



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 100066490-001

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

Type of Application

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

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

Description of Proposal

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

Proposed dwelling 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:	Ashley Bartlam Partnership		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Alistair	Building Name:	Wards House
Last Name: *	Murdoch	Building Number:	
Telephone Number: *	01343 543287	Address 1 (Street): *	Wards Road
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Elgin
Fax Number:		Country: *	Moray
		Postcode: *	IV30 1NL
Email Address: *	enquiries@ashleybartlam.co.uk		
Is the applicant an individual or an organisation/corporate entity? *			
<input checked="" type="checkbox"/> Individual <input type="checkbox"/> Organisation/Corporate entity			

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Delene
First Name: *	Eric	Building Number:	
Last Name: *	Forsyth	Address 1 (Street): *	Muir of Ruthrie
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Aberlour
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	AB38 9LT
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

Moray Council

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

Address 1:

DELENE

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

ABERLOUR

Post Code:

AB38 9LT

Please identify/describe the location of the site or sites

Northing

841823

Easting

325616

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☐ Yes ☒ No

Site Area

Please state the site area:

3700.00

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)

Garden area to Delene

Access and Parking

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

☒ Yes ☐ No

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

Are you proposing any change to public paths, public rights of way or affecting any public right of access? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.	
How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?	<div style="border: 1px solid black; padding: 2px 10px;">0</div>
How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *	<div style="border: 1px solid black; padding: 2px 10px;">3</div>
Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).	
<h2 style="margin: 0;">Water Supply and Drainage Arrangements</h2>	
Will your proposal require new or altered water supply or drainage arrangements? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *	
<input type="checkbox"/> Yes – connecting to public drainage network <input checked="" type="checkbox"/> No – proposing to make private drainage arrangements <input type="checkbox"/> Not Applicable – only arrangements for water supply required	
As you have indicated that you are proposing to make private drainage arrangements, please provide further details. What private arrangements are you proposing? *	
<input checked="" type="checkbox"/> New/Altered septic tank. <input type="checkbox"/> Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed). <input type="checkbox"/> Other private drainage arrangement (such as chemical toilets or composting toilets).	
What private arrangements are you proposing for the New/Altered septic tank? *	
<input checked="" type="checkbox"/> Discharge to land via soakaway. <input type="checkbox"/> Discharge to watercourse(s) (including partial soakaway). <input type="checkbox"/> Discharge to coastal waters.	
Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: *	
<div style="border: 1px solid black; padding: 5px;"> Proposed new septic tank and traditional soakaway </div>	
Do your proposals make provision for sustainable drainage of surface water?? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (e.g. SUDS arrangements) *	
Note:- Please include details of SUDS arrangements on your plans Selecting 'No' to the above question means that you could be in breach of Environmental legislation.	

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

- ☐ Yes
☒ No, using a private water supply
☐ No connection required

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

Assessment of Flood Risk

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

☐ Yes ☒ No ☐ Don't Know

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

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

☐ Yes ☒ No ☐ Don't Know

Trees

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

☒ Yes ☐ No

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

Waste Storage and Collection

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

☒ Yes ☐ No

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

normal domestic waste and recycling bins.

Residential Units Including Conversion

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

☒ Yes ☐ No

How many units do you propose in total? *

1

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

All Types of Non Housing Development – Proposed New Floorspace

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

☐ Yes ☒ No

Schedule 3 Development

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

☐ Yes ☒ No ☐ Don't Know

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

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

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? * ☐ Yes ☒ No

Certificates and Notices

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

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

Are you/the applicant the sole owner of ALL the land? * ☒ Yes ☐ No

Is any of the land part of an agricultural holding? * ☐ Yes ☒ No

Certificate Required

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

Certificate A

Land Ownership Certificate

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

Certificate A

I hereby certify that –

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

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

Signed: Alistair Murdoch

On behalf of: Mr Eric Forsyth

Date: 19/09/2017

☒ 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. *

☐ Yes ☒ N/A

A Design Statement or Design and Access Statement. *

☐ Yes ☒ N/A

A Flood Risk Assessment. *

☐ Yes ☒ N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *

☐ Yes ☒ N/A

Drainage/SUDS layout. *

☐ Yes ☒ N/A

A Transport Assessment or Travel Plan

☐ Yes ☒ N/A

Contaminated Land Assessment. *

☐ Yes ☒ N/A

Habitat Survey. *

☐ Yes ☒ N/A

A Processing Agreement. *

☐ Yes ☒ N/A

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

Declare – For Application to Planning Authority

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

Declaration Name: Mr Alistair Murdoch

Declaration Date: 19/09/2017

Payment Details

Telephone Payment Reference: BACS

Created: 19/09/2017 10:28



West Elevation.



(hidden) South Elevation.



East Elevation.



(hidden) North Elevation.



ccc
North Elevation.



South Elevation. 1 : 100



Ground Floor Plan. 1 : 50

N.B.

DO NOT SCALE DRAWINGS

Contractor / Manufacturers to check all site measurements and profiles prior to ordering and/or manufacturing components. Any discrepancies must be brought to the attention of the Architect. Do not scale dimensions from drawings.

If any deviations from the approved Building Warrant drawings take place on site further Architectural services may be required. In the first instance the contractor should check with Building Standards if an Amendment of Building Warrant is required and thereafter, the matter referred back to the Architect for re-submission.

A	Hidden North Elevation of house and hidden South Elevation of the garage now added as requested by Planning Officer	KJ	Oct '17
Rev.	Amendment	Bv	Date

**ASHLEY
BARTLAM
PARTNERSHIP**

 Est. 1947

WARDS HOUSE, WARDS ROAD,
ELGIN. IV30 1NL

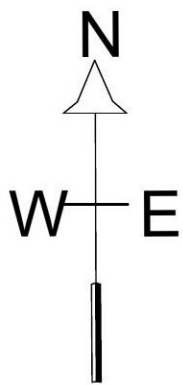
Proposed House & Garage
Plot CP2 by Delene,
Aberlour.
For Mr E. Forsyth

General Arrangement		
Drg/No.	8154/1/1	1/1
Date	Sept 2017	
Scale	1 : 50/100 @ A1	
By	KJ	
Checked	AIM	

Tel. 01343 543287
enquiries  ashleybartlam.co.uk

ARCHITECTS

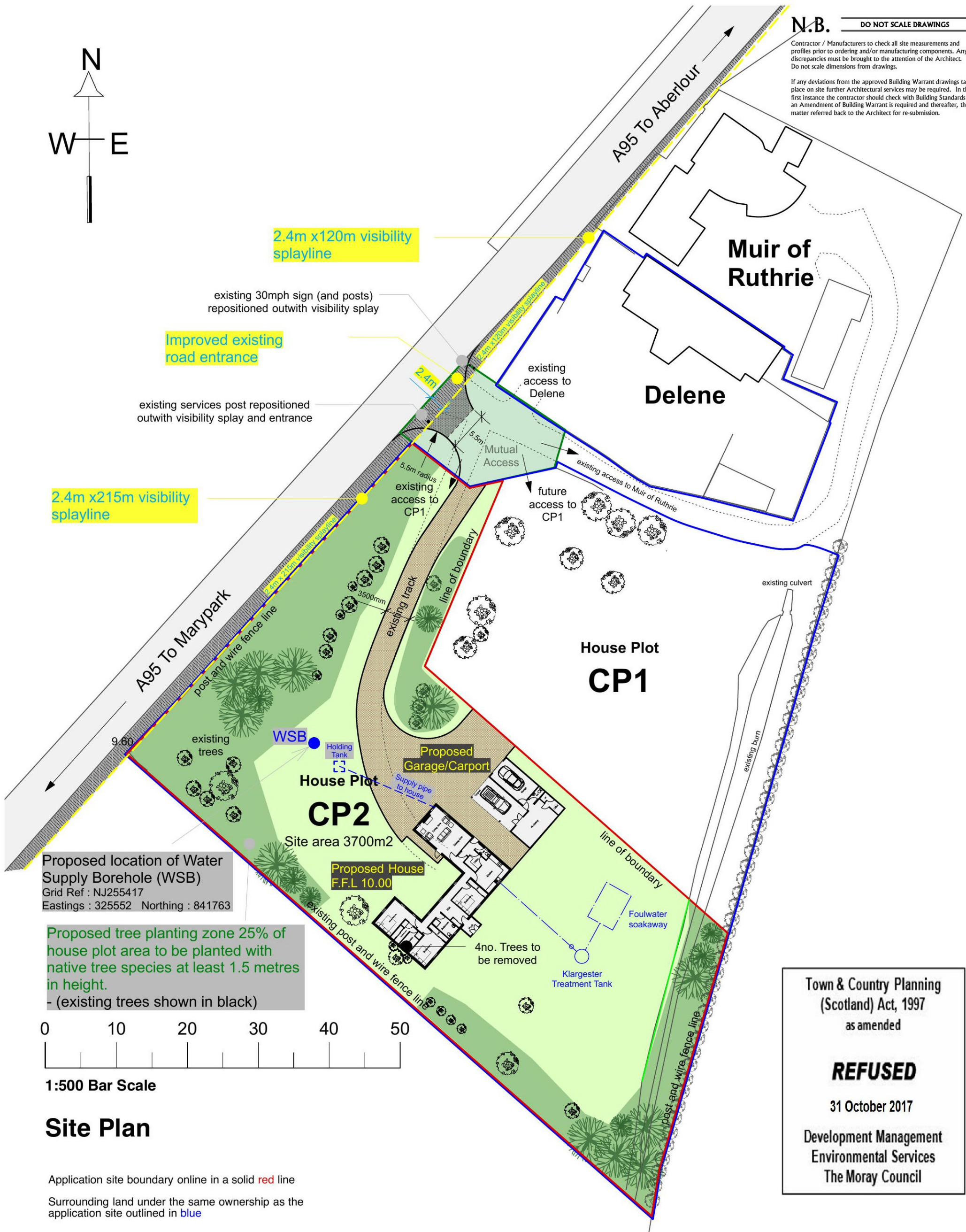
www.ashleybartlam.co.uk



N.B. **DO NOT SCALE DRAWINGS**

Contractor / Manufacturers to check all site measurements and profiles prior to ordering and/or manufacturing components. Any discrepancies must be brought to the attention of the Architect. Do not scale dimensions from drawings.

If any deviations from the approved Building Warrant drawings take place on site further Architectural services may be required. In the first instance the contractor should check with Building Standards if an Amendment of Building Warrant is required and thereafter, the matter referred back to the Architect for re-submission.



Proposed location of Water Supply Borehole (WSB)
Grid Ref : NJ255417
Eastings : 325552 Northing : 841763

Proposed tree planting zone 25% of house plot area to be planted with native tree species at least 1.5 metres in height.
- (existing trees shown in black)



1:500 Bar Scale

Site Plan

Application site boundary online in a solid red line

Surrounding land under the same ownership as the application site outlined in blue

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

REFUSED

31 October 2017

Development Management
Environmental Services
The Moray Council

**ASHLEY
BARTLAM
PARTNERSHIP**
Est. 1947

Proposed House & Garage
Plot CP2 by Delene,
Aberlour.
For Mr E. Forsyth

Rev.	Amendment	By	Date
A	Location of proposed Water Supply Borehole (WSB), holding tank and supply pipe now indicated.	MP	Sept '17

Drg/No.	8154/BP1/1	Scale	1:500 @A3
By	KJ	Date	Sept 2017

BP1/1 Block Plan

ARCHITECTS

WARDS HOUSE, WARDS ROAD, ELGIN, IV30 1NL

www.ashleybartlam.co.uk

enquiries@ashleybartlam.co.uk

Tel. 01343 543287

From: DeveloperObligations
Sent: 2 Oct 2017 13:56:32 +0100
To: DC-General Enquiries
Cc: Lisa MacDonald
Subject: 17/01460/APP Proposed dwellinghouse and garage on Plot CP2 Adjacent to Muir of Ruthrie, Aberlour
Attachments: 17-01460-APP Proposed dwellinghouse and garage on Plot CP2 Adjacent to Muir of Ruthrie, Aberlour.docx

Hi

Please find attached the developer obligations assessment that has been undertaken for the above planning application. A copy of the report has been sent to the agent.

Regards,
Hilda

Find us on 
[Moray Council Planning](#)

Hilda Puskas
Developer Obligations Officer
Development Plans
hilda.puskas@moray.gov.uk
01343 563265

The logo for Moray Council, featuring the word 'moray' in a stylized, lowercase, serif font with a horizontal line through the middle of the letters, and the word 'council' in a smaller, lowercase, sans-serif font below it.

DEVELOPER OBLIGATIONS: ASSESSMENT REPORT

Date: 02/10/2017

Reference: 17/01460/APP

Description: Proposed dwellinghouse and garage on Plot CP2 Adjacent to Muir of Ruthrie, Aberlour

Applicant: Mr Eric Forsyth

Agent: Ashley Bartlam Partnership

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	Nil
Healthcare (<i>Contributions towards reconfiguration of Aberlour Health Centre and 1 Additional Dental Chair</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 Equivalents (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 Aberlour Primary 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 Primary Education = Nil

Secondary Education

Pupils resident in Aberlour are zoned to Speyside High School. The school is currently operating at 75% 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 no developer obligations will be sought for this proposal.

Contributions towards Transport = Nil

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*).

Aberlour Health Centre is the nearest settlement within which healthcare facilities can be accessed by the proposed development. NHS Grampian has confirmed that Aberlour Health Centre is working beyond design capacity and existing space will be required to be reconfigured and that 1 Additional Dental Chair is required.

Contributions calculated are based on [REDACTED] per SRUE for the reconfiguration of the health centre and [REDACTED] per SRUE for the additional dental chair.

[REDACTED]

[REDACTED]

[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 Aberlour 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.

Consultation Request Notification

Planning Authority Name	The Moray Council
Response Date	13th October 2017
Planning Authority Reference	17/01460/APP
Nature of Proposal (Description)	Proposed dwellinghouse and garage
Site	Plot CP2 Adjacent To Muir Of Ruthrie Aberlour Moray
Site Postcode	N/A
Site Gazetteer UPRN	000133058896
Proposal Location Easting	325565
Proposal Location Northing	841751
Area of application site (Ha)	3700 m²
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=OWKE1GBGKI800
Previous Application	08/02007/FUL
Date of Consultation	29th September 2017
Is this a re-consultation of an existing application?	No
Applicant Name	Mr Eric Forsyth
Applicant Organisation Name	
Applicant Address	Delene Muir of Ruthrie Aberlour Scotland AB38 9LT
Agent Name	Ashley Bartlam Partnership
Agent Organisation Name	
Agent Address	Wards House Wards Road Elgin Moray IV30 1NL
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Lisa Macdonald
Case Officer Phone number	01343 563082
Case Officer email address	lisa.macdonald@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: 17/01460/APP

Proposed dwellinghouse and garage Plot CP2 Adjacent To Muir Of Ruthrie Aberlour Moray for Mr Eric Forsyth

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

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

~~Reason(s) for objection~~

~~Condition(s)~~

Further comment(s) to be passed to applicant

This development has been identified from site observations and published historical photographs as being located on a site that has been raised by deposition of imported materials. Moray Council does not have any further information as to whether these materials may have been contaminated. Safe development is the responsibility of the developer. The developer should investigate this matter further prior to proceeding with the proposed works. Should contamination be encountered, contact the Environmental Health section immediately (email contaminated.land@moray.gov.uk, tel 0300 1234561) to agree an appropriate course of action.

~~Further information required to consider the application~~

Contact: Adrian Muscutt

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

Consultee:

Date...11/10/2017.....

Phone No ...01343 563496

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

Consultation Request Notification - Private Water Supplies

Planning Authority Name	The Moray Council
Response Date	13th October 2017
Planning Authority Reference	17/01460/APP
Nature of Proposal (Description)	Proposed dwellinghouse and garage
Site	Plot CP2 Adjacent To Muir Of Ruthrie Aberlour Moray
Site Postcode	N/A
Site Gazetteer UPRN	000133058896
Proposal Location Easting	325565
Proposal Location Northing	841751
Area of application site (Ha)	3700 m2
Additional Comments	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=OWKE1GBGKI800
Previous Application	08/02007/FUL
Date of Consultation	29th September 2017
Is this a re-consultation of an existing application?	Yes
Applicant Name	Mr Eric Forsyth
Applicant Organisation Name	
Applicant Address	Delene Muir of Ruthrie Aberlour Scotland AB38 9LT Mobile Telephone : 07817189471
Agent Name	Ashley Bartlam Partnership
Agent Organisation Name	
Agent Address	Wards House Wards Road Elgin Moray IV30 1NL
Agent Phone Number	Work Telephone : 01343 543287 Work Telephone : 01343 543287
Agent Email Address	N/A
Case Officer	Lisa Macdonald
Case Officer Phone number	01343 563082
Case Officer email address	lisa.macdonald@moray.gov.uk

PA Response To	consultation.planning@moray.gov.uk
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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 – Private Water Supplies

Planning Application Ref. No: 17/01460/APP

**Proposed dwellinghouse and garage Plot CP2 Adjacent To Muir Of Ruthrie
Aberlour Moray for Mr Eric Forsyth**

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

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

Comments

Please note this consultation is now not applicable as the Agent has indicated that the water supply will be connected to the mains.

Contact: Ewan McNeil

email address:

Date: 12 October 2017

Phone No

Consultee: Environmental Health – Private Water Supplies

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.

26th October 2017

Moray Council
Council Office
High Street
Elgin
IV30 9BX



Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Stepps
Glasgow
G33 6FB

Development Operations
Freephone Number - 0800 3890379
E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk

Dear Sir/Madam

SITE: AB38 Moray Aberlour Muir Of Ruthrie Plot CP2 Adj
PLANNING REF: 17/01460/APP
OUR REF: 752060
PROPOSAL: Proposed dwellinghouse and garage

Please quote our reference in all future correspondence

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

Water

- There is currently sufficient capacity in the **Badentinan** Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not normally accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

- **Scottish Water asset plans can be obtained from our appointed asset plan providers:**

Site Investigation Services (UK) Ltd

Tel: 0333 123 1223

Email: sw@sisplan.co.uk

www.sisplan.co.uk

- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area then they should write to the Customer Connections department at the above address.
- **If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude. (Please note the nearest Scottish Water infrastructure is approximately over 600m away)**
- Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
- The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.
- **Please find all of our application forms on our website at the following link <https://www.scottishwater.co.uk/business/connections/connecting-your-property/new-development-process-and-applications-forms>**

Next Steps:

- **Single Property/Less than 10 dwellings**

For developments of less than 10 domestic dwellings (or non-domestic equivalent) we will require a formal technical application to be submitted directly to Scottish Water or via the chosen Licensed Provider if non domestic, once full planning permission has been granted. Please note in some instances we will require a Pre-Development Enquiry Form to be submitted (for example

rural location which are deemed to have a significant impact on our infrastructure) however we will make you aware of this if required.

- **10 or more domestic dwellings:**

For developments of 10 or more domestic dwellings (or non-domestic equivalent) we require a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

- **Non Domestic/Commercial Property:**

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened up to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

- **Trade Effluent Discharge from Non Dom Property:**

Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants.

If you are in any doubt as to whether or not the discharge from your premises is likely to be considered to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found using the following link <https://www.scottishwater.co.uk/business/our-services/compliance/trade-effluent/trade-effluent-documents/trade-effluent-notice-form-h>

Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.

For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.

The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

If the applicant requires any further assistance or information, please contact our Development Operations Central Support Team on 0800 389 0379 or at planningconsultations@scottishwater.co.uk.

Yours sincerely

Lisa Lennox

Development Operations Analyst

Lisa.lennox2@scottishwater.co.uk

Response On Development Affecting Trunk Roads and Special Roads

The Town and Country Planning (Scotland) Act 1997

**The Town and Country Planning (Development Management Procedure)
(Scotland) Regulations 2013 S.I.2013 No 155 (S.25)**

Town and Country Planning (Notification of Applications) (Scotland) Direction 2009

To The Moray Council Elgin	Council Reference:-	17/01460/APP
	TS TRBO Reference:-	NE/156/2017

Application made by Mr Eric Forsyth per Ashley Bartlam Partnership, Wards House Wards Road Elgin Moray IV30 1NL and received by Transport Scotland on 06 October 2017 for planning permission for proposed dwellinghouse and garage located at Plot CP2 Adjacent To Muir Of Ruthrie Aberlour Moray affecting the A95 Trunk Road.

Director, Trunk Roads Network Management Advice

1. The Director does not propose to advise against the granting of permission ☐
2. The Director advises that planning permission be refused (see overleaf for reasons). ☐
3. The Director advises that the conditions shown overleaf be attached to any permission the council may give (see overleaf for reasons). ☒

To obtain permission to work within the trunk road boundary, contact the Route Manager through the general contact number below. The Operating Company has responsibility for co-ordination and supervision of works and after permission has been granted it is the developer's contractor's responsibility to liaise with the Operating Company during the construction period to ensure all necessary permissions are obtained.

TS Contact:-

Route Manager (A95) 0141 272 7100 Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF
--

Operating Company:-

NORTH EAST

Address:-

Bear House, Inveralmond Road, Inveralmond Industrial Estate, PERTH, PH1 3TW

Telephone Number:-

01738 448600

e-mail address:-

NEplanningapplications@bearsotland.co.uk
--

DETAILS of works necessary within the trunk road boundary:-

Improvement to access

CONDITIONS to be attached to any permission the council may give:-

1	No works shall commence on site until visibility splays have been provided (and will be maintained) on each side of the new access to the satisfaction of the local Planning Authority. These splays are the triangles of ground bounded on 2 sides by the first 2.4m metres of the centreline of the access driveway (the set back dimension) and the nearside trunk road carriageway measured 215 metres (the y dimension) to the south and 120m to the north from the intersection of the access with the trunk road. In a vertical plane, nothing shall obscure visibility measured from a driver's eye height of between 1.05 metres and 2.00 metres positioned at the set back dimension to an object height of between 0.26 metres and 1.05 metres anywhere along the y dimension.
2	The proposed access shall join the trunk road at an upgraded junction which shall be constructed by the applicant to a standard as described in the Department of Transport Advice Note TD 41/95 (Vehicular Access to All-Purpose Trunk Roads) (as amended in Scotland) complying with Layout 3. The junction shall be constructed in accordance with details that shall be submitted and approved by the Planning Authority, after consultation with Transport Scotland, as the Trunk Roads Authority, before any part of the development is commenced.
3	The width of the access shall be at least 5.5 metres wide for a distance of 5 metres from the nearest edge of the trunk road carriageway
4	The gradient of the access road shall not exceed 1 in 40 for a distance of 5 metres from the nearside edge of the trunk road carriageway, and the first 5 metres shall be surfaced in a bituminous surface and measures shall be adopted to ensure that all drainage from the site does not discharge onto the trunk road.
5	There shall be no drainage connections to the trunk road drainage system.

REASON(S) for Conditions (numbered as above):-

1	To maintain safety for both the trunk road traffic and the traffic moving to and from the development
1,2,3	To minimise interference with the safety and free flow of the traffic on the trunk road.
1,2,3,4	To ensure that the standard of access layout complies with the current standards and that the safety of the traffic on the trunk road is not diminished
4	To ensure water run-off from the site does not enter the trunk road.
5	To ensure that the efficiency of the existing drainage network is not affected

ADVISORY NOTES (to be passed to applicant):-

The applicant should be informed that the granting of planning consent does not carry with it the right to carry out works within the trunk road boundary and that permission must be granted by Transport Scotland Trunk Road and Bus Operations. Where any works are required on the trunk road, contact details are provided on Transport Scotland's response to the planning authority which is available on the Council's planning portal

Trunk road modification works shall, in all respects, comply with the Design Manual for Roads and Bridges and the Specification for Highway Works published by HMSO. The developer shall issue a certificate to that effect, signed by the design organisation

Trunk road modifications shall, in all respects, be designed and constructed to arrangements that comply with the Disability Discrimination Act: Good Practice Guide for Roads published by Transport Scotland. The developer shall provide written confirmation of this, signed by the design organisation.

Transport Scotland Response Date:- 13-Oct-2017

Transport Scotland Contact:- Matthew Orr

Transport Scotland Contact Details:-

Trunk Road and Bus Operations, Network Operations - Development Management

Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF

Telephone Number:

e-mail: development_management@transport.gov.scot

NB - Planning etc. (Scotland) Act 2006

Planning Authorities are requested to provide Transport Scotland, Trunk Road and Bus Operations, Network Operations - Development Management with a copy of the decision notice, and notify Transport Scotland, Trunk Roads Network Management Directorate if the recommended advice is not accepted.

Consultation Request Notification

Planning Authority Name	The Moray Council
Response Date	13th October 2017
Planning Authority Reference	17/01460/APP
Nature of Proposal (Description)	Proposed dwellinghouse and garage
Site	Plot CP2 Adjacent To Muir Of Ruthrie Aberlour Moray
Site Postcode	N/A
Site Gazetteer UPRN	000133058896
Proposal Location Easting	325565
Proposal Location Northing	841751
Area of application site (Ha)	3700 m²
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=OWKE1GBGKI800
Previous Application	08/02007/FUL
Date of Consultation	29th September 2017
Is this a re-consultation of an existing application?	No
Applicant Name	Mr Eric Forsyth
Applicant Organisation Name	
Applicant Address	Delene Muir of Ruthrie Aberlour Scotland AB38 9LT
Agent Name	Ashley Bartlam Partnership
Agent Organisation Name	
Agent Address	Wards House Wards Road Elgin Moray IV30 1NL
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Lisa Macdonald
Case Officer Phone number	01343 563082
Case Officer email address	lisa.macdonald@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: 17/01460/APP

Proposed dwellinghouse and garage Plot CP2 Adjacent To Muir Of Ruthrie Aberlour Moray for Mr Eric Forsyth

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"/> |

Note: Access to this development is via an existing private access onto the A95 Trunk road which falls under the remit of Transport Scotland as Trunk road Authority. Transport Scotland should therefore be consulted regarding the suitability and design requirements of the proposed access.

Condition(s)

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

Reason: 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.

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

Reason: 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

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.

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.

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

Date 05 October 2017

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

Planning Authority Name	The Moray Council
Response Date	13th October 2017
Planning Authority Reference	17/01460/APP
Nature of Proposal (Description)	Proposed dwellinghouse and garage
Site	Plot CP2 Adjacent To Muir Of Ruthrie Aberlour Moray
Site Postcode	N/A
Site Gazetteer UPRN	000133058896
Proposal Location Easting	325565
Proposal Location Northing	841751
Area of application site (Ha)	3700 m²
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=OWKE1GBGKI800
Previous Application	08/02007/FUL
Date of Consultation	29th September 2017
Is this a re-consultation of an existing application?	No
Applicant Name	Mr Eric Forsyth
Applicant Organisation Name	
Applicant Address	Delene Muir of Ruthrie Aberlour Scotland AB38 9LT
Agent Name	Ashley Bartlam Partnership
Agent Organisation Name	
Agent Address	Wards House Wards Road Elgin Moray IV30 1NL
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Lisa Macdonald
Case Officer Phone number	01343 563082
Case Officer email address	lisa.macdonald@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

NOTE:

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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: 17/01460/APP

Proposed dwellinghouse and garage Plot CP2 Adjacent To Muir Of Ruthrie Aberlour Moray for Mr Eric Forsyth

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: 5 October 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.

REPORT OF HANDLING

Ref No:	17/01460/APP	Officer:	Lisa MacDonald
Proposal Description/ Address	Proposed dwellinghouse and garage Plot CP2 Adjacent To Muir Of Ruthrie Aberlour Moray		
Date:	31/10/17	Typist Initials:	FJA

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
Planning And Development Obligations	05/10/17	Contributions are sought towards healthcare provision in Aberlour and dental chair
Transport Scotland	13/10/17	No objection subject to conditions to ensure adequate visibility is achieved at the access, the access is upgraded, widened and surfaced to an acceptable standard and to prevent any connection to the trunk road drainage system.
Environmental Health Manager	05/10/17	No objection
Contaminated Land	11/10/17	No objection – an informative note is recommended advising that the Council understand that the site has been raised using imported materials. The Council has no information as to whether this material is contaminated and the matter should be investigated by the developer.
Private Water Supplies	12/10/17	Application altered to propose connection to public supply
Transportation Manager	05/10/17	No objection. Access is via a private road from the trunk road which falls under the remit of the Trunk Roads Authority. Conditions to control the provision of parking and turning are recommended.
Scottish Water	26/10/17	No objection but it is noted that the nearest Scottish Water infrastructure is approximately 600m from the development

DEVELOPMENT PLAN POLICY		
Policies	Dep	Any Comments (or refer to Observations below)
PP1: Sustainable Economic Growth	N	
PP2: Climate Change	N	
PP3: Placemaking	N	
H7: New Housing in the Open Countryside	N	
EP4: Private Water Supplies	N	
EP5: Sustainable Urban Drainage Systems	N	
EP9: Contaminated Land	N	
EP10: Foul Drainage	N	
T2: Provision of Access	N	
T5: Parking Standards	N	
E9: Settlement Boundaries	Y	
IMP1: Developer Requirements	Y	
IMP3: Developer Obligations	N	
E7: AGLV and impacts on wider landscape	Y	

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):		

The Proposal

This application seeks planning permission for a single house with detached garage, septic tank and soakaway. Access will be by means of an existing access from the A95(T).

The Site

The site is scrub land next to the trunk road to the south east of Aberlour. There are existing trees and bushes across the site and along the roadside north western boundary. There A95 (T) runs along the north western boundary of the site and there is an existing access to the north east of the site. The south eastern boundary of the site is conterminous with the Aberlour Settlement Boundary as identified in the Moray Local Development Plan (MLDP) 2015. The land on the other side of the boundary is identified as Aberlour R4 which has an indicative capacity of 100 houses. There is a strip of houses to the north east of the site which represent the current built extent of Aberlour.

Siting (H7, E9 & IMP1)

The application site is in the open countryside but is immediately outwith the settlement boundary of Aberlour as identified in the MLDP. The south eastern boundary of the site abuts the boundary of the Aberlour R4 designation which has an indicative capacity of 100 houses.

Policy H7 is supportive of new developments in the open countryside provided that development follows the traditional settlement pattern and is sensitively integrated into the surrounding landform, does not detract from the character or setting of existing buildings or their surroundings, does not contribute to a build-up of development that would alter the rural character of the area and at least 50% of the site boundaries are well established. The site benefits from 50% well established boundaries in the form the road to the north west and the existing fence line to the south west. The proposal fails to comply with policy H7 in that it would represent an expansion of the development that currently forms the southern edge of Aberlour and would detract from the setting of the existing houses that form a clear and natural edge of the settlement.

Policy E9 makes clear that settlement boundaries identified in the MLDP represent the limit to which these settlements can expand during the plan period and developments immediately outwith the boundaries of these settlements will not be acceptable. The proposal is contrary to policy E9 in that it is immediately outwith the settlement boundary of Aberlour as identified in the MLDP. Development on this site would erode the important distinction between the settlement and the countryside and would lead to development sprawl beyond the identified boundaries of the settlement.

This application would also undermine the development of the Aberlour R4 site in that it would remove the opportunity to create a strong sense of place at the southern edge of the settlement as part of a coherent and comprehensive development of the R4 site. The development would not be part of the planned expansion of the settlement and as such would not be readily integrated into the surrounding landscape. The siting is not sensitive to the current or projected development of Aberlour and is considered to be contrary to policies H7, E9 and IMP1.

Design and Materials (H7)

The proposed house is a single storey 'u' shaped building with a small front porch. The house has been designed in a traditional style with simple detailing, narrow gables and low eaves. The proportions comply with policy H7. The windows have a vertical emphasis and a traditional appearance. Windows and other openings will be arranged in a uniform manner. The house will be rendered with a timber clad porch. The roof will be covered in natural slate. The use of traditional materials is welcomed. The house is a modest and simple building that reflects local architectural traditions and complies with the design requirements set out in policy H7.

The garage is a simple building designed in a manner that will complement the house. The garage is will be timber clad with a metal roof. These materials are appropriate for an ancillary building of this

nature.

The development meets the design requirements set out in policy H7.

Amenity (H7 & IMP1)

The development is sufficiently separate from the nearest neighbours and will not give rise to any loss of privacy or overlooking issues.

There is some existing planting across the site and particularly along the boundary with the trunk road. The site plan notes that four existing trees are identified for removal. The plan indicates that additional planting could be provided. This could be sought by condition in order to ensure compliance with the landscaping requirements set out in policy H7.

The proposed outbuilding contains a garage and car port along with garage and office. A condition could be attached clarifying that this building should only be used for purposes ancillary to the use of the house as such. This would ensure that the building was not used for any other purpose which would require additional consideration.

Drainage and Water Supply (EP5 & EP10)

A treatment plant and soakaway are proposed. These arrangements are sufficient to ensure that the site will be satisfactorily drained in accordance with policy EP10.

No details of the proposals for the management of surface water have been provided. In accordance with policy EP5 a condition could be used to ensure that details are provided to ensure surface water is adequately dealt with and the development would not increase the risk of surface water flooding on site or elsewhere.

A private water supply was originally proposed but this was then altered to a connection to the public supply. Scottish Water advise that they have no objection to this in principle but the nearest Scottish Water infrastructure is 600m from the development. The cost of such a connection is a matter for the developer.

Access and Parking (T2 & T5)

The site is accessed from a private road to the north east of the site that joins the A95 (T) to the north east. The Trunk Roads Authority has no objection to the increased use of the access subject to conditions requiring sufficient visibility, the access to be upgraded to an acceptable standard, the access to be a minimum of 5.5m wide for 5m from the edge of the trunk road, a gradient of 1 in 40 for a distance of 5m from the nearside of the trunk road and the access to be surfaced for 5m from the edge of the trunk road. A condition preventing drainage connection to the trunk road drainage system is also recommended. The recommended conditions would ensure safe entry and exit to the site in accordance with policy T2.

There is sufficient space within the site to provide adequate parking and turning. The Council's Transportation Section has recommended that these matters are dealt with by condition in order to ensure that these facilities are timeously provided and that policy T5 is complied with.

Developer Obligations (IMP3)

In line with policy IMP3 developer obligations are sought towards healthcare provision in Aberlour and an additional dental chair. The applicant has confirmed that they would be willing to pay the obligations.

Contaminated Land (EP9)

The Contaminated Land Section has advised that the site appears to have been raised using imported material and it is not known if this was contaminated or not. It is the responsibility of the developer to investigate this. An informative note on this matter would have been added to any

approval.

Recommendation

The proposal is contrary to policies E9, H7, and IMP1 of the Moray Local Development Plan (MLDP) 2015 the following reasons. The proposal located on the edge of Aberlour immediately outwith the settlement boundary as defined in the MLDP would erode the distinction between the built up area and countryside contrary to the objectives of policy E9. Development on the edge of the settlement would detract from the setting of the existing houses on the edge of the settlement contrary to policy H7. Development on the edge of the settlement would increase development sprawl into the countryside. It would not be part of the planned expansion of the settlement and as such would not be readily integrated into the surrounding landscape contrary to policy IMP1. Planning Permission should be refused.

OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT

None

HISTORY

Reference No.	Description			
08/02007/FUL	Erect single storey dwellinghouse and workshop/garage on Plot CP2 Adjacent To Muir Of Ruthrie Aberlour Moray			
	Decision	Refuse	Date Of Decision	10/12/08

ADVERT

Advert Fee paid?	Yes		
Local Newspaper	Reason for Advert	Date of expiry	
Northern Scot	No PremisesDeparture from development plan	26/10/17	
PINS	No PremisesDeparture from development plan	26/10/17	

DEVELOPER CONTRIBUTIONS (PGU)

Status	
--------	--

DOCUMENTS, ASSESSMENTS etc. *

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

Supporting information submitted with application?		NO
Summary of main issues raised in each statement/assessment/report		
Document Name:		
Main Issues:		

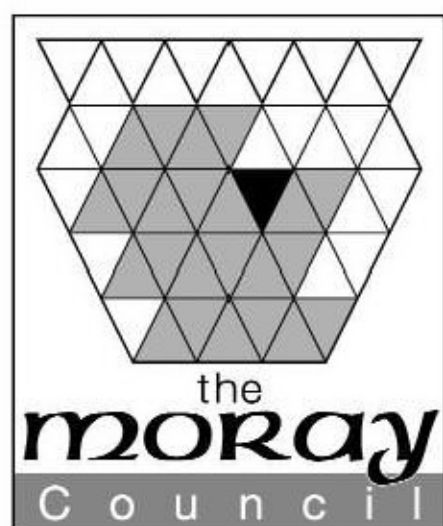
S.75 AGREEMENT

Application subject to S.75 Agreement		NO
Summary of terms of agreement:		

Location where terms or summary of terms can be inspected:

DIRECTION(S) MADE BY SCOTTISH MINISTERS (under DMR2008 Regs)

Section 30	Relating to EIA		NO
Section 31	Requiring planning authority to provide information and restrict grant of planning permission		NO
Section 32	Requiring planning authority to consider the imposition of planning conditions		NO
Summary of Direction(s)			

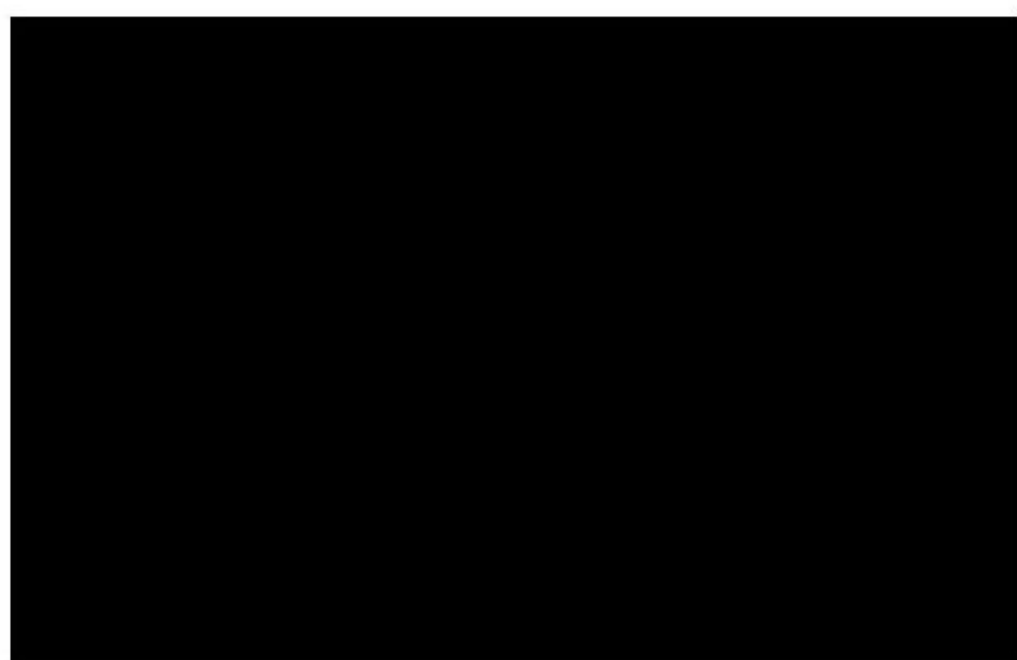


**THE MORAY COUNCIL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997,
as amended**

REFUSAL OF PLANNING PERMISSION

**[Speyside Glenlivet]
Application for Planning Permission**

TO

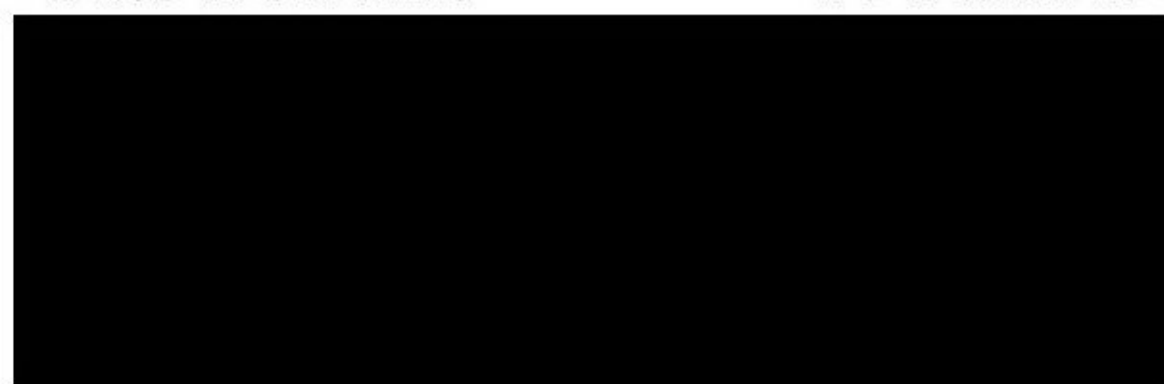


With reference to your application for planning permission under the above mentioned Act, the Council in exercise of their powers under the said Act, have decided to **REFUSE** your application for the following development:-

**Proposed dwellinghouse and garage Plot CP2 Adjacent To Muir Of Ruthrie
Aberlour Moray**

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

Date of Notice: **31 October 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 policies E9, H7, and IMP1 of the Moray Local Development Plan (MLDP) 2015 the following reasons:

1. The proposal located on the edge of Aberlour immediately outwith the settlement boundary as defined in the MLDP would erode the distinction between the built up area and countryside contrary to the objectives of policy E9
2. Development on the edge of the settlement would detract from the setting of the existing houses on the edge of the settlement contrary to policy H7
3. Development on the edge of the settlement would increase development sprawl into the countryside and would not be part of the planned expansion of the settlement therefore would not be readily integrated into the surrounding landscape contrary to policy IMP1.

LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT

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

Reference	Version	Title
8154-BP1-1	A	Block plan
LP1/1		Location plan
8154-1-1 A		Elevations and floor plans

**DETAILS OF ANY VARIATION MADE TO ORIGINAL PROPOSAL,
AS AGREED WITH APPLICANT (S.32A of 1997 ACT)**

Water supply changed from private to public supply

**NOTICE OF APPEAL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**

If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to The Clerk, The Moray Council Local Review Body, Legal and Committee Services, Council Offices, High Street, Elgin IV30 1BX. This form is also available and can be submitted online or downloaded from www.eplanning.scotland.gov.uk

If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.