

30 NOV 2016

APPLICATION FOR PLANNING PERMISSION

Town and Country Planning (Scotland) Act 1997

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

Please refer to the accompanying Guidance Notes when completing this application
 PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS
 ELECTRONICALLY VIA <https://www.eplanning.scot>

1. Applicant's Details		2. Agent's Details (if any)	
Title	MR & MRS	Ref No.	16/20
Forename	MARK	Forename	COLIN
Surname	DAVIES.	Surname	KEIR
Company Name		Company Name	PLANS PLUS
Building No./Name		Building No./Name	MAIN STREET
Address Line 1		Address Line 1	OFFICES
Address Line 2		Address Line 2	URQUHART
Town/City		Town/City	BY ELGIN
Postcode		Postcode	IV30 8LG
Telephone		Telephone	01343 842635
Mobile	—	Mobile	07766 315501
Fax	—	Fax	—
Email	—	Email	cttplans@aol.com
3. Postal Address or Location of Proposed Development (please include postcode)			
PLOT ADJACENT TO EASTWOOD CALCOTS, BY ELGIN IV30 8NQ.			
NB. If you do not have a full site address please identify the location of the site(s) in your accompanying documentation.			
4. Type of Application			
What is the application for? Please select one of the following:			
Planning Permission			<input checked="" type="checkbox"/>
Planning Permission in Principle			<input type="checkbox"/>
Further Application*			<input type="checkbox"/>
Application for Approval of Matters Specified in Conditions*			<input type="checkbox"/>
Application for Mineral Works**			<input type="checkbox"/>
NB. A 'further application' may be e.g. development that has not yet commenced and where a time limit has been imposed a renewal of planning permission or a modification, variation or removal of a planning condition.			
*Please provide a reference number of the previous application and date when permission was granted:			
Reference No:	—	Date:	—
**Please note that if you are applying for planning permission for mineral works your planning authority may have a separate form or require additional information.			

5. Description of the Proposal

Please describe the proposal including any change of use:

ERECT NEW DWELLING HOUSE.

Is this a temporary permission?

Yes ☐ No ☒

If yes, please state how long permission is required for and why:

—

Have the works already been started or completed?

Yes ☐ No ☒

If yes, please state date of completion, or if not completed, the start date:

Date started:

Date completed:

If yes, please explain why work has already taken place in advance of making this application

—

6. Pre-Application Discussion

Have you received any advice from the planning authority in relation to this proposal?

Yes ☐ No ☒

If yes, please provide details about the advice below:

In what format was the advice given?

Meeting ☐ Telephone call ☐ Letter ☐ Email ☐

Have you agreed or are you discussing a Processing Agreement with the planning authority? Yes ☐ No ☐

Please provide a description of the advice you were given and who you received the advice from:

Name: Date: Ref No.:

7. Site Area

Please state the site area in either hectares or square metres:

Hectares (ha): Square Metre (sq.m.)

8. Existing Use

Please describe the current or most recent use:

PART OF LARGE GREEN GROUND
OF EXISTING PROPERTY.

9. Access and Parking

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

Yes ☐ No ☒

If yes, please show in your drawings the position of any existing, altered or new access and explain the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any changes to public paths, public rights of way or affecting any public rights of access?

Yes ☐ No ☒

If yes, please show on your drawings the position of any affected areas and explain 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?

4

How many vehicle parking spaces (garaging and open parking) do you propose on the site? (i.e. the total number of existing spaces plus any new spaces)

ADDITIONAL 3.

Please show on your drawings the position of existing and proposed parking spaces and specify if these are to be allocated for particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, etc.)

10. Water Supply and Drainage Arrangements

Will your proposals require new or altered water supply or drainage arrangements?

Yes ☒ No ☐

Are you proposing to connect to the public drainage network (e.g. to an existing sewer?)

Yes, connecting to a public drainage network

☐

No, proposing to make private drainage arrangements

☒

Not applicable – only arrangement for water supply required

☐

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 show more details on your plans and supporting information

What private arrangements are you proposing?

Treatment/Additional treatment (relates to package sewer treatment plants, or passive sewage treatment such as a reed bed)

☐

Other private drainage arrangement (such as a chemical toilets or composting toilets)

☐

Please show more details on your plans and supporting information.

Do your proposals make provision for sustainable drainage of surface water?

Yes ☒ No ☐

Note:- Please include details of SUDS arrangements on your plans

Are you proposing to connect to the public water supply network?

Yes ☒ No ☐

If no, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site)

11. Assessment of Flood Risk

Is the site within an area of known risk of flooding?

Yes ☐ No ☒

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 ☐

If yes, briefly describe how the risk of flooding might be increased elsewhere.

12. Trees

Are there any trees on or adjacent to the application site?

Yes ☒ No ☐

If yes, please show on drawings any trees (including known protected trees) and their canopy spread as they relate to the proposed site and indicate if any are to be cut back or felled.

13. Waste Storage and Collection

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

Yes ☒ No ☐

If yes, please provide details and illustrate on plans.

If no, please provide details as to why no provision for refuse/recycling storage is being made:

14. Residential Units Including Conversion

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

Yes ☒ No ☐

If yes how many units do you propose in total?

1

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

15. For all types of non housing development – new floorspace proposed

Does your proposal alter or create non-residential floorspace?

Yes ☐ No ☒

If yes, please provide details below:

Use type:

If you are extending a building, please provide details of existing gross floorspace (sq.m):

Proposed gross floorspace (sq.m.):

Please provide details of internal floorspace(sq.m)

Net trading space:

Non-trading space:

Total net floorspace:

16. Schedule 3 Development

Does the proposal involve a class of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008?

Yes ☐ No ☒ Don't Know ☐

If yes, your proposal will additionally have to be advertised in a newspaper circulating in your area. Your planning authority will do this on your behalf but may charge a fee. Please contact your planning authority for advice on planning fees.

17. Planning Service Employee/Elected Member Interest

Are you / the applicant / the applicant's spouse or partner, a member of staff within the planning service or an elected member of the planning authority?

Yes ☐ No ☒

Or, are you / the applicant / the applicant's spouse or partner a close relative of a member of staff in the planning service or elected member of the planning authority?

Yes ☒ No ☐

If you have answered yes please provide details:

COUNCILLOR PAUL RELATED TO AGENT

DECLARATIONI, the ~~applicant~~/agent certify that this is an application for planning permission. The accompanying plans/drawings and additional information are provided as part of this application. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.I, the ~~applicant~~/agent hereby certify that the attached Land Ownership Certificate has been completed☒I, the ~~applicant~~/agent hereby certify that requisite notice has been given to other land owners and /or agricultural tenantsYes ☐ No ☒ N/A ☒

Signature:



Name:

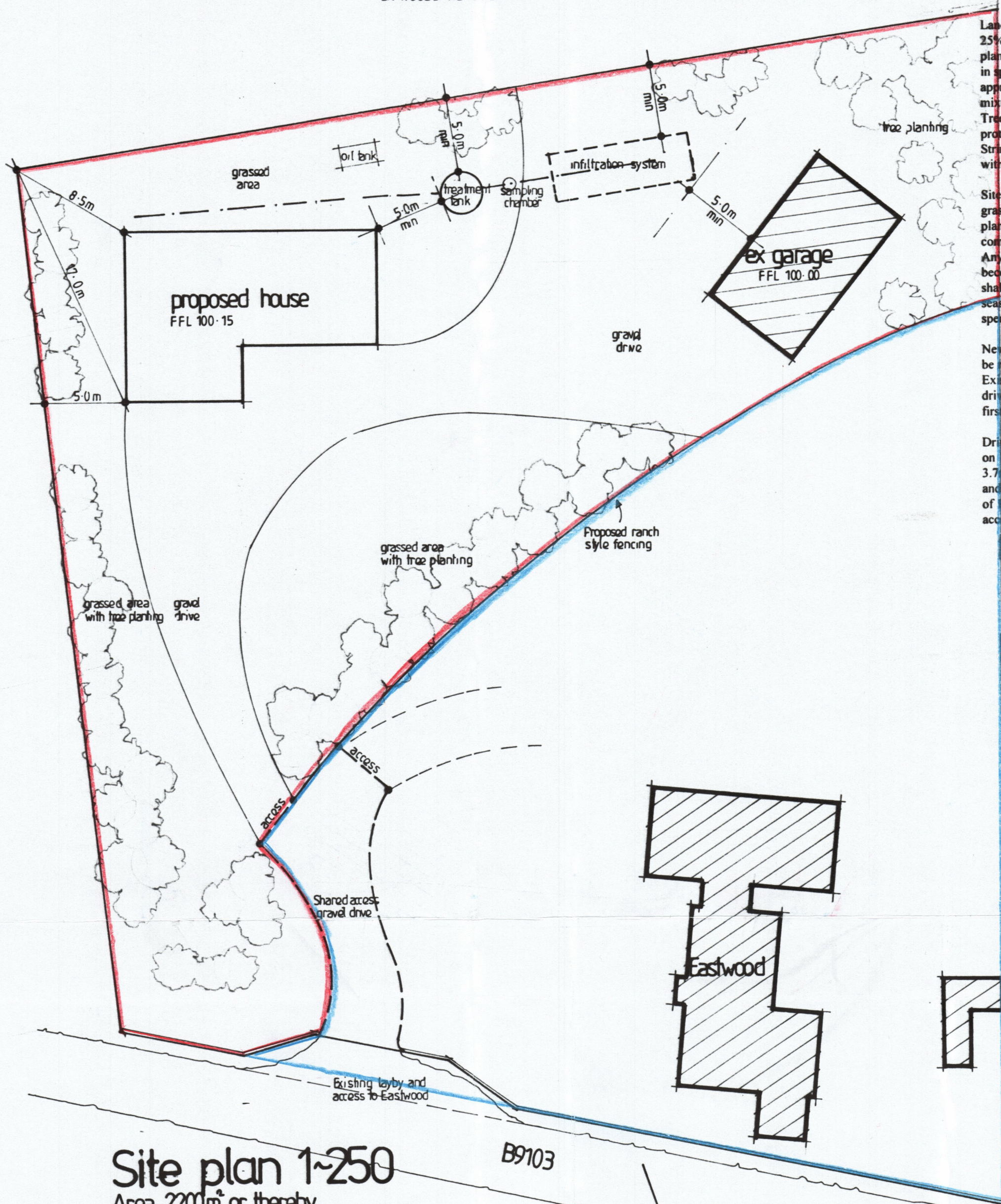
MR COLIN T KYLE

Date:

30/11/16.

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.

EX WOODLAND AREA



Landscaping proposals
25% of proposed new dwelling house site to be planted with native trees. Trees to be planted in species groups in random patterns at approximately 2.5m spacing. Sizes to be a mixture of standard, Half standard and Whips. Trees will be staked, tied and the smaller plants protected in growing shelters. Rabbit and Strimmer/vole guards will be fitted to all trees without shelters.

Site to be weeded, cultivated and prepared for grass seeding and tree planting within first planting season following occupation or completion of dwelling, whichever is sooner. Any trees or plants which die, are removed or become diseased within 5 years of planting shall be replaced in the following planting season with others of similar size, number and species

New internal boundary between properties to be ranch style fencing to match existing. Existing access layby retained and existing drive off layby shared between properties for first section as indicated.

Drive within garden to be finished with gravel on 150mm well compacted hardcore base min 3.7m wide, with a min 3.7m clear headroom, and capable of supporting a vehicle axle load of 14 tonnes, to allow for fuel deliveries and access for fire appliance

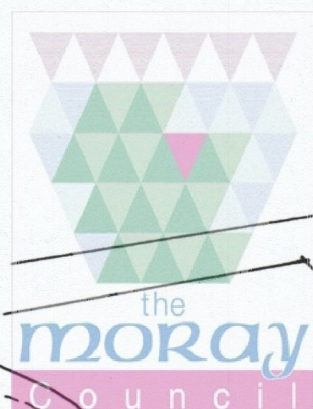
Town & Country Planning
(Scotland) Act, 1997
as amended

REFUSED

25 January 2017

Development Management
Environmental Services
The Moray Council

Site plan 1:250
Area 2200m² or thereby



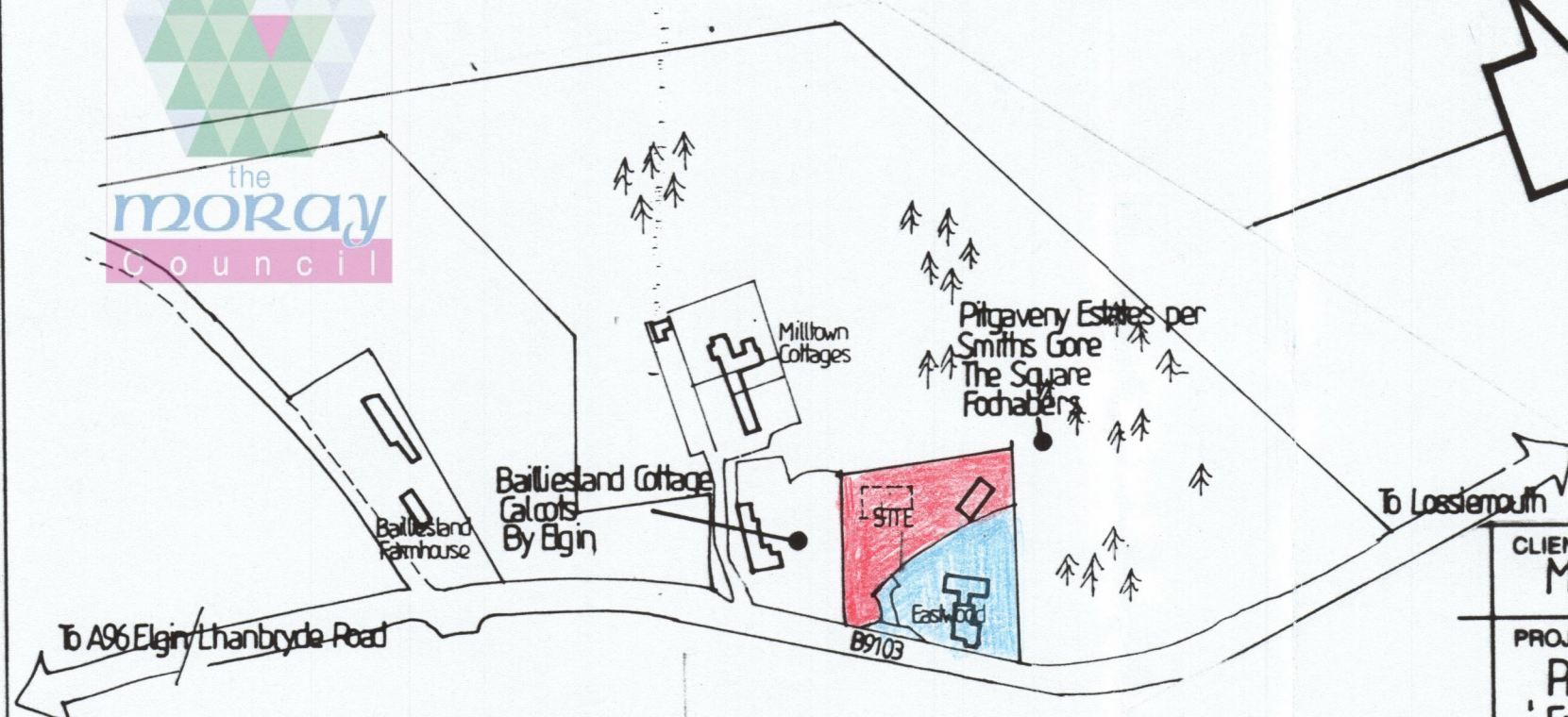
NO WORKS TO COMMENCE ON SITE UNTIL THE RELEVANT PLANNING, BUILDING WARRANT OR GRANT APPROVAL HAS BEEN OBTAINED.

CONTRACTORS WILL HAVE DEEMED TO HAVE VISITED THE SITE TO FAMILIARIZE THEMSELVES WITH THE PROJECT PRIOR TO SUBMITTING ANY ESTIMATE FOR BUILDING WORKS.

CROWN COPYRIGHT. ALL RIGHTS RESERVED.
LICENSE NUMBER 100041145

ANY DEVIATIONS TO THE APPROVED PLANS TO BE REPORTED TO THIS OFFICE.
CONTRACTORS TO CHECK ALL DIMENSIONS ON SITE PRIOR TO COMMENCING BUILDING WORKS
GIVEN DIMENSIONS ONLY TO BE USED.
DO NOT SCALE PLANS.

ANY ROOF TRUSS TYPING INTO AN EXISTING ROOF TO BE CHECKED ON SITE BY CONTRACTOR TO ENSURE HEIGHTS MEET CORRECTLY.



Location plan 1:2500
OS Grid Ref NU 257 656

CLIENT Mr & Mrs M Davies	SCALE indicated	DRAWN BY IR	DATE July 2016
PROJECT 16/01320/APP Proposed dwelling within grounds of 'Eastwood', Calcotts, By Elgin, IV30 8NQ		30 NOV 2016	PROJECT No. 16-20



**ARCHITECTURAL
DESIGN CONSULTANTS**

TELEPHONE No. 01343 842635
MOBILE No. 07766 315501
EMAIL: ctkplans@aol.com
WEB: www.plans-plus.co.uk
PARTNERS: COLIN & CATRIONA KEIR

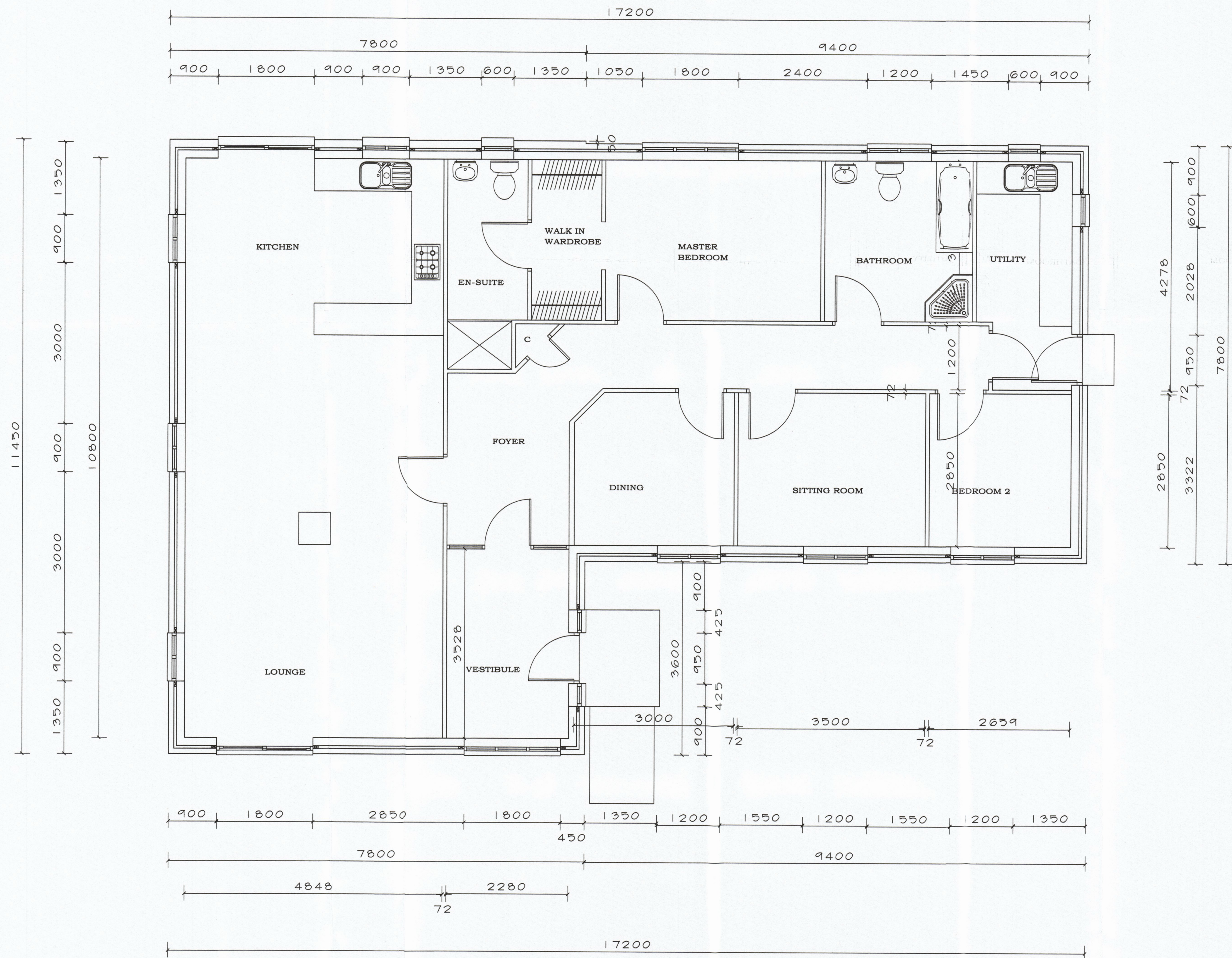
MAIN STREET OFFICES: URQUHART, BY ELGIN, IV30 8LG

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

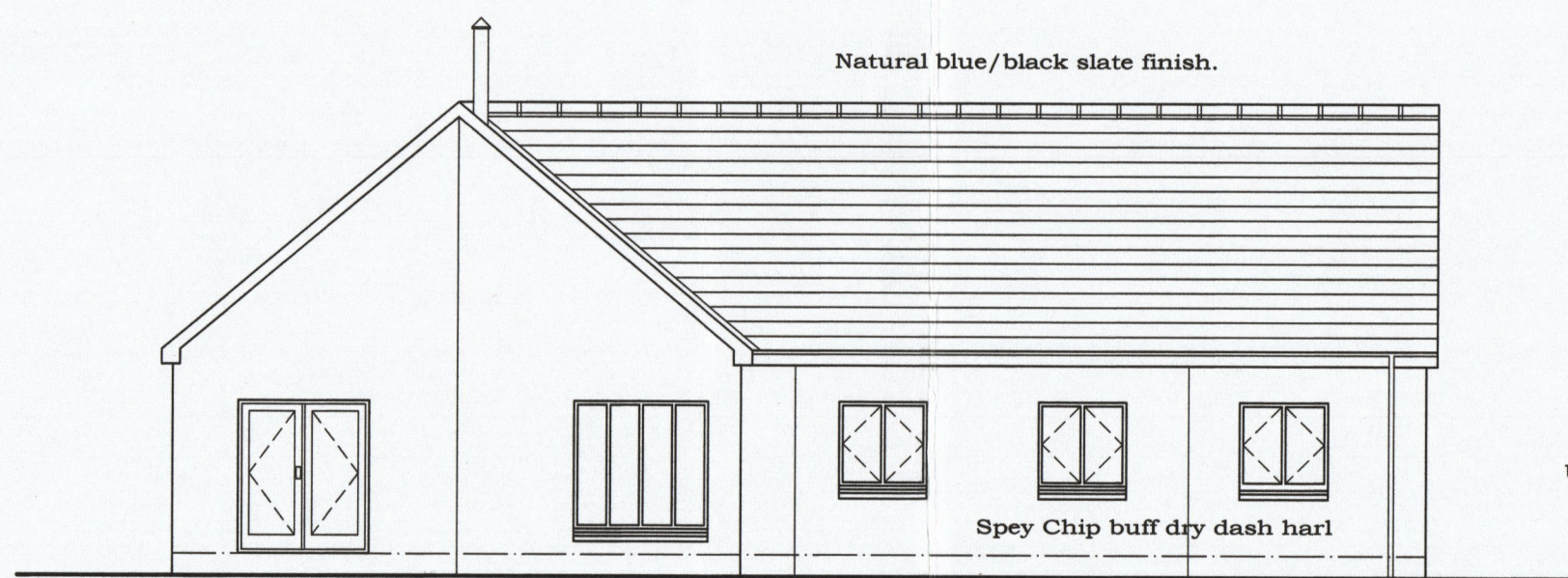
REFUSED

25 January 2017

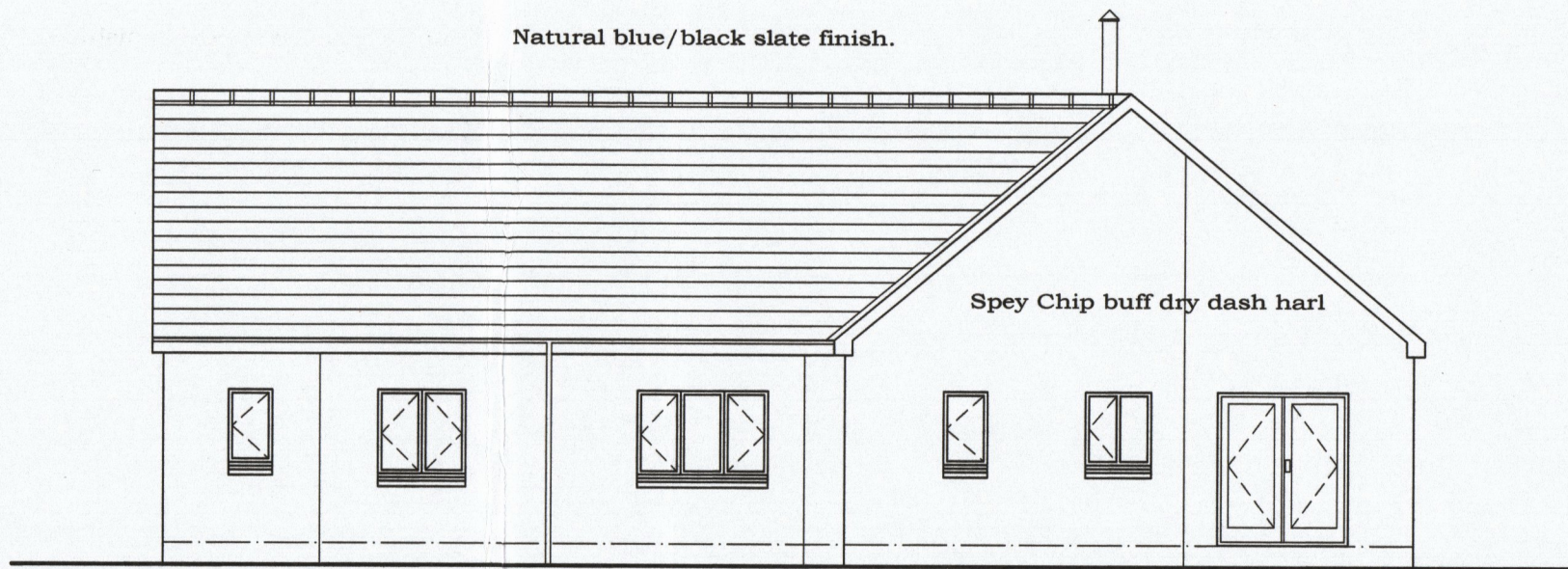
Development Management
Environmental Services
The Moray Council



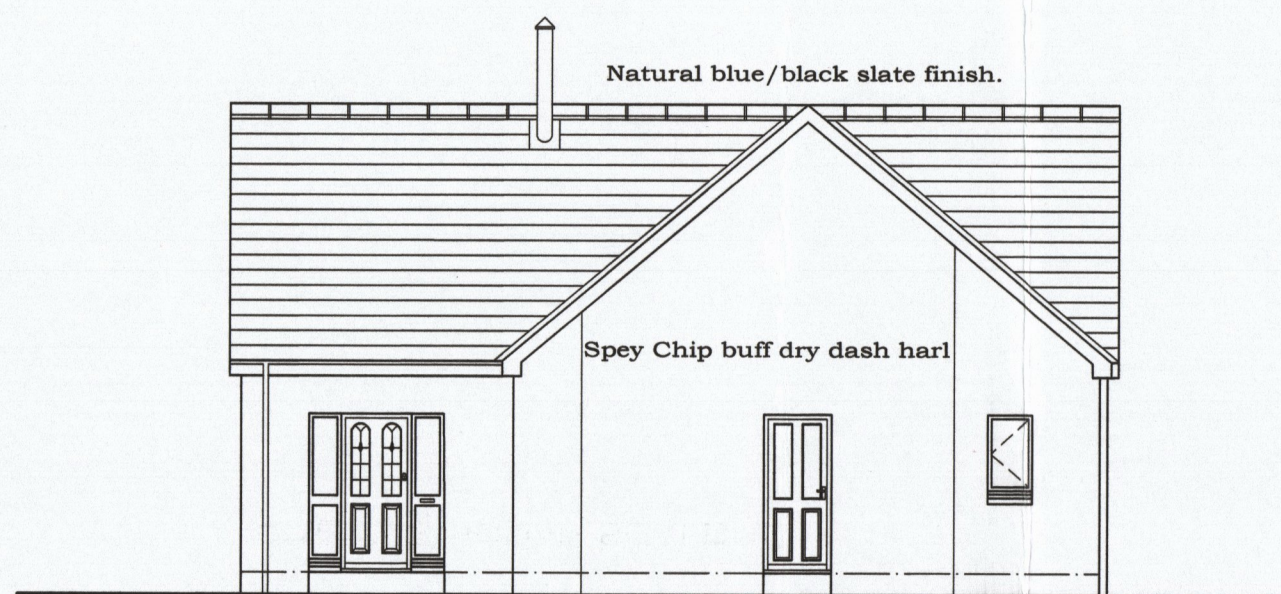
Planning Ref No.		
Building Warrant Ref No.		
Structural Engineer Ref No.		
Revisions and Distributions.		
Date	Revision.	Amended by.
Crown copyright all rights reserved License No. 100041145.		
No works to commence on site until all relevant Local Authority consents have been obtained. No responsibility taken for work commenced before all Local Authority consents have been issued.		
Contractors will have deemed to have visited the site to familiarise themselves with all aspects of the project prior to submitting any quotation for the building operations.		
Any deviation to the approved plans to be reported to this office. Contractors to check all dimensions on site prior to commencement of any building operations.		
Given dimensions only to be used. DO NOT SCALE DRAWINGS.		
Any roof truss or timbers tying into an existing roof to be checked on site by the contractor to ensure heights and ridges meet correctly.		
PLANS PLUS (URQUHART) ARCHITECTURAL 16/01/2017 DESIGN CONSULTANTS Main Street Offices, Urquhart, By Elgin IV30 8LG. Tel No 01343 842635 / 07766 315501 ctkplans@aol.com		
Project	ERECT NEW DWELLING HOUSE AT PLOT AT EASTWOOD, CALCOTS, BY ELGIN, MORAY.	Project No. 16-20-D-1
Client	MR AND MRS M DAVIES.	Scale 1-50
Drawn By	COLIN T KEIR	



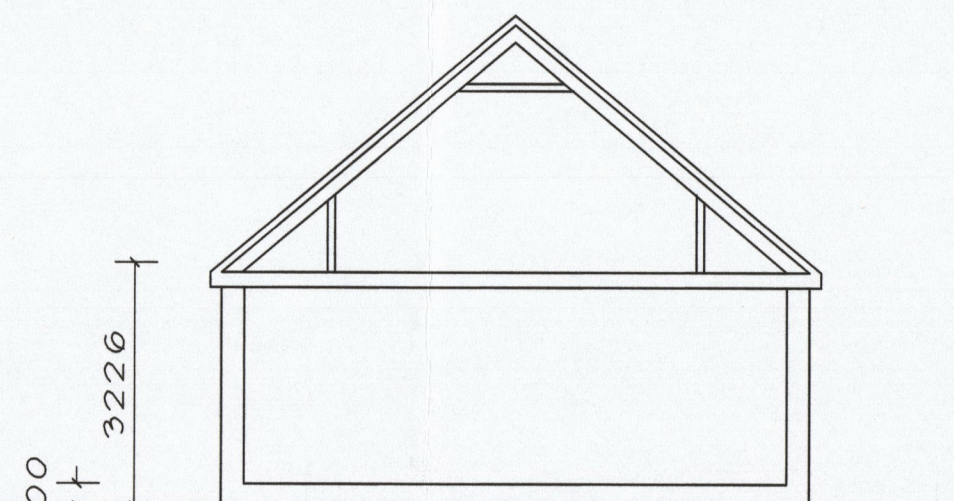
FRONT ELEVATION SCALE 1-100.



REAR ELEVATION SCALE 1-100.

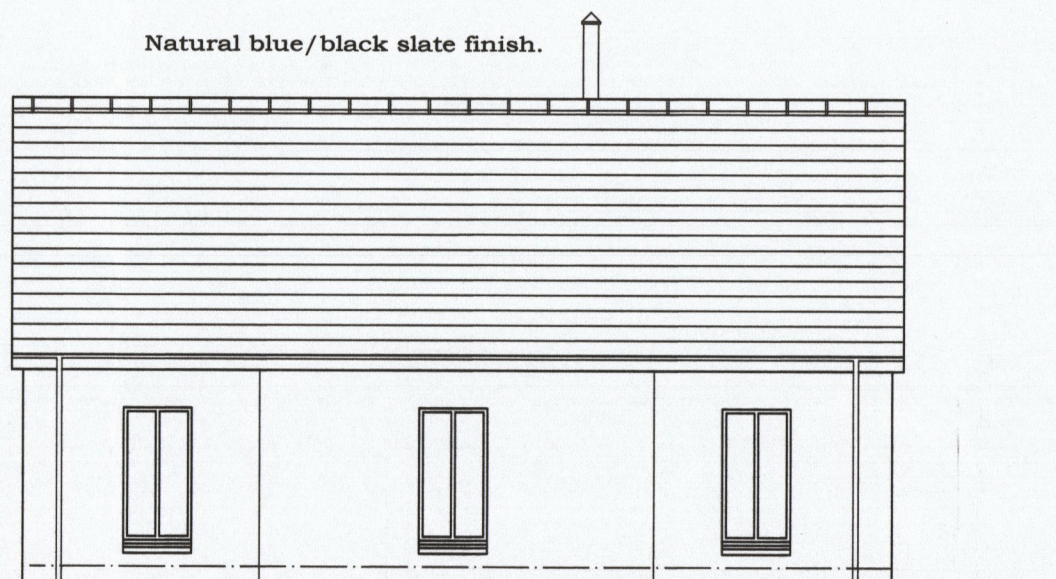


SIDE ELEVATION SCALE 1-100.



CROSS SECTION SCALE 1-100.

Gable formula calculated using height below floor level as 300mm and the height (H) calculated as 3226mm as shown. Using formula $2.5 \times h$ gives maximum gable width of 8062mm. Actual gable width of house is 7800mm.



SIDE ELEVATION SCALE 1-100.

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

REFUSED

25 January 2017

Development Management
Environmental Services
The Moray Council

Planning Ref No.		
Building Warrant Ref No.		
Structural Engineer Ref No.		
Revisions and Distributions.		
Date	Revision.	Amended by.
Crown copyright all rights reserved License No. 100041145.		
No works to commence on site until all relevant Local Authority consents have been obtained. No responsibility taken for work commenced before all Local Authority consents have been issued.		
Contractors will have deemed to have visited the site to familiarise themselves with all aspects of the project prior to submitting any quotation for the building operations.		
Any deviation to the approved plans to be reported to this office. Contractors to check all dimensions on site prior to commencement of any building operations.		
Given dimensions only to be used. DO NOT SCALE DRAWINGS.		
Any roof truss or timbers tying into an existing roof to be checked on site by the contractor to ensure heights and ridges meet correctly.		
PLANS PLUS (URQUHART) ARCHITECTURAL 16/01/2017/APP DESIGN CONSULTANTS Main Street Offices, Urquhart, By Elgin IV30 8LG. Tel No 01343 842635 / 07766 315501 ctkplans aol.com		
Project	ERECT NEW DWELLING HOUSE AT PLOT AT EASTWOOD, CALCOTS, BY ELGIN, MORAY.	Project No. 16-20-D-2
Client	MR AND MRS M DAVIES.	Scale 1-50

Consultation Request Notification

Planning Authority Name	The Moray Council
Response Date	23rd December 2016
Planning Authority Reference	16/01820/APP
Nature of Proposal (Description)	Erect dwellinghouse on
Site	Plot Adjacent To Eastwood Calcots Elgin Moray
Site Postcode	N/A
Site Gazetteer UPRN	000133058280
Proposal Location Easting	325763
Proposal Location Northing	865603
Area of application site (Ha)	m²
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=OHGLPOBG0CR00
Previous Application	16/01139/APP 16/01080/PE 08/00252/OUT
Date of Consultation	9th December 2016
Is this a re-consultation of an existing application?	No
Applicant Name	Mr And Mrs Mark Davies
Applicant Organisation Name	
Applicant Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Agent Name	Plans Plus
Agent Organisation Name	Plans Plus
Agent Address	Main Street URQUHART By Elgin Moray IV30 8LG
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Iain T Drummond
Case Officer Phone number	01343 563607
Case Officer email address	iain.drummond@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

NOTE:

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

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

Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Contaminated Land

Planning Application Ref. No: 16/01820/APP

Erect dwellinghouse on Plot Adjacent To Eastwood Calcots Elgin Moray for Mr And Mrs Mark Davies

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: 13th December 2016
Phone No

Return response to	consultation.planning@moray.gov.uk
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Please note that information about the application including consultation responses and representations (whether in support or objection) received on the proposal will be published on the Council's website at <http://public.moray.gov.uk/eplanning/> (You can also use this site to track progress of the application and view details of any consultation responses and representations (whether in support or objection) received on the proposal). In order to comply with the Data Protection Act, personal information including signatures, personal telephone and email details will be removed prior to publication using "redaction" software to avoid (or mask) the display of such information. Where appropriate other "sensitive" information within documents will also be removed prior to publication online.

DEVELOPER OBLIGATIONS:

Single Unit Assessment



Date: 15/12/2016

Application Reference: 16/01820/APP

Description: Erect dwellinghouse on Plot
Adjacent To Eastwood Calcots Elgin Moray

To: The Moray Council

Applicant: Mr. and Mrs. M. Davies, c/o Plans
Plus, Urquhart

I refer to the above mentioned planning application under consideration by Moray Council. As you may be aware, Aberdeenshire Council's Developer Obligations Team provide the Developer Obligations service to Moray and will assess the requirements for this planning application.

This assessment is carried out in relation to policies contained within the Moray Local Development Plan, specifically Policy H8: Affordable Housing, H9: Housing Mix/Accessible Housing and Policy IMP 3: Developer Obligations, along with Supplementary Guidance (Sept 2016). Copies of these policies can be found on the Council website at:

www.moray.gov.uk/planning

This assessment report will set out the basis for any agreement you enter into with Moray Council.

Your application will be unable to be determined (in terms of delegated powers/reported to committee) until we have reached agreement in writing on the terms as set out in the assessment report.

SUMMARY OF OBLIGATIONS

Total:



Infrastructure

Primary Education	£0.00
Secondary Education	£0.00
Community Facilities	£0.00
Sports & Recreation	£0.00
Healthcare	
Transportation	To be advised by Transportation

Breakdown of Calculation of Obligations

This section of the report sets out how the obligations outlined above have been calculated.

Calculation of Standard Unit Equivalents

Applications are assessed on the basis of standard house unit equivalents. This application is considered to comprise of the following:-

1 x 2-bed

This assessment is therefore based on 0.8 standard residential unit equivalents (SRUE).

INFRASTRUCTURE

Education

Pupils from the development will be zoned to the local Primary and Secondary schools for the respective catchment area. Contributions are sought if necessary to extend or build a new school to accommodate the additional pupils generated from new residential development in the catchment area of these schools. In order to be fair and reasonable, and to account for cumulative impact of single house developments, mitigation is sought for all residential development if the local primary school or

DEVELOPER OBLIGATIONS:

Single Unit Assessment



secondary school is operating at, operating in excess of, or expected to exceed 90% functional capacity.

Primary Education

Pupils from this development are currently zoned to Lhanbryde Primary School.

In this instance, the school is currently operating within capacity, so it can accommodate the additional pupils as a result of this development. As a result, no mitigation is necessary in this instance.

Secondary Education

Any pupils arising from this development are currently zoned to Milne's High School.

In this instance, the school is currently operating within capacity, so it can accommodate the additional pupils as a result of this development. As a result, no mitigation is necessary in this instance.

Community Halls

In this instance, existing hall capacity is considered adequate to serve the needs of the additional residents anticipated to be generated as a result of this development, and there are no proposals being progressed by Moray Council for additional community hall provision for this area. No contribution is therefore necessary towards this element.

Sports Facilities

In this instance, existing sports provision is considered adequate to serve the needs of the additional residents anticipated to be generated as a result of this development, and there are no proposals being progressed by Moray Council for additional sports provision for this area. No contribution is necessary towards this element.

Healthcare

The Local Development Plan stipulates that all residential development that results in the creation of a new household, or above, is required to contribute towards further provision of healthcare services in the area. Infrastructure requirements have been calculated with NHS Grampian on the basis of national health standards and by estimating the likely number of new patients generated by each proposed development. Contributions will be calculated using nationally recognised space standards and build costs, based upon the population requirements for GP & CMS facilities. NHS Grampian has identified that the existing health centre serving the local area is over capacity, so a developer contribution of [REDACTED] per SRUE is required. Therefore:

DEVELOPER OBLIGATIONS:

Single Unit Assessment



TRANSPORTATION

A contribution may be sought to mitigate the impact of the proposed development on the road network. Moray Council's Transportation service will advise directly on this element.

TERMS OF ASSESSMENT

Please note that any subsequent planning applications for this site may require a re-assessment to be undertaken on the basis of the policies and rates pertaining at that time. In this regard this assessment report is valid for a period of 6 months from the date of issue.

REMITTANCE OF OBLIGATIONS

Remittance of financial obligations can be undertaken through the provision of an upfront payment prior to the release of decision notice.

Management of Funds

The Council will undertake to spend contributions received in respect of an appropriate project or projects in line with the detail of this assessment within 10 years of the date when planning permission is implemented (evidenced through the notice of initiation of development). In the event of the contribution or part of it not being spent within this time period the contribution or part will be refunded to the applicant or their nominee along with relative interest accrued.

Consultation Request Notification

Planning Authority Name	The Moray Council
Response Date	23rd December 2016
Planning Authority Reference	16/01820/APP
Nature of Proposal (Description)	Erect dwellinghouse on
Site	Plot Adjacent To Eastwood Calcots Elgin Moray
Site Postcode	N/A
Site Gazetteer UPRN	000133058280
Proposal Location Easting	325763
Proposal Location Northing	865603
Area of application site (Ha)	m²
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	http://public.moray.gov.uk/eplanning/centralDis tribution.do?caseType=Application&keyVal=O HGLPOBG0CR00
Previous Application	16/01139/APP 16/01080/PE 08/00252/OUT
Date of Consultation	9th December 2016
Is this a re-consultation of an existing application?	No
Applicant Name	Mr And Mrs Mark Davies
Applicant Organisation Name	
Applicant Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Agent Name	Plans Plus
Agent Organisation Name	Plans Plus
Agent Address	Main Street URQUHART By Elgin Moray IV30 8LG
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Iain T Drummond
Case Officer Phone number	01343 563607
Case Officer email address	iain.drummond@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

NOTE:

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

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

Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Environmental Health Manager

Planning Application Ref. No: 16/01820/APP

Erect dwellinghouse on Plot Adjacent To Eastwood Calcots Elgin Moray for Mr And Mrs Mark Davies

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: Douglas Caldwell
email address:
Consultee:

Date: 12th December 2016
Phone No

Return response to	consultation.planning@moray.gov.uk
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Please note that information about the application including consultation responses and representations (whether in support or objection) received on the proposal will be published on the Council's website at <http://public.moray.gov.uk/eplanning/> (You can also use this site to track progress of the application and view details of any consultation responses and representations (whether in support or objection) received on the proposal). In order to comply with the Data Protection Act, personal information including signatures, personal telephone and email details will be removed prior to publication using "redaction" software to avoid (or mask) the display of such information. Where appropriate other "sensitive" information within documents will also be removed prior to publication online.

**MORAY COUNCIL
PLANNING CONSULTATION RESPONSE**

From: The Moray Council, Flood Risk Management

Planning Application Ref. No: 16 01820 APP -- House on Plot adjacent to Eastwood
Calcots Elgin

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

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

Reason(s) for objection

Conditions(s)

Further comments(s) to be passed to applicant

Further information required to consider the application

Drainage statement / Plan required.

Contact:	James Ross	Date	12/12/2016
email address:	Jamesa.ross@moray.gov.uk	Phone No	01343 563771

Consultee: The Moray Council, Flood Risk Management

Consultation Request Notification

Planning Authority Name	The Moray Council
Response Date	23rd December 2016
Planning Authority Reference	16/01820/APP
Nature of Proposal (Description)	Erect dwellinghouse on
Site	Plot Adjacent To Eastwood Calcots Elgin Moray
Site Postcode	N/A
Site Gazetteer UPRN	000133058280
Proposal Location Easting	325763
Proposal Location Northing	865603
Area of application site (Ha)	m²
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	http://public.moray.gov.uk/eplanning/centralDis tribution.do?caseType=Application&keyVal=O HGLPOBG0CR00
Previous Application	16/01139/APP 16/01080/PE 08/00252/OUT
Date of Consultation	9th December 2016
Is this a re-consultation of an existing application?	No
Applicant Name	Mr And Mrs Mark Davies
Applicant Organisation Name	
Applicant Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Agent Name	Plans Plus
Agent Organisation Name	Plans Plus
Agent Address	Main Street URQUHART By Elgin Moray IV30 8LG
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Iain T Drummond
Case Officer Phone number	01343 563607
Case Officer email address	iain.drummond@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

NOTE:

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

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

Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Transportation Manager

Planning Application Ref. No: 16/01820/APP

Erect dwellinghouse on Plot Adjacent To Eastwood Calcots Elgin Moray for Mr And Mrs Mark Davies

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

Please

- | | | |
|-----|---|--------------------------|
| (a) | I OBJECT to the application for the reason(s) as stated below | X |
| (b) | I have NO OBJECTIONS to the application and have no condition(s) and/or comment(s) to make on the proposal | <input type="checkbox"/> |
| (c) | I have NO OBJECTIONS to the application subject to condition(s) and/or comment(s) about the proposal as set out below | <input type="checkbox"/> |
| (d) | Further information is required in order to consider the application as set out below | <input type="checkbox"/> |

Note: this proposal is for a new dwelling within the garden grounds of Eastwood. The present access was previously relocated from a position which had severely restricted sightlines onto the B9103 Lossie – Sheriffston – Orton – Mulben Road. (see planning application 09/01102/FUL)

The consent was issued on the basis that the revised access was considered to have improved sightlines onto the B9103 Lossie – Sheriffston – Orton – Mulben Road and therefore was overall a more suitable access location for the existing property, within the constraints of the available land ownership.

However although considered as an improvement to the previous access, the current access still has restricted visibility onto the public road which does not meet Moray Council standards required for the status/speed of the connecting public road.

For this proposal a visibility splay of 4.5m by 215m in both directions would be required at the access onto the public road. This visibility splay is restricted by the existing dwelling Eastwood along with existing fences and trees.

Reason(s) for objection

The proposed development would result in an intensification of use an existing access with where the visibility is restricted by the adjacent building, fences and trees, and would be likely to give rise to conditions detrimental to the road safety of road users contrary to Moray Local Development Plan policies T2 Provision of Access and IMP1 Development Requirements.

Contact: DA / DP

Date 13 December 2106

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

Consultee: TRANSPORTATION

Return response to

consultation.planning@moray.gov.uk

Please note that information about the application including consultation responses and representations (whether in support or objection) received on the proposal will be published on the Council's website at <http://public.moray.gov.uk/eplanning/>. (You can also use this site to track progress of the application and view details of any consultation responses and representations (whether in support or objection) received on the proposal). In order to comply with the Data Protection Act, personal information including signatures, personal telephone and email details will be removed prior to publication using "redaction" software to avoid (or mask) the display of such information. Where appropriate other "sensitive" information within documents will also be removed prior to publication online.

REPORT OF HANDLING

Ref No:	16/01820/APP	Officer:	Iain T Drummond
Proposal Description/ Address	Erect dwellinghouse on Plot Adjacent To Eastwood Calcots Elgin Moray		
Date:	24.01.2017	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
Developer Obligations Unit	09/01/17	Contribution sought
Moray Flood Risk Management	21/12/16	No objections
Environmental Health Manager	12/12/16	No objections
Contaminated Land	13/12/16	No objections subject to informative
Transportation Manager	13/12/16	Object to the development
Scottish Water		No response received

DEVELOPMENT PLAN POLICY

Policies	Dep	Any Comments (or refer to Observations below)
H7: New Housing in the Open Countryside	Y	
EP5: Sustainable Urban Drainage Systems	N	
EP9: Contaminated Land	N	
EP10: Foul Drainage	N	
T2: Provision of Access	Y	
T5: Parking Standards	N	
IMP1: Developer Requirements	Y	
IMP3: Developer Obligations	N	

REPRESENTATIONS

Representations Received		NO
Total number of representations received		

Names/Addresses of parties submitting representations
Summary and Assessment of main issues raised by representations
Issue:
Comments (PO):

OBSERVATIONS – ASSESSMENT OF PROPOSAL

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

Proposal

Planning permission is sought for the erection of a dwellinghouse on a plot adjacent to Eastwood Calcots Elgin

The proposed house is single storey and has an L-shaped plan form which accommodates two bedrooms and has a ridge height of approximately 6.5m. The material finishes include: 'Spey Chip Buff Dry Dash Harl' and natural blue/black slate finished roof tiles. The drainage and water supply arrangements include an on-site septic tank with outflow to a soakaway and a connection to the public water supply. The proposed site is to make use of the existing access from the public road (B9013) which serves Eastwood thereafter the access would branch off from the shared access into the site.

Site Characteristics

The site is located within the large garden ground area of Eastwood (which is to the north east of the site) and covers an area of approximately 2200 sqm. An existing garage occupies the site with the land around the garage used for storage. Much of the site is laid to gravel and grass with a small portion of the land having been used as a vegetable patch. Whilst the site is designated as prime agricultural land, the site itself is located within the large garden ground area associated with Eastwood. There are mature trees located to the west of the site. Beyond the parent property there are residential properties to the south and south west of the site. Ministry of Defence owned land is located to the east of the site beyond the public road.

Site history

An application (16/01139/APP) for the erection of a house on the same site as that proposed was refused 8th September 2016 for the following reasons:-

'The proposal is contrary to the provisions of the Moray Local Development Plan 2015 (Policies H7, T2 and IMP1) where because:-

- 1. The proposed development would result in an intensification of use an existing access where the visibility is restricted by the adjacent building, fences and trees, and would be likely to give rise to conditions detrimental to the road safety of road users contrary to the provisions of policies T2 Provision of Access and IMP1 Development Requirements.*
- 2. The proposed design incorporates a gable design which does not comply with the gable eaves formula required by Policy H7 New Housing in the Open Countryside and therefore represents an inappropriate form of development in the countryside.'*

A subsequent appeal to the Local Review Body was dismissed on the basis of failing to comply with policy H7 in terms of design of the house, however, not on the grounds of road safety.

Policy Assessment

Siting and Character (H7 and IMP1)

Policy H7 contains the location/siting and design criteria for assessing the acceptability of applications for new build houses in the open countryside. In terms of location/siting, this policy requires proposals to reflect the existing traditional pattern of settlement in the locality, be sensitively integrated and not obtrusive in the landscape, not detract from the character or setting of existing development, and not to contribute to a build-up of development that detracts from the rural character of the area. The development plan notes that particular attention will be given to proposals in the open countryside where there has been a significant growth in the number of new house applications. Policy H7 also requires that at least 50% of the boundaries are long established and capable of distinguishing the site from the surrounding landscape. Thereafter, the policy requires any development to be acceptable in design terms including: requirements for a roof pitch of between 40-55 degrees; a gable width of no more than 2.5 times the height of the wall from ground to eaves level; uniform external finishes and materials including slate or dark 'slate effect' roof tiles; and a vertical emphasis and uniformity to all windows and doors as well as provision for landscape planting to be provided within the site.

Policy IMP1 seeks compatibility in terms of scale, density and character, requiring new development to integrate into the surrounding landscape and be sensitively sited, designed and serviced appropriate to the amenity and character of the area.

The rural settlement pattern of this part of Moray is characterised by single and small clusters of houses dispersed within the countryside. The addition of the proposed house at this location would be absorbed into the site and integrate with the existing cluster without significantly altering the character and appearance of the overall setting of the locality. The plot itself which is set back from the public road and from the adjacent property Eastwood is afforded a soft backdrop of trees along its western boundary and as such would not be an overtly prominent or obtrusive feature in the wider landscape setting. Furthermore, given the separation distances to the closest residential neighbours the proposal will not give rise to any significant amenity concerns. On this basis, the proposal satisfies the siting and character requirements of the above policies. However, in this case and notwithstanding the above, the proposal would be served by inadequate infrastructure in terms of road safety as per policy T2 and IMP1 requirements. This matter is discussed below:

Design (H7 and IMP1)

The proposed house design is compliant with the stipulations of policy H7 including: incorporating a roof pitch of between 40-55 degrees, uniformity to its external finishes in the form of dry dash harl and dark slate/slate effect roof tiles and a vertical emphasis and uniformity to all windows and doors and there would also be sufficient space within the site for 25% landscape planting (and this could be ensured by condition). Unlike the previous application on this site, the applicants have addressed the design of the house by adjusting its proportions to ensure compliance with the gable formula of policy H7.

Access and Parking (T2, IMP1 and T5)

It is acknowledged that in considering the review on the previous application 16/01139/APP, the LRB did not dismiss the appeal on access grounds, however, the appeal was dismissed on design grounds. A previously refused planning application whilst material in the consideration of any future application, holds very little weight. Had the previous application been approved subject to a condition requiring amendments to the design, then there would have been an extant consent on the site capable of being implemented and as such would have held more weight in determining any future applications on the site. However, as things stand, there is no consent on the proposed site and as such the current application must be assessed afresh. With this in mind the transportation assessment is the same as the previously refused application, as detailed below.

Policies T2 and IMP1 require the provision of a safe and suitable road access from the public highway to serve new development proposals which includes a requirement to provide safe entry and exit from the development for all road users including ensuring appropriate visibility for vehicles at junctions and bends. In this regard it has been advised by the Transportation Manager that for this proposal a visibility splay of 4.5m by 215m in both directions would be required at the access onto the public road. This visibility splay is restricted by the existing dwelling Eastwood along with existing fences and trees.

Following consultation, the Transportation Section has recommended that the current application be refused on the following grounds:

"The proposed development would result in an intensification of use an existing access with where the visibility is restricted by the adjacent building, fences and trees, and would be likely to give rise to conditions detrimental to the road safety of road users contrary to Moray Local Development Plan policies T2 Provision of Access and IMP1 Development Requirements".

These concerns shall form the basis of the reason for refusal of this application.

Water and Drainage (EP5 and EP10)

Scottish Water was consulted, although at the time of assessment no response has been received. Consideration about the capacity available within the supply network and the proposed/required connection arrangements for the public water supply will require separate liaison between the applicant and Scottish Water directly.

The acceptability of proposed onsite drainage arrangement comprising of a septic tank and soakaway will be determined as part of Building Standards requirements but, in principle, these proposals are in line with policy EP10 and EP5.

Developer Obligations (IMP3)

Developer obligations have been sought towards the provision of healthcare facilities within the catchment area. The applicants have confirmed they would be happy to provide these contributions should the application had been recommended for approval and as such the proposal is considered compliant with policy IMP3.

No representations were received on the proposal.

Recommendation and Conclusion

In light of the above the proposal fails to comply with the relevant provisions of the development plan and is recommended for refusal.

OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT

None

HISTORY

Reference No.	Description			
16/01139/APP	Erect dwellinghouse on Plot Adjacent To Eastwood Calcots Elgin Moray			
	Decision	Refuse	Date Of Decision	08/09/16
16/01080/PE	Proposed dwellinghouse on Site At Eastwood Calcots Elgin Moray			
	Decision	Withdrawn	Date Of Decision	11/07/16

08/00252/OUT	Outline for 4 house plots on Site At Eastwood Calcots Elgin Moray			
	Decision	Withdrawn	Date Of Decision	09/07/08

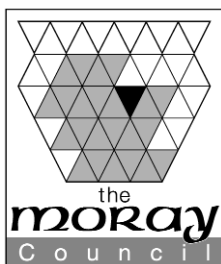
ADVERT			
Advert Fee paid?	Yes		
Local Newspaper	Reason for Advert	Date of expiry	
Northern Scot	No Premises	16/01/17	
PINS	No Premises	16/01/17	

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?		NO
Summary of main issues raised in each statement/assessment/report		
Document Name:		
Main Issues:		

S.75 AGREEMENT		
Application subject to S.75 Agreement		NO
Summary of terms of agreement:		
Location where terms or summary of terms can be inspected:		

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



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

REFUSAL OF PLANNING PERMISSION

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

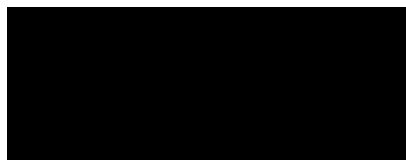
TO Mr And Mrs Mark Davies
c/o Plans Plus
Main Street
URQUHART
By Elgin
Moray
IV30 8LG

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:-

Erect dwellinghouse on Plot Adjacent To Eastwood Calcots Elgin Moray

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

Date of Notice: **25 January 2017**



HEAD OF DEVELOPMENT SERVICES

Environmental Services Department
The Moray Council
Council Office
High Street
ELGIN
Moray
IV30 1BX

IMPORTANT
YOUR ATTENTION IS DRAWN TO THE REASONS and NOTES BELOW

SCHEDULE OF REASON(S) FOR REFUSAL

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

The proposal is contrary to the provisions of the Moray Local Development Plan 2015 (Policies T2 and IMP1) for the following reason:-

1. The proposed development would result in an intensification of use an existing access where the visibility is restricted by the adjacent building, fences and trees, and would be likely to give rise to conditions detrimental to the road safety of road users contrary to the provisions of policies T2 Provision of Access and IMP1 Development Requirements.

LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT

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

Reference	Version	Title
16~20		Site and location plan
16-20-D-1		Floor plan
16-20-D-2		Elevations

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.