



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 100016383-001

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)

Proposed erection of dwelling-house with detached garage

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

Agent Details

Please enter Agent details

Company/Organisation:	Strathdee Properties Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Stewart	Building Name:	Viewfield Farm
Last Name: *	Reid	Building Number:	
Telephone Number: *	01340 881784	Address 1 (Street): *	Craigellachie
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Aberlour
Fax Number:		Country: *	Scotland, UK
		Postcode: *	AB38 9QT
Email Address: *	stewart@strathdeeproperties.com		

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

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Gavin	Building Number:	
Last Name: *	Strathdee	Address 1 (Street): *	
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	
Extension Number:		Country: *	
Mobile Number:		Postcode: *	
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

Moray Council

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

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing

855879

Easting

322871

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☐ Yes ☒ No

Site Area

Please state the site area:

2230.00

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)

Unused land

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? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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.	
How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?	<input style="width: 100%;" type="text" value="0"/>
How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *	<input style="width: 100%;" type="text" value="5"/>
Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).	
<h2 style="margin: 0;">Water Supply and Drainage Arrangements</h2>	
Will your proposal require new or altered water supply or drainage arrangements? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *	
<input type="checkbox"/> Yes – connecting to public drainage network <input checked="" type="checkbox"/> No – proposing to make private drainage arrangements <input type="checkbox"/> Not Applicable – only arrangements for water supply required	
As you have indicated that you are proposing to make private drainage arrangements, please provide further details. What private arrangements are you proposing? *	
<input checked="" type="checkbox"/> New/Altered septic tank. <input type="checkbox"/> Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed). <input type="checkbox"/> Other private drainage arrangement (such as chemical toilets or composting toilets).	
What private arrangements are you proposing for the New/Altered septic tank? *	
<input checked="" type="checkbox"/> Discharge to land via soakaway. <input type="checkbox"/> Discharge to watercourse(s) (including partial soakaway). <input type="checkbox"/> Discharge to coastal waters.	
Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: *	
Foul water will be taken to a suitable septic tank and then onto an appropriately designed soakaway. Surface water will be taken to an appropriately designed soakaway.	
Do your proposals make provision for sustainable drainage of surface water?? * (e.g. SUDS arrangements) * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> 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.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? *

☒ Yes ☐ No

If Yes or No, please provide further details: * (Max 500 characters)

Recycled material and general refuse will be collected from the track entrance by the local authority collection units.

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

☒ Yes ☐ No

How many units do you propose in total? *

1

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

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

Do you have any agricultural tenants? * ☐ Yes ☒ No

Are you able to identify and give appropriate notice to ALL the other owners? * ☒ Yes ☐ No

Certificate Required

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

Certificate B

Land Ownership Certificate

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

I hereby certify that

(1) - No person other than myself/the applicant was an owner [Note 4] 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;

or –

(1) - I have/The Applicant has served notice on every person other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application was owner [Note 4] of any part of the land to which the application relates.

Name:

- SM + FA STRATHDEE

Address:

SM + FA STRATHDEE, Viewfield Farm, Craigellachie, Aberlour, Scotland, UK, AB38 9QT

Date of Service of Notice: *

16/06/2016

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

or –

(2) - The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have/the applicant has served notice on every person other than myself/himself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant. These persons are:

Name:

Address:

Date of Service of Notice: *

Signed: Stewart Reid

On behalf of: Mr Gavin Strathdee

Date: 16/06/2016

☒ 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. *

☐ 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: Mr Stewart Reid

Declaration Date: 16/06/2016

Payment Details



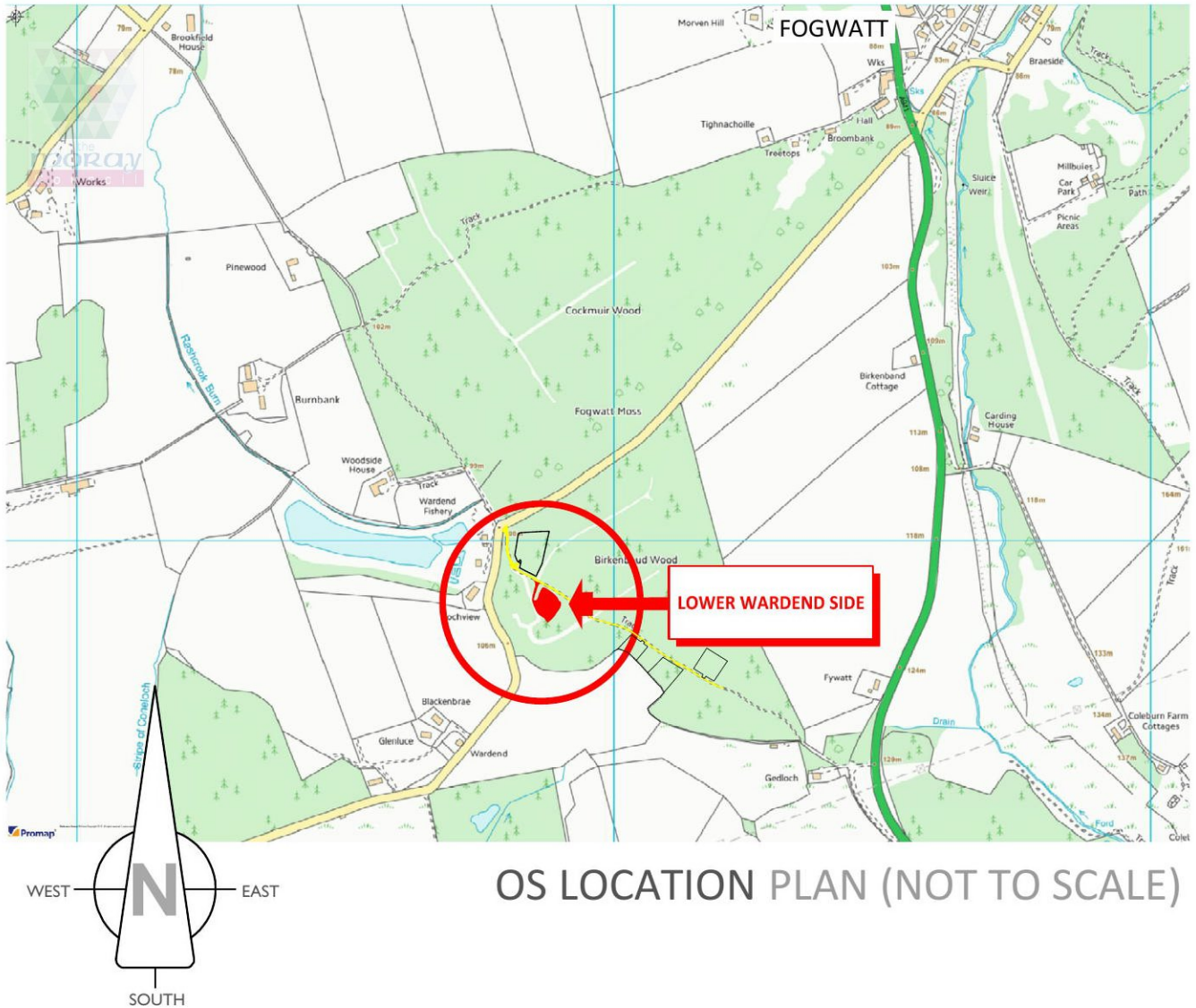
Created: 16/06/2016 10:32

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

REFUSED

08 August 2016

Development Management
Environmental Services
The Moray Council



Proposed erection of dwellinghouse with detached garage At Lower Wardend Side, Wardend, by Birnie, Elgin, Moray For Mr Gavin Strathdee



Proposed erection of dwellinghouse with detached garage
At Lower Wardend Side, Wardend, by Birnie, Elgin, Moray For Mr Gavin Strathdee

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

REFUSED

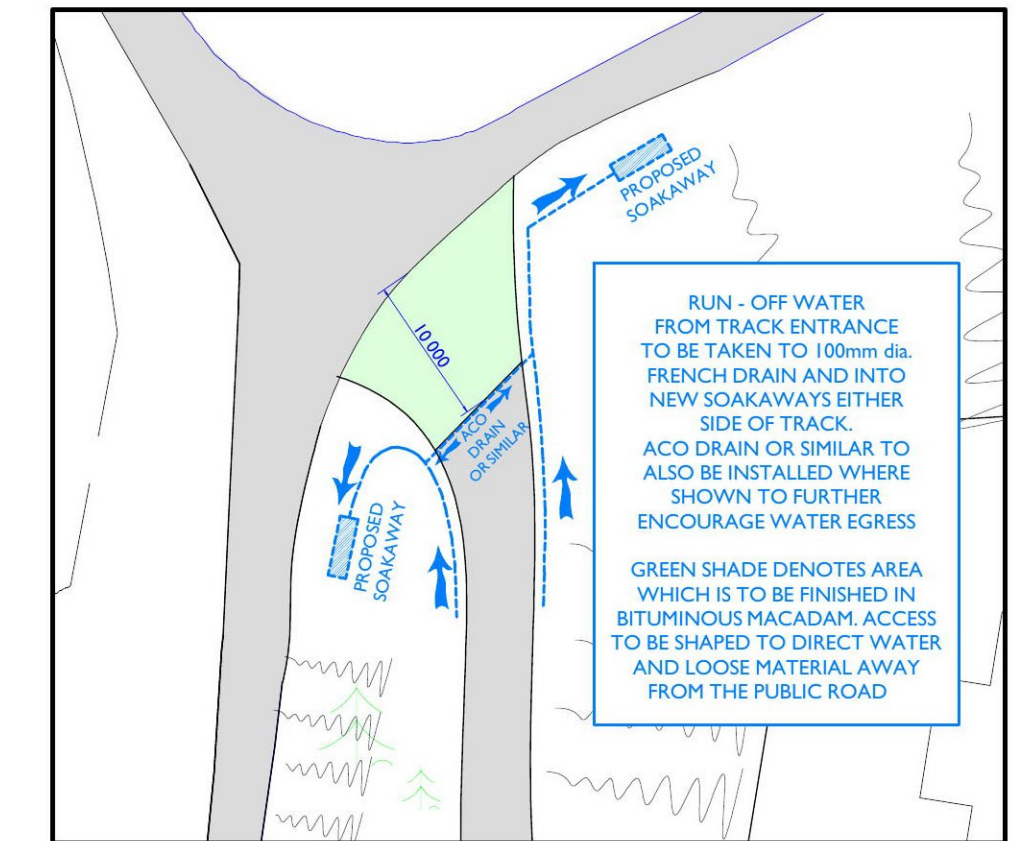
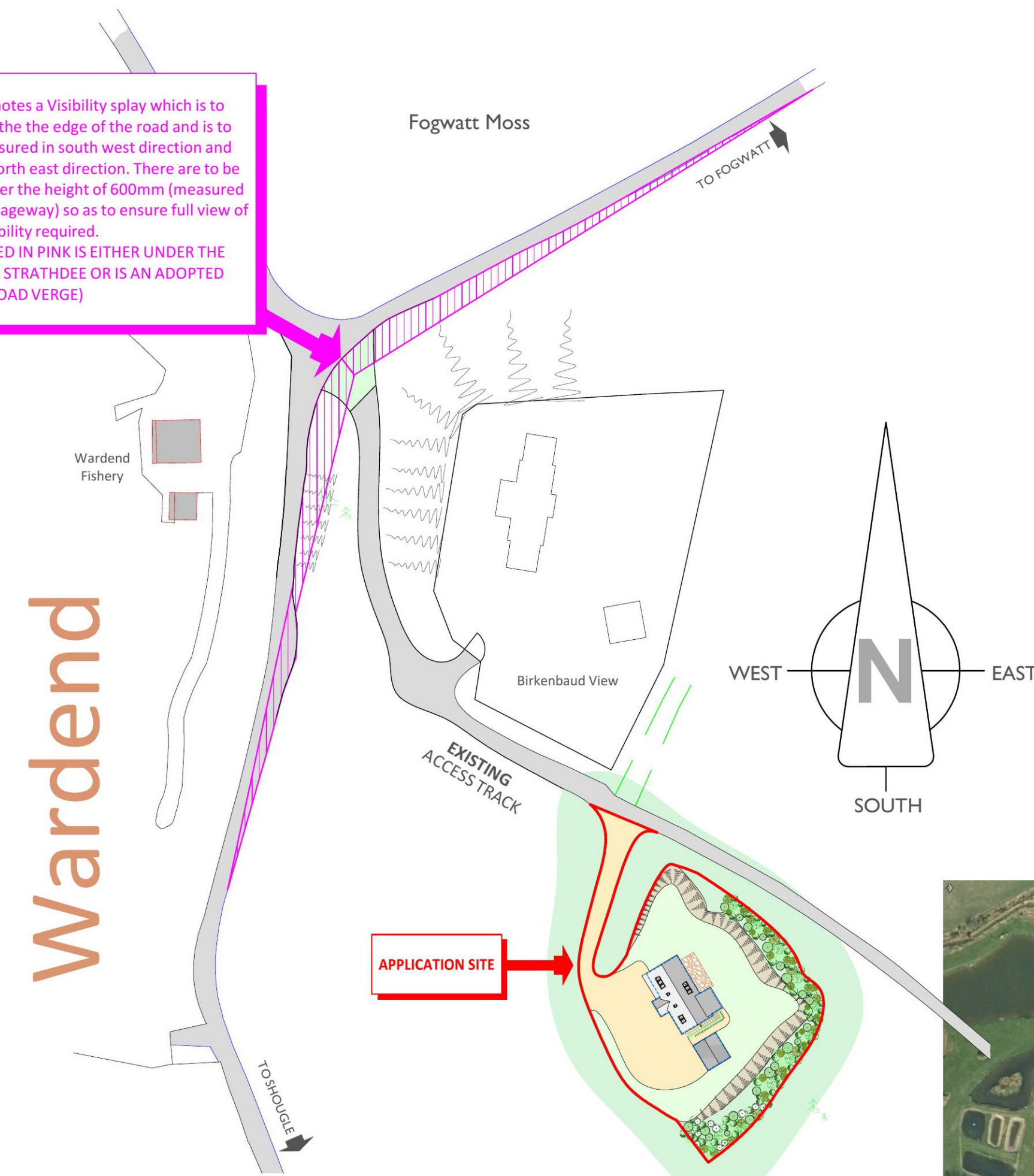
08 August 2016

Development Management
Environmental Services
The Moray Council



Pink hatched area denotes a Visibility splay which is to be set back 4.5m from the edge of the road and is to be set at 120.00m measured in south west direction and 120.00m measured in north east direction. There are to be no visual obstructions over the height of 600mm (measured from the level of the carriageway) so as to ensure full view of visibility required.

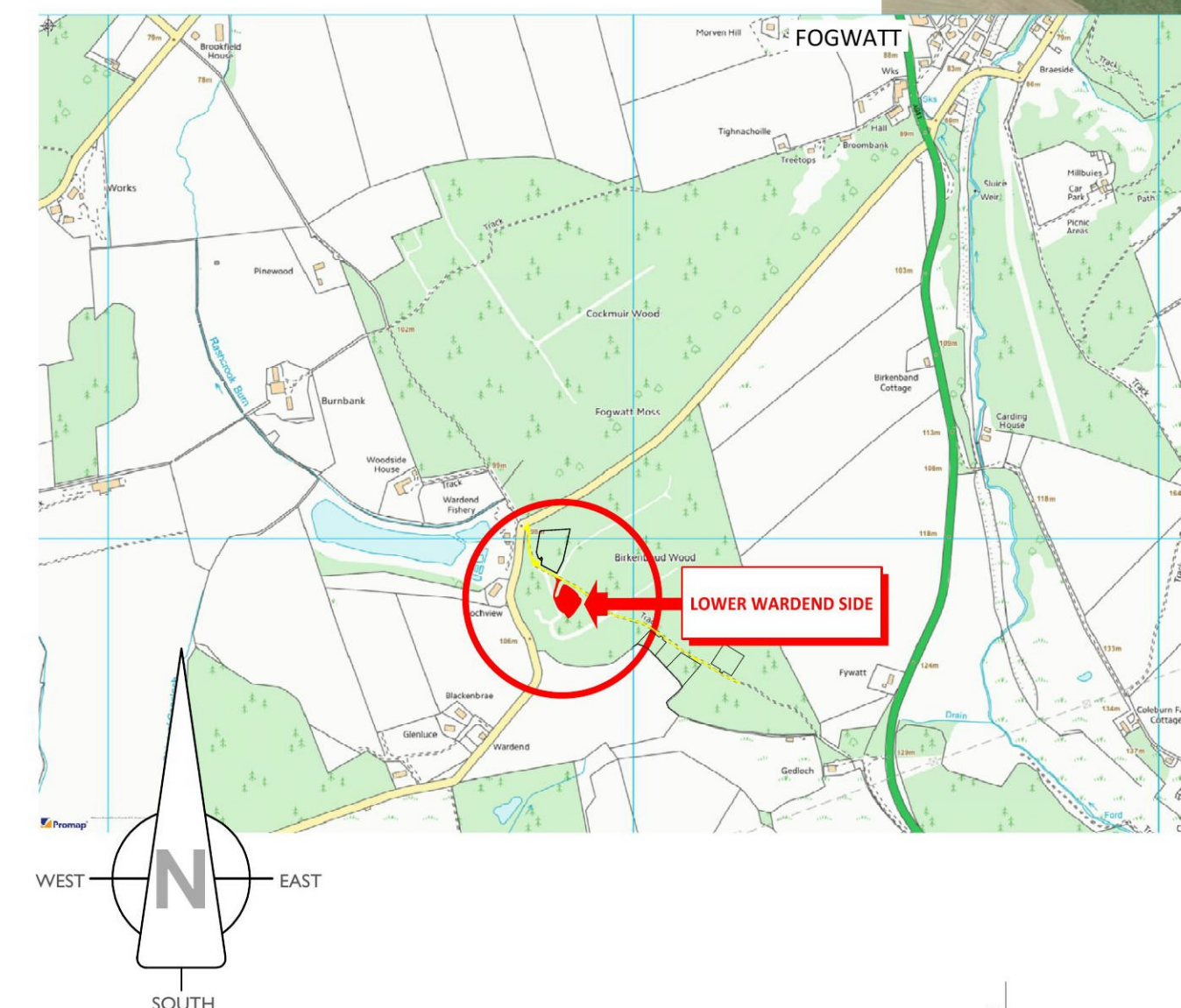
(ENTRANCE AREA DENOTED IN PINK IS EITHER UNDER THE CONTROL OF SM & FA STRATHDEE OR IS AN ADOPTED ROAD VERGE)



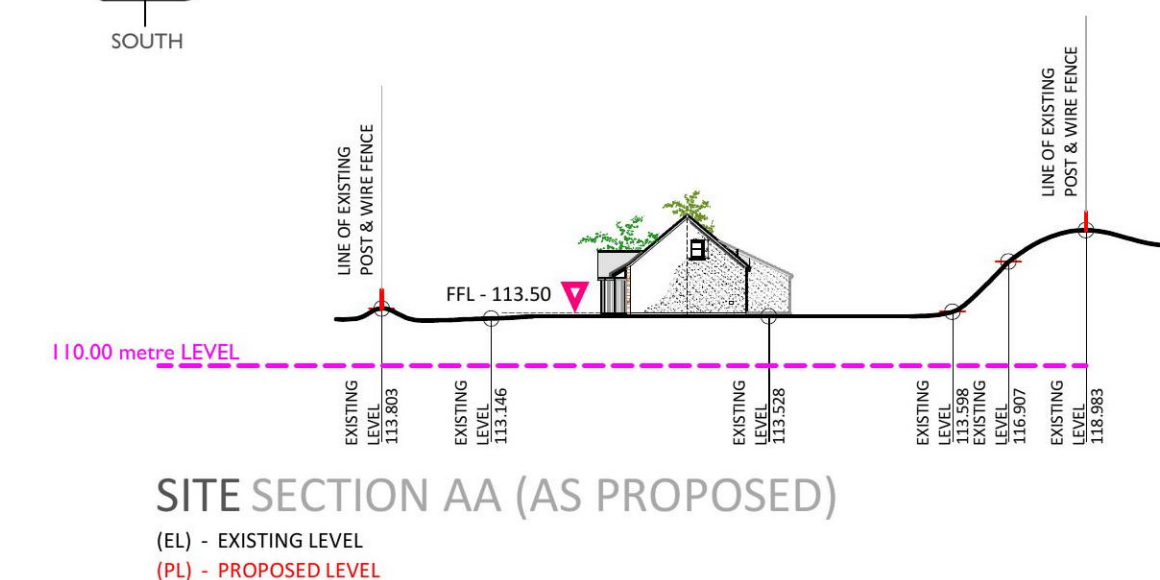
ENTRANCE / DRAINAGE DETAIL (SCALE 1:500)



BLOCK PLAN (SCALE 1:1000)



STUDY AREA LOCATION PLAN (NOT TO SCALE)



SITE SECTION AA (AS PROPOSED)



Strathdee Properties Ltd.

VIEWFIELD FARM, CRAIGELLACHIE,
ABERLOUR, MORAY, AB38 9QT

T - (01340) 881784

E - info@strathdeepproperties.com



PROJECT

Proposed erection of dwellinghouse with detached garage At Lower Wardend Side, Wardend, by Birnie, Elgin, Moray For Mr Gavin Strathdee

DRAWING DESCRIPTION
PLANNING DRAWING - SITE INFORMATION

DRAWING no.
LOW-WARD-SIDE / PLANNING / 01

DRAWN BY
S.Reid MCIAT
Chartered Architectural Technologist

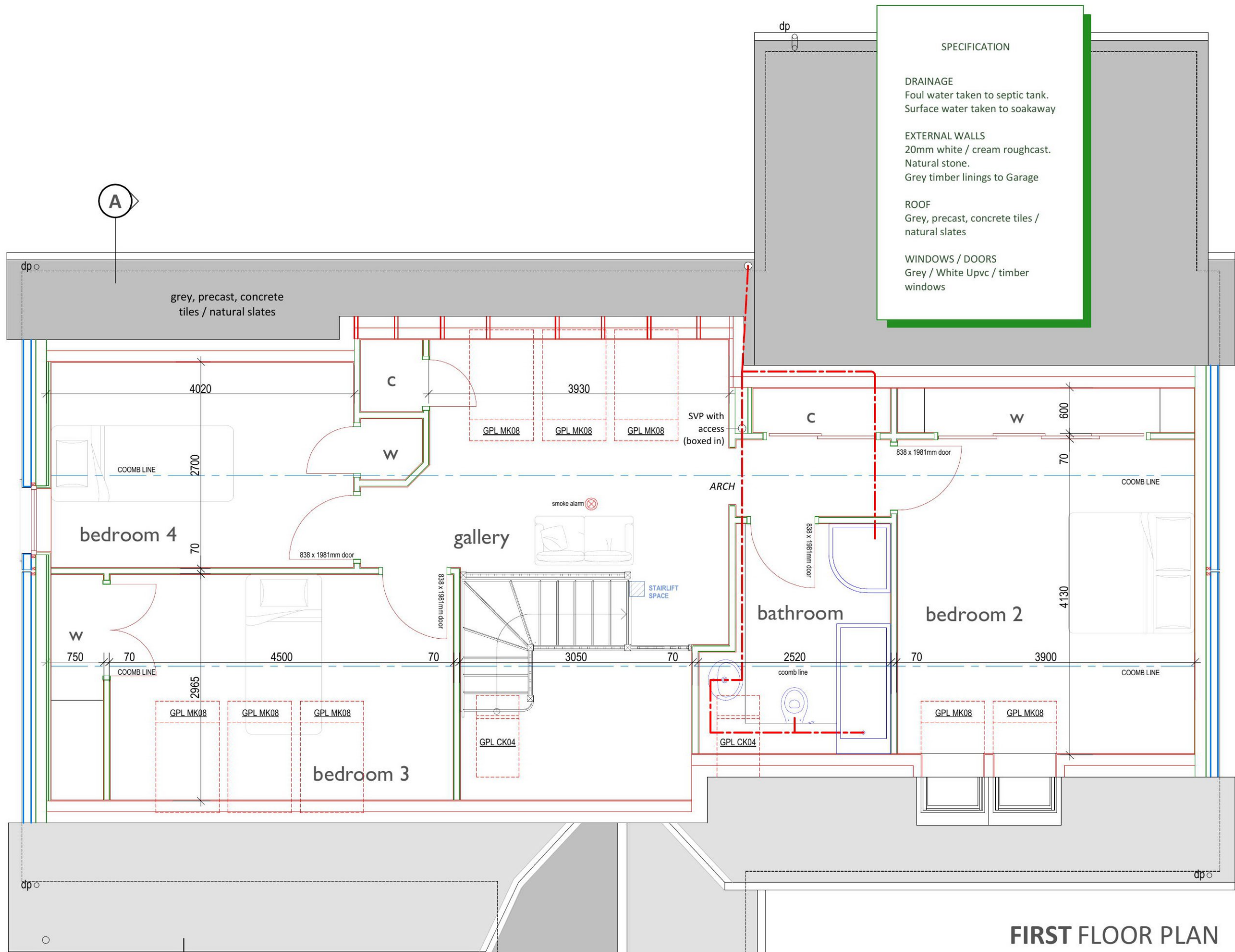
SCALE
1:500 & AS
STATED (A1)

DATE
JUNE 2016

SITE PLAN (SCALE 1:500)

Proposed erection of dwellinghouse with detached garage
At Lower Wardend Side, Wardend, by Birnie, Elgin, Moray For Mr Gavin Strathdee

planning drawing - general arrangement

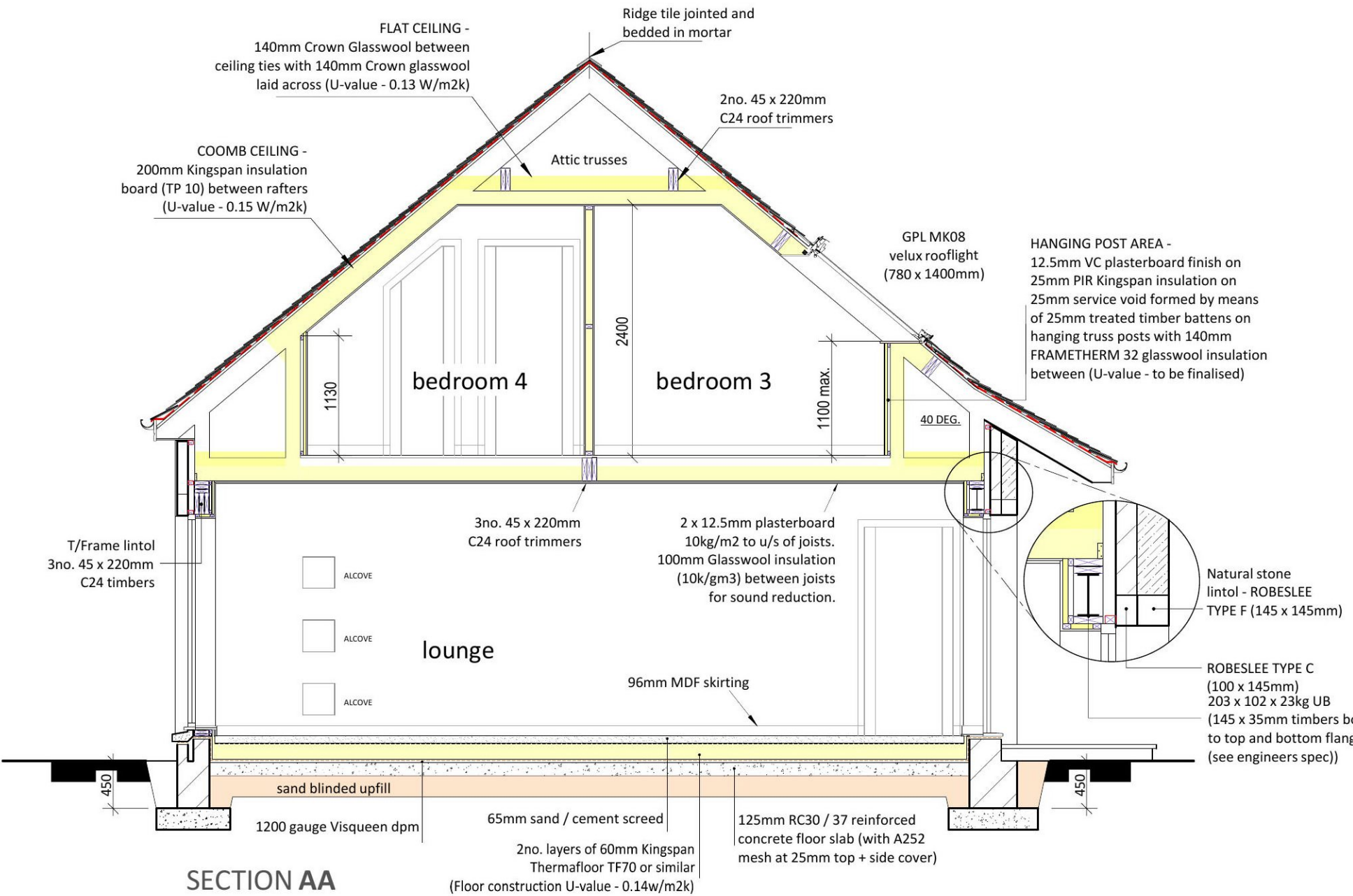
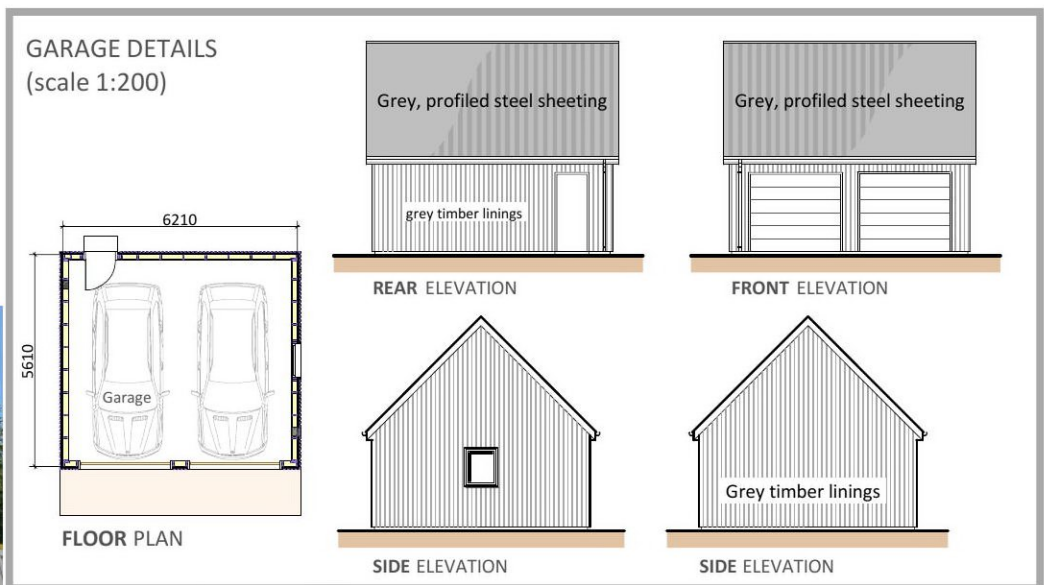
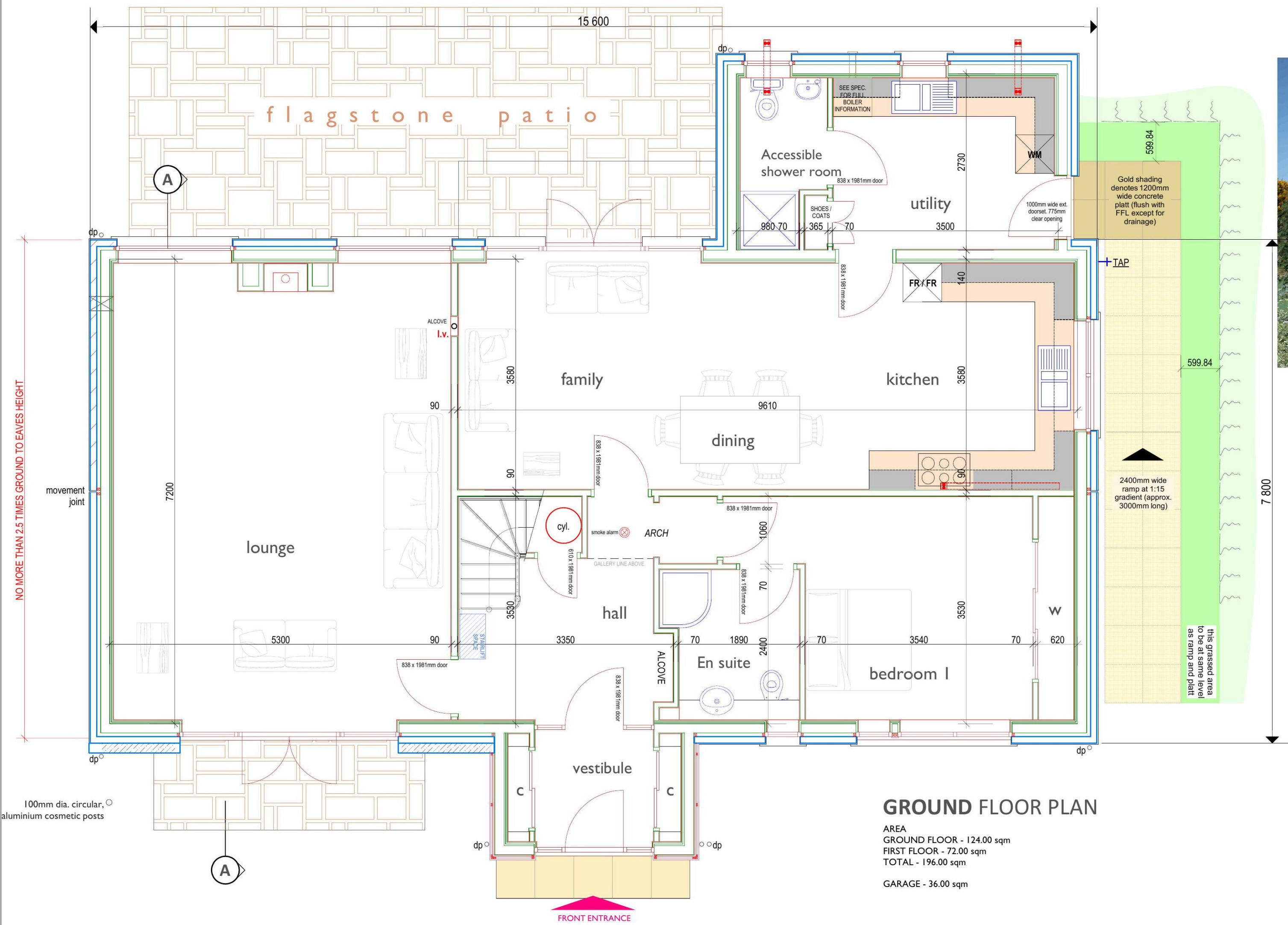
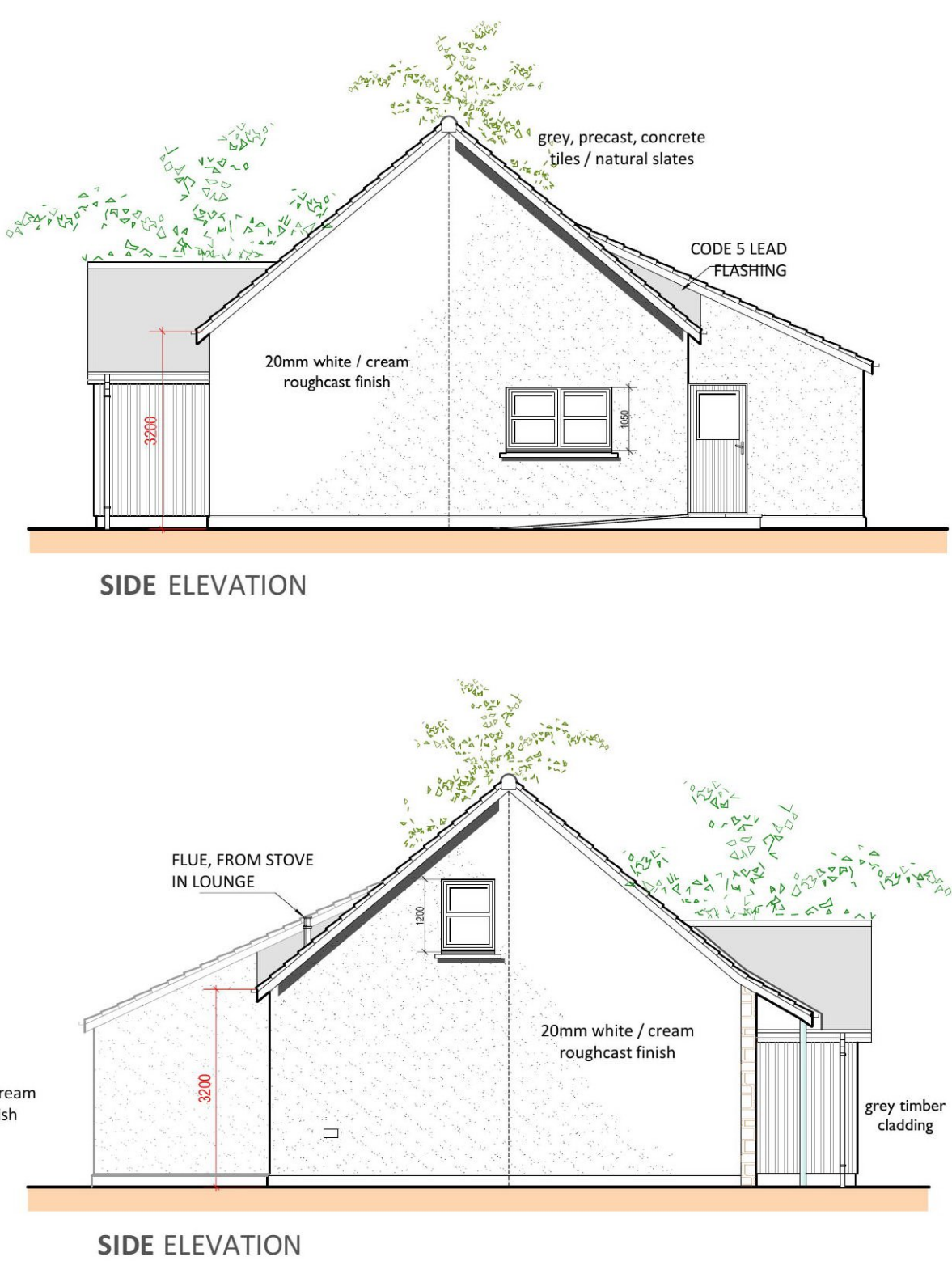


Town & Country Planning
(Scotland) Act, 1997
as amended

REFUSED

08 August 2016

Development Management
Environmental Services
The Moray Council



Strathdee Properties Ltd.

VIEWFIELD FARM, CRAIGELLACHIE,
ABERLOUR, MORAY, AB38 9QT

T - (01340) 881784
E - info@strathdeeproperties.com



PROJECT
Proposed erection of dwellinghouse
with detached garage At Lower
Wardend Side, Wardend, by Birnie,
Elgin, Moray For Mr Gavin Strathdee

DRAWING DESCRIPTION
PLANNING DRAWING - GENERAL ARRANGEMENT

DRAWING no.
LOW-WARD-SIDE / PLANNING / 02

DRAWN BY
S.Reid MCIAAT
Chartered Architectural Technologist

SCALE
1:50 / 1:100 (A1)

DATE
JUNE 2016

Consultation Request Notification

Planning Authority Name	The Moray Council
Response Date	6th July 2016
Planning Authority Reference	16/00989/APP
Nature of Proposal (Description)	Proposed erection of dwelling-house with detached garage
Site	Lower Wardend Side Wardend Birnie Moray
Site Postcode	N/A
Site Gazetteer UPRN	999999999999
Proposal Location Easting	3228700
Proposal Location Northing	885886
Area of application site (Ha)	2230 m²
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=O8WJGBBGIRK00
Previous Application	
Date of Consultation	22nd June 2016
Is this a re-consultation of an existing application?	No
Applicant Name	Mr Gavin Strathdee
Applicant Organisation Name	
Applicant Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
Agent Name	Strathdee Properties Limited
Agent Organisation Name	
Agent Address	Viewfield Farm Craigellachie Aberlour Moray AB38 9QT
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Derek Wilson
Case Officer Phone number	01343 563479
Case Officer email address	derek.wilson@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: 16/00989/APP

Proposed erection of dwelling-house with detached garage

Lower Wardend Side Wardend Birnie Moray for Mr Gavin Strathdee

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"/> |

Contact: Adrian Muscutt

email address: Adrian.muscutt@moray.gov.uk

Consultee:

Date 30.6.16

Phone No (01343) 563496

Return response to

consultation.planning@moray.gov.uk

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	The Moray Council
Response Date	6th July 2016
Planning Authority Reference	16/00989/APP
Nature of Proposal (Description)	Proposed erection of dwelling-house with detached garage
Site	Lower Wardend Side Wardend Birnie Moray
Site Postcode	N/A
Site Gazetteer UPRN	999999999999
Proposal Location Easting	3228700
Proposal Location Northing	885886
Area of application site (Ha)	2230 m²
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=O8WJGBBGIRK00
Previous Application	
Date of Consultation	22nd June 2016
Is this a re-consultation of an existing application?	No
Applicant Name	Mr Gavin Strathdee
Applicant Organisation Name	
Applicant Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
Agent Name	Strathdee Properties Limited
Agent Organisation Name	
Agent Address	Viewfield Farm Craigellachie Aberlour Moray AB38 9QT
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Derek Wilson
Case Officer Phone number	01343 563479
Case Officer email address	derek.wilson@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: Environmental Health Manager

Planning Application Ref. No: 16/00989/APP

Proposed erection of dwelling-house with detached garage

Lower Wardend Side Wardend Birnie Moray for Mr Gavin Strathdee

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"/> |

Contact: Kevin Boyle
email address: kevin.boyle@moray.gov.uk
Consultee:

Date 28.6.16
Phone No (01343) 563354

Return response to	consultation.planning@moray.gov.uk
---------------------------	---

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	The Moray Council
Response Date	6th July 2016
Planning Authority Reference	16/00989/APP
Nature of Proposal (Description)	Proposed erection of dwelling-house with detached garage
Site	Lower Wardend Side Wardend Birnie Moray
Site Postcode	N/A
Site Gazetteer UPRN	999999999999
Proposal Location Easting	3228700
Proposal Location Northing	885886
Area of application site (Ha)	2230 m²
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=O8WJGBBGIRK00
Previous Application	
Date of Consultation	22nd June 2016
Is this a re-consultation of an existing application?	No
Applicant Name	Mr Gavin Strathdee
Applicant Organisation Name	
Applicant Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
Agent Name	Strathdee Properties Limited
Agent Organisation Name	
Agent Address	Viewfield Farm Craigellachie Aberlour Moray AB38 9QT
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Derek Wilson
Case Officer Phone number	01343 563479
Case Officer email address	derek.wilson@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

NOTE:

If you do not respond by the response date, it will be assumed that you have no

comment to make.

The statutory period allowed for a consultation response is 14 days. Due to scheduling pressures if a definitive response is not received within 21 days this may well cause the two month determination period to be exceeded.

Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Transportation Manager

Planning Application Ref. No: 16/00989/APP

Proposed erection of dwelling-house with detached garage

Lower Wardend Side Wardend Birnie Moray for Mr Gavin Strathdee

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

Condition(s)

1. Prior to any development works commencing:
 - i) a detailed drawing (scale 1:500 or 1:1000 which shall also include details to demonstrate control of the land) showing the visibility splay 4.5 metres by 120 metres and a schedule of maintenance for the splay area shall be submitted to and approved by the Council, as Planning Authority in consultation with the Roads Authority; and
 - ii) the visibility splay shall be provided in accordance with the approved drawing prior to any works commencing (except for those works associated with the provision of the visibility splay); and
 - iii) thereafter the visibility splay shall be maintained at all times free from any obstruction exceeding 0.26 metres above the level of the carriageway in accordance with the agreed schedule of maintenance.
2. Prior to the commencement of development details shall be submitted for the approval in writing of the Planning Authority, in consultation with the Roads Authority, to ensure no water or loose material shall be permitted to drain or be carried onto the public footpath/carriageway for the life time of the development.
3. Prior to any development works commencing the first 10m of the access track, measured from the edge of the public road, shall be constructed to the Moray Council specification and surfaced with bituminous macadam.
4. Three 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.

5. A turning area shall be provided within the curtilage of the site to enable vehicles to enter and exit in a forward gear.

REASONS

1. To enable drivers of vehicles entering or exiting the site to have a clear view so that they can undertake the manoeuvre safely and with the minimum interference to the safety and free flow of traffic on the public road
2. To ensure acceptable infrastructure at the development access through the provision of details currently lacking.
3. To ensure acceptable infrastructure at the development access
4. To ensure an acceptable development in terms of parking provision and amenity of the area
5. To ensure acceptable development in the interests of road safety

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

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

No retaining structures or embankments shall be constructed along the edge of the road, whether retaining the public road or ground adjoining the public road without prior consultation and agreement of the Roads Authority.

The formation of the required visibility splay will involve the removal of vegetation and the lowering of ground levels.

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

Date 4 July 2016

Return response to

consultation.planning@moray.gov.uk

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.



Mrs Susan Richards
Blackmyre Farm
Dallas, Moray
IV36 2RZ
01343 890717
e-mail: heldoncc@boxersoft.com

13th July 2016

Dear Mr Wilson

Planning Application 16/00989/APP

Proposed dwelling house at Lower Wardend Side, Birnie

At a recent meeting of the Community Council the above referenced Planning application was discussed and the Community Council hereby wish to formally object on the following grounds:

Introduction

First and foremost the Community Council is not against houses in the countryside, though any application requires to be in keeping with the surrounding area and does not impact on existing properties or detract from the countryside values.

Policy T2 Provision of Access

States that Development must meet the following criteria:

Provide safe entry and exit from the development for all road users including ensuring appropriate visibility for vehicles at junctions and bends.

Provide appropriate mitigation/modification to existing transport networks where required to address the impacts of new development on the safety and efficiency of the transport network.

Proposals must avoid or mitigate against any unacceptable adverse landscape or environmental impacts.

We believe it is appropriate that a traffic assessment is carried out to ascertain if the road geometry is sufficient to accommodate further development in this area.

Conclusion

We believe until the traffic report is carried out and sufficient suspensive planning conditions can be reviewed as mitigation, then this application should be refused.

Yours sincerely

Susan M Richards
Secretary to the Heldon Community Council

REPORT OF HANDLING

Ref No:	16/00989/APP	Officer:	Derek Wilson
Proposal Description/ Address	Proposed erection of dwelling-house with detached garage Lower Wardend Side Wardend Birnie Moray		
Date:	08.08.2016	Typist Initials:	NW

RECOMMENDATION

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

CONSULTATIONS

Consultee	Date Returned	Summary of Response
Environmental Health Manager	28/06/16	No objection
Contaminated Land	30/06/16	No objection
Transportation Manager	04/07/16	No objection with conditions and informative
Scottish Water		No response at time of report

DEVELOPMENT PLAN POLICY

Policies	Dep	Any Comments (or refer to Observations below)
PP1: Sustainable Economic Growth	N	
PP3: Placemaking	Y	See analysis for details
H7: New Housing in the Open Countryside	Y	See analysis for details
EP5: Sustainable Urban Drainage Systems	N	
EP9: Contaminated Land	N	
EP10: Foul Drainage	N	
T2: Provision of Access	N	
T5: Parking Standards	N	
IMP1: Developer Requirements	Y	See analysis for details

REPRESENTATIONS

Representations Received	YES	
Total number of representations received		

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>Comments (PO):</p> <p>Issue: A traffic assessment should be carried out to ascertain if the road geometry is sufficient to accommodate further development in this area.</p> <p>Comments (PO): The Transport Service has requested five conditions regarding access and parking are attached to any approval. Traffic data was collected for the access track in October 2015 and a further assessment is not deemed necessary.</p>

OBSERVATIONS – ASSESSMENT OF PROPOSAL

The Proposal

Description

- The site is an irregularly shaped 2230sqm former gravel pit 77m south of Wardend Crossroads. The site is in the process of being cut and levelled therefore lowering the plot some five metres below the access track which runs 725m south east to the A941.
- The site access is formed and the plot is bounded by bushes along the lines of the former use perimeter. Post and wire fencing is proposed to delineate the plot
- The indicative house is a single storey rectangular house (approx. 130sqm). The principal elevation is to face south-west away from the banks created by the cutting and separate garaging will be to the south east.
- The house will connect to the public water supply and a foul and surface drainage system with a septic tank will be installed on site.

Appraisal

Section 25 of the Town and Country Planning (Scotland) etc. Act 1997 requires applications to be determined in accordance with the current Moray Local Development Plan 2015 unless material considerations indicate otherwise. The planning issues for this proposal are the following:

Analysis

Policy H7 assumes in favour for a new house in the open countryside provided it reflects the traditional settlement pattern and is sensitively integrated with the surrounding landform and at least 50% of the site boundaries are long established and distinguish the site from the surrounding land.

The former use as a gravel pit established the plot through usage and vegetation delineation. The levelling of the site to create a south facing plot screened from the access track by the boundary cutting and proposed planting is an alteration to the surrounding landform though it will mean a house will not be visually intrusive on the skyline. The orientation with the contours will allow a house some integration with the land.

The traditional pattern of housing in the open countryside can be characterised by small clusters of buildings or individual houses dispersed throughout the countryside. It is important that the location of a new house reflects the traditional pattern of vernacular houses in order that development relates to

the long-established building arrangement in the vicinity and that the rural identity of Moray is retained.

The proposed house contributes to a build-up of development where the number of new houses has the effect of changing the rural character of the area, particularly where there has been a significant growth in the number of new house applications. There are six further extant or completed housing sites within a 550m line along the access track. This will create inappropriate ribbon development which is unacceptable under Policy H7.

In so far as the Primary Policies are relevant, apply and are met, the proposal is not supported in terms of its location seeking to safeguard and improve the quality of the surrounding natural and built environment under Policy PP1. The proposal does not maintain and enhance the natural landscape features and distinctive character of the area and is not supported by Policy PP3.

Access/Parking

Policy T2 requires the highest level of safe entry and exit including appropriate visibility for vehicles at junctions. In addition the development must provide adequate parking spaces based on the Council's current policy on parking standards, Policy T5. The Transport Manager has not objected to the proposal and has recommended that conditions regarding vehicle safety accessing, proceeding, manoeuvring and parking are attached to any approval.

Drainage and Water Supply

Policy IMP1 requires new development to make acceptable water, drainage and waste management provision including the use of sustainable urban drainage systems for dealing with surface drainage.

Policy EP5 requires a method of dealing with surface water which should avoid pollution and promote amenity. The house will be connected to the public water supply and Scottish Water has not responded within the statutory consultation period raising objections.

Conclusion

For the reasons described in the analysis section the application is being refused. The build-up of new housing out-with the traditional pattern resulting in a ribbon development, will form the basis for refusal.

OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT

MLDP Supplementary Guidance on Policy H7: New Housing in the Open Countryside.

HISTORY				
Reference No.	Description			
	Decision		Date Of Decision	

ADVERT		
Advert Fee paid?	Yes	
Local Newspaper	Reason for Advert	Date of expiry
Northern Scot	Departure from development plan	21/07/16
PINS	Departure from development plan	21/07/16

DEVELOPER CONTRIBUTIONS (PGU)	
Status	

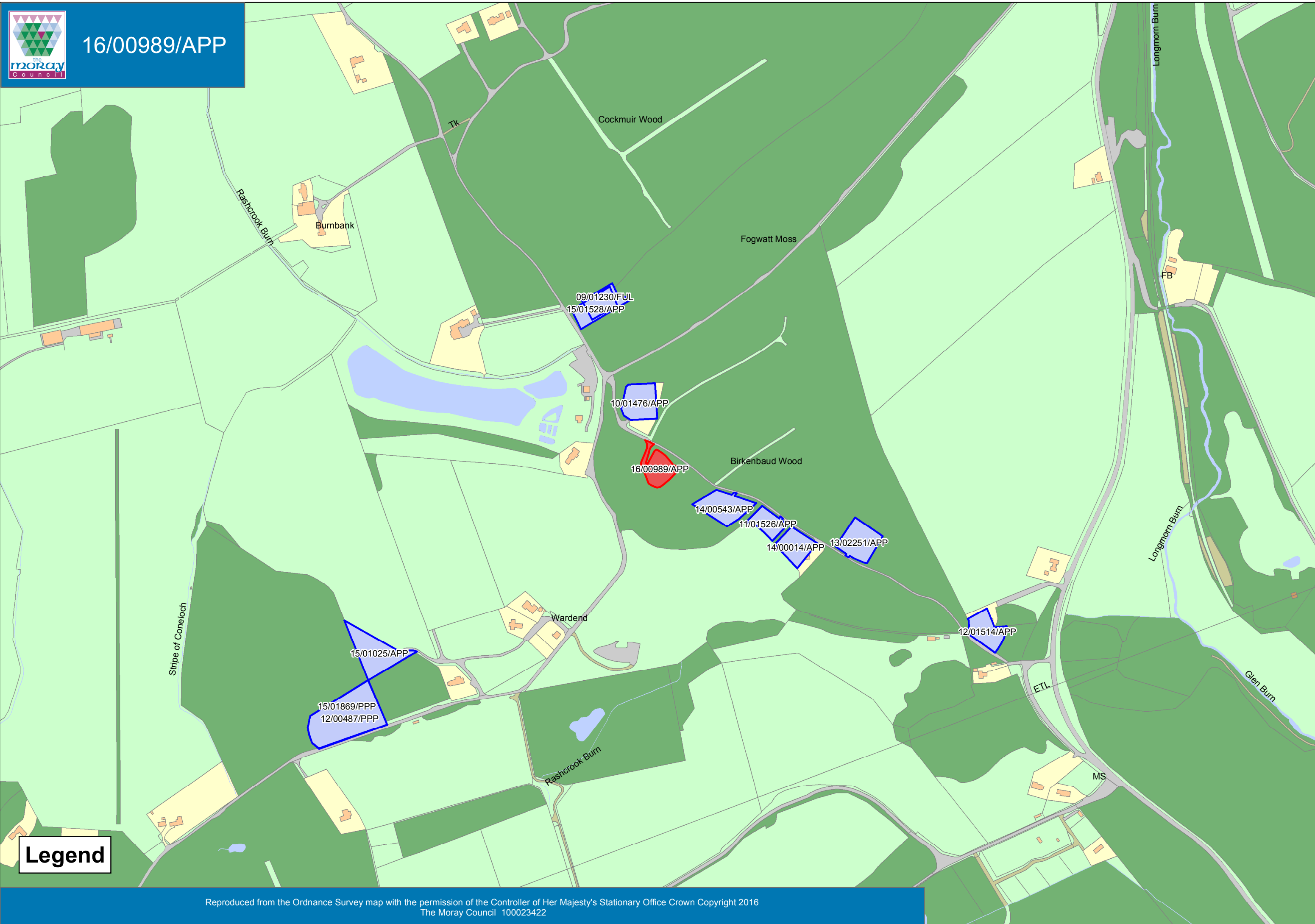
DOCUMENTS, ASSESSMENTS etc. *		
* Includes Environmental Statement, Appropriate Assessment, Design Statement, Design and Access Statement, RIA, TA, NIA, FRA etc		
Supporting information submitted with application?		NO
Summary of main issues raised in each statement/assessment/report		
Document Name:		
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:		

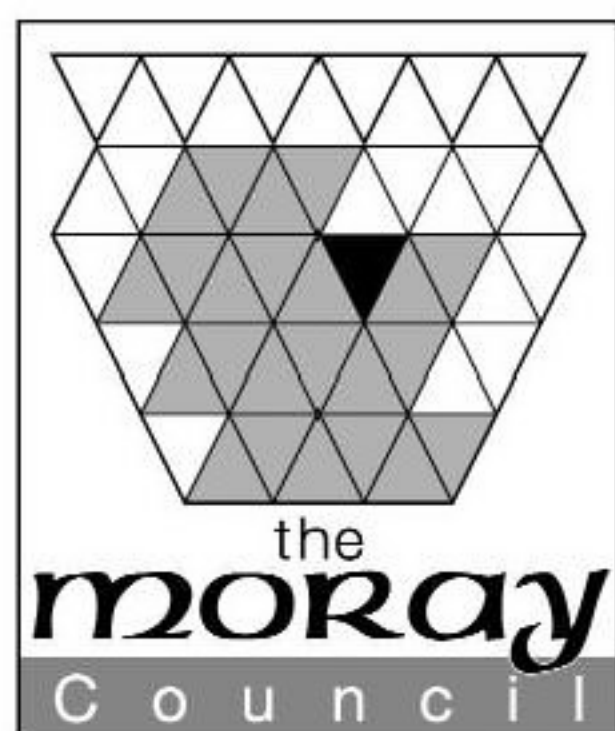
DIRECTION(S) MADE BY SCOTTISH MINISTERS (under DMR2008 Regs)			
Section 30	Relating to EIA		NO
Section 31	Requiring planning authority to provide information and restrict grant of planning permission		NO
Section 32	Requiring planning authority to consider the imposition of planning conditions		NO
Summary of Direction(s)			



16/00989/APP



Legend

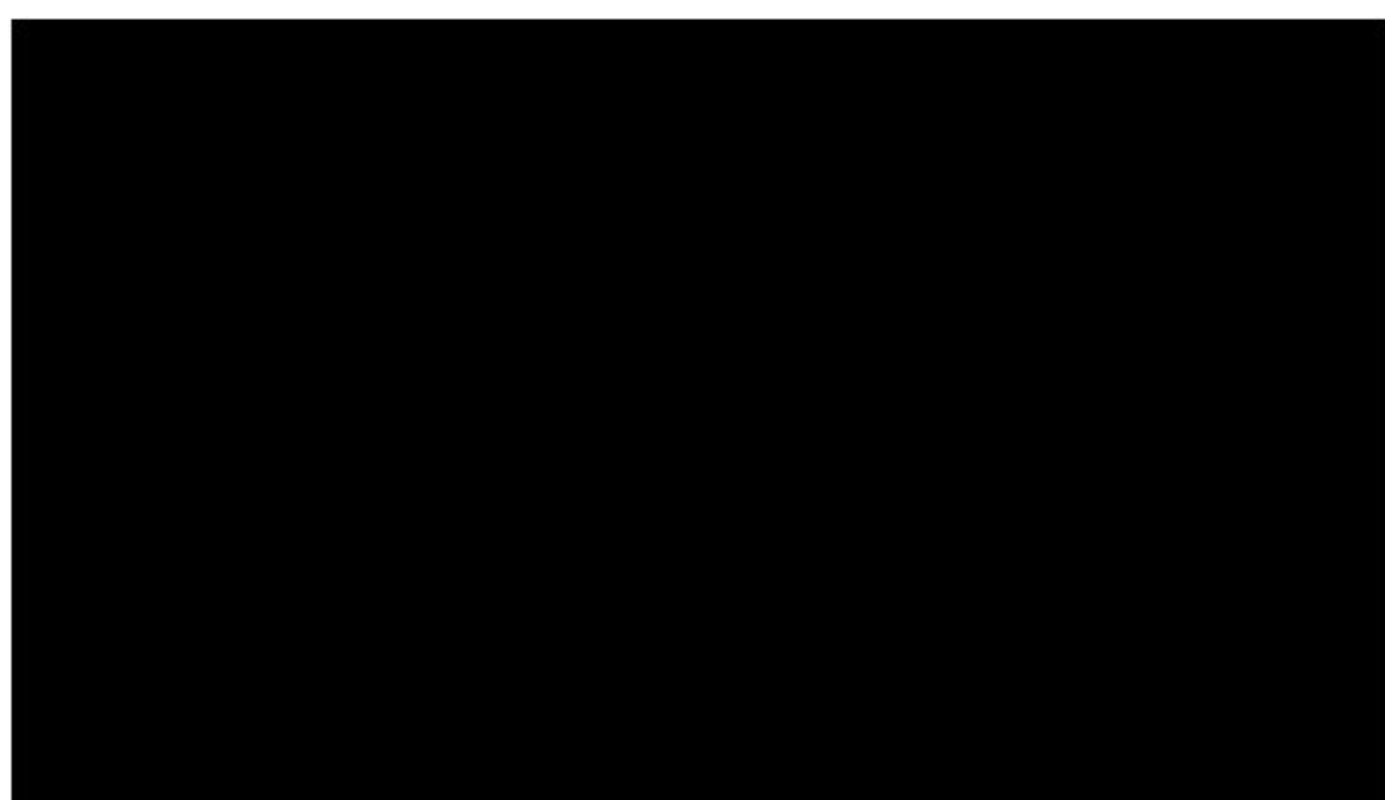


**THE MORAY COUNCIL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997,
as amended**

REFUSAL OF PLANNING PERMISSION

**[Fochabers Lhanbryde]
Application for Planning Permission**

TO

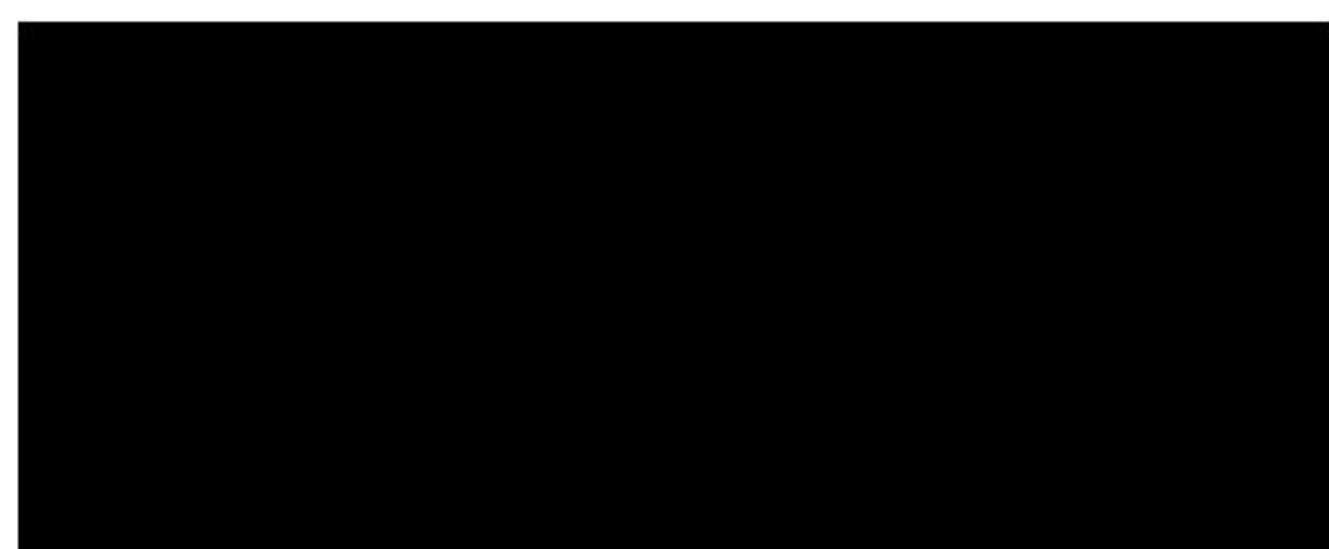


With reference to your application for planning permission under the above mentioned Act, the Council in exercise of their powers under the said Act, have decided to **REFUSE** your application for the following development:-

**Proposed erection of dwelling-house with detached garage at Lower Wardend
Side Wardend Birnie Moray**

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

Date of Notice: **8th August 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 the provisions of the Moray Local Development Plan 2015 (Policies H7, and IMP1) where:-

- 1 Because of its siting/location the proposal would result in an additional dwelling contributing to an unacceptable build-up of new housing in an inappropriate ribbon development changing the rural character of the surrounding area.
- 2 Because of its siting/location in the area of Wardend it will contribute to build-up that could irreversibly alter the character of the locality.

LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT

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

Reference	Version	Title
LOW-WARD-SIDE/PLANNING/02		Elevations and floor plans
LOW-WARD-SIDE/PLANNING/0		Site and location plan
LOW-WARD-SIDE/PLANNING/LP		Location plan - NTS

**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.scot/eplanningClient

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.