



The Moray Council Council Office High Street Elgin IV30 1BX Tel: 01343 563 501 Fax: 01343 563 263 Email: [development.control@moray.gov.uk](mailto: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 100069306-001

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

## Type of Application

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

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

## Description of Proposal

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

Proposed erection of dwelling-house with detached garage

Is this a temporary permission? \*

☐ Yes ☒ No

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

☐ Yes ☒ No

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

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

☒ No ☐ Yes – Started ☐ Yes - Completed

## Applicant or Agent Details

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

☐ Applicant ☒ Agent

## Agent Details

Please enter Agent details

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

## Site Address Details

Planning Authority:

Moray Council

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

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing

855011

Easting

339229

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

☐ Yes ☒ No

## Site Area

Please state the site area:

8132.00

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)

UNDEVELOPED LAND

## Access and Parking

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

☒ Yes ☐ No

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

Are you proposing any change to public paths, public rights of way or affecting any public right of access? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.	
How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?	<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;">5</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: *	
Foul water will be taken to a suitable septic tank and then onto an appropriately designed soakaway. Surface water will be taken to an appropriately designed soakaway.	
Do your proposals make provision for sustainable drainage of surface water?? * <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)

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

## Residential Units Including Conversion

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

☒ Yes ☐ No

How many units do you propose in total? \*

1

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

## All Types of Non Housing Development – Proposed New Floorspace

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

☐ Yes ☒ No

## Schedule 3 Development

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

☐ Yes ☒ No ☐ Don't Know

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

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

## Planning Service Employee/Elected Member Interest

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

## Certificates and Notices

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

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

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

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

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

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

## Certificate Required

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

Certificate B

## Land Ownership Certificate

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

I hereby certify that

(1) - No person other than myself/the applicant was an owner [Note 4] of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application;

or –

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

Name:

Address:

Date of Service of Notice: \*

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

or –

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

Name:

Address:

Date of Service of Notice: \*

Signed: Stewart Reid

On behalf of: Mr Gavin Strathdee

Date: 05/10/2017

☒ 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 principal where there is a crown interest in the land, have you provided a statement to that effect? \*

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

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

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☒ Site Layout Plan or Block plan.

☒ Elevations.

☒ Floor plans.

☒ Cross sections.

☒ Roof plan.

☐ Master Plan/Framework Plan.

☒ Landscape plan.

☒ Photographs and/or photomontages.

☐ Other.

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

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. \*

☐ Yes ☒ N/A

A Design Statement or Design and Access Statement. \*

☐ Yes ☒ N/A

A Flood Risk Assessment. \*

☐ Yes ☒ N/A

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

☐ Yes ☒ N/A

Drainage/SUDS layout. \*

☒ Yes ☐ N/A

A Transport Assessment or Travel Plan

☐ Yes ☒ N/A

Contaminated Land Assessment. \*

☐ Yes ☒ N/A

Habitat Survey. \*

☐ Yes ☒ N/A

A Processing Agreement. \*

☐ Yes ☒ N/A

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



## **Declare – For Application to Planning Authority**

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

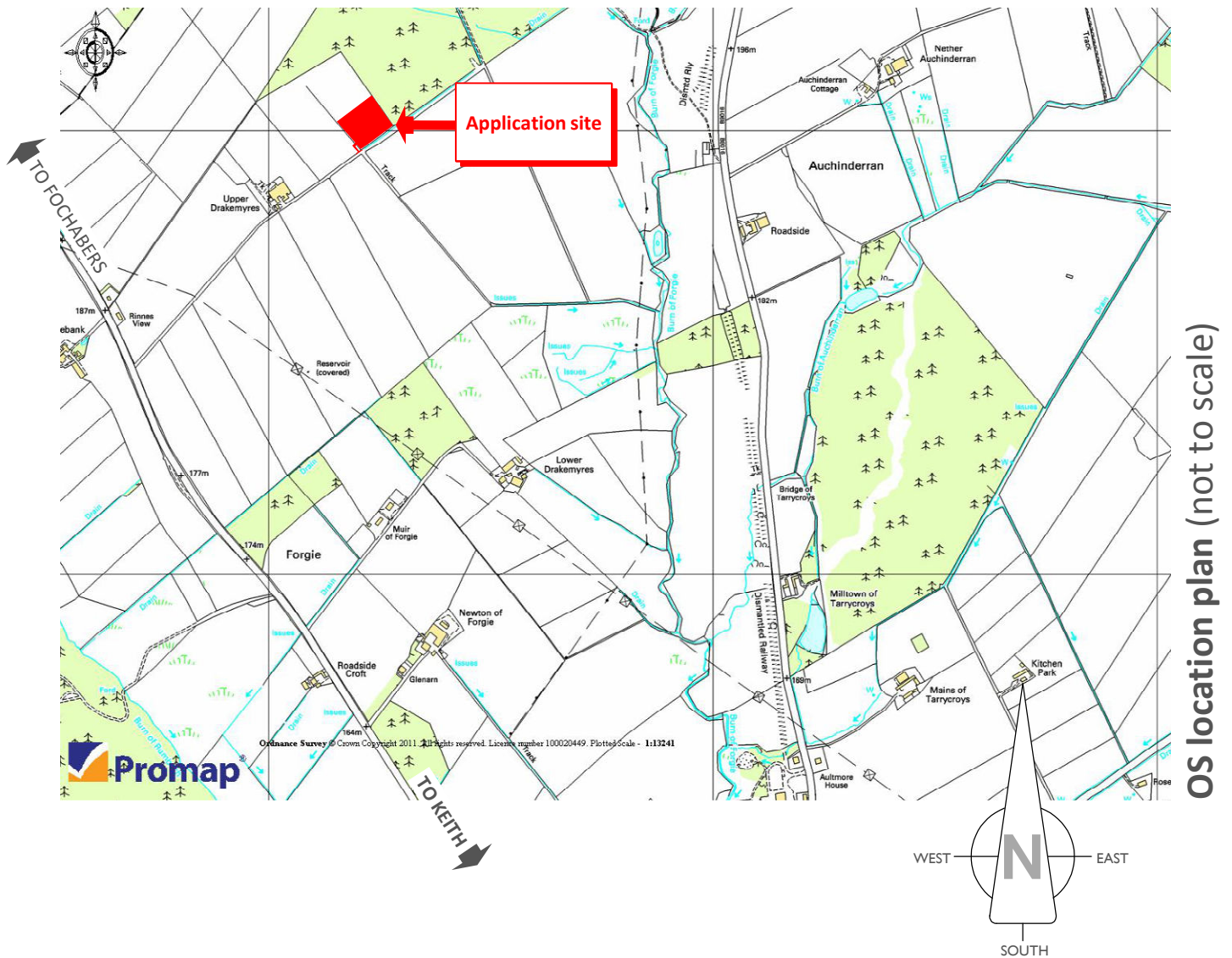
Declaration Name: Mr Stewart Reid

Declaration Date: 11/10/2017

## **Payment Details**

Cheque: STRATHDEE PROPERTIES LTD., 200320

Created: 12/10/2017 13:35



**Proposed erection of dwelling-house with detached garage At Drakemyres Heights, Upper Drakemyres Farm, near Keith, Moray For Mr Gavin Strathdee**







FRONT ELEVATION

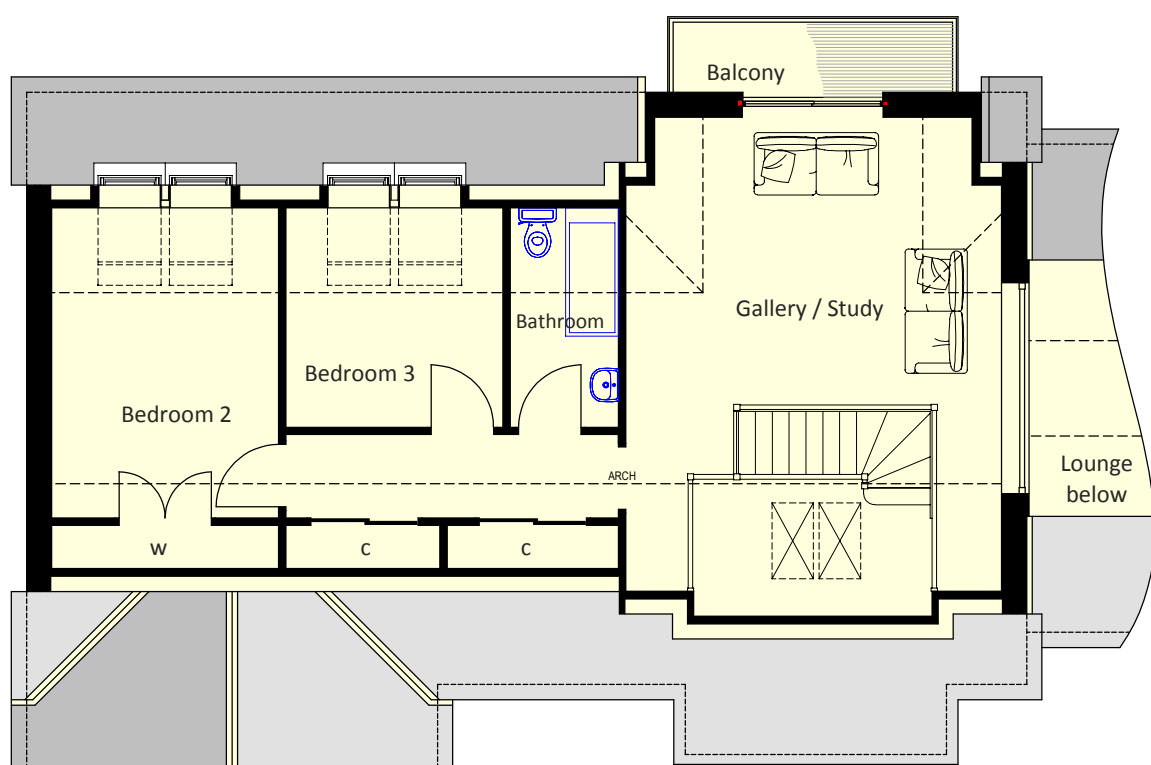
SIDE ELEVATION

ELEVATIONS -- 1:100 SCALE

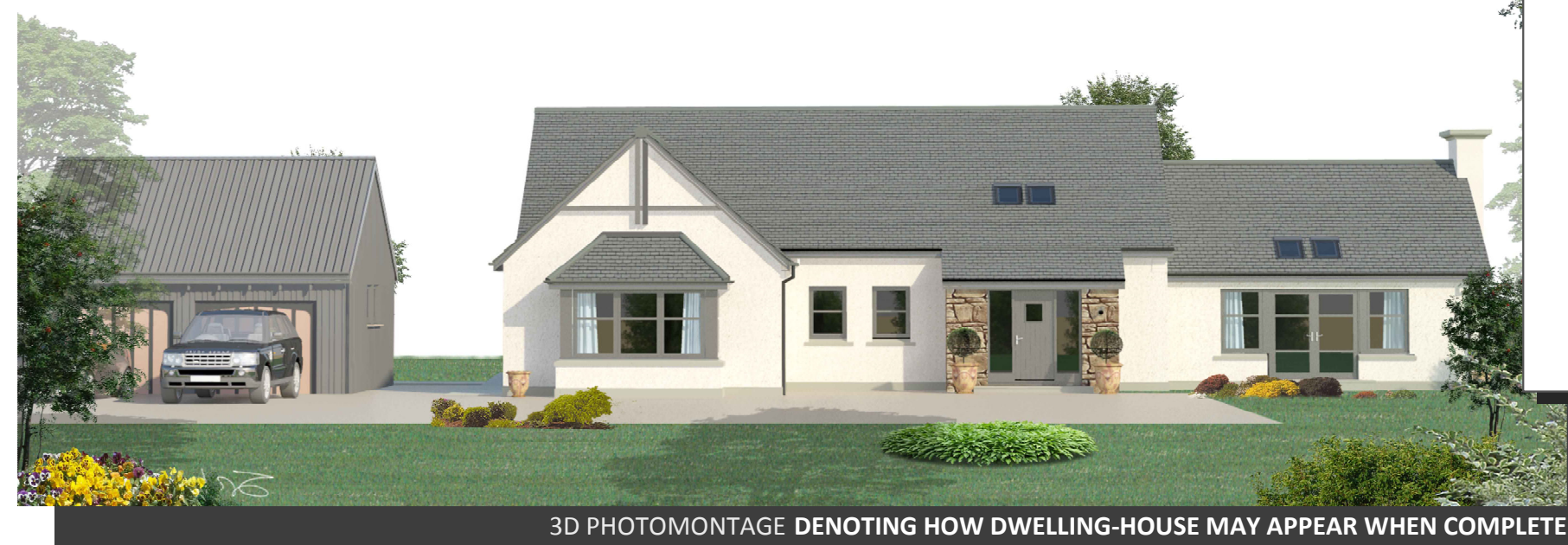


REAR ELEVATION

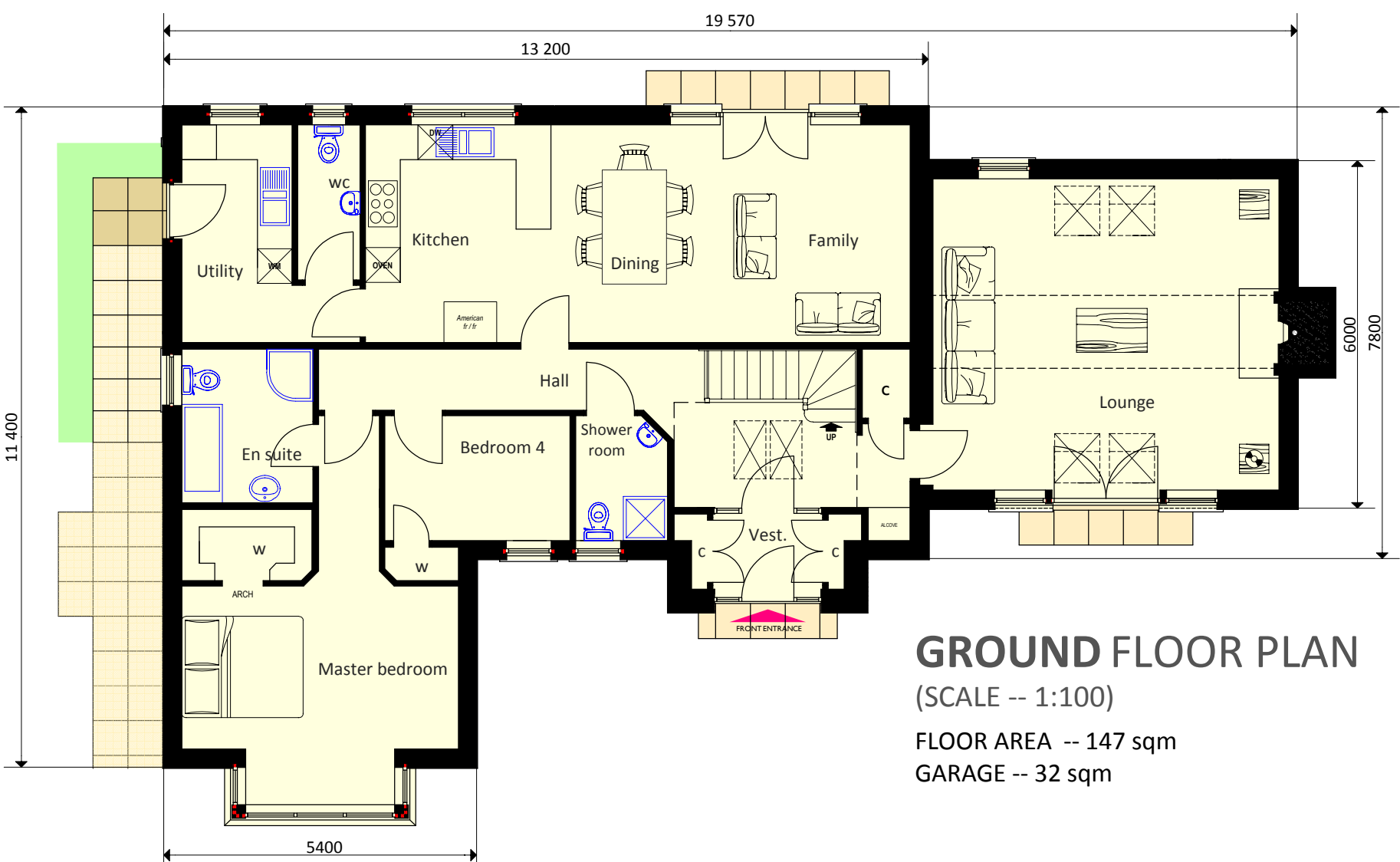
SIDE ELEVATION



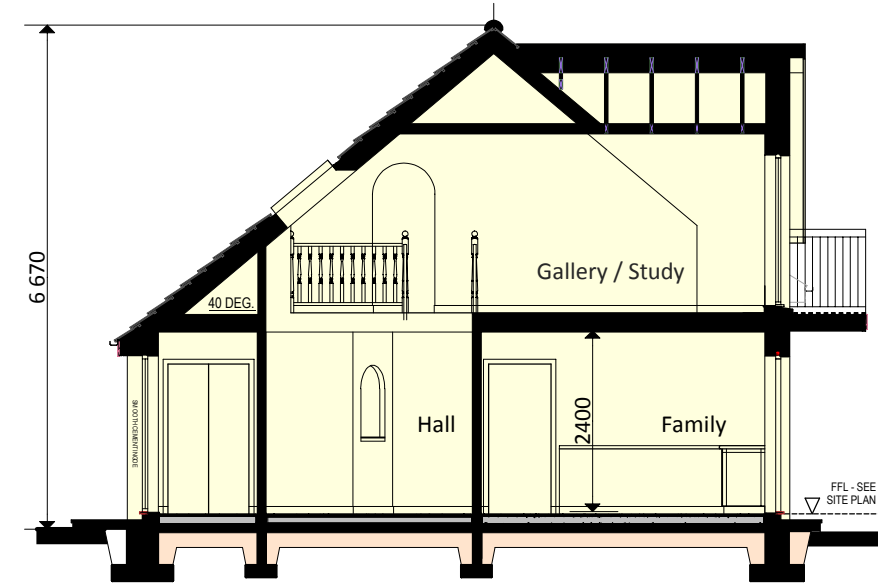
FIRST FLOOR PLAN  
(SCALE -- 1:100)  
FLOOR AREA -- 67 sqm



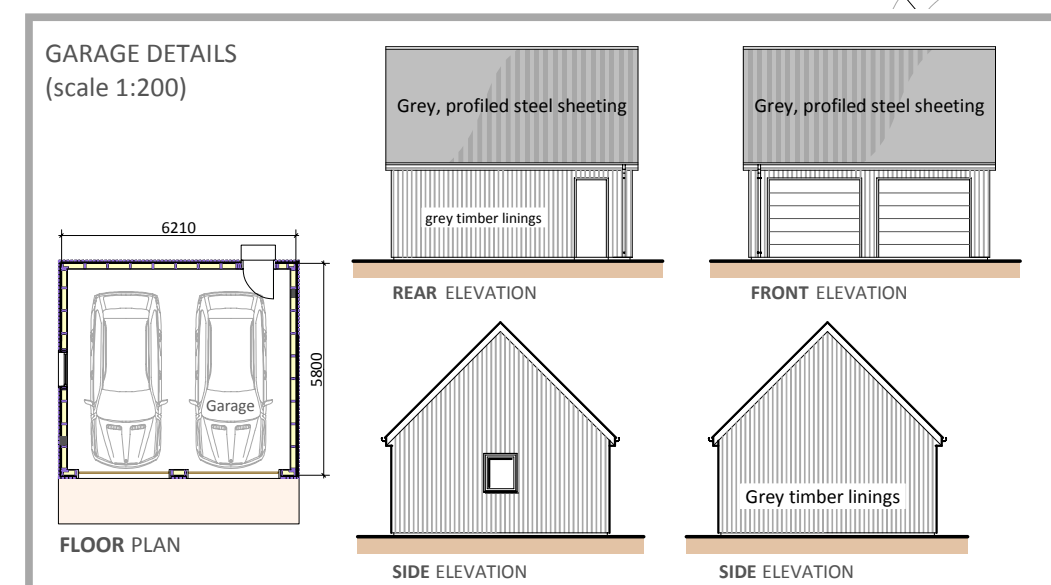
3D PHOTOMONTAGE DENOTING HOW DWELLING-HOUSE MAY APPEAR WHEN COMPLETE



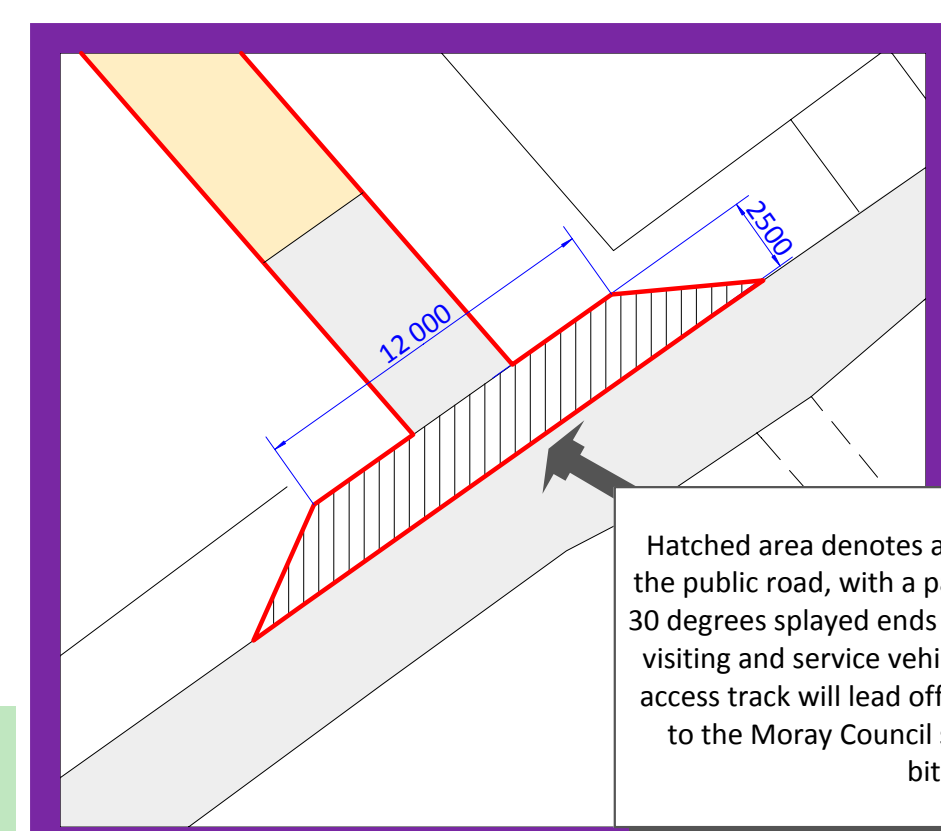
GROUND FLOOR PLAN  
(SCALE -- 1:100)  
FLOOR AREA -- 147 sqm  
GARAGE -- 32 sqm



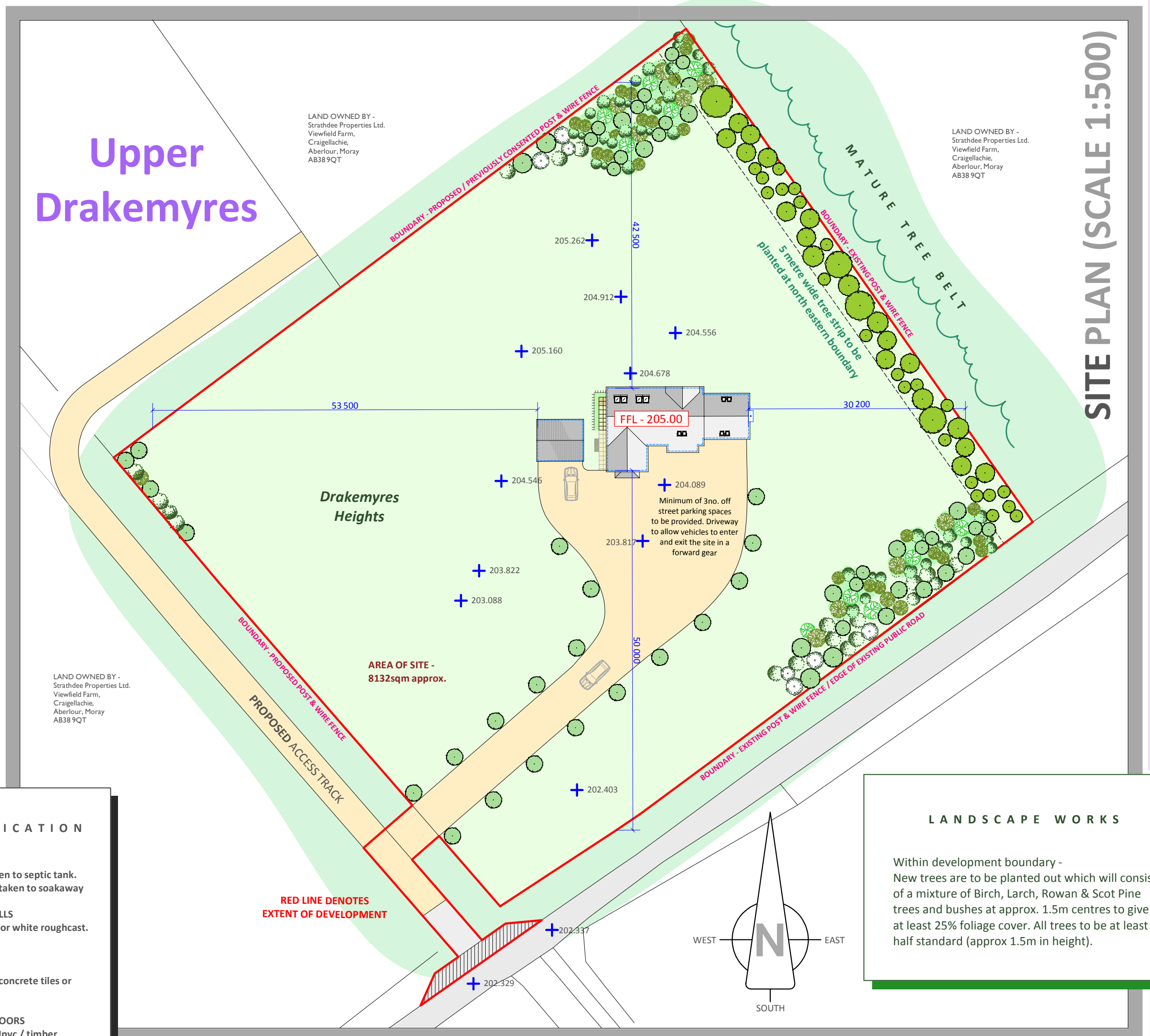
TYPICAL SECTION



GARAGE DETAILS  
(scale 1:200)

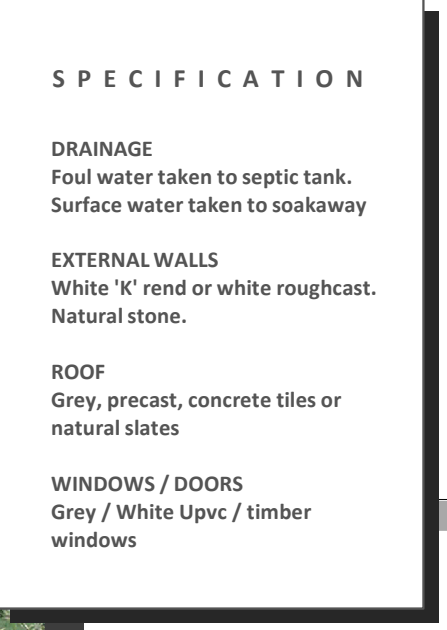


ENLARGED DETAIL AT PROPOSED ENTRANCE



Upper  
Drakemyres

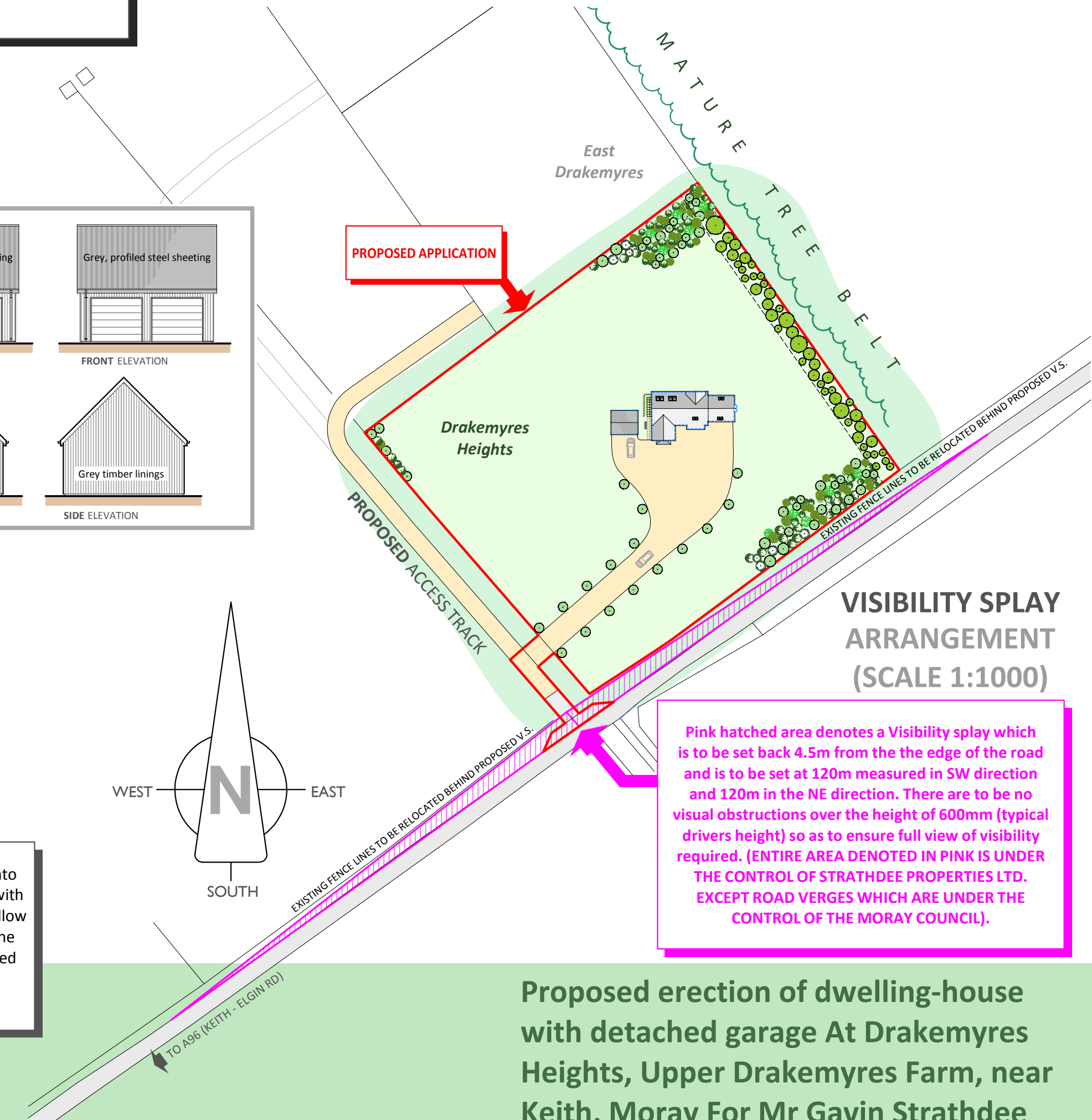
SITE PLAN (SCALE 1:500)



SPECIFICATION

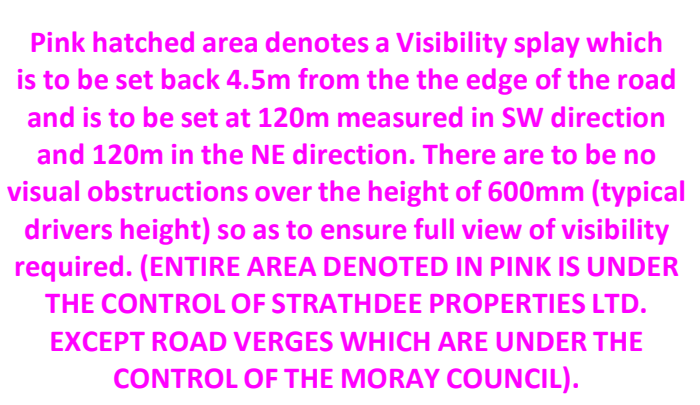


LANDSCAPE WORKS



PROPOSED APPLICATION

VISIBILITY SPY  
ARRANGEMENT  
(SCALE 1:1000)



Proposed erection of dwelling-house  
with detached garage At Drakemyres  
Heights, Upper Drakemyres Farm, near  
Keith, Moray For Mr Gavin Strathdee  
planning drawing general arrangement

Drakemyres  
Heights



Strathdee  
Properties Ltd.

VIEWFIELD FARM,  
CRAIGELLACHIE,  
ABERLOUR, MORAY,  
AB38 9QT  
T - (01340) 881784  
E - info@strathdeeproperties.com

DRAWING no.  
DRAKE-HEIGHTS / PLANNING / 01  
DRAWN BY  
S.Reid MCIAT  
SCALE  
AS STATED (A1)  
DATE  
OCTOBER 2017



# Consultation Request Notification

Planning Authority Name	<b>The Moray Council</b>
Response Date	<b>1st November 2017</b>
Planning Authority Reference	<b>17/01602/APP</b>
Nature of Proposal (Description)	<b>Erect dwellinghouse with detached garage</b>
Site	<b>Drakemyres Heights Upper Drakemyres Farm Keith Moray</b>
Site Postcode	<b>N/A</b>
Site Gazetteer UPRN	<b>999999999999</b>
Proposal Location Easting	<b>339229</b>
Proposal Location Northing	<b>855011</b>
Area of application site (Ha)	<b>8132 m<sup>2</sup></b>
Additional Comment	
Development Hierarchy Level	<b>LOCAL</b>
Supporting Documentation URL	<a href="http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&amp;keyVal=OXQZF2BGMXP00">http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&amp;keyVal=OXQZF2BGMXP00</a>
Previous Application	<b>17/00430/APP</b>
Date of Consultation	<b>18th October 2017</b>
Is this a re-consultation of an existing application?	<b>No</b>
Applicant Name	<b>Mr Gavin Strathdee</b>
Applicant Organisation Name	
Applicant Address	<b>Viewfield Farm Craigellachie Aberlour Scotland, UK AB38 9QT</b>
Agent Name	<b>Strathdee Properties Limited</b>
Agent Organisation Name	
Agent Address	<b>Viewfield Farm Craigellachie Aberlour Moray AB38 9QT</b>
Agent Phone Number	
Agent Email Address	<b>N/A</b>
Case Officer	<b>Iain T Drummond</b>
Case Officer Phone number	<b>01343 563607</b>
Case Officer email address	<b>iain.drummond@moray.gov.uk</b>
PA Response To	<b>consultation.planning@moray.gov.uk</b>

## 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:** 17/01602/APP

**Erect dwellinghouse with detached garage Drakemyres Heights Upper Drakemyres Farm  
Keith Moray for Mr Gavin Strathdee**

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

- |   | <b>Please</b>                        |
|---|--------------------------------------|
| (a) I OBJECT to the application for the reason(s) as stated below   | <b>X</b><br><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 | <b>X</b>                             |
| (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 the 1905 Ordnance Survey map as including the site of a former gravel pit (in the northwest corner of the site). Moray Council does not have any further information as to whether and with what the pit has been infilled. You should consider investigating 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](mailto: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](mailto:adrian.muscutt@moray.gov.uk)

**Consultee:**

**Date...**20/10/2017.....

**Phone No ...**01343 563496

Return response to	<a href="mailto:consultation.planning@moray.gov.uk">consultation.planning@moray.gov.uk</a>
--------------------	--

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.

**From:** DeveloperObligations  
**Sent:** 24 Oct 2017 08:40:07 +0100  
**To:** DC-General Enquiries  
**Cc:** Iain Drummond  
**Subject:** 17/01602/APP Erect dwellinghouse with detached garage at Drakemyres Heights, Upper Drakemyres Farm, Keith  
**Attachments:** 17-01602-APP Erect dwellinghouse with detached garage at Drakemyres Heights, Upper Drakemyres Farm, Keith.docx

Hi

Please find attached the developer obligation 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](mailto:hilda.puskas@moray.gov.uk)  
01343 563265

**moray**  
council



## DEVELOPER OBLIGATIONS: ASSESSMENT REPORT

**Date:** 24/10/2017

**Reference:** 17/01602/APP

**Description:** Erect dwellinghouse with detached garage at Drakemyres Heights, Upper Drakemyres Farm, Keith

**Applicant:** Mr Gavin Strathdee

**Agent:** Strathdee Properties Limited

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](http://www.moray.gov.uk/planning).

### Summary of Obligations

Primary Education	Nil
Secondary Education	Nil
Transport ( <i>Contribution towards Demand Responsive Transport-dial-a-bus</i> )	
Healthcare ( <i>Contribution towards replacement Health Centre in Keith</i> )	
Community Facilities	Nil
Sports and Recreation	Nil
Waste	Nil
<b>Total Developer Obligations</b>	

### **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:

4 bed = 1.2 SRUE

This assessment is therefore based on 1.2 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 Keith Primary School. The school is 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 Keith are zoned to Keith High School. The school is operating at 73% 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 271m<sup>2</sup>.

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\*).

Keith Medical Group is the nearest settlement within which healthcare facilities can be accessed by the proposed development. NHS Grampian has confirmed that Keith Medical Group is working well beyond design capacity with no room for expansion on existing site and contributions will be sought towards a replacement health centre.

Contributions are calculated based on a proportional contribution of [REDACTED] per SRUE for the replacement 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 Keith 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	<b>The Moray Council</b>
Response Date	<b>1st November 2017</b>
Planning Authority Reference	<b>17/01602/APP</b>
Nature of Proposal (Description)	<b>Erect dwellinghouse with detached garage</b>
Site	<b>Drakemyres Heights Upper Drakemyres Farm Keith Moray</b>
Site Postcode	<b>N/A</b>
Site Gazetteer UPRN	<b>999999999999</b>
Proposal Location Easting	<b>339229</b>
Proposal Location Northing	<b>855011</b>
Area of application site (Ha)	<b>8132 m<sup>2</sup></b>
Additional Comment	
Development Hierarchy Level	<b>LOCAL</b>
Supporting Documentation URL	<a href="http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&amp;keyVal=OXQZF2BGMXP00">http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&amp;keyVal=OXQZF2BGMXP00</a>
Previous Application	<b>17/00430/APP</b>
Date of Consultation	<b>18th October 2017</b>
Is this a re-consultation of an existing application?	<b>No</b>
Applicant Name	<b>Mr Gavin Strathdee</b>
Applicant Organisation Name	
Applicant Address	<b>Viewfield Farm Craigellachie Aberlour Scotland, UK AB38 9QT</b>
Agent Name	<b>Strathdee Properties Limited</b>
Agent Organisation Name	
Agent Address	<b>Viewfield Farm Craigellachie Aberlour Moray AB38 9QT</b>
Agent Phone Number	
Agent Email Address	<b>N/A</b>
Case Officer	<b>Iain T Drummond</b>
Case Officer Phone number	<b>01343 563607</b>
Case Officer email address	<b>iain.drummond@moray.gov.uk</b>
PA Response To	<b>consultation.planning@moray.gov.uk</b>

## NOTE:

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

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

Please respond using the attached form:-

**MORAY COUNCIL**

**PLANNING CONSULTATION RESPONSE**

**From:** Environmental Health Manager

**Planning Application Ref. No: 17/01602/APP**

**Erect dwellinghouse with detached garage Drakemyres Heights Upper Drakemyres Farm  
Keith Moray for Mr Gavin Strathdee**

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

- |   | <b>Please</b>                        |
|---|--------------------------------------|
| (a) I OBJECT to the application for the reason(s) as stated below   | <b>x</b><br><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: James McLennan  
email address:  
Consultee:**

**Date.....19/10/17.....  
Phone No .....**

<b>Return response to</b>	<b>consultation.planning@moray.gov.uk</b>
---------------------------	---

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.



23/10/2017

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 Local Planner

**AB55 Keith Upper Drakemyres Farm Drakemyres Height**  
**PLANNING APPLICATION NUMBER: 17/01602/APP**  
**OUR REFERENCE: 752533**  
**PROPOSAL: Erect dwellinghouse with detached 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 Herricks 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. Please note that the nearest water main is approx. 700m from the proposed site.

**Foul**

- Unfortunately, according to our records there is no public Scottish Water, Waste Water infrastructure within the vicinity of this proposed development therefore we would advise applicant to investigate private treatment options.

**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.

**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](mailto:sw@sisplan.co.uk)**

**[www.sisplan.co.uk](http://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.
- 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](http://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](mailto: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](http://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](mailto:planningconsultations@scottishwater.co.uk).

Yours sincerely

**Angela Allison**

Angela.Allison@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:-	17/01602/APP
	TS TRBO Reference:-	NE/164/2017

Application made by Mr Gavin Strathdee per Strathdee Properties Limited, Viewfield Farm Craigellachie Aberlour Moray AB38 9QT and received by Transport Scotland on 19 October 2017 for planning permission for erect dwellinghouse with detached garage located at Drakemyres Heights Upper Drakemyres Farm Keith Moray affecting the A96 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 (A96)
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:-**

Access Improvements
---------------------

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

1	The proposed access shall join the trunk road at a new 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.
2	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

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

1	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
2	To ensure that the access is wide enough to allow vehicles to enter and exit the access at the same time without conflict

**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:-** 20-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](mailto: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	<b>The Moray Council</b>
Response Date	<b>1st November 2017</b>
Planning Authority Reference	<b>17/01602/APP</b>
Nature of Proposal (Description)	<b>Erect dwellinghouse with detached garage</b>
Site	<b>Drakemyres Heights Upper Drakemyres Farm Keith Moray</b>
Site Postcode	<b>N/A</b>
Site Gazetteer UPRN	<b>999999999999</b>
Proposal Location Easting	<b>339229</b>
Proposal Location Northing	<b>855011</b>
Area of application site (Ha)	<b>8132 m<sup>2</sup></b>
Additional Comment	
Development Hierarchy Level	<b>LOCAL</b>
Supporting Documentation URL	<a href="http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&amp;keyVal=OXQZF2BGMXP00">http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&amp;keyVal=OXQZF2BGMXP00</a>
Previous Application	<b>17/00430/APP</b>
Date of Consultation	<b>18th October 2017</b>
Is this a re-consultation of an existing application?	<b>No</b>
Applicant Name	<b>Mr Gavin Strathdee</b>
Applicant Organisation Name	
Applicant Address	<b>Viewfield Farm Craigellachie Aberlour Scotland, UK AB38 9QT</b>
Agent Name	<b>Strathdee Properties Limited</b>
Agent Organisation Name	
Agent Address	<b>Viewfield Farm Craigellachie Aberlour Moray AB38 9QT</b>
Agent Phone Number	
Agent Email Address	<b>N/A</b>
Case Officer	<b>Iain T Drummond</b>
Case Officer Phone number	<b>01343 563607</b>
Case Officer email address	<b>iain.drummond@moray.gov.uk</b>
PA Response To	<b>consultation.planning@moray.gov.uk</b>

## 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: 17/01602/APP**

**Erect dwellinghouse with detached garage Drakemyres Heights Upper Drakemyres Farm  
Keith Moray for Mr Gavin Strathdee**

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

**Please**

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

#### Condition(s)

1. Prior to any development works commencing:

- i. a detailed drawing (scale 1:500 or 1:1000 which shall also include details to demonstrate control of the land) showing the visibility splay 4.5 metres by 120 metres in both directions, 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.

Reason: 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. Prior to any development works commencing:

- i. a detailed drawing (scale 1:500) showing the location and design of a passing place on the section of the U65H Drakemyre Road (to the Moray Council standards and specification), shall be submitted to and approved in writing by the Council, as Planning Authority in consultation with the Roads Authority; and
- ii. thereafter the passing place shall be constructed in accordance with the approved drawing prior to any development works commencing (except for those works associated with the provision of the passing place).

Reason: To enable drivers of vehicles to have adequate forward visibility to see approaching traffic and for two vehicles to safely pass each other ensuring the safety and free flow of traffic on the public road through the provision of details currently lacking.

3. 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.

Reason: 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.

4. Notwithstanding the submitted details the width of the vehicular access onto the public road shall be 5.5m for the first 10m and 3.5m thereafter, and have a maximum gradient of 1:20 measured for the first 5.0m from the edge of the public carriageway. The first 10m of the access track, measured from the edge of the public road, shall be constructed to the Moray Council specification and surfaced with bituminous macadam.

Reason: To ensure acceptable infrastructure at the development access through the provision of details currently lacking.

5. An access lay-by 12.0m 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.

Reason: To enable visiting service vehicles to park clear of the public road in the interests of road safety.

6. Any existing ditch, watercourse or drain under the site access shall be piped using a suitable diameter of pipe, agreed with the Roads Maintenance Manager (300mm minimum). The pipe shall be laid to a self-cleansing gradient and connected to an outfall.

Reason: To ensure the construction of an acceptable access in the interests of road safety and effective drainage infrastructure.

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

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.

8. 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.

Reason: 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.

9. New boundary walls/fences shall be set back from the edge of the public carriageway at a minimum distance of 3.0m.

Reason: To ensure acceptable development in the interests of road safety.

10. 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.

The formation of the required visibility splay will involve the setting back of boundary fences and cutting back/removal of gorse and vegetation.

Before commencing development the applicant is obliged to apply for Construction Consent in accordance with Section 21 of the Roads (Scotland) Act 1984 for new roads (Passing Place). The applicant will be required to provide technical information, including drawings and drainage calculations. Advice on this matter can be obtained from the Moray Council web site or by emailing [road.maint@moray.gov.uk](mailto:road.maint@moray.gov.uk).

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](mailto: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.

**Contact: DA/AG**  
**email address: [transport.develop@moray.gov.uk](mailto:transport.develop@moray.gov.uk)**  
**Consultee: TRANSPORTATION**

**Date 01 November 2017**

**Return response to**

**[consultation.planning@moray.gov.uk](mailto: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**

<b>Ref No:</b>	17/01602/APP	<b>Officer:</b>	Iain T Drummond
<b>Proposal Description/ Address</b>	Erect dwellinghouse with detached garage Drakemyres Heights Upper Drakemyres Farm Keith Moray		
<b>Date:</b>	30.11.2017	<b>Typist Initials:</b>	LMC

### **RECOMMENDATION**

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

### **CONSULTATIONS**

<b>Consultee</b>	<b>Date Returned</b>	<b>Summary of Response</b>
Environmental Health Manager	19/10/17	No objections
Contaminated Land	20/10/17	No objections subject to informative
Transportation Manager	01/11/17	No objections subject to conditions and informatives
Scottish Water	23/10/17	No objections
Planning And Development Obligations	24/10/17	Contributions sought
Transport Scotland	20/10/17	No objections subject to conditions

### **DEVELOPMENT PLAN POLICY**

<b>Policies</b>	<b>Dep</b>	<b>Any Comments (or refer to Observations below)</b>
PP1: Sustainable Economic Growth	Y	
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

### Proposal

- Planning permission is sought for the erection of a dwellinghouse on a site at Drakemyres Heights, Upper Drakemyres Farm, Keith.
- The proposed house consists of a one and a half storey, pitched roof design, with main rectangular form with protruding gable features on the front and rear elevations and detached double garage, finished in natural slate or dark grey, slate effect concrete tiles and a mixture of natural stone and white harl on the walls. The garage is to be finished in vertical timber linings and grey profile sheeting.
- An access track to the site is proposed from the nearby single track road which runs to the south of the site. This track then leads directly onto the A96 trunk road after approx. 750m.
- Use of a public water supply is proposed with foul drainage disposed of via a septic tank and soakaway.
- It is proposed that trees be planted covering 25% of the site area.

### Site Characteristics

The site comprises an area of agricultural field, with a mature woodland to the north east and further approved house plots to the northwest (17/00430/APP & 17/00772/APP) and open farmland to the south east and west.

### Policy Assessment

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.

### Siting and Impact on the Rural Character of the Surrounding Area (PP1, H7, and IMP1)

Policy H7 and associated supplementary planning guidance 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, not result in ribbon development and not to contribute to a build-up of development that detracts from the rural character of the area. Particular attention will be given to proposals in the open countryside where there has been a significant growth in the number of new house applications. Policy H7 also requires that at least 50% of the boundaries are long established and capable of distinguishing the site from the surrounding landscape. Thereafter, the policy requires any development to be acceptable in design terms including requirements for landscape planting to be provided within the site.

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

appropriate to the amenity and character of the area. Policy PP1 advocates sustainable economic growth that protects the natural and built environment.

In this case the proposed site is located directly adjacent to a pair of approved house sites, 17/00430/APP and 17/00772/APP. Policy H7 and associated supplementary guidance outlines that ribbon development (i.e. 3 or more houses in a line) is not an acceptable form of development in the countryside. Ribbon development does not reflect the traditional rural development character of the area and will have an adverse impact on the character and appearance of the surrounding countryside. With this in mind the proposal is also contrary to the requirements of policy IMP1 and H7 on the basis that the proposed house is not sensitively sited nor does it integrate well into the surrounding landscape.

Although the site has the requisite 50% long established boundaries, the applicants are proposing the planting and the design of the house is acceptable these aspects do not outweigh the principle issues with the site as outlined above. With this in mind the development is not considered to comply with policies PP1, H7 and IMP1 and is recommended for refusal on this basis.

#### **Access and Parking (T2 and T5)**

The Transportation service have no objection to the approval of the application subject to conditions and informatives.

#### **Water and Drainage (EP5 and EP10)**

The applicants have outlined that the site will be served via public water supply and Scottish water have no objection to the approval of the application.

The proposed arrangements for foul and surface water drainage, to include an on-site septic tank with soakaway and separate on-site surface water soakaway and are considered sufficient at this stage. Detailed arrangements will be determined as part of any Building Standards application but, in principle, these proposals are in line with policy EP10 and EP5.

#### **Developer obligations (IMP3)**

A developer contribution is required in relation to transportation and healthcare within the catchment area. The applicants have confirmed that they would be agreeable to making this contribution should the application be recommended for approval. Given that the application is being refused this contribution has not been taken, however, given the applicants is agreeable to the contribution the proposal is considered compliant with policy IMP3.

#### **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			
17/00430/APP	Erect dwellinghouse with detached garage at Drakemyres Neuk Upper Drakemyres Farm Keith Moray			
	Decision	Permitted	Date Of Decision	28/04/17

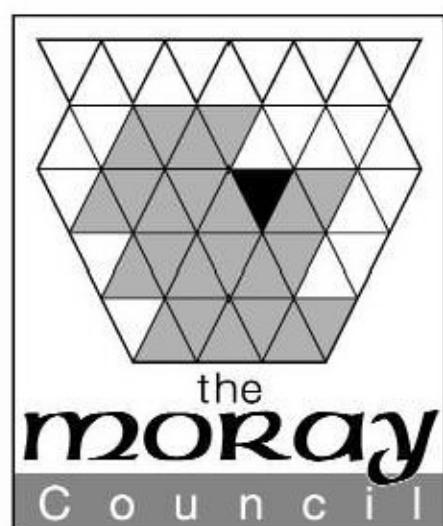
ADVERT		
Advert Fee paid?	Yes	
Local Newspaper	Reason for Advert	Date of expiry
Banffshire Herald	No Premises	16/11/17
PINS	No Premises	16/11/17

DEVELOPER CONTRIBUTIONS (PGU)	
Status	CONT SOUGHT

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

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

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

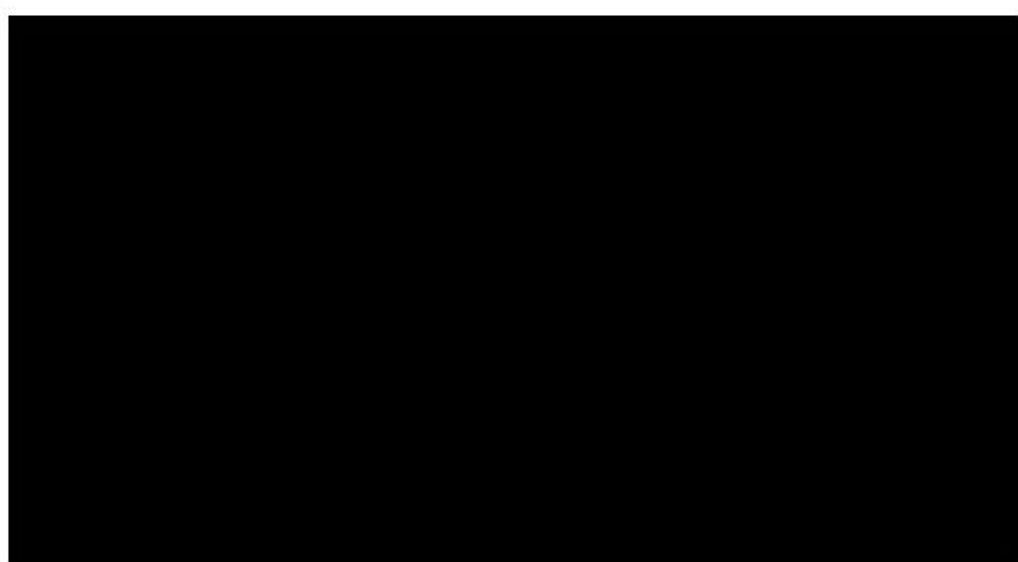


**THE MORAY COUNCIL  
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997,  
as amended**

**REFUSAL OF PLANNING PERMISSION**

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

TO

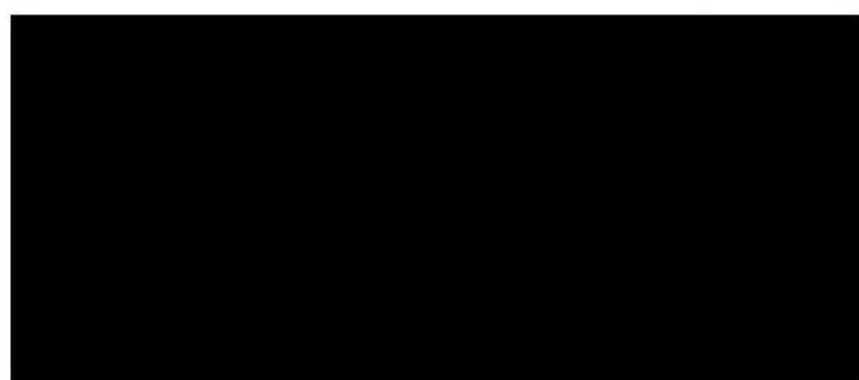


With reference to your application for planning permission under the above mentioned Act, the Council in exercise of their powers under the said Act, have decided to **REFUSE** your application for the following development:-

**Erect dwellinghouse with detached garage Drakemyres Heights Upper  
Drakemyres Farm Keith Moray**

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

Date of Notice: **1 December 2017**



**HEAD OF DEVELOPMENT SERVICES**

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



**IMPORTANT**  
**YOUR ATTENTION IS DRAWN TO THE REASONS and NOTES BELOW**

**SCHEDULE OF REASON(S) FOR REFUSAL**

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

The proposal is contrary to the provisions of the Moray Local Development Plan 2015 (Policies PP1, H7 and IMP1) and, as a material consideration, the associated Supplementary Planning Guidance 'Housing in the Countryside' for the following reasons:

1. The proposed house when viewed in conjunction with the two adjacent approved house plots will form a ribbon of development in the countryside, at odds with the traditional rural development pattern of the area and adversely impacting on the character and appearance of the surrounding countryside. It therefore does not constitute sustainable economic growth that protects the natural and built environment.

**LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT**

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

<b>Reference</b>	<b>Version</b>	<b>Title</b>
DRAKE-HEIGHTS/PLANNING/01		Elevations floor plan site and location plan
DRAKE-HEIGHTS/PLANNING/LP		Location plan

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

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