scot	No Premises	17/03/16
PINS	No Premises	17/03/16

DEVELOPER CONTRIBUTIONS (PGU)	
Status	Contribution sought

DOCUMENTS, ASSESSMENTS etc. *

* Includes Environmental Statement, Appropriate Assessment, Design Statement, Design and Access Statement, RIA, TA, NIA, FRA etc

Supporting information submitted with application?

YES

Summary of main issues raised in each statement/assessment/report

Document Name:

Design statement

Main Issues:

Identifies the concept behind the proposed design and outlines the proposals compliance with development Plan policy.

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

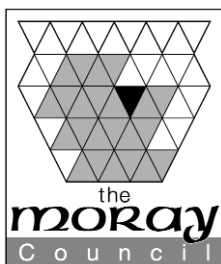
NO

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

**[Speyside Glenlivet]
Planning Permission in Principle**

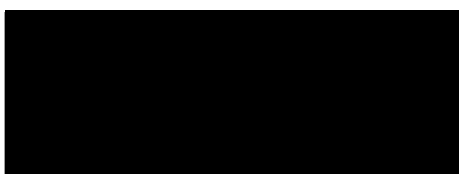
TO Interurban Developments Ltd
36-1 High Street
Perth
Scotland
PH1 5TQ

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:-

**Erect 4 no dwellinghouses on Site To Rear Of Heatherlea Main Street
Tomintoul Moray**

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

Date of Notice: **11 April 2016**



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 1 and 3 of the Cairngorms National Park Local Development Plan 2015 for the following reasons:

1. Erection of 4 dwellinghouses within the proposed site would result in overdevelopment of the site, to the detriment of the character and appearance of the surrounding streetscape and resulting in an unacceptable overbearing impact on the surrounding residential properties.
2. The proposed development does not incorporate adequate on-site vehicular parking to the standard required by the Roads Authority. The proposal, if permitted, would therefore be likely to lead to an undesirable increase in on-street parking to the detriment of road safety.

LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT

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

Reference	Version	Title
		Existing and proposed location plan
		Existing and proposed 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

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.