



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 100028068-001

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 new house for Caretaker at Covesea Links Golf Course

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:	1 Architects Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	ian	Building Name:	Suite 25
Last Name: *	Sutherland McCook	Building Number:	
Telephone Number: *	07713 912473	Address 1 (Street): *	Inverness Airport
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Inverness
Fax Number:		Country: *	United Kingdom
		Postcode: *	IV2 7JB
Email Address: *	ian@1architects.com		

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

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Other	You must enter a Building Name or Number, or both: *	
Other Title:	Mr and Mrs	Building Name:	
First Name: *	Andy	Building Number:	
Last Name: *	Burnett	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

Covesea Links Golf Course Hopeman Road Lossiemouth IV30 5QS

Northing

870870

Easting

319231

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☒ Yes ☐ No

Pre-Application Discussion Details Cont.

In what format was the feedback given? *

☐ Meeting ☒ Telephone ☐ Letter ☐ Email

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

Advised to resubmit

Title:

Mr

Other title:

First Name:

Maurice

Last Name:

Booth

Correspondence Reference
Number:

Date (dd/mm/yyyy):

03/10/2016

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

Site Area

Please state the site area:

42.63

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)

Golf Course

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.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

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)? *

2

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).

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

As you have indicated that you are proposing to make private drainage arrangements, please provide further details.

What private arrangements are you proposing? *

- ☒ New/Altered septic tank.
☐ Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed).
☐ Other private drainage arrangement (such as chemical toilets or composting toilets).

What private arrangements are you proposing for the New/Altered septic tank? *

- ☒ Discharge to land via soakaway.
☐ Discharge to watercourse(s) (including partial soakaway).
☐ Discharge to coastal waters.

Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: *

New private septic tank and soakaway of domestic size.

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.

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)

Water butts to be used for roof run-off.

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

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: Ian Sutherland McCook

On behalf of: Mr and Mrs Andy Burnett

Date: 12/10/2016

☒ 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)

All info is provided

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 checked="" type="checkbox"/> Yes <input 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 checked="" type="checkbox"/> Yes <input 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 Ian Sutherland McCook

Declaration Date: 26/10/2016

Applicant Statement

We understand that planning law and policies exist to protect amenity, and that without them there would be a free-for-all. We respect this, and we take heart from the fact that in general, planning policies produce many more pluses than minuses.

However, the inflexible application of any rule can sometimes produce anomalous results, and we feel that in this case a rigid interpretation of Policy E8 (CPZ) is not producing a well-balanced outcome. Not all applications fall into neat, black and white solutions, and sometimes a little flexibility is needed in order to get the best outcome from a policy.

This site does not strictly meet the requirement of having an existing residential use, but it does indisputably have a previous residential use, as evidenced by the historic photographs submitted with our planning application. The previous house sat right on the foreshore, and part of the house walls still remain, but for us to recreate a house there would make no operational sense, being so far removed from the site entrance and unable to provide monitoring security. Also, that former site would now probably be deemed liable to coastal flooding, and a new house there would detract from the amenity of the beach area.

When this precedent of residential use on site is recognised, there seems less reason for refusing the current application.

We also wish to highlight the inherent contradiction between the theoretical policy objectives and the practical situation on the ground. We were permitted recently to have a restaurant and large storage sheds, presumably on the grounds that they are "temporary" and could be removed from the landscape if the golf course closed. The house is refused presumably because it would remain in the landscape if the golf course closed. But there is little sense in this distinction because even if the course closed, why would the new site owner choose to demolish a perfectly good restaurant building and an equally good storage shed? They may find alternative uses for the buildings, but no owner would choose to demolish them, and there are no legal obligations for them to do so.

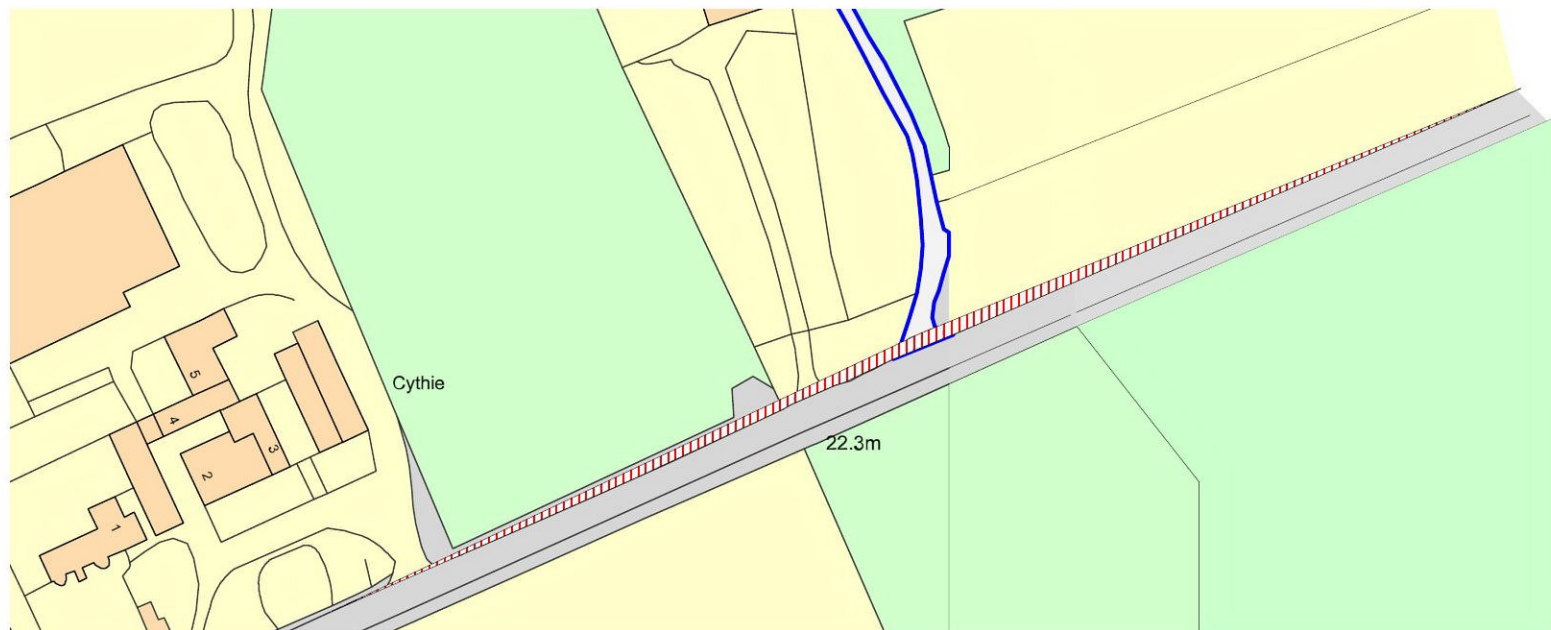
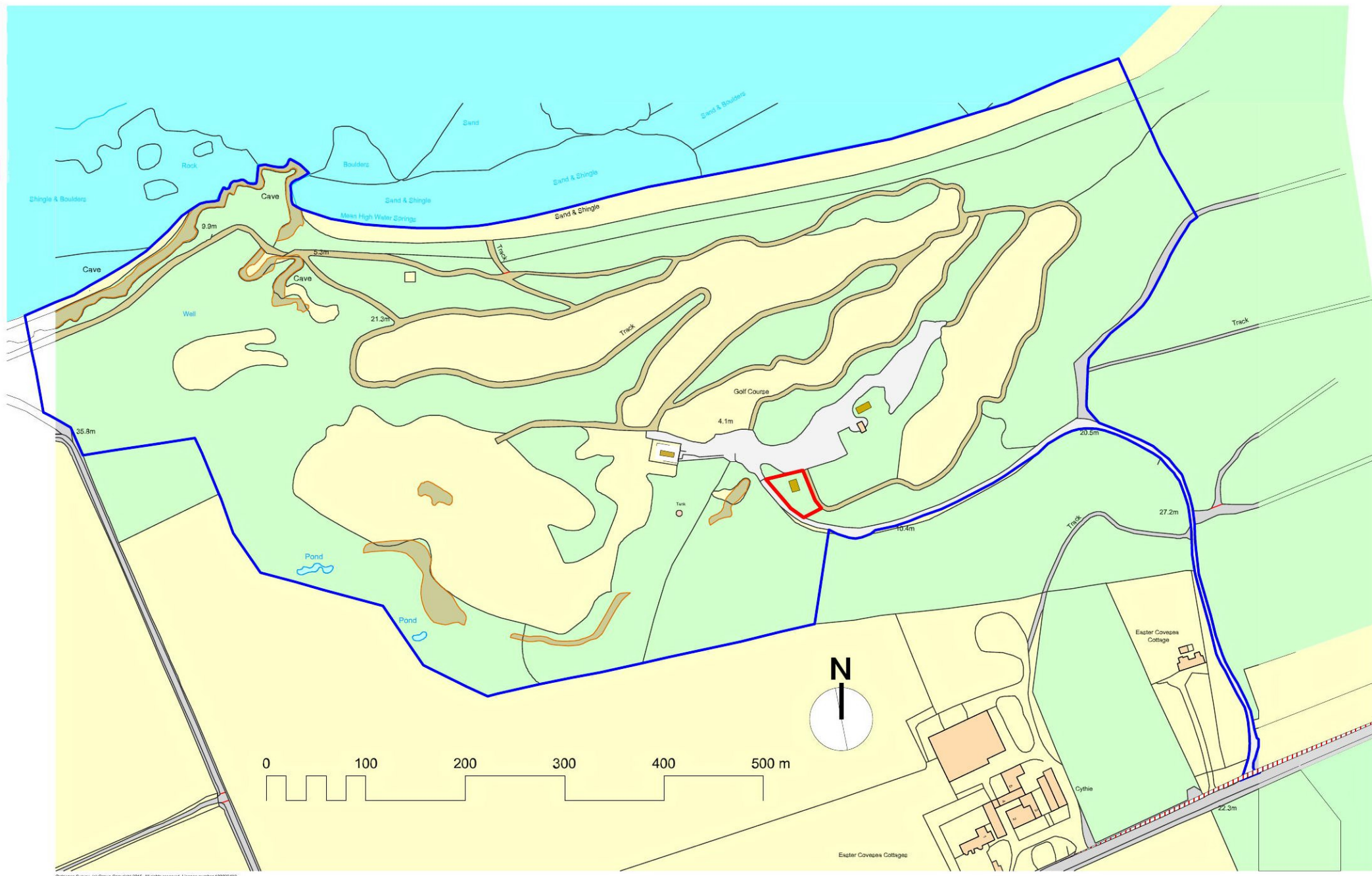
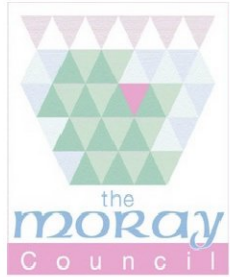
Furthermore, we have successfully operated this facility for over 10 years, and wish to do so for many more years. If we did sell up, it would simply be bought by another golf operator happy to inherit a carefully designed and well-maintained course frequented by the local and wider community. In practical terms there is no realistic prospect of this course closing, so the text-book distinction being made by the policy has no basis in reality. All these buildings will remain in the landscape for their natural lifetime, irrespective of whether they are residential or otherwise, or whether this is a golf course or something else.

There have been a total of three fires on this site, and the location is also a target for thieves. The business has experienced a number of thefts since 2010, the most recent being last June. An onsite presence is much more of a deterrent to potential criminals especially on a vulnerable coastal site like Covesea, being so isolated and set well away from the main road. Without someone living on site to provide security it does not make sense to invest in rebuilding the cafe/clubhouse. Despite suggestions to the contrary, CCTV is simply not adequate in this location. CCTV is as vulnerable as any building or machinery on the site it could also be damaged cut off from source, vandalised or burnt down. It has a place and will be utilized, but on its own it is not the answer. It is an unreliable source in prevention and in catching criminals as criminals tend to know the blind spots of surveillance cameras, and Covesea Links provides many blind spots, being so well isolated from public view. We have done all in our power to accommodate and adhere to policy's H7/E7 design requirements, but to protect the future viability and investment in the golf course and café the residential accommodation is essential, to prevent another devastating experience in the future

At enormous personal costs we have kept the facility to a high standard during the downturn since the fire in June 2014 and will endeavour to carry this on in the future. However our investment to date will be put into jeopardy if caretaker accommodation is not permitted. We believe that consent will secure the longevity of the business to which we are so committed.

With proper onsite security we can protect and enhance an established, well-developed golf course, we can maintain the growth of tourism in the local area, café will offer a great destination for the disabled community of Moray, and not least of all, we can employ local people. We wish to sustain an exceptional tourist destination in Moray, and we are confident that we can do so with the support of Moray Council.

Mr & Mrs Burnett
October 2016



Visibility Splay of 270 metres in both directions measured 4.5 metres back from road edge.
First 15 metres of site road to be covered in bituminous material.



SUITE 25 INVERNESS AIRPORT IV2 7JB
L Registered in Scotland N°373942
E reception @ 1architects.com
W http://www.1architects.com
T +44 (0)1463 216121

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

REFUSED

09 December 2016

Development Management
Environmental Services
The Moray Council

Drawing no.
452.016

Title
Location Plan

Project
Covesea Links Golf Course

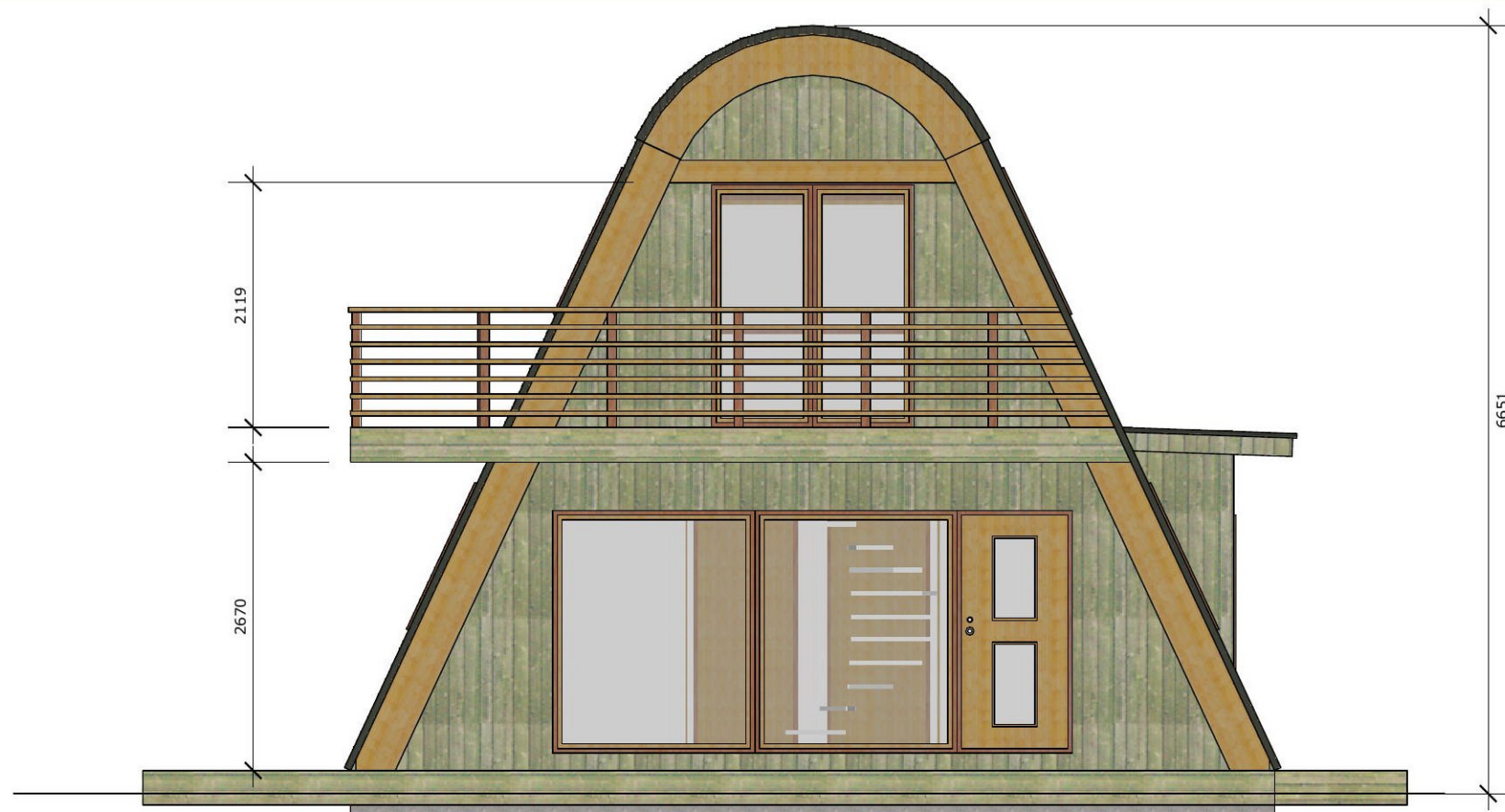
Client
Andy & Angie Burnett

Date
August 15

Scale
1:5000/1:2500

Drawn
ISM

Control



ELEVATION FRONT

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

REFUSED

09 December 2016

Development Management
Environmental Services
The Moray Council



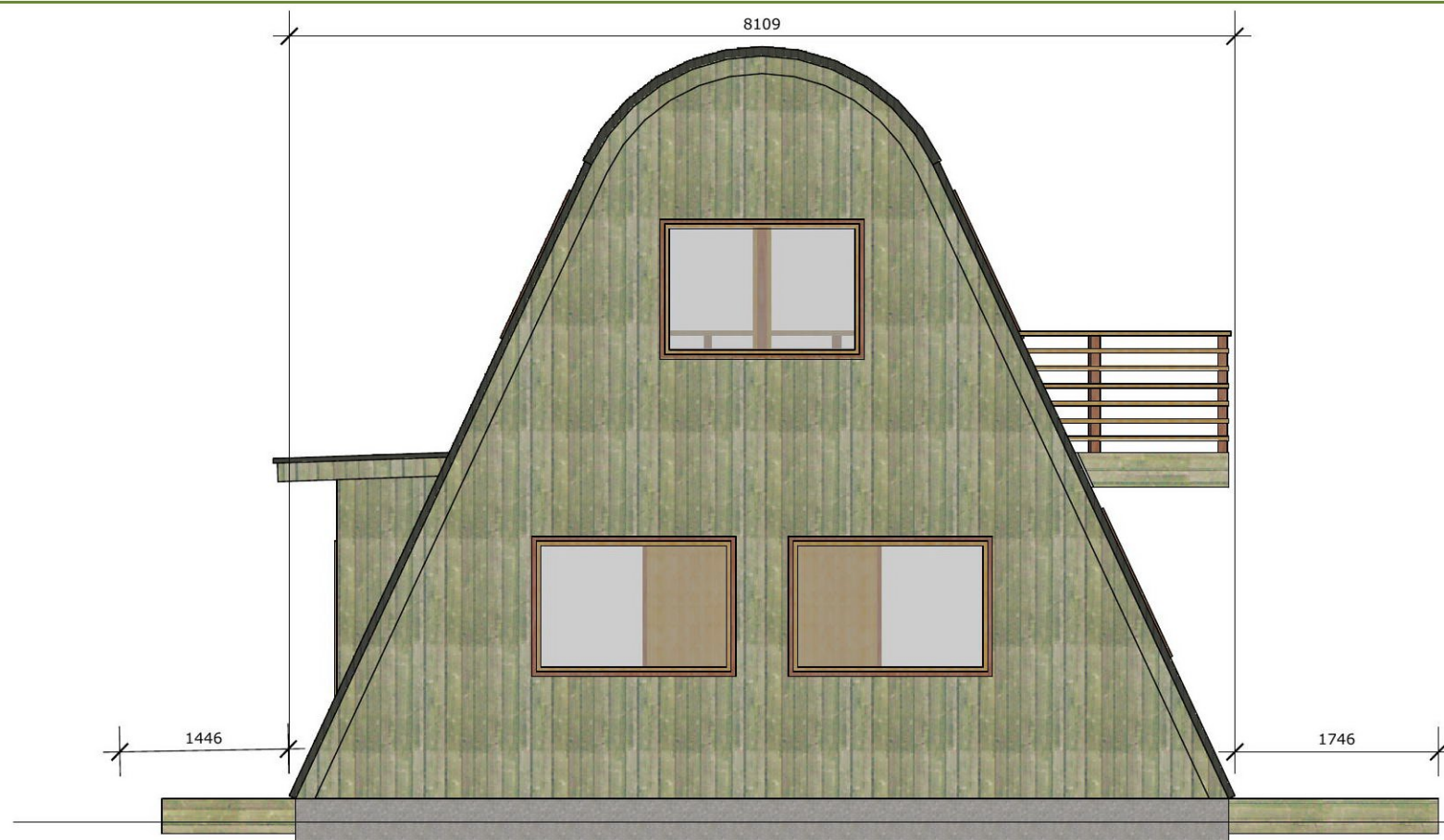
ELEVATION LEFT

DRAWING NAME
ELEVATIONS 1

PROJECT NAME
ALPHA HOUSE

DRAWN BY
Siim P.
DRAWING ID
A-06

DATE (DD/MM/YYYY)
15/03/2016



ELEVATION BACK

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

REFUSED

09 December 2016

Development Management
Environmental Services
The Moray Council



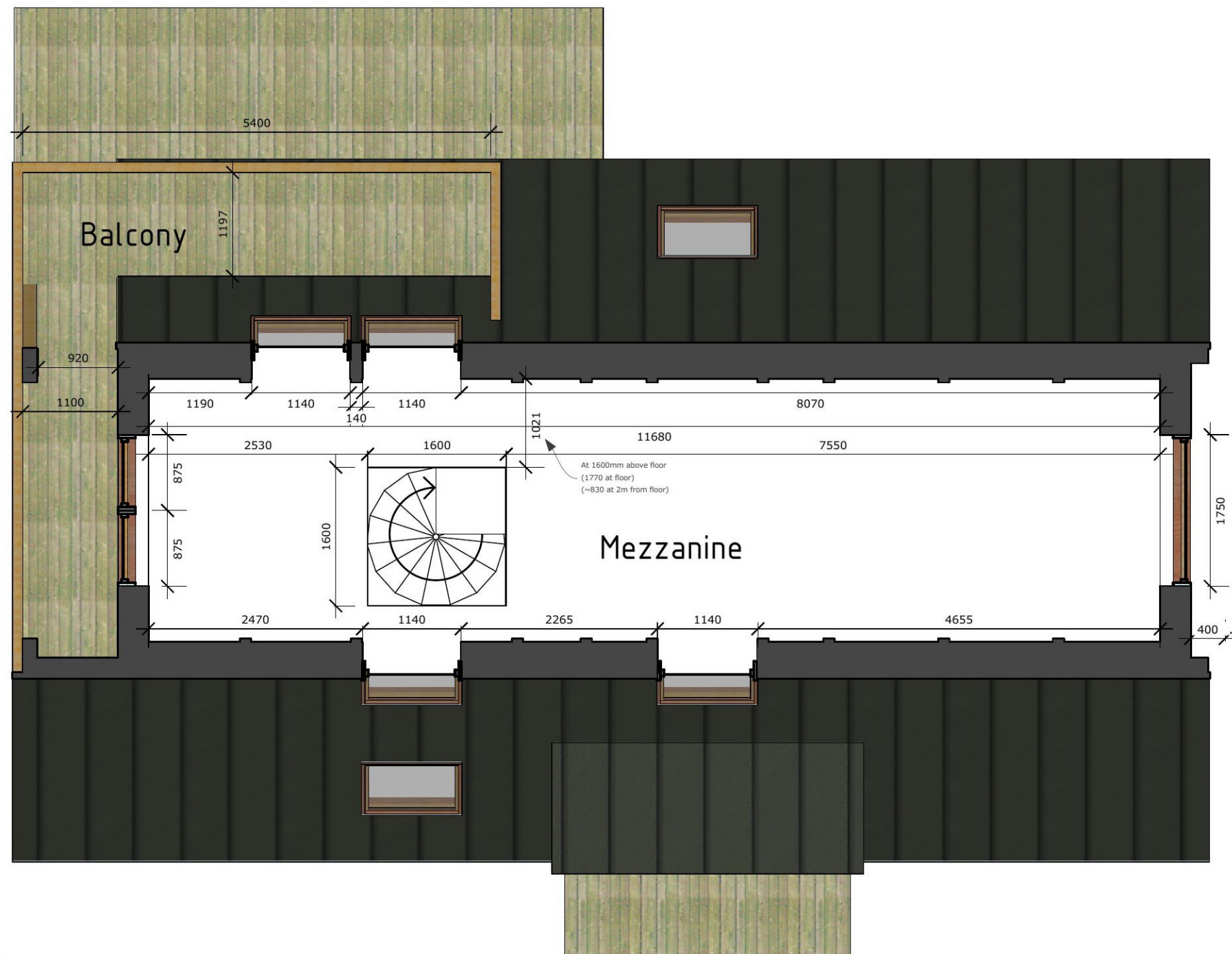
ELEVATION RIGHT

DRAWING NAME
ELEVATIONS 2

PROJECT NAME
ALPHA HOUSE

DRAWN BY
Siim P.
DRAWING ID
A-07

DATE (DD/MM/YYYY)
15/03/2016



1ST FLOOR PLAN

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

REFUSED

09 December 2016

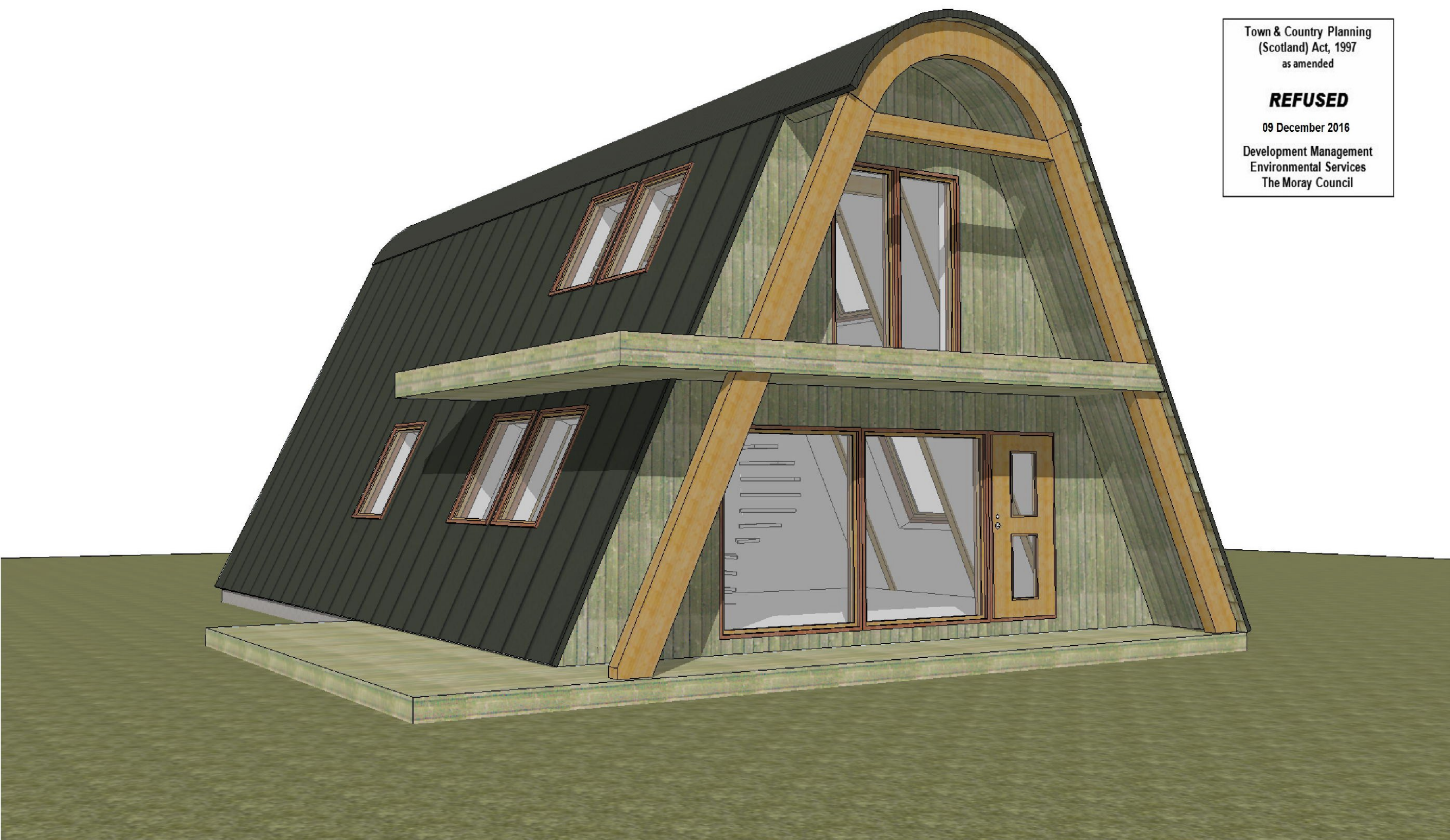
Development Management
Environmental Services
The Moray Council

DRAWING NAME
1st FLOOR PLAN

PROJECT NAME
ALPHA HOUSE

DRAWN BY
Siim P.
DRAWING ID
A-04

DATE (DD/MM/YYYY)
15/03/2016



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

REFUSED

09 December 2016

Development Management
Environmental Services
The Moray Council

PERSPECTIVE VIEW FRONT - METAL ROOF

DRAWING NAME
**PERSPECTIVE VIEW
FRONT - METAL**

PROJECT NAME
ALPHA HOUSE

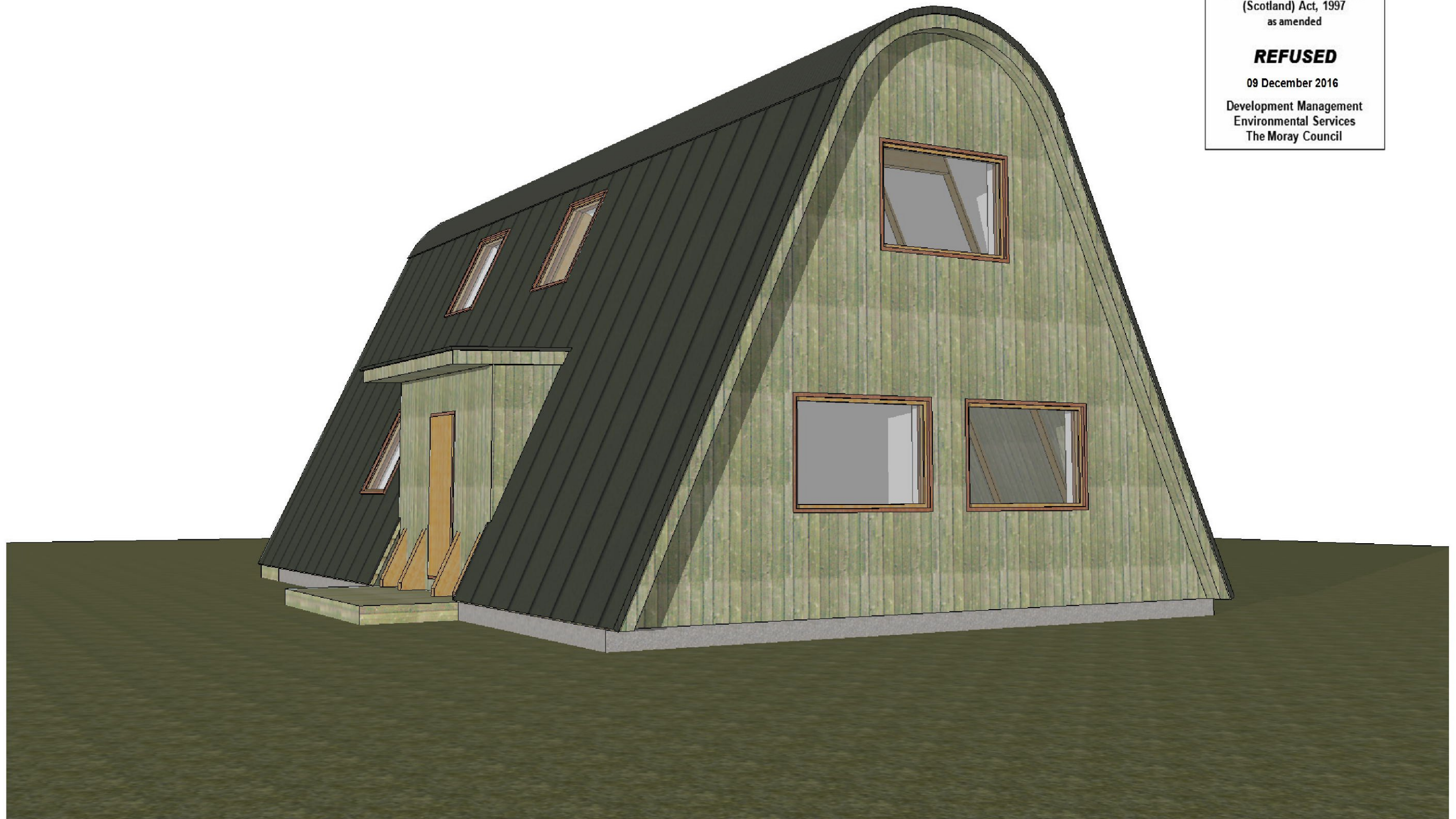
DRAWN BY Siim P.	DATE (DD/MM/YYYY) 15/03/2016
DRAWING ID A-01	

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

REFUSED

09 December 2016

Development Management
Environmental Services
The Moray Council



PERSPECTIVE VIEW BACK - METAL ROOF

DRAWING NAME
**PERSPECTIVE VIEW
BACK - METAL**

PROJECT NAME
ALPHA HOUSE

DRAWN BY Siim P.	DATE (DD/MM/YYYY) 15/03/2016
DRAWING ID A-02	

INDOOR FLOOR AREA: 131m²
GROUND FLOOR: 81m²
1ST FLOOR: 50m²



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

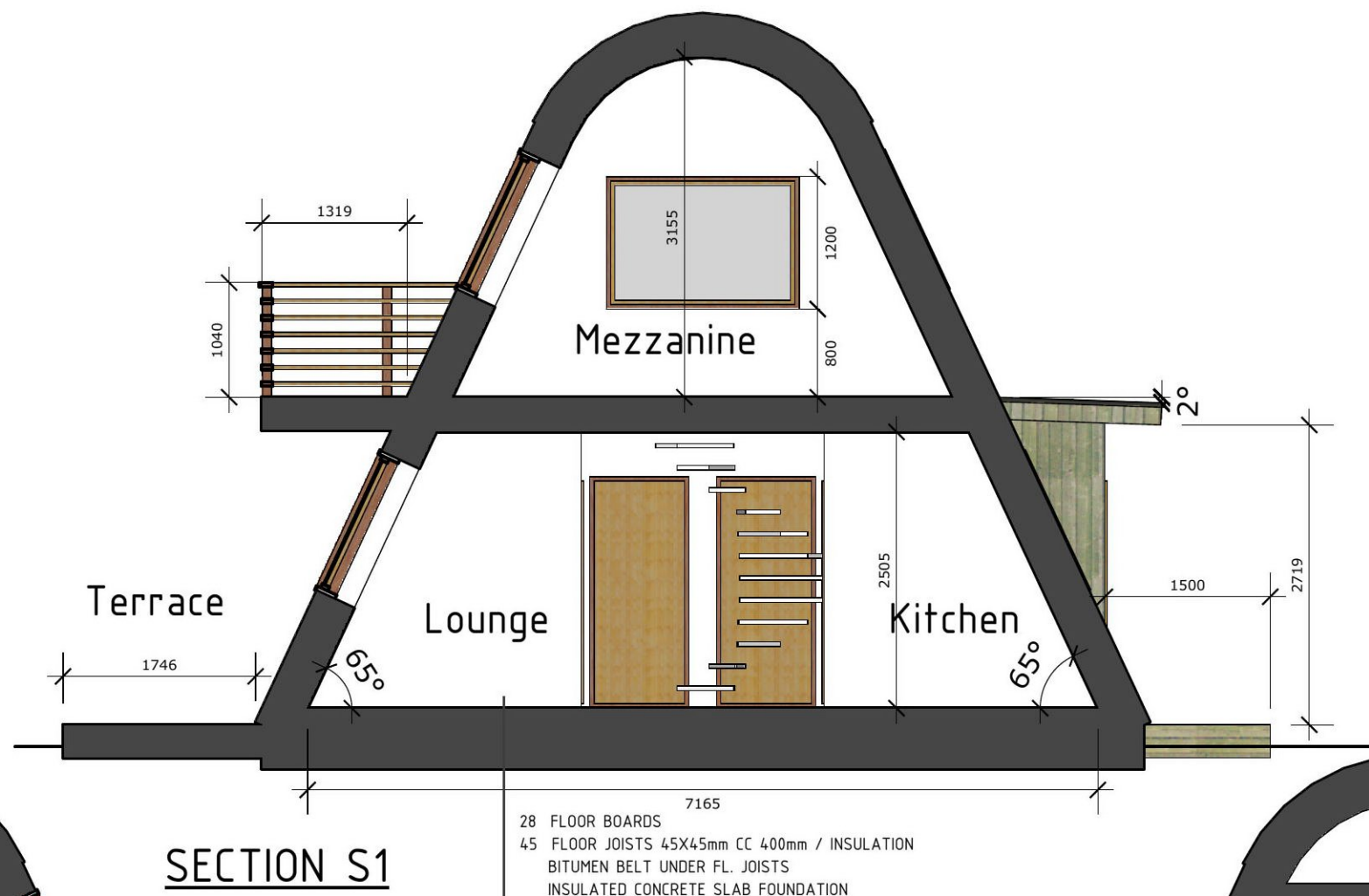
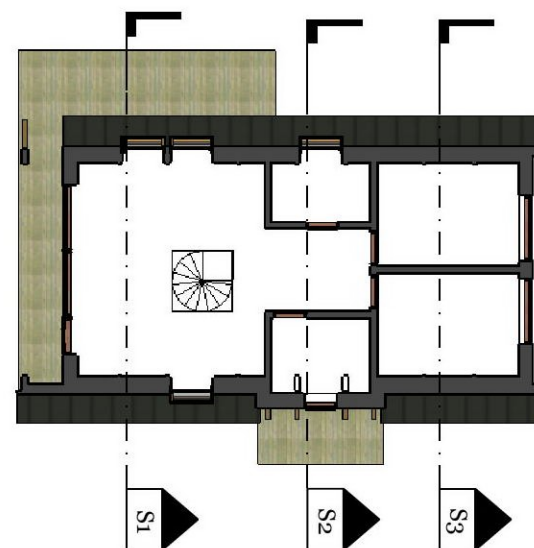
REFUSED

09 December 2016

Development Management
Environmental Services
The Moray Council

GROUND FLOOR PLAN

DRAWING NAME	PROJECT NAME	DRAWN BY	DATE (DD/MM/YYYY)
GROUND FLOOR PLAN	ALPHA HOUSE	Siim P.	15/03/2016
		DRAWING ID	
		A-03	

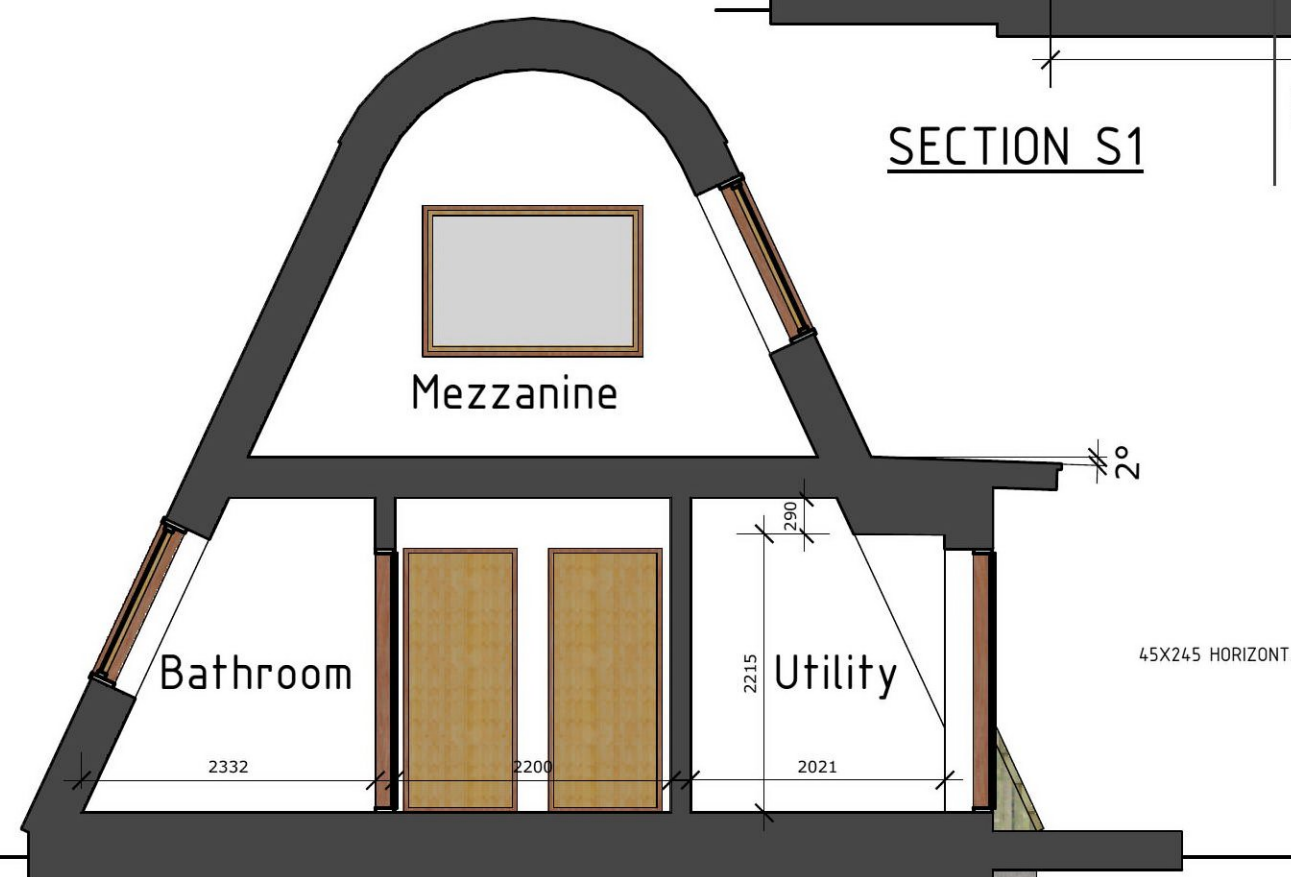


Town & Country Planning
(Scotland) Act, 1997
as amended

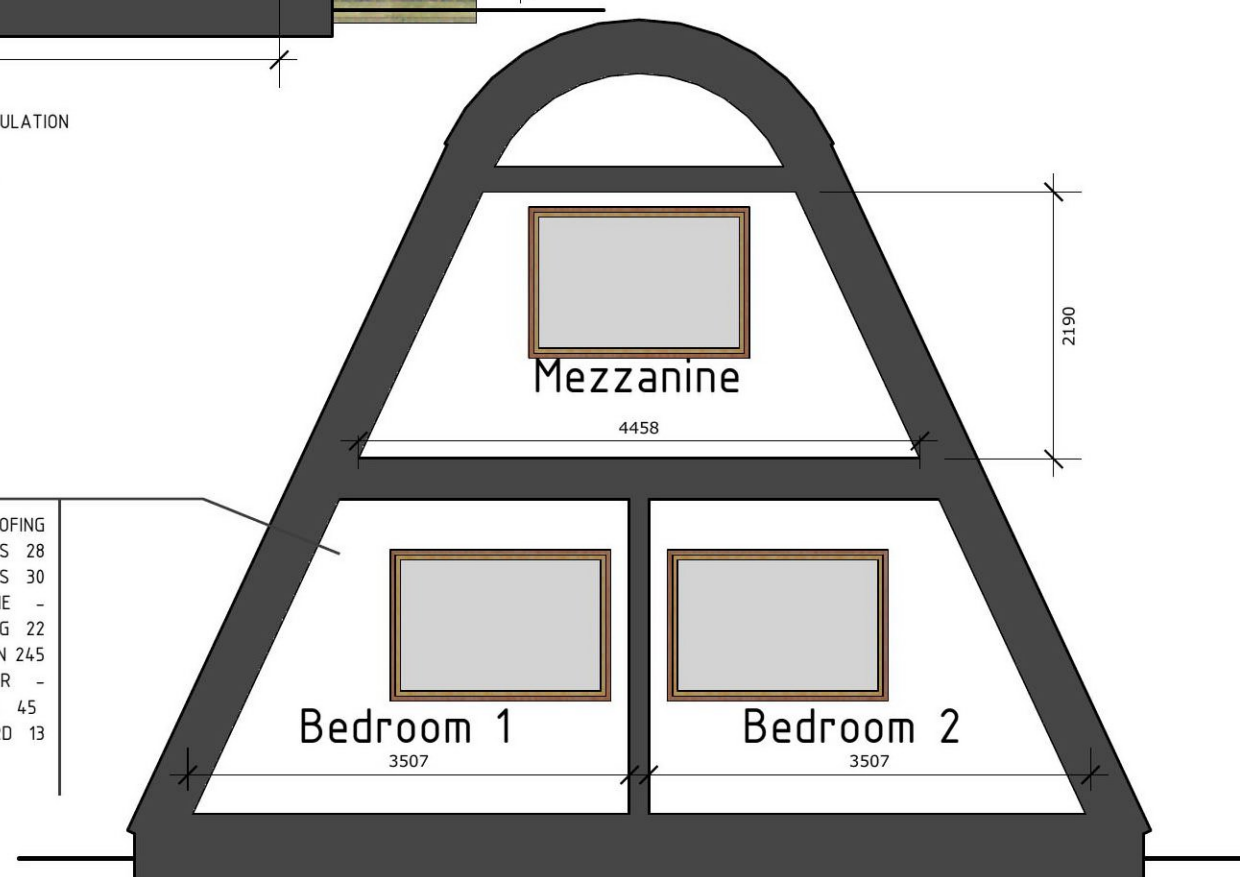
REFUSED

09 December 2016

Development Management
Environmental Services
The Moray Council



METAL SHEET ROOFING
28X90 HORIZONTAL BATTENS 28
30X45 VERTICAL BATTENS 30
ROOF MEMBRANE -
ROOF BOARDING 22
45X245 HORIZONTAL STUDS + VERTICAL DWANGS / INSULATION 245
VAPOUR BARRIER -
45X45 VERTICAL BATTENS 45
GYPSUM BOARD 13



DRAWING NAME CROSS SECTIONS	PROJECT NAME ALPHA HOUSE	DRAWN BY Siim P. DRAWING ID A-05	DATE (DD/MM/YYYY) 15/03/2016
---------------------------------------	------------------------------------	---	---------------------------------

1 Architects

SUITE 25 INVERNESS AIRPORT IV2 7JB
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W http://www.1architects.com
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216121
Revisions: +44 (0)1463

Golf Course

Low Store
(consented)

Cafe
(consented)

Caretaker's House
FFL=4.8m

Tank

All heights related to ODN
(Ordnance Datum Newlyn)

Notes:

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

REFUSED

09 December 2016
Development Management
Environmental Services
The Moray Council

Drawing no.
15.452/015

Title
Site Plan.

Project
Covesea Links Golf Course

Client
Andy & Angie Burnett

Date
19 / 08 / 15

Scale
1:750

Drawn
I. Fernandino

Control

Consultation Request Notification

Planning Authority Name	The Moray Council
Response Date	15th November 2016
Planning Authority Reference	16/01653/APP
Nature of Proposal (Description)	Proposed caretakers house at
Site	Covesea Golf Course Lossiemouth Moray
Site Postcode	N/A
Site Gazetteer UPRN	000133056602
Proposal Location Easting	318951
Proposal Location Northing	871004
Area of application site (Ha)	426300 m²
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=OFOZIZBGICA00
Previous Application	15/01609/APP 15/01000/PE 10/01977/APP
Date of Consultation	1st November 2016
Is this a re-consultation of an existing application?	No
Applicant Name	Mr and Mrs Andy Burnett
Applicant Organisation Name	
Applicant Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
Agent Name	1 Architects Ltd
Agent Organisation Name	
Agent Address	Suite 25 Inverness Airport Inverness United Kingdom IV2 7JB
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Maurice Booth
Case Officer Phone number	01343 563274
Case Officer email address	maurice.booth@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: 16/01653/APP

Proposed caretakers house at Covesea Golf Course Lossiemouth Moray for Mr and Mrs Andy Burnett

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: 2nd November 2016
Phone No

Return response to	consultation.planning@moray.gov.uk
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Consultation Request Notification – Development Plans

Planning Authority Name	The Moray Council
Response Date	15th December 2016
Planning Authority Reference	16/01653/APP
Nature of Proposal (Description)	Proposed caretakers house at
Site	Covesea Golf Course Lossiemouth Moray
Site Postcode	N/A
Site Gazetteer UPRN	000133056602
Proposal Location Easting	318951
Proposal Location Northing	871004
Area of application site (Ha)	426300 m2
Additional Comments	URGENT It is noted that these plans appear identical to the proposal recently refused at teh LRB. Note the supporting statement by the applicant.
Development Hierarchy Level	LOCAL
Supporting Documentation URL	http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=OFOZIZBGICA00
Previous Application	15/01609/APP 15/01000/PE 10/01977/APP
Date of Consultation	1st December 2016
Is this a re-consultation of an existing application?	No
Applicant Name	Mr and Mrs Andy Burnett
Applicant Organisation Name	
Applicant Address	[REDACTED]
Agent Name	1 Architects Ltd
Agent Organisation Name	
Agent Address	Suite 25 Inverness Airport Inverness United Kingdom IV2 7JB
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Maurice Booth
Case Officer Phone number	01343 563274

Case Officer email address	maurice.booth@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

NOTE:

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Please respond using the attached form:-

PLEASE COMPLETE AND RETURN WITHIN 48 HOURS
to consultation.planning@moray.gov.uk

MORAY COUNCIL PLANNING CONSULTATION RESPONSE

From: Development Plans

Planning Application Ref. No: 16/01653/APP

Proposed caretakers house at Covesea Golf Course Lossiemouth Moray for Mr and Mrs Andy Burnett

Ward: 05_07 Heldon And Laich

DETERMINATION - DEPARTURE FROM DEVELOPMENT PLAN

(For Structure/Local Plan Comment)

		Page No	Policy No(s)	Yes	No
1	Departure from Moray Local Development Plan 2015		E8 Coastal Protection Zone	X	
2	Further Discussion Required				

REASONING FOR THIS DECISION:

POLICY COMMENTS

Background

The application is identical to a previous application on this site (16/00555/APP) for a proposed caretakers lodge and Covesea Links Golf Course. This application was refused by the appointed officer on the grounds that the proposal failed to comply with Policy E8 Coastal Protection Zone. The application subsequently went to appeal at the Local Review Body (LRB) on the 25th August 2016 where the appeal was dismissed on the grounds that the proposal failed to comply with Policy E8.

Proposal

The proposal is subject to Policy E8 Coastal Protection Zone of the Moray Local Development Plan 2015. Although there is existing and consented development within the CPZ at this location, it is in connection with the golf course. This is allowed through this policy as it is a low intensity recreational or tourist use.

In support of the application, the applicant states that the house is necessary for security reasons relating to the running of the golf course. However, this reason is not catered for in the policy to justify building a house within the CPZ. The applicant also refers to there being a previous house within the locality at the foreshore to justify building a house on the application site. This building is outwith the application site and is in a ruinous condition with it not being clear if it was even a residential property. This is not an acceptable justification to build a new house on the proposed application site within the CPZ where there is no existing use or building. The proposed house does not meet any of the criteria of Policy E8 and in line with the wording of the policy, should be refused.

The proposed house is also subject to Policy H7 New Housing in the Open Countryside. The design of the house does not meet the criteria within the policy, however exceptions to the design requirements within the policy can be made if the proposal is of an innovative design and responds well to the setting. The Housing in the Countryside Supplementary Guidance states that "Innovative designs will be acceptable provided they relate to the landscape in which they sit". The proposal is considered as an innovative design as it has a low overall height and rounded roof, creating a similar form to the military buildings found nearby at RAF Lossiemouth. The siting and design of the house ensure that it is not a prominent feature and that it will be integrated into the surrounding landscape. The proposed house will therefore comply with Policy H7.

The proposed development site is within the Hopeman/Lossiemouth Coast, Area of Great Landscape Value. The proposal is therefore subject to policy E7 Areas of Great Landscape Value (AGLV) and Impacts Upon the Wider Landscape. The innovative design and siting of the house means that the proposal will meet all the criteria within policy E7, the proposal will therefore comply with policy.

Conclusion

The proposal is considered to comply with policies H7 and E7 as the proposal is deemed to be an "innovative design" is sited sensitively. The proposal is contrary to Policy E8 Coastal Protection Zone as it does not meet any of the criteria within the policy. On this basis the application should be refused.

Contact: Keith Henderson

email address: keith.henderson@moray.gov.uk

Consultee: Development Plans

Date 2/12/16

Phone No 563614

Return response to

consultation.planning@moray.gov.uk

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Consultation Request Notification

Planning Authority Name	The Moray Council
Response Date	15th November 2016
Planning Authority Reference	16/01653/APP
Nature of Proposal (Description)	Proposed caretakers house at
Site	Covesea Golf Course Lossiemouth Moray
Site Postcode	N/A
Site Gazetteer UPRN	000133056602
Proposal Location Easting	318951
Proposal Location Northing	871004
Area of application site (Ha)	426300 m²
Additional Comment	RAF Lossiemouth Noise Zone 63dBA Category B
Development Hierarchy Level	LOCAL
Supporting Documentation URL	http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=OFOZIZBGICA00
Previous Application	15/01609/APP 15/01000/PE 10/01977/APP
Date of Consultation	1st November 2016
Is this a re-consultation of an existing application?	No
Applicant Name	Mr and Mrs Andy Burnett
Applicant Organisation Name	
Applicant Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
Agent Name	1 Architects Ltd
Agent Organisation Name	
Agent Address	Suite 25 Inverness Airport Inverness United Kingdom IV2 7JB
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Maurice Booth
Case Officer Phone number	01343 563274
Case Officer email address	maurice.booth@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

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MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Environmental Health Manager

Planning Application Ref. No: 16/01653/APP

Proposed caretakers house at Covesea Golf Course Lossiemouth Moray for Mr and Mrs Andy Burnett

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 | <input type="checkbox"/> |
| (c) I have NO OBJECTIONS to the application subject to condition(s) and/or comment(s) about the proposal as set out below | x |
| (d) Further information is required in order to consider the application as set out below | <input type="checkbox"/> |

Reason(s) for objection

Condition(s)

This Section recommends approval subject to the following condition -

1. A minimum composite noise reduction of 31 dB shall be achieved by the external façade of the development, comprising the walls and roof structure, windows and ventilation of the dwelling. Unless otherwise agreed in writing with the Planning Authority, in consultation with the Environmental Health Manager, the sound insulation values of the façade elements shall be equal to or better than that stated in page 5, Table 2 of the noise impact assessment supporting document by Atmos Consulting, dated 31st May 2016, and titled "Environmental Noise Impact Assessment, 16/00555/APP, Caretaker's House at Covesea Links Golf Course, Technical Report 35800-01."

Further comment(s) to be passed to applicant

Further information required to consider the application

Contact: Douglas Caldwell
email address:
Consultee:

Date: 10 November 2016
Phone No

Return response to

consultation.planning@moray.gov.uk

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Previous Application	15/01609/APP 15/01000/PE 10/01977/APP
Date of Consultation	1st November 2016
Is this a re-consultation of an existing application?	No
Applicant Name	Mr and Mrs Andy Burnett
Applicant Organisation Name	
Applicant Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
Agent Name	1 Architects Ltd
Agent Organisation Name	
Agent Address	Suite 25 Inverness Airport Inverness United Kingdom IV2 7JB
Agent Phone Number	
Agent Email Address	N/A
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MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Transportation Manager

Planning Application Ref. No: 16/01653/APP

Proposed caretakers house at Covesea Golf Course Lossiemouth Moray for Mr and Mrs Andy Burnett

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 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.
2. 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 215 metres, with all boundaries set back to a position behind the required visibility splay, 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 0.6 metres above the level of the carriageway in accordance with the agreed schedule of maintenance.
3. The width of the vehicular access shall be as existing and have a maximum gradient of 1:20 measured for the first 5.0m from the edge of the public carriageway. The first 15m 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. Two 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.

REASONS

1. To ensure acceptable infrastructure at the development access through the provision of details currently lacking and to ensure the safety and free flow of traffic on the public road and access to the site by minimising the road safety impact from extraneous material and surface water in the vicinity of the access.
2. To enable drivers of vehicles to have adequate forward visibility to see approaching traffic and for two vehicles to safely pass each other ensuring the safety and free flow of traffic on the public road.
3. To ensure acceptable infrastructure at the development access.
4. To ensure the permanent availability of the level of parking necessary for residents/visitors/others in the interests of an acceptable development and road safety.

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.

Contact: DA

Date 14 November 2016

Email address: transport.develop@moray.gov.uk

Consultee: TRANSPORTATION

Return response to	consultation.planning@moray.gov.uk
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A PETITION IN FAVOUR OF THE ERECTION OF A DWELLINGHOUSE TO PROVIDE ACCOMMODATION FOR A CARETAKER.

APPLICATION REF: 16/00555/APP

We, the undersigned, wish to strongly express our support for the proposal to erect a house for Angie and Andy Burnett so that they can continue to operate the Covesea golf course in a safe and secure manner.

In particular, we support this proposal because:

- This golf course is an important and well run recreational facility in this area
- The owners have run this very successfully in conjunction with the cafe for a number of years.
- We are aware of the destruction of the cafe/clubhouse by fire and we have witnessed the very negative effect of this on the business as a whole.
- Until the fire it was clear to see the year-on-year growth and success of this business.
- The owners provided considerable employment for a number of local staff and this ceased since the cafe/clubhouse was burnt down
- It is clear that without someone living on site to provide security to prevent a similar incident in the future it does not make sense to rebuild the cafe/clubhouse. This will seriously threaten the long term viability of the entire venture.

NAME	ADDRESS	SIGNATURE
Sarah McNally		
Gayle Kelly		
JOAN FLETCHER		
Jennifer Burgess		
Katrina Dick		
Dawn Cull		
Toni-Marie Cull		
Laura Whyte		
MARY HAY		
CHLOE BRIERLEY		
KEVIN BRUM		
Brenda MacDonald		
AMY BRUM		
DEREK McALLUM		
GRAEME MACKENZIE		
Dik Seander		
S. NICHOLSON		
Mike Mathon		
Ross Duncan		
SHAUN ADAM		

A PETITION IN FAVOUR OF THE ERECTION OF A DWELLINGHOUSE TO PROVIDE
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NAME	ADDRESS	SIGNATURE
Colin Morrison		
Gordon Beattie		
Stuart Allan		
Eric Rickard		
Mark Dannie		
Pete Devlin		
Alison Dain		
Simon Annand		
Daniel Robinson		
Danny Dunlop		
Paul Anderson		
Edwin Hurdicks		
Ian - Yatts		
Julie Menzies		
Bobby Ballou		
Patrick Lewis-Bevan		
Jim Tait		
Nice Hughes		
Mark Jones		
Rob Cooper		

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NAME	ADDRESS	SIGNATURE
DAVID LEITCH		
HEATHER LEITCH		
Kris Murray		
GARY INGRAM		
NELSON STEPHEN		
Markus Stephen		
GILBERT STEPHEN		
CITRUS CUTTING		
PAUL COLLOTON		
LOUISE COLLOTON		
ROBERT L RUSSELL		
ROLF INERSEN		
Stephen Neall		
PAUL DEAN		
KYLE ORR		
STEWART PATERSON		
I LAMING		
R. FREE		
H. JENKINS		
P. JENKINS		

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NAME	ADDRESS	SIGNATURE
H ANDREWS		
JANET BANKS		
M MILLINGTON		
M ANDERSON		
D ROSE		
AM GANUS		
Greta Bergman		
Jenny Jordan		
ANITA NICOL		
F Andrews		
IAN COOPER		
HEATHER WALLEY		
JACKIE POND		
SALLY MAWSON		
Peter MCKAY		
Lieselotte Franke		
Paddy Atkinson		
Manian Chamrada		
IS McCook		
CHRISTOPHER BERG		
Ned Jones		

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NAME	ADDRESS	SIGNATURE
Myer Bain		
ROSS DIACK		
Mark Weller		
Alex Dewhurst		
Donna Campbell		
Gavin Edwards		
A.M. Sizer		
J. ELLIS		
J. MURRAY		
I. JAMESON		
LINDA ROSS		
John A. Mack		
ROSS MACGREGOR		
LESTER HEARN		
Rob Tyson		
James Glauk		
Van Coghill		
Raymond Wood		
ANDY NIEGL		

APPLICATION REF: 16/00555/APP

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[illegible]

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NAME	ADDRESS	SIGNATURE
John Thowson		
David Slater.		
Ryan Sherwood		
ANDREW WATT		
KAREN KENNEDY		
Eddie Morris		
Alasdair Cea		
DEAN HUSBAND		
AMEE Edwards		
DAVID MANI		
GIM ROBERTSON		
Louis Sim		
Hamish sim		
Janey Sim		
Alisdair sim		
J.W.C THOMSON		
Irene Thomson		
EWAN THOMSON		
KEVIN MITCHELL		
Yvonne Smith		

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NAME	ADDRESS	SIGNATURE
Daniela Barnes		
Hefield Barnes		
Ana Pines		
Lucinda Barnes		
W. Simpeon		
Gwenne Sherwood		
Alison Keble		
Ricky Sherwood		
Ellie Sherwood		
J. Barr		
P. Carr		
A. Cumberbatch		
J. Anderson		
Carol Morrison		
Rue Sherwood		
Tony Sherwood		
Jennifer McQuade		
John McQuade		
Jenny Stewart		
Alex Stewart		

[illegible]

I am writing to inform you of my strong support for the proposed development of the Golf Course at Covesea, including the construction of a residential home for a caretaker of the course.

When the previous clubroom and cafe was burnt down I was devastated, as the owners were in the process of developing a first class facility being used by a wide group of people from Moray and beyond. It was not only valued by golfers, but also by nature lovers, dog-walkers etc., and with its well designed access it was also a favourite outing for disabled people and their carers.

Since the fire the owners have continued to develop a first class golf course, but it sorely needs the cafe/clubhouse to complement it. But without having a caretaker for the facilities living on the site, I can understand the reluctance of the owners to rebuild. I also imagine it would be very difficult for them to obtain insurance for the property.

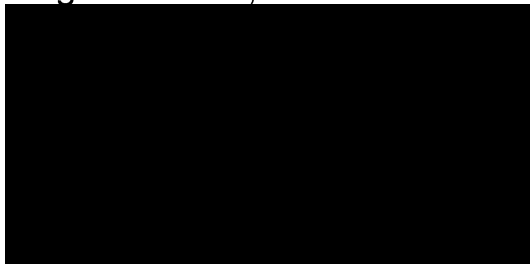
The design for the caretakers home is modest and would be located where it's visual impact would be little more intrusive than the restaurant that already has planning approval. It would not be prominently seen from the coastal path or the sea, and believe in this specific case, an exception for building a residential house as proposed should be made.

I urge you to support the **Planning Application No 16/01653/APP (A)**, and encourage others in a decision making position to do likewise.

Yours sincerely

Hugh Andrews,

Hugh Andrews,



Comments for Planning Application 16/01653/APP

Application Summary

Application Number: 16/01653/APP

Address: Covesea Golf Course Lossiemouth Moray

Proposal: Proposed caretakers house at

Case Officer: Maurice Booth

Customer Details

Name: Mrs Jennifet Burgoyne

Address: [REDACTED]

Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: The addition of a small dwelling house in keeping with the area would only add to the landscape and push forward the opening of the restaurant which is an asset to the town. Before the fire many locals and tourists visited the site. Many carers and their charges used the facilities as there was plenty of room and a relaxed atmosphere. Surely more business and jobs is what's important to our local community. Many people would use the site especially walking along the coastal path.

Comments for Planning Application 16/01653/APP

Application Summary

Application Number: 16/01653/APP

Address: Covesea Golf Course Lossiemouth Moray

Proposal: Proposed caretakers house at

Case Officer: Maurice Booth

Customer Details

Name: Mr Tom Coyne

Address: [REDACTED]

Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I had the pleasure of visiting and playing the Covesea golf course this past year, and I found it to be one of the truly special experiences during my golf trip around the UK, which involved me playing 110 rounds of golf in 57 days. I played every links course in Scotland as part of my research for my upcoming book, A Course Called the Kingdom, and I found Covesea to be the sort of hidden gem that my readers are looking for in order to make their golf trips truly special and unique. I write about Covesea extensively in my new book (to be released in 2017), and as with my previous New York Times bestseller, A Course Called Ireland, which was recognized by numerous Irish golf courses as responsible for a spike in American golf visitors, I expect and hope this book to send a healthy amount of golfers to Covesea. The only thing missing at Covesea are buildings where visitors can spend some time, and money. I hope you look favorably on this application so that the thousands of golfers to whom I am recommending Covesea will find more reason to spend their time and money in the area.

Sincerely,

Tom Coyne

www.tomcoyne.com

Comments for Planning Application 16/01653/APP

Application Summary

Application Number: 16/01653/APP

Address: Covesea Golf Course Lossiemouth Moray

Proposal: Proposed caretakers house at

Case Officer: Maurice Booth

Customer Details

Name: Mr Glen Elliot

Address: [REDACTED]

Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I wish to record my support for the wonderful work envisaged in developing the Covesea Links 9 hole course. Those involved should be encouraged to develop the 9 hole course.

This is an ideal facility for young and old to enjoy.

The facilities will enhance the area and the community.

Received by e-mail

Application No 16/01653 APP/(A)

Dear Sir/Madam,

I wish to support this application , for a residential dwelling which would enable the owners to provide full time security to the very wonderful facilities they provide to the locals and visitors of this area . This is a tremendous asset and service they provide . Security by CCTV or such like is not really a viable given the distance that would have to be travelled.

The owners take great pride in their work and care of this asset of Moray . So I ask that you consider very favourably their application.

Yours sincerely

John Faith

Comments for Planning Application 16/01653/APP

Application Summary

Application Number: 16/01653/APP

Address: Covesea Golf Course Lossiemouth Moray

Proposal: Proposed caretakers house at

Case Officer: Maurice Booth

Customer Details

Name: Mr Alasdair Gordon-Rogers

Address: [REDACTED]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Contrary to Local Plan
- Height of proposed development
- Lack of landscaping
- Over-development of site
- Precedent

Comment: There is a long history of attempts to develop this remarkable part of Moray's Coastal Protection Zone. This latest application is contrary to the Council's Local Development Plan (2015) and the many policy documents that give credence to the plan.

The Council should refuse this application because of the negative impact on the area of a year-round, permanent human presence on its unique geomorphology, landscape and delicate duneland ecology. The proposed house is intrusive in design, and totally out of keeping architecturally. Its chalet style could well set a precedent for further development (holiday chalets for example). I would query whether potential for vandalism is a planning consideration especially with the development of sophisticated surveillance equipment. Again, a precedent would be set. The Council has a duty to protect this special area from inappropriate development. I urge it to refuse this application.

Comments for Planning Application 16/01653/APP

Application Summary

Application Number: 16/01653/APP

Address: Covesea Golf Course Lossiemouth Moray

Proposal: Proposed caretakers house at

Case Officer: Maurice Booth

Customer Details

Name: Mrs Kate Gordon-Rogers

Address: [REDACTED]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Contrary to Local Plan
- Height of proposed development
- Inappropriate materials/finishes
- Lack of landscaping
- Over-development of site
- Poor design
- Precedent

Comment: This application is a resubmission of an application refused earlier in 2016. Nothing has changed. This latest application is contrary to the local development plan, approved last year, and various associated policies such as H7, IMP1, E7 and E8. These policies have been approved by the Council as the best way to manage our countryside.

Attempts to build residential accommodation on or in the vicinity of the Covesea Links has a long history, and each time the application has been justifiably refused because of the negative impact it would have on this remarkable area renowned for its ecology, geomorphology and unique landscape. Should permission be granted there will be a 24-hour human presence all year round for the first time.

The intrusive design of the house does not reflect the architectural character of the surrounding area, or the traditional pattern of settlement (policy H7). It is more akin to a two-storey "eco-chalet" and it could well set a precedent for future chalet development in this style within the natural amphitheatre, should permission for this house be granted. The house will add to the detrimental cumulative effect of the two buildings that the Council has approved in what is a very fragile site within the Covesea duneland area.

The amphitheatre in which the house is to be sited is protected from flooding by dunes which are being eroded every winter due, in part, to ever increasing frequency of storms brought on by climate change: there could therefore be a serious risk of future flooding from the sea, unless further man-made defence structures were put in place to the further detriment to the area's naturalness.

The applicant refers to the salmon bothy and net loft, now a low-walled ruin, but this was last used some five decades ago, and then only seasonally; it had no services. The salmon bothy has no relevance to this application.

The applicant stresses the need for a house in this location because of possible future vandalism. This could be said of any remote rural area. When there are so many modern methods of remote surveillance available, this is surely not a primary planning consideration.

When originally approved in 1991 the site was for a simple 'fun' golf course with little or no infrastructure. Had this remained as such, the integrity of this unique area would not be under threat. It is already to be regretted that permission has now been granted for a larger shed and a larger, replacement café/clubhouse. However, this latest application is for a different level of intensity of use in the coastal protection zone: permanent and domestic occupation. I urge the Council to refuse this application.

Comments for Planning Application 16/01653/APP

Application Summary

Application Number: 16/01653/APP

Address: Covesea Golf Course Lossiemouth Moray

Proposal: Proposed caretakers house at

Case Officer: Maurice Booth

Customer Details

Name: Mr william henderson

Address: [REDACTED]

Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I wish to strongly support this application which is vital to ensure the future viability of this important asset, of value to local and visiting golfers alike. The house is needed to provide security for the whole site including the cafe as well as the course and implement shed. The cafe has been an important employment facility. Both this and the course have been incredibly well run and the owners continue to work very hard to maintain and improve this course, despite the huge setback of the fire, ongoing petty criminal damage and the delay in obtaining the necessary consents. Yours, W.E. Henderson

Comments for Planning Application 16/01653/APP

Application Summary

Application Number: 16/01653/APP

Address: Covesea Golf Course Lossiemouth Moray

Proposal: Proposed caretakers house at

Case Officer: Maurice Booth

Customer Details

Name: Mr Franz Rolinck

Address: [REDACTED]

Comment Details

Commenter Type: Petition

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Dear Sir,

My company Living Golf International Ltd is a registered Scottish company. We have just initiated a social enterprise as we use golf as our tool to empower and inspire people with mental and physical challenges. We held a Living Golf Tournament at Covesea Golf Links in October and have been using the unique little course for many years bringing non-golfers and beginners to start enjoying the best sport in the world - Golf! Our main focus at the moment is to have scientific publication verifying that each golf shot integrates left & right brain transforming mental health. We are supported by NHS Grampian. Please refer to <http://www.public.asu.edu/~crewsd/> and our website www.livinggolf.com

We therefore support Covesea Links initiative to have caretakers accommodation at Covesea golf course. Please refer to our website www.livinggolf.com

Your faithfully

Living Golf International Ltd

Comments for Planning Application 16/01653/APP

Application Summary

Application Number: 16/01653/APP

Address: Covesea Golf Course Lossiemouth Moray

Proposal: Proposed caretakers house at

Case Officer: Maurice Booth

Customer Details

Name: Mrs Kirsteen Mackay

Address: [REDACTED]

Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: My family and I love coming to Covesea Links golf course when visiting the area. We previously enjoyed the hospitality at the cafe, the stunning scenery and playing golf. I think it will be hugely beneficial to the running of the facilities if the owners get to build their dwelling house on site. Not only will they be in a position to more carefully guard and protect their properties, but they will also be on hand to keep on top of maintenance and assist members of the public at any time of day or night.

Comments for Planning Application 16/01653/APP

Application Summary

Application Number: 16/01653/APP

Address: Covesea Golf Course Lossiemouth Moray

Proposal: Proposed caretakers house at

Case Officer: Maurice Booth

Customer Details

Name: Mr Derek McAdam

Address: [REDACTED]

Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Golf courses are an essential community asset and should be supported at every level.

Comments for Planning Application 16/01653/APP

Application Summary

Application Number: 16/01653/APP

Address: Covesea Golf Course Lossiemouth Moray

Proposal: Proposed caretakers house at

Case Officer: Maurice Booth

Customer Details

Name: Mr Joseph Mccann

Address: [REDACTED]

Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I have been going to Covesea with a few of my friends four or five times a year since 2010.

We love the course. Quite hard but, a good challenge.

The teeshack was a great bonus to the whole experience.

The shock of the fire must have been a great blow to the owners and staff.

An interesting, modest dwelling would enable the new teeshack to flourish again, I hope.

My pals and me would love to keep up our visits from Edinburgh. The hospitality in Lossiemouth is fantastic. We love the pubs too!

A house nestled in the cove should be lovely with a view over the whole place to be vigilant.

Comments for Planning Application 16/01653/APP

Application Summary

Application Number: 16/01653/APP

Address: Covesea Golf Course Lossiemouth Moray

Proposal: Proposed caretakers house at

Case Officer: Maurice Booth

Customer Details

Name: Mr Allan Ramsay

Address: [REDACTED]

Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Having been a regular visitor the Moray area over the years, and having greatly enjoyed playing the Covesea course, I would like to register my support for this proposed development. I believe that it would enhance the existing facilities, and help to preserve this very unique and enjoyable course well into the future. It would be disappointing if this asset were at risk through lack of support for this proposal

Comments for Planning Application 16/01653/APP

Application Summary

Application Number: 16/01653/APP

Address: Covesea Golf Course Lossiemouth Moray

Proposal: Proposed caretakers house at

Case Officer: Maurice Booth

Customer Details

Name: Mr David Ross

Address: [REDACTED]

Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I use this facility often when in residence at our holiday home on Lossiemouth Bay Caravan Park. The café was an asset to locals and tourists alike and it is simple common sense to have the owners home on site with the new café/restaurant for security and insurance reasons. Golf is one of Scotland's greatest tourists assets and smaller 9 hole courses are now being thought of by the profession as the way forward to introduce the sport to younger people as the financial costs are less and time spent on the course is more acceptable. Covesea links with its new facilities will be a gem in Moray's tourism portfolio. Pass this application as it hurts no one and will benefit many



The Scottish Parliament
Pàrlamaid na h-Alba

Douglas Ross MSP
Member of the Scottish Parliament for Highlands & Islands

14 NOV 2016

Jim Grant
Head of Development Services
Moray Council
High Street
Elgin
Moray
IV30 1BX

10 November 2016

Dear Jim,

I write in support of application 16/01653/APP.

As you will be aware, the restaurant/café at the Covesea Links was destroyed by fire in the summer of 2014.

Since this devastating event the owners have sought to replace the restaurant/café and enhance the golf facilities.

The success of their plans rely on the owners being able to provide effective security of their property given that the existing golf course and buildings have been subjected to vandalism, fire and theft in the past.

I am in no doubt, having spoken to both Mr & Mrs Bennett that living on-site would provide the security their business requires and would allow it to flourish.

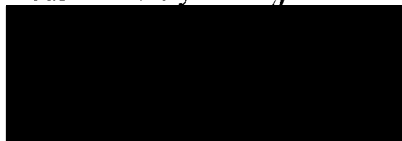
I understand this application has previously been refused by both the appointed planning officer and the Local Review Body but it is clear from the determination of Mr & Mrs Bennett that a residential property at this site is integral to their future plans.

Can I ask that on this occasion the application is supported as I believe it is important to the future success of this business and the benefits it brings to Moray.

While there are current customers playing this course, I know there are many more who would use it if these plans were approved.

Yours sincerely

/



Douglas Ross MSP

Dear Sirs,

PROPOSED CARETAKER'S HOUSE AT COVESEA GOLF COURSE - Planning
Application Ref. 16/01653/APP (A)

I write in support of the above Planning Application.

This application should be given its own individual consideration and not just decided upon because it may contradict an aspect of the Moray Planning Policy.

Covesea Links has proved to be a vital asset to the Moray Community it serves as well as a popular tourist attraction.

Apart from playing there myself, I find it an ideal facility to take my young grandchildren to introduce them to the game of golf - it is unique in this respect.

It is vital for the seven days a week management, maintenance, and security of the Course and Restaurant etc. that the owners have a permanent presence on site.

The facilities are relatively remote and have been subject to vandalism, fire and theft in the past.

Any security system installed would be ineffective due to the inevitable lengthy response times were the police and fire services to be alerted.

A Golf Course is an allowable use of land in the Moray Coast Area and it must be permitted to include all its support facilities and accommodation.

A small group of buildings of traditional design and in keeping with their rural/coastal location and against the natural backdrop will be visually acceptable - especially as the site is hidden from public view and is quite private.

Adding the residential accommodation to the Restaurant is not a convenient solution. Personal privacy would be lost but it would also add considerably to the bulk and visual impact of the development which would be best treated as a group of small buildings.

By having the ability to live on the site the owners can properly manage and police the golf course and its associated buildings and prevent another catastrophe in future which Moray Council must be keen to prevent.

Surely this is exactly the type of development and enterprise The Moray Council should be going out of its way to encourage and promote and not put obstacles in its way.

Apart from the importance of the game of Golf to the Moray economy, The Council should be promoting and supporting the principles of Health and Wellbeing within the community.

I sincerely hope that common sense will prevail and that this application will be duly Approved.

I would be obliged if you could acknowledge receipt of this letter of support.

Yours Faithfully,
Sam Russell.

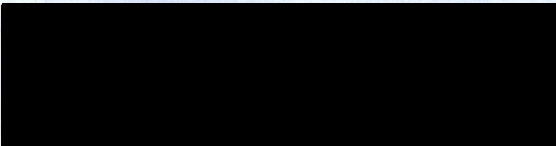
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



7th NOVEMBER 2016

10 NOV 2016

Planning application 16/01653/app [a]

Dear sirs,

I wish to support the above application to build a dwelling house at the TEE SHACK Covesea.

This is a great set up and should be encouraged by Moray District Council to promote a very worthwhile business opportunity which will encourage locals as well as visitors to use the 9 hole golf course in a unique setting, this is a natural position for a golf links on ground on which the sea once was and left a natural links course, fescue grass natural depressions which the current owners have utilised to its best advantage.

The fact that it is 9 holes has a lot of advantages that players don't always have time or energy for a full 18 holes of golf.

To be able to stay on site presents so many possibilities of having longer opening during summer months as well as providing extra security, which as past history shows would have saved a lot of worry and expense.

Please give this application full consideration and support to a very worthwhile venture.

Charles D. Stewart



Comments for Planning Application 16/01653/APP

Application Summary

Application Number: 16/01653/APP

Address: Covesea Golf Course Lossiemouth Moray

Proposal: Proposed caretakers house at

Case Officer: Maurice Booth

Customer Details

Name: Mr David Sutherland

Address: [REDACTED]

Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I have visited the golf course on many occasions and it is a fantastic facility for the area. The cafeteria was also a major success and the fact of its destruction through fire a serious disappointment for everyone. The need to have a caretaker permanently sited in a house property at the complex is crucial to success and should in no way be detrimental in any respect to the area. When all the benefits for the area are taken into account I therefore hope that planning permission for the construction of both cafeteria and house is granted.

29 NOV 2016

27/11/2016

Dear Manager (Development Management)

Planning application 16/01653/APP Caretaker's house at Covesea golf course

I am writing to object to this planning application, essentially a resubmission of 16/00555/APP, which was refused permission earlier this year, a decision upheld by the Moray Local Review Body (Case LR164). It has again been advertised as not being in accord with Moray Council's Local Development Plan policies H7 (New Housing in the Open Countryside), IMP1, E7 (AGLV and impacts upon the wider landscape) and E8 (Coastal Protection Zone, CPZ). I base my objection on this assessment, as all these policies to best manage our countryside have specific relevance to this application.

I refer again to the **planning history** for residential accommodation on Covesea Golf Course which shows clearly that repeated applications for housing on this site have justifiably been refused. The reasons given by the Council and Scottish Executive Reporter are still valid, despite minor changes in planning legislation and Council Development Plans.

94/01157 Extend former bothy to form dwelling house - refused

98/01030 – House and garage/workshop – refused.

99/00700/OUT – House and garage – refused and appeal dismissed.

02/01647/FUL – Renovate and develop existing disused fishermen's bothy and net loft to form dwelling – refused.

[10/00461/APP is unrelated and is in another golf development near the lighthouse.]

When the golf course was originally permitted in 1991, it was as a "fun" golf course and we were all assured that no buildings would be required or associated. Since then various buildings **have** been given planning permission but housing has always been considered inappropriate for this site because of the special value as an asset for Moray placed on the relatively unspoilt nature of the coast at Covesea.

The site is in one of the most remarkable sections of Moray's Coastal Protection Zone, enjoyed by a wide range of visitors for its secluded sandy beach and wildlife. Policy E8 states that a development proposal will be refused, except if "...b) it is an appropriate extension or change of existing buildings, or replacement of existing buildings". A new dwelling house is none of these, and here would significantly and "adversely affect the ecological, geomorphological or landscape importance of the area" by introducing a 24 hour presence in this vulnerable dune landscape.

The "caretaker's house" is 2 storeys high, with a mezzanine that appears to offer no additional living space, but which would increase the visibility impact of the building. The design in no way reflects the architectural character of the surrounding area. It would represent a new level of intrusion with its inevitable attendant paraphernalia of human habitation, including lights, services and drainage, where now the "amphitheatre" can

at least return to nature when the golfers have gone home or in seasonal periods of reduced use. This is the main basis for my objection to this proposed new build in the CPZ.

A resident caretaker does not seem to be considered essential on golf courses elsewhere. I would still suggest there are modern methods of surveillance and protection available, with CCTV and alarms direct to smartphones, and fire sprinklers.

In retaining the "Supplementary Guidance on Housing in the Countryside" in the 2015 Development Plan, the councillors would seem to see this as a planning matter of special importance in protecting and promoting Moray's countryside, coast and landscape. This house conflicts with the Policy H7: it does not "reflect the traditional pattern of settlement in the locality", the site has no relation to existing boundaries and here would be of high impact. I could see no indication in the application of enclosing fencing, ancillary buildings such as a garage (2 parking spaces but whether or not a garage is required not mentioned), or screening planting. A large stand of aspens on the golf course has already been removed by the applicant in the course of the golf development.

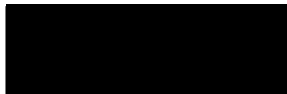
Although flooding risk (EP7) is mentioned and dismissed in the application, the amphitheatre in which the development is sited is protected from the sea only by dunes which slump further every winter.

Referring to the applicants' comments on Development Policies in their Design Statement, the fact they 'fail to see what "damage" a new house could do to this landscape' because the house is to sit between two other large buildings for which they have recently been given consent, suggests they do not appreciate the detrimental cumulative effect of buildings at a fragile site such as the Cove sea dunes.

The 2- storey house referred to and shown in aerial view was a Salmon bothy and net loft and is completely irrelevant - it was used only for seasonal occupation, with no attached services, by four unaccompanied salmon net fishermen and is now a low-walled ruin. I believe it was last used more than 50 years ago.

It is already to be regretted that the nature of the original golf course in this unique spot on the Moray coast has been expanded and a larger shed and café/clubhouse permitted, but this application is for a different level of intensity of use in the CPZ: permanent and domestic occupation, and I urge the Council to refuse this application.

Yours sincerely



Janet Trythall

Manager (Development Management)
Development Services
PO Box 6760
Elgin
IV30 9BX



20-11-2016

Maurice Booth, Planning Officer.
Development Control
Moray Council

**Planning Application Ref 16/01653/APP (A) - Proposed
Caretaker's House at COVESEA GOLF COURSE**

Dear Sir,

I wish to record my support for the above Planning Application.

This application should be considered on its merits in the widest sense and not just decided upon because it apparently, marginally falls outwith the letter of the Moray Planning Policy.

Covesea Golf Links is a huge asset to the Moray Community as well as being a popular tourist attraction. I have played there many times and have taken a group of Rotarians from all over Scotland there to play a competition. They all expressed a desire to return as the situation and the food was so good. This was of course prior to the devastating fire which all but destroyed this unique visitor attraction.

I am one of many who believe that in order to manage, and maintain this iconic golf course and restaurant it is vital that the owners have a permanent presence on site particularly on security grounds. All the regular users of this facility know that there have been a number of instances of vandalism, fire, and theft in the past mainly because of its remote situation and that there is no permanent owners presence on site.

The argument that a automatic security system would protect the site is fallacious as it is obvious that due to the remote location any triggering of such a system would result in such a time delay as to render it useless.

I understand that a Golf Course is an allowable use of land in the Moray Coast Area and to the layman and golfer it is obvious that such a business must be permitted to include on -site all its support facilities including accommodations. A small dwelling house of traditional design and in keeping with its surroundings should be acceptable – particularly as this site is well hidden from public view.

By living on-site the owners will have the opportunity to better control and manage the security of the golf course and the equipment storage facilities.

I believe strongly that Moray Council should be doing all it can to support and promote the type of enterprise that is characterised by the Covesea Golf links. Those who use this wonderfully scenic golf course cannot understand the apparent hurdles which are frustrating the attempts of the forward looking owners of this iconic tourist attraction to return it to its former status as a “must visit” golfing experience. This is without the huge numbers of locals who visited to walk the coastline and lunch in the restaurant – sadly destroyed by fire.

I sincerely hope that very soon this application – long delayed - will be duly approved.

Please acknowledge receipt of this letter of support.



R D Tysdn

Comments for Planning Application 16/01653/APP

Application Summary

Application Number: 16/01653/APP

Address: Covesea Golf Course Lossiemouth Moray

Proposal: Proposed caretakers house at

Case Officer: Maurice Booth

Customer Details

Name: Mrs Pauline Wood

Address: [REDACTED]

Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: As a family, we have visited Cove Sea often and enjoy the beautiful surroundings there. I do not believe to build a house there would cause any damage to the views and natural environment there.

Mr & Mrs Burnett are committed to the area and want to keep its beauty intact. What they would also like is to ensure their property and hard-worked-for business is safe and kept running as well as possible.

I think to have the owners on site would ensure the grounds were well maintained and there would be no worries that there would be out of hours issues.

I love that the Moray region are fine promoters of their beauty, their tourism and their golf! This is a hidden jewel on the Moray coastline and my views of the housing are that this would not change a thing. The request is for a beautiful house that does not impose or become an eyesore.

From my personal knowledge of the place, I do not believe any other properties in the area would be affected by the house and would find it hard to even see the house was there.

I hope that the planning will be supported and the golf course can continue to promote the region in the coming years.

I write in strong support of **Application no 16/01653/APP (A) Proposed Caretaker's House at Covesea Golf Course**

As a long time (57 years) resident of Lossiemouth, I remember when local artiste and keen golfer Donald Rattray first laid out a few rudimentary golf holes on what was at the time known as Covesea Grazings.

An important local and tourist attraction providing much needed employment

From those early beginnings grew Covesea Golf Course as it is now - a 9 hole hidden gem expertly re-designed and cared for by the applicants since they acquired it some 10 years ago.

In that time they have put in an enormous amount of hard work and shown great enterprise building the business of Golf Course and Café into a viable, important local and tourist attraction providing welcome employment to the area

Provides inexpensive Golf for all

Golf can be an expensive hobby but the Covesea Links offers a superb facility where golfers of all abilities (young and old), families and visitors can simply turn up and enjoy the game at very reasonable cost.

A haven for Walkers and Sightseers

But it is not only golfers who frequent the Café. It is a very welcome haven for walkers, ramblers and sightseers, who have freedom to walk the Links and shoreline enjoying the magnificent views over the Firth.

History of Fires, Theft and Vandalism

Having been granted Planning permission for a new Café and Machinery Storage Shed the refusal for a Caretaker's House is difficult to understand. More so because of the recent past history of fires, theft and vandalism on the site which would have seen lesser people walk away in despair.

CCTV of very limited use (remote location)

Due to the remote location, CCTV is of little use when Police and Fire Brigade are stationed in Elgin making response times too great to be any good in case of fire. **ONLY A 24/7 ONSITE PRESENCE WOULD BE AN ADEQUATE DETERRENT.** Without that security there could be no certainty the new café would not go up in flames as did the old, making it almost foolhardy to progress further with the plans for the future.

House and Café designs complement each other

The applicants have gone to great lengths to ensure the House design (acceptable to Planning) would not only be aesthetically pleasing in it's surroundings, but is sympathetic to that of the Café. Set between the Café and Implementation Shed but further back to make it completely unobtrusive. It would be inconspicuous from any direction, north, south, east or west - even from the 6th Tee, one of the highest points on the course.

Without doubt this is a business which ticks all the boxes a successful forward looking enterprise should.

As such it is worthy of - and should get - all support available from Councillors and Moray Council.

Yours sincerely,

Raymond Wood



Comments for Planning Application 16/01653/APP

Application Summary

Application Number: 16/01653/APP

Address: Covesea Golf Course Lossiemouth Moray

Proposal: Proposed caretakers house at

Case Officer: Maurice Booth

Customer Details

Name: Mr Steven Wood

Address: [REDACTED]

Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I wholeheartedly support this application. Having travelled up to the Lossiemouth area many times on week long family breaks and long weekends myself and my family have enjoyed the area and in particular the golf at this special place, Covesea links. Knowing the course prior to its extensive redesign and redevelopment I am fully aware of the hard work investment and devotion which has been bestowed upon it by Andrew and Angela Burnett throughout this project. To see at first hand the devastation caused by the fire and destruction of original Tee shack and the struggle to maintain the business and course since in such a high standard is testimony to their commitment to their business and to tourism in the local area as a whole.

Having read through the application and understanding the remote location of the property, there is a need to have an onsite presence to secure both the planned new cafe and also the green keepers machinery kept onsite. With both the cafe and golf course requiring long working days throughout the year, to have the caretakers cottage onsite can only enhance both the day to day running of the business, security and the availability of the course to tourists and locals alike.

Sent from my iPad

Comments for Planning Application 16/01653/APP

Application Summary

Application Number: 16/01653/APP

Address: Covesea Golf Course Lossiemouth Moray

Proposal: Proposed caretakers house at

Case Officer: Maurice Booth

Customer Details

Name: Ms debbie wright

Address: [REDACTED]

Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I am writing in support of the planning application for a caretaker's house on this site. I am aware of the problems the owners of the small golf course have had, including several break ins and a fire which ruined their cafe business.

As a small business owner myself I understand how difficult it can be to maintain a business in the current financial climate. I admire the owners hard work and determination to keep going despite the problems they have faced from the ongoing vandalism and petty crime.

I believe they should be allowed to go ahead with the house in order to protect the business they have built up and deserve help to succeed.

I can not see how the house would make any difference to the environment, it will not be seen from the shore so it will not impact on walkers, especially as historically there was a building on site, closer to the shore, the walls still stand in part.

Comments for Planning Application 16/01653/APP

Application Summary

Application Number: 16/01653/APP

Address: Covesea Golf Course Lossiemouth Moray

Proposal: Proposed caretakers house at

Case Officer: Maurice Booth

Customer Details

Name: Mr James Young

Address: [REDACTED]

Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I am a regular golfing customer of the Covesea Links 9 hole golf course and of the Tee Shack until it was destroyed by fire.

I am aware that a similar Application was refused on 25 August by the Moray Local Review Body and I want to do all I can to add support to the current Application.

The facility at Covesea Links is unique in Moray in terms of its location : it attracts both locals and visitors of various ages and offers the somewhat uncommon experience of playing only 9 holes of golf : golf clubs are facing challenges in maintaining member numbers and one of the reasons is put down to the time it takes to place a full round of 18 holes.

The owners maintain the golf course and surrounding ground well and the addition of a building to house equipment will help tidy the area.

As I see it, the addition of a dwelling house for the owners occupation is an essential one number of fronts :

the location and design of the dwelling house needs to be sympathetic to the links area.

the site has been the subject of vandalism, fire and theft in past - Covesea Links is remote and out of sight from other buildings/people. Planning permission has been obtained for a replacement café/restaurant and storage building - I have to question whether adequate building insurance will be offered on any of the buildings at Covesea Links without the owners living on site, given the history of unfortunate events.

It has been suggested that CCTV could provide the required security : I have to reject this claim - response times from the appropriate services would be totally inadequate based on the distance services would have to travel if an alarm was triggered.

It has been suggested that the owners could plan for residential accommodation within the restaurant building : this is rejected on the grounds of substantially increased costs - additional services needed by way of electricity and water, insulation and sound-proofing standards would need to be increased: perhaps, more importantly, the personal privacy of the owners/occupants would be lost, with the inevitable people noise coming from the restaurant

I understand that a golf course is an allowable use for land included within the area designated as the Moray Coastal Area. I would put forward that, within sensible reason, that should be allowed to include a building for owners/proprietors to manage the land and their business.

The 9 holes Covesea Links golf course is a unique asset within Moray : it offers a quality golf experience which is maintained to a high standard : an opportunity for beginners and young golfers to play at a very reasonable cost: a tourist-attractive area where visitors, locals and family members are welcomed to enjoy the unique location.

Despite this Application being assessed as having a number of deficiencies contrary to various planning guidelines, I would urge an exceptional approval for the dwelling house on this occasion: this will allow the applicants to invest in their future, create some local employment and develop what is an unquestioned sport and tourist attraction on the Moray Coast.

Comments for Planning Application 16/01653/APP

Application Summary

Application Number: 16/01653/APP

Address: Covesea Golf Course Lossiemouth Moray

Proposal: Proposed caretakers house at

Case Officer: Maurice Booth

Customer Details

Name: Mr Laurence Young

Address: [REDACTED]

Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: As the owner and operator of a 9 hole course in a rural location, we are acutely aware of the financial and practical challenges of running such a marginal business.

We believe that golf operations need careful support and encouragement in order to survive, and the proposed development stands out as an investment that will help the business operate over the longer term.

Golf Courses are a key part of the tourism infrastructure and add to the depth and breadth of tourism product in the Highlands. This has a positive impact on the social and economic fabric of our rural communities. We have seen how these fragile golf businesses so easily disappear from our landscape : positive investments such as the one proposed should receive active support from Planners.

Thank you for the opportunity to comment.

REPORT OF HANDLING

Ref No:	16/01653/APP	Officer:	Maurice Booth
Proposal Description/ Address	Proposed caretakers house at Covesea Golf Course Lossiemouth Moray		
Date:	07.12.2016	Typist Initials:	LMC

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
Environmental Health Manager	10/11/16	No objections subject to a noise insulation condition.
Contaminated Land	02/11/16	No objection.
Transportation Manager	14/11/16	No objection subject to standard conditions on visibility, access upgrading and parking.
Planning And Development Obligations		Since the application is being refused the developer contribution identified has not be requested or paid, although the applicant has confirmed they would be willing to pay the contribution that would have been required.
Developer Obligations Unit	01/12/16	See above.
Development Plans (Environment)	05/12/16	Advice on planning policy matters provided – these comments have been incorporated into the assessment of the proposal (see Observations).

DEVELOPMENT PLAN POLICY		
Policies	Dep	Any Comments (or refer to Observations below)
EP9: Contaminated Land		
H7: New Housing in the Open Countryside	Y	
IMP1: Developer Requirements	Y	
EP10: Foul Drainage		

T2: Provision of Access		
T5: Parking Standards		
E7: AGLV and impacts on wider landscape	Y	
E8: Coastal Protection Zone	Y	
EP8: Pollution		

REPRESENTATIONS		
Representations Received	YES	
Total number of representations received: 28 – of these 25 are in support of the application and 3 are objecting. A petition in support of the application has also been 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>Issue: Proposal would breach policies H7, IMP1, E7 AND E8 due to the detrimental impact on the outstanding natural qualities of the duneland area and problems over the cumulative impact in relation to the other golf related development permitted. Proposals represent overdevelopment.</p> <p>Comments (PO): See 'Observations'.</p>		
<p>Issue: There are other methods of surveillance and protecting the golf facilities against vandalism etc, and this does not seem to be a problem elsewhere.</p> <p>Comments (PO): This is accepted and is not considered a justification for the development.</p>		
<p>Issue: Together with the likely ancillary development and activity the visual and activity impact would be much greater than is currently the case, and this would be maintained without diminishing during periods of reduced or no activity at the golf facility.</p> <p>Comments (PO): The introduction of residential development would (as considered below) contravene the special protection afforded the 'Coastal Protection Zone' (E8), but should not in itself breach the detailed provisions of policies H7 and E7 - see 'Observations'</p>		
<p>Issue: Site only has limited flood protection by the easily eroded dunes. Drainage problems.</p> <p>Comments (PO): There is no evidence that there would be a flood risk caused or added to by the proposal.</p>		
<p>Issue: Impact on natural environment and ecology.</p> <p>Comments (PO): There are no specific designations applying to the site in these respects, and these issues are not considered to have a material bearing on the merits of the proposals.</p>		
<p>Issue: Creation of a precedent.</p> <p>Comments (PO): Each application is considered on its own merits, and any future application would be considered as such.</p>		

Issue: Poor design and finish materials and excessive height.

Comments (PO): This is not considered to be an issue in respect of the scale, design, detailing and finishes of the design proposed.

Supporting Comments (25 received, and a petition):

- Golf course well managed and a benefit to tourism and the community.
- The security requirements justify the house.
- Proposed design would contribute to the setting and would not have a detrimental impact.

A letter of support for the proposal has also been received from Richard Lochhead, MSP.

Note: These points and the supporting statement provided by the applicant have been considered as part of the assessment.

OBSERVATIONS – ASSESSMENT OF PROPOSAL

Recent History

15/01609/APP - consent granted to erect cafe and agricultural storage shed (29/10/15).

During consideration of this application the house was withdrawn from the proposals (as being likely to result in a refusal) and approval was granted for the café and shed.

16/00555/APP Refusal for a caretakers house, refused at LRB appeal. The current proposals are a re-submission of these, and therefore the same considerations apply.

It is noted that there have been refusals for individual houses under previous local plan policy under applications 94/01157, 98/01030 and 99/00700/OUT, with the latter being rejected at appeal.

The Site

The site is an existing golf course in a hilly duneland area with a high dune escarpment to the rear (south) side. Access is by a long loose surfaced track which descends across the contours into an area which has a variety of temporary golf related structures.

The house would be situated in a small 'amphitheatre' defined on the south and west sides by the access track leading into the main golf facility area, and would have a high backdrop of dunes to the south. To the north and west there is an open outlook across the managed dunes of the golf course, and the coastal dune area.

The Proposal

The proposed house is of a one and a half storey design with a curved parabolic roof form, 6.7m high. The walling and roof (as a continuous element) would be of profiled metal sheeting, and the gables timber clad. There would be balcony features on three sides. The accommodation would comprise two bedrooms, a lounge, kitchen, bathroom and utility room at ground floor level, and a 'mezzanine' at first floor level. The total ground area would be 112 sq m.

Policy E8 (Coastal Protection Zone)

The coastal protection zone policy is an additional layer of protection afforded the valuable coastal strip from the normal spread of development that is potentially acceptable away from this unique asset of the Moray area.

The existing and permitted development within the site complies with the requirements of E8 in that it relates to "low intensity recreational tourist use eg golf courses". This criteria does not apply to the residential development now proposed, and none of the other exceptions provided for in this policy

apply to the development.

The security requirements given by the applicant are not provided for in policy and are not considered to provide a justification for the house as additional development to what has already been permitted in the sensitive area concerned.

Policy H7

Whilst not meeting the specific design criteria of H7, the proposal is considered to be of an innovative form that would respond to its setting.

The siting and design of the house ensure that it is not a prominent feature and that it will be integrated into the surrounding landscape and with the topographical features to the south and west it is considered to have the necessary boundary definition. The proposed house will therefore comply with Policy H7.

Policy E7 (Area of Great Landscape Value, AGLV)

The proposed development site is within the Hopeman/Lossiemouth Coast, Area of Great Landscape Value. The proposal is therefore subject to policy E7 Areas of Great Landscape Value (AGLV) and Impacts Upon the Wider Landscape. The innovative design and setting of the house means that the proposal will meet all the criteria within policy E7, and so whilst the proposal introduces a type of development that is fundamentally alien to the Coastal Protection Zone designation, it is considered compliant with the specific provisions of the AGLV.

Drainage

There are no drainage issues in relation to the specific site identified for the house, and septic tank drainage would be the subject of separate legislation.

Developer Contributions (IMP3)

This is a new issue since the previous proposals were refused, with the policy for this recently being agreed by committee.

Since the application is being refused the developer contribution identified has not be requested or paid, although the applicant has confirmed they would be willing to pay the contribution that would have been required.

Conclusion

On the basis of the above assessment the proposals are considered compliant with policies H7 and E7, despite being initially advertised as 'potential departures to these policies. Policy IM1 is a general policy, and with the proposals compliant to H7 and E7 they are likewise not considered to breach the specific provisions of this policy.

It is considered that the proposals should be refused as being contrary to policy E8 (CPZ) This is consistent with recent position established by the LRB, and with several previous refusals for house development on the area - including 94/01157/FUL, 98/01030/FUL and 99/00700/OUT.

OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT

There are no other material considerations that would alter this assessment.

HISTORY

MORAY				
Reference No.	Description			
15/01609/APP	Erect cafe and agricultural storage shed at Covesea Golf Course Lossiemouth Moray			
	Decision	Permitted	Date Of Decision	29/10/15

15/01000/PE	Replacement cafe erection of caretaker house and erection of storage shed at Covesea Golf Course Lossiemouth Moray			
	Decision	ID/PE Answered	Date Of Decision	14/07/15
10/01977/APP	Install above ground LPG tank at Covesea Golf Course Lossiemouth Moray			
	Decision	Permitted	Date Of Decision	31/01/11
10/00461/APP	Erect 4 golf driving bays alter existing driving bays into 2 retail units extend cafe seating area and enlarge kitchen form 3 bedroom dwellinghouse in former driving bays at Golf Dedication Centre Covesea Lossiemouth Moray			
	Decision	Permitted	Date Of Decision	25/02/11
08/02391/FUL	Replace golf course club house at Covesea Golf Course Lossiemouth Moray			
	Decision	Permitted	Date Of Decision	23/02/09
06/00389/FUL	Build water tank and pump station at Covesea Golf Course Covesea Lossiemouth Moray			
	Decision	Permitted	Date Of Decision	08/06/06
05/01397/FUL	Retain caravan for rest room at Covesea Golf Course Covesea Lossiemouth Moray			
	Decision	Permitted	Date Of Decision	30/08/06
05/00579/ADV	Proposed signs at Covesea Golf Course Covesea Lossiemouth Moray			
	Decision	Permitted	Date Of Decision	12/08/05
05/00516/FUL	Upgrade and straighten existing golf course entrance renovate and re-roof ruin to be used as store for grass maintenance equipment and move position of sign board at Covesea Golf Course Covesea Lossiemouth Moray			
	Decision	Permitted	Date Of Decision	01/04/05
02/01647/FUL	Renovate and redevelop existing disused fisherman's bothy and net loft to form dwellinghouse at Covesea Golf Course Covesea Lossiemouth Moray			
	Decision	Refuse	Date Of Decision	08/03/05
99/00700/OUT	Outline to erect house and garage at Covesea Golf Course Covesea Lossiemouth Moray			
	Decision	Refuse	Date Of Decision	22/09/99
98/01030/FUL	Erect proposed house and garage/workshop at Covesea Golf Course Covesea Lossiemouth Moray			
	Decision	Refuse	Date Of Decision	28/10/98

93/00395/FUL	Erect a port a cabin with toilets incorporating par 3 golf course at Covesea Golf Course Covesea Lossiemouth Moray			
	Decision	Refuse	Date Of Decision	08/10/93
16/00555/APP	Proposed caretakers house at Covesea Golf Course Lossiemouth Moray			
	Decision	Refuse	Date Of Decision	03/06/16

ADVERT			
Advert Fee paid?	Yes		
Local Newspaper	Reason for Advert	Date of expiry	
Northern Scot	No Premises Departure from development plan	01/12/16	
PINS	No Premises Departure from development plan	01/12/16	

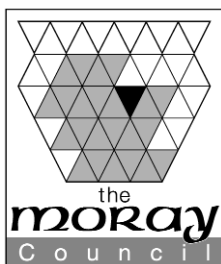
DEVELOPER CONTRIBUTIONS (PGU)	
Status	CONT SOUGHT

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:	Applicant Statement.	
Main Issues:	<p>The statement provided by the applicant in support of their application indicates the following:</p> <ul style="list-style-type: none"> • The need to apply policies flexibly. • There is a contradiction between the other buildings permitted, and the house not being considered to be acceptable in relation to the same policies. • Historic photographs provided demonstrate that a house exists in the vicinity. • The proposed house is integral to the golf course and established facilities on the site. • A house is needed for security on the site, and is needed for the running of the golf facility, which is an important tourist facility. <p><i>Comment :</i> These comments and the detailed arguments in support of the application have been taken into account in the assessment of the proposals.</p>	

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

**[Heldon And Laich]
Application for Planning Permission**

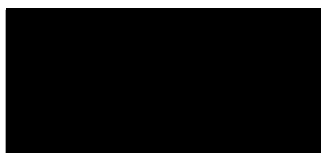
TO Mr and Mrs Andy Burnett
c/o 1 Architects Ltd
Suite 25
Inverness Airport
Inverness
United Kingdom
IV2 7JB

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 caretakers house at Covesea Golf Course Lossiemouth Moray

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

Date of Notice: **9 December 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 policy Policy E8 (Coastal Protection Zone) in the Moray Council Development Plan 2015 for the following reason:

1. None of the exceptions provided for in this policy apply and the development would introduce a form of development that would be out of harmony in the sensitive coastal area involved.

LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT

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

Reference	Version	Title
452.016		Location plan
A-06		Elevations (1)
A-07		Elevations (2)
A-04		First floor plan
A-01		Perspective view front
A-02		Perspective view rear
A-03		Ground floor plan
A-05		Sections
15.452/015		Site plan

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.