



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 100042504-001

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)

PPP for a single house and garage

Is this a temporary permission? *

☐ Yes ☒ No

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

☐ Yes ☒ No

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

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

☒ No ☐ Yes – Started ☐ Yes - Completed

Applicant or Agent Details

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

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	IH Designs (Moray)		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	ian	Building Name:	Eilean Dubh
Last Name: *	holmes	Building Number:	
Telephone Number: *	01309 674368	Address 1 (Street): *	Councillors Walk
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Forres
Fax Number:		Country: *	Scotland
		Postcode: *	IV36 1HA
Email Address: *	ian54holmes@hotmail.co.uk		

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

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mrs	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Sandra	Building Number:	
Last Name: *	Duncan	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

Roseisle, Elgin

Northing

866900

Easting

314400

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☐ Yes ☒ No

Site Area

Please state the site area:

1853.00

Please state the measurement type used:

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

Existing Use

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

Grazing

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.

<p>Are you proposing any change to public paths, public rights of way or affecting any public right of access? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>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.</p>
<h2 style="margin: 0;">Water Supply and Drainage Arrangements</h2> <p>Will your proposal require new or altered water supply or drainage arrangements? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *</p> <p><input type="checkbox"/> Yes – connecting to public drainage network</p> <p><input checked="" type="checkbox"/> No – proposing to make private drainage arrangements</p> <p><input type="checkbox"/> Not Applicable – only arrangements for water supply required</p>
<p>As you have indicated that you are proposing to make private drainage arrangements, please provide further details.</p> <p>What private arrangements are you proposing? *</p> <p><input checked="" type="checkbox"/> New/Altered septic tank.</p> <p><input type="checkbox"/> Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed).</p> <p><input type="checkbox"/> Other private drainage arrangement (such as chemical toilets or composting toilets).</p>
<p>What private arrangements are you proposing for the New/Altered septic tank? *</p> <p><input checked="" type="checkbox"/> Discharge to land via soakaway.</p> <p><input type="checkbox"/> Discharge to watercourse(s) (including partial soakaway).</p> <p><input type="checkbox"/> Discharge to coastal waters.</p>
<p>Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: *</p> <div style="border: 1px solid black; height: 80px; margin-top: 5px; padding: 5px;"> <p>Private septic tank and soak away for foul water and soak away for surface water.</p> </div>
<p>Do your proposals make provision for sustainable drainage of surface water?? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>(e.g. SUDS arrangements) *</p> <p>Note:-</p> <p>Please include details of SUDS arrangements on your plans</p> <p>Selecting 'No' to the above question means that you could be in breach of Environmental legislation.</p>
<p>Are you proposing to connect to the public water supply network? *</p> <p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No, using a private water supply</p> <p><input type="checkbox"/> No connection required</p> <p>If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).</p>

Assessment of Flood Risk

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

☐ Yes ☒ No ☐ Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? *

☐ Yes ☒ No ☐ Don't Know

Trees

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

☒ Yes ☐ No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

☐ Yes ☒ No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013? *

☐ Yes ☒ No ☐ Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

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

☐ Yes ☒ No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

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

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

☒ Yes ☐ No

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

☐ Yes ☒ No

Certificate Required

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

Certificate A

Land Ownership Certificate

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

Certificate A

I hereby certify that –

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

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

Signed: ian holmes

On behalf of: Mrs Sandra Duncan

Date: 09/03/2017

☒ Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

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

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

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

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

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

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

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

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

Provide copies of the following documents if applicable:

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

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

Declare – For Application to Planning Authority

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

Declaration Name: Mr ian holmes

Declaration Date: 09/03/2017

Payment Details

Telephone Payment Reference: XXXXXXXXXX

Created: 09/03/2017 12:08

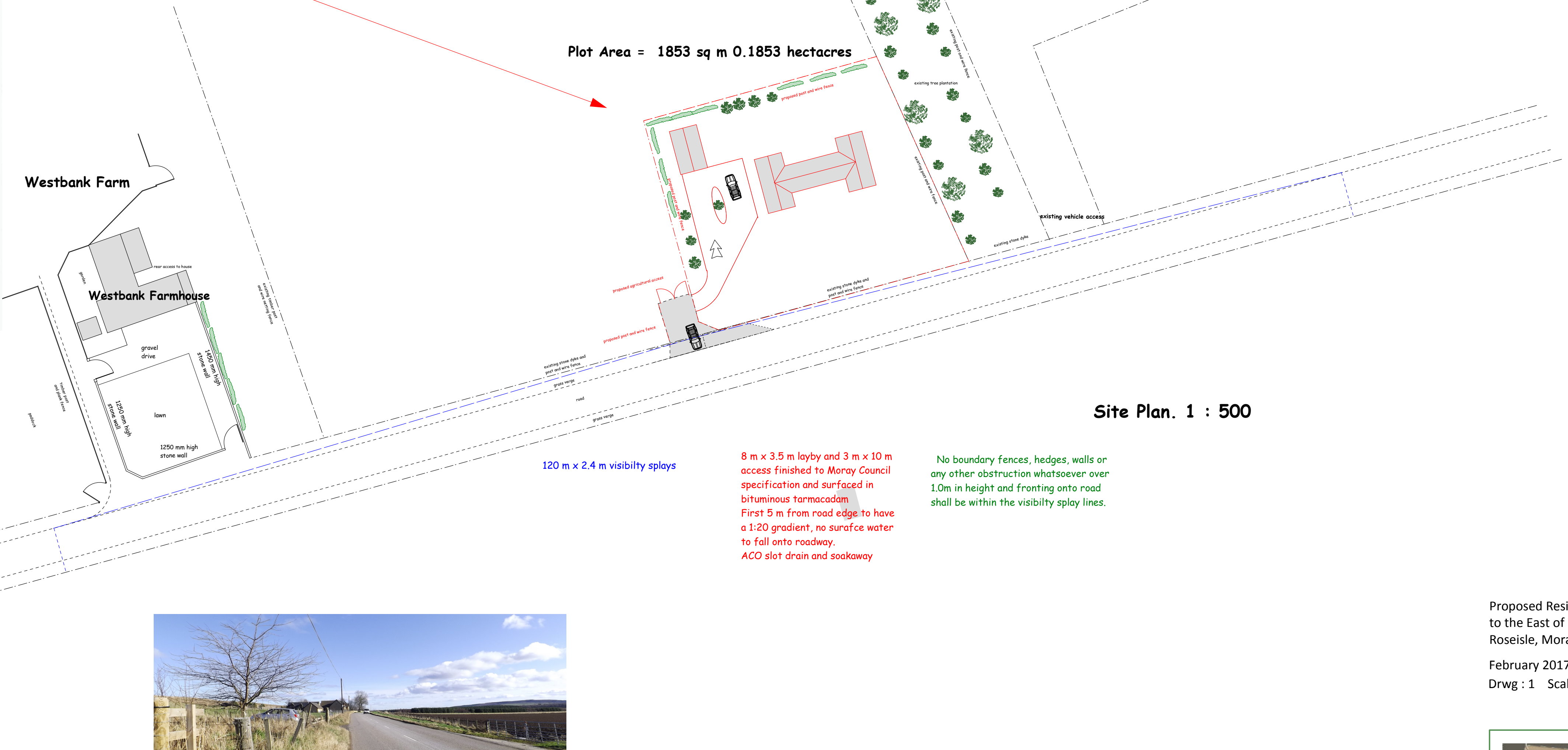


03 February 2017, ID: MNOW-00596497
mapsnow.co.uk
1:1250 scale print at A4, Centre: 314338 E, 866939 N
©Crown Copyright and database rights 2016 OS
100019980

MapsNow



View to the West



Plot Area = 1853 sq m 0.1853 hectares

Site Plan. 1 : 500

120 m x 2.4 m visibility splays

120 m x 2.4 m visibility splays

8 m x 3.5 m layby and 3 m x 10 m access finished to Moray Council specification and surfaced in bituminous tarmacadam
First 5 m from road edge to have a 1:20 gradient, no surface water to fall onto roadway.
ACO slot drain and soakaway

No boundary fences, hedges, walls or any other obstruction whatsoever over 1.0m in height and fronting onto road shall be within the visibility splay lines.



View to the East

No works to commence on site until Planning and or Building Warrant Approvals are received. Contractors must visit the site and check site dimensions and familiarise themselves prior to ordering and manufacturing components and materials. Do not scale the drawings.

Proposed Residential House Plot to the East of Westbank Farmhouse
Roseisle, Moray

February 2017
Drwg : 1 Scale : 1:500 Rev :



IH Designs (Moray)
12 Councillors Walk, Forres IV36 1HA
Tel : 01309 674368
Email : ian54holmes@hotmail.co.uk
Web : www.ihdesignsmoray.co.uk



17/00358/PPP



Legend

Consultation Request Notification

Planning Authority Name	The Moray Council
Response Date	29th March 2017
Planning Authority Reference	17/00358/PPP
Nature of Proposal (Description)	Erect dwellinghouse and garage on
Site	Site East Of Westbank Farmhouse Rosiesle Elgin Moray
Site Postcode	N/A
Site Gazetteer UPRN	999999999999
Proposal Location Easting	314380
Proposal Location Northing	866887
Area of application site (Ha)	1853 m²
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=OML7N6BGKZ100
Previous Application	
Date of Consultation	15th March 2017
Is this a re-consultation of an existing application?	No
Applicant Name	Mrs Sandra Duncan
Applicant Organisation Name	
Applicant Address	Colaird House Roseisle Elgin Scotland IV30 5YD
Agent Name	IH Design
Agent Organisation Name	
Agent Address	Eilean Dubh 12 Councillors Walk Forres Moray IV36 1HA
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Shona Strachan
Case Officer Phone number	01343 563303
Case Officer email address	shona.strachan@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: 17/00358/PPP

**Erect dwellinghouse and garage on Site East Of Westbank Farmhouse Rosiesle Elgin
Moray for Mrs Sandra Duncan**

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: 17th March 2017
Phone No

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.

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Environmental Health Manager

Planning Application Ref. No: 17/00358/PPP

**Erect dwellinghouse and garage on Site East Of Westbank Farmhouse Rosiesle Elgin
Moray for Mrs Sandra Duncan**

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

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

Contact: Kevin Boyle
email address:
Consultee:

Date...21.03.2017.....
Phone No

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.

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Transportation Manager

Planning Application Ref. No: 17/00358/PPP

Erect dwellinghouse and garage on Site East Of Westbank Farmhouse Rosiesle Elgin Moray for Mrs Sandra Duncan

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. Notwithstanding the submitted details 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 2.4 metres by 160 metres in both directions, showing boundary walls/fences/hedges 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.
2. Prior to the commencement of development details shall be submitted for the approval in writing of the Planning Authority, in consultation with the Roads Authority, to ensure no water or loose material shall be permitted to drain or be carried onto the public footpath/carriageway for the life time of the development.
3. The width of the vehicular access shall be minimum 3.0m and have a maximum gradient of 1:20 measured for the first 5.0m from the edge of the public carriageway. The first 5m 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. Parking provision shall be as follows:

- 2 spaces for a dwelling with three bedrooms or less; or
- 3 spaces for a dwelling with four bedrooms or more.

The car parking spaces shall be provided within the site prior to the occupation or completion of the dwellinghouse, whichever is the sooner. The parking spaces shall thereafter be retained throughout the lifetime of the development, unless otherwise agreed in writing with the Council as Planning Authority.

5. An access lay-by 8.0m long by 2.5m wide with 30 degrees splayed ends shall be provided at the edge of the public road to allow visiting service vehicles to park clear of the public road. The vehicular access should lead off the lay-by. The lay-by must be constructed in accordance with The Moray Council specification and surfaced with bituminous macadam. Access gates should be located at a position set back a minimum distance of 8.0m from the edge of the public road.
6. A turning area shall be provided within the curtilage of the site to enable vehicles to enter and exit in a forward gear.
7. No boundary fences, hedges, walls or any other obstruction whatsoever over 1.0m in height and fronting onto the public road shall be within 2.4m of the edge of the carriageway.
8. New boundary walls/fences shall be set back from the edge of the public carriageway at a minimum distance of 2.0m, and to a position behind the required visibility splays.

REASONS

1. To enable drivers of vehicles leaving the site to have a clear view over a length of road sufficient to allow safe exit, in the interests of road safety for the proposed development and other road users.
2. To ensure the safety and free flow of traffic on the public road and access to the site by minimising the road safety impact from extraneous material and surface water in the vicinity of the new access.
3. To ensure 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.
5. To enable visiting service vehicles to park clear of the public road in the interests of road safety.
6. To ensure the provision for vehicles to enter/exit in a forward gear in the interests of the safety and free flow of traffic on the public road
7. To enable drivers of vehicles entering or exiting the site to have a clear view so that they can undertake the manoeuvre safely and with the minimum interference to the safety and free flow of traffic on the public road.
8. To ensure acceptable development in the interests of road safety.

Further comment(s) to be passed to applicant

Planning consent does not carry with it the right to carry out works within the public road boundary.

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

Public utility apparatus may be affected by this proposal. Contact the appropriate utility service in respect of any necessary utility service alterations which have to be carried out at the expense of the developer.

No building materials/scaffolding/builder's skip shall obstruct the public road (including footpaths) without permission from the Roads Authority.

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

The formation of the required visibility splay will involve the setting back of boundary walls/fences.

Contact: DA/AG

Date 21 March 2017

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.

DEVELOPER OBLIGATIONS: ASSESSMENT REPORT

Date: 21/03/2017

Reference: 17/00358/PPP

Description: Erect dwellinghouse and garage on Site East of Westbank Farmhouse, Roseisle, Elgin

Applicant: Mrs Sandra Duncan

Agent: IH Design

This assessment has been carried out by Moray Council. This assessment is carried out in relation to policy IMP3 Developer Obligations of the Moray Local Development Plan 2015 (LDP) and associated Supplementary Guidance (SG) on Developer Obligations which was adopted on 14 October 2016. The LDP and SG can be found at www.moray.gov.uk/planning.

Summary of Obligations

Primary Education	Nil
Secondary Education	Nil
Transport (<i>Contribution towards Demand Responsive Transport Service</i>)	0
Healthcare (<i>Contribution towards the expansion of Moray Coast Medical Practice</i>)	
Community Facilities	Nil
Sports and Recreation	Nil
Waste	Nil
Total Developer Obligations	

Breakdown of Calculation

Proposals are assessed on the basis of Standard Residential Unit Equivalent (SRUE) which is a 3-bedroomed residential unit. This application is considered to comprise of the following:

3 bed = 1 SRUE

This assessment is therefore based on 1 SRUE.

Developer Obligations Discount for Small Scale Development

A discount of 80% will be applied to the contribution for single unit developments to reflect their small scale nature.

INFRASTRUCTURE

Education

Primary Education

Pupils generated by this development are zoned to Burghead Primary School. The school is currently operating at 84% functional capacity and the additional pupil as a result of this development can be accommodated. As a result no mitigation is necessary.

Contribution towards Primary Education = Nil

Secondary Education

Pupils resident in Roseisle are zoned to Lossiemouth High School. The school is currently operating at 77% functional capacity and the additional pupil as a result of this development can be accommodated. As a result no mitigation is necessary.

Contribution towards Secondary Education = Nil

Transport

The Moray Council Transportation Services has confirmed that a contribution towards the Council's Demand Responsive Transport Service is required to mitigate the impact, in terms of increased usage, on this service given the proposed development is located within a rural area with no access to bus services. In accord with the Moray Council's Supplementary Guidance on Developer Obligations, a contribution of [REDACTED] per SRUE is sought. Therefore:

[REDACTED]

Contributions towards Transport = [REDACTED]

Healthcare

Healthcare Facilities include General Medical Services (GMS), community pharmacies and dental practices. Scottish Health Planning Notes provide national guidance on standards and specification for healthcare facilities. The recommended number of patients is 1500 per General Practitioner (GP) and floorspace requirement per GP is 271m².

Healthcare infrastructure requirements have been calculated with NHS Grampian on the basis of national standards and specifications for healthcare facilities and estimating the likely number of new patients generated by the development (based on the average household size of 2.24 persons*).

Moray Coast Medical Practice is the nearest settlement within which healthcare facilities can be assessed by the proposed development. NHS Grampian has confirmed that Moray Coast Medical Practice is currently working beyond design capacity and it will be required to be extended to accommodate 1 additional GP and support staff.

Contributions are calculated based on a proportional contribution of [REDACTED] per SRUE for the expansion of the health centre.

[REDACTED]

[REDACTED]

Contribution towards Healthcare= [REDACTED]

Community, Sports and Recreational Facilities

Community Facilities

There are no proposals being progressed for additional community hall provision in the immediate vicinity; therefore, in this instance, no contribution will be required.

Contribution for Community Facilities = Nil

Sports and Recreation Facilities

Existing sports provision within Roseisle is considered to be adequate to serve the needs of the residents anticipated to be generated by this development. Therefore, in this instance, no contribution will be required.

Contribution for Sports and Recreation Facilities = Nil

Waste

Moray Waste Services have advised that the household and recycling facilities that would serve this development are operating within 90% capacity. Therefore, in this instance, no contribution is required.

Contribution for Waste = Nil

TERMS OF ASSESSMENT

This assessment report is valid for a period of 6 months from the date of issue.

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.

PAYMENT OF CONTRIBUTIONS

Remittance of financial obligations can be undertaken either through the provision of an upfront payment or by entering into a Section 75 agreement. The provision of an upfront payment will allow a planning consent to be issued promptly. However, where the amount of developer contributions are such that an upfront payment may be considered prohibitive a Section 75 will likely be required. The payment of contributions may be tied into the completion of houses through a Section 75 Agreement or equivalent, to facilitate the delivery of development. Please note that Applicants are liable for both the legal costs of their own Legal Agent fees and Council's legal fees and outlays in the preparation of the document. These costs should be taken into account when considering the options.

INDEXATION

Developer obligations are index linked to the General Building Cost Price Index (BCPI) as published by the Building Cost Information Service (BCIS) of the Royal Institute of Chartered Surveyors (RICS) from Q3, 2016.

REPORT OF HANDLING

Ref No:	17/00358/PPP	Officer:	Shona Strachan
Proposal Description/ Address	Erect dwellinghouse and garage on Site East Of Westbank Farmhouse Rosiesle Elgin Moray		
Date:	05/05/17	Typist Initials:	FJA

RECOMMENDATION

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

CONSULTATIONS

Consultee	Date Returned	Summary of Response
Environmental Health Manager	21/03/17	No objection
Contaminated Land	17/03/17	No objection
Transportation Manager	21/03/17	No objection subject to condition and informatives
Scottish Water		No response at time of report
Planning And Development Obligations	21/03/17	Contributions sought towards demand responsive transport service and expansion of health care facilities.

DEVELOPMENT PLAN POLICY

Policies	Dep	Any Comments (or refer to Observations below)
PP1: Sustainable Economic Growth	N	
PP3: Placemaking	N	
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	N	
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

This application seeks planning permission in principle for the erection of a dwellinghouse with a detached garage.

The site plan includes an indicative location and footprint for a proposed 'H'-shaped house and detached garage but given the "in principle" nature of the permission being sought no detailed design information has been provided. The site plan also shows the location of the proposed access (a new access formed onto the C25E and entering the site at its south western corner), driveway and on-site parking, proposed landscaping as well as the existing and proposed boundary treatments. The associated servicing arrangements include an on-site septic tank with soakaway, a separate on-site surface water soakaway, and a connection to the public water supply.

Site Characteristics

The site covers an area of 1853 sq m and is located on the corner of a field. The site is located on sloping ground on a prominent ridge called Tappoch Hill which lies to the north of Roseisle, the site itself located to the north east of Roseisle.

The site is bounded by an existing stone dyke wall and post and wire fencing on its southern boundary with the public road lying beyond, and by existing post and wire fencing on its eastern boundary with a small area of trees with an area of rough ground and a paddock lying beyond. The northern and western boundaries are currently undefined, as the site is arbitrarily formed from within the existing field and the forestry plantation woodland covering Tappoch Hill rises above and beyond the site further to the north.

There are a number of existing and recently approved houses within the vicinity of the site and these existing houses and recently approved houses are part of the context in which the site is seen within the landscape setting. For the avoidance of doubt, this wider setting is considered to extend approximately 755m to the east of the site and approximately 840m to the west of the site and is shown on the supporting plan which accompanies this report and recommendation. In addition to the existing houses shown on the plan, the following dwellings have also recently been approved:

- Application 15/00586/APP, to the north west of the site, beyond Westbank Farmhouse

approved on 20 May 2017.

- Application 14/00220/APP, to the north west of the site at Westbank Cottages, approved on 9 April 2014.
- Application 14/02311/APP, to the west of the site, approved on 21 January 2015

The site and its wider setting is a prominent feature in the landscape, particularly when viewed from the B9013 Newton-Burghead road which lies to the south of the site and the Rural Grouping Settlement of Roseisle.

Policy Assessment

Siting and Impact on the Rural Character of the Surrounding Area (H7, IMP1 + supplementary planning guidance: Housing in the Countryside)

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. Only, thereafter, does the policy require any development to be acceptable in design terms including requirements for landscape planting to be provided within the site.

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.

With specific reference to development build up, further advice is provided in the Council's associated Supplementary Planning Guidance on Housing in the Countryside (SPG) where " ... A proposal that contributes to a build-up of development that is considered to undermine the rural character of the locality will not be acceptable. Where a considerable level of development has taken place, another dwelling may adversely impact on the distinctive rural qualities of the area)" (page 14).

It is also noted in the SPG that: "...successive applications for houses in the corner of fields within a dispersed pattern of settlement may be considered to detrimentally alter the locality of the area" (page 14).

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 site is located on a prominent ridge within the wider landscape setting particularly when viewed from various points along the B9013 Newton-Burghead road and the Rural Grouping Settlement of Roseisle both of which lie to the south of the site. There is already a high density of development located within the vicinity of the site, with the site and its surrounding context considered to extend approximately 755m to the east and approximately 840m to the west of the site. Given the high level of both historic and more recent development within this prominent location (as shown in the supporting plan), the addition of this proposed dwelling would both emphasise and exacerbate the issue of development build up in this area of open countryside. Therefore this proposal, if approved, would detract from the existing qualities and appearance of the surrounding countryside and contribute to the existing build up of development at this location. Therefore, in these terms, the proposed development would not only represent an inappropriately located site but it is also unacceptable in relation to the location/siting criteria of H7 and IMP1, and the associated guidance.

In this case, with "in principle" permission being sought only, no detailed design information is provided. Given the status of the application, design details would normally be reserved for further consideration in any subsequent application. Without prejudice and irrespective of whether the proposal may be able to satisfy other policy requirements, including a suitable rural housing design, etc., these aspects would do not over-ride the main policy objection to the proposal in terms of it's inappropriate siting/location.

Water and Drainage (EP5 and EP10)

Scottish Water was consulted, although at the time of determination assessment no response has been received. The proposed connection arrangements to the public water supply will require separate liaison between the applicant and Scottish Water directly.

The acceptability of the proposed arrangements for on-site foul and surface water drainage, to include a private septic tank with soakaway and separate surface water soakaway arrangements will be determined as part of Building Standards requirements but generally, and in principle, these proposals are in line with policy EP10 and EP5 however, this would not over-ride the unacceptable location/siting associated with this proposal. If approved "in principle", further information would be required on these matters within any subsequent (detailed) application.

Access and Parking (T2 and T5)

The Transportation Service has raised no objection to the proposal subject to conditions including the provision and maintenance of the required visibility splay, access specifications including provision of an access lay-by, acceptable roads drainage, requirements for onsite parking provision and an appropriate on-site turning area, and boundary treatment requirements. Based on these requirements, the proposal would satisfy the requirements of Policies T2 and T5 but again, such acceptability would do not over-ride the main "in principle" objection to the proposal in terms of its inappropriate siting/location.

Developer Obligations (IMP3)

An assessment has been carried out in relation to Policy IMP3 Developer Obligations and associated Supplementary Guidance on Developer Obligations as adopted on 14 October 2016. The assessment identified that developer obligations are required towards demand responsive transport service (to mitigate the impact in terms of increased usage in this service as the development is located within a rural area with no access to bus services) and expansion of health care facilities within the locality.

The agent has confirmed acceptance of the identified obligations adding that the obligations would be settled up-front before the issue of any planning consent. This acceptance of developer obligations does not over-ride the unacceptable nature of the proposal based upon its location/siting characteristics.

Conclusion

The application is considered to result in an unacceptable form of development which does not comply with the provisions of the development plan and is therefore recommended for refusal.

Recommendation

Refuse

OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT

None

HISTORY

Reference No.	Description		
	Decision		Date Of Decision

ADVERT

Advert Fee paid?	Yes	
Local Newspaper	Reason for Advert	Date of expiry
Northern Scot	Neighbour Notification not possible	13/04/17
PINS	Neighbour Notification not possible	13/04/17

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)			