



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 100120958-001

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.

Description of Proposal

Please describe accurately the work proposed: * (Max 500 characters)

Erect new rendered blockwork garage Install patio door in house

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:	Wittets Architects		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Duncan	Building Name:	
Last Name: *	MacCallum	Building Number:	26
Telephone Number: *	01343 543237	Address 1 (Street): *	Hay Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Elgin
Fax Number:		Country: *	UK
		Postcode: *	IV30 1NQ
Email Address: *	dm@wittets.co.uk		

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

Individual 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:	Bundon
First Name: *	C	Building Number:	
Last Name: *	Jamieson	Address 1 (Street): *	West Shore
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Findhorn
Extension Number:		Country: *	UK
Mobile Number:		Postcode: *	IV36 3YE
Fax Number:			
Email Address: *	the.jamiesons@sbcglobal.net		

Site Address Details

Planning Authority:

Moray Council

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

Address 1:

BUNDON

Address 2:

FINDHORN

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

FORRES

Post Code:

IV36 3YE

Please identify/describe the location of the site or sites

Northing

864670

Easting

303592

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

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.

Access and Parking

Are you proposing a new or 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 proposed to make. You should also show existing footpaths and note if there will be any impact on these.

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: Duncan MacCallum

On behalf of: Mr C Jamieson

Date: 06/06/2018

Please tick here to certify this Certificate. *

Checklist – Application for Householder Application

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) Have you provided a written description of the development to which it relates? * Yes No
- b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? * Yes No
- c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent? * Yes No
- d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? *. This should have a north point and be drawn to an identified scale. Yes No
- e) Have you provided a certificate of ownership? * Yes No
- f) Have you provided the fee payable under the Fees Regulations? * Yes No
- g) Have you provided any other plans as necessary? * Yes No

Continued on the next page

A copy of the other plans and drawings or information necessary to describe the proposals (two must be selected). *

You can attach these electronic documents later in the process.

- Existing and Proposed elevations.
- Existing and proposed floor plans.
- Cross sections.
- Site layout plan/Block plans (including access).
- Roof plan.
- Photographs and/or photomontages.

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding. Yes No

A Supporting Statement – you may wish to provide additional background information or justification for your Proposal. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. * Yes No

You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been Received by the planning authority.

Declare – For Householder Application

I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying Plans/drawings and additional information.

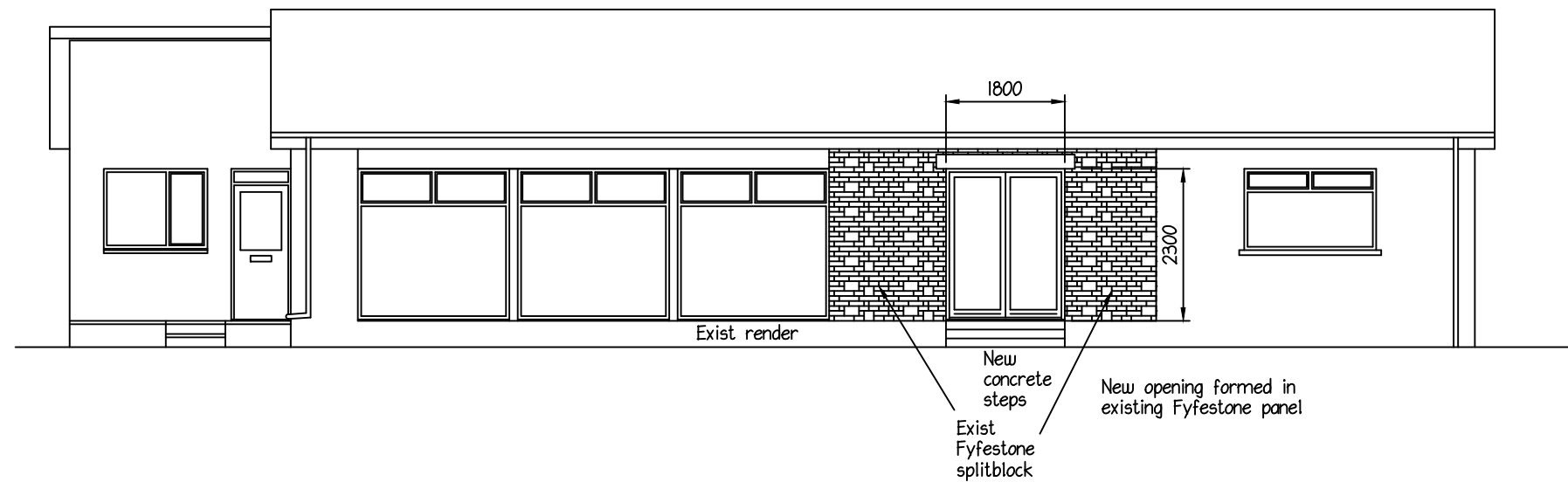
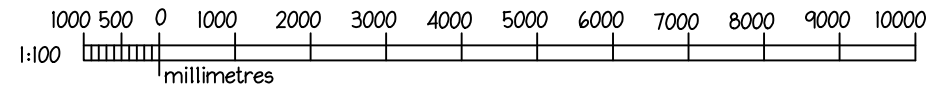
Declaration Name: Mr Duncan MacCallum

Declaration Date: 06/06/2018

Payment Details

Telephone Payment Reference:

Created: 11/06/2018 17:00



South-west Elevation 1:100

New Garage and
French Window at
Bundon, Findhorn for
Mr C Jamieson

French Window Elevation
Planning

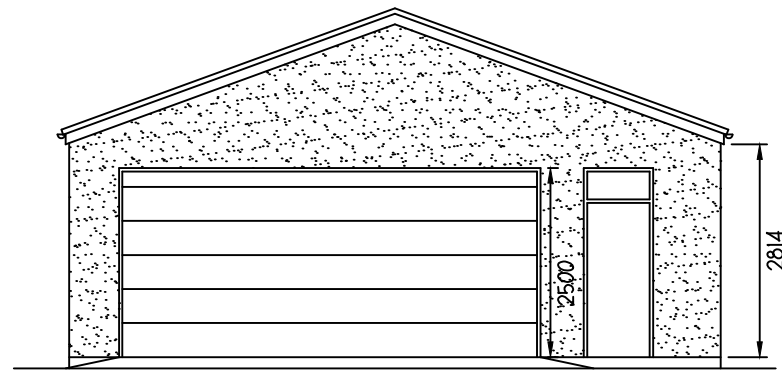
WITTETS
ARCHITECTS

26 Hay St, Elgin, Moray IV30 1NQ
T 01343 543237 F 01343 540542
e info@wittets.co.uk www.wittets.co.uk

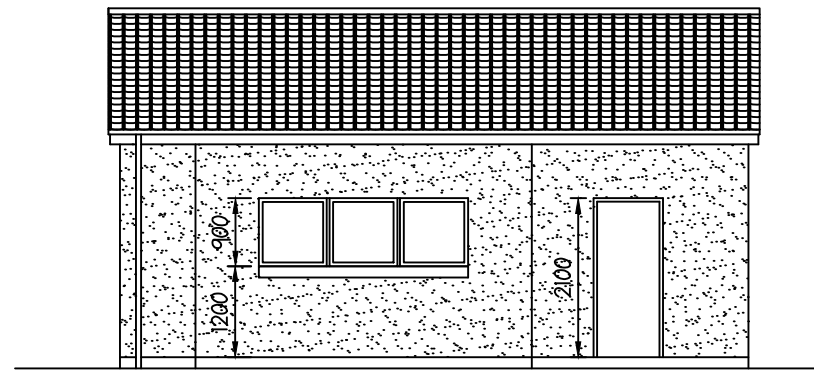
1:500 @A3 Apr 2018

18:23:03

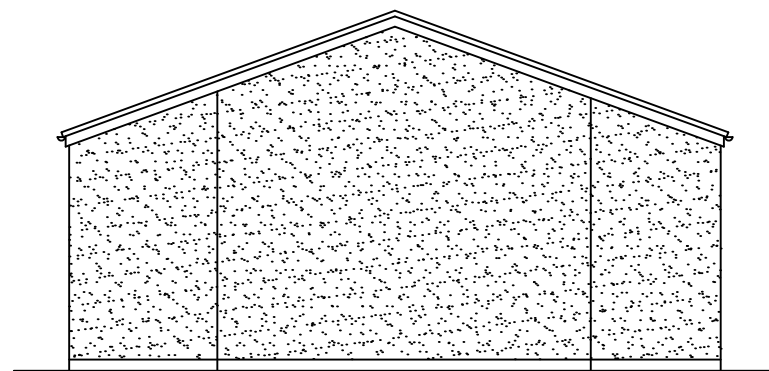
Roof - Red roof tiles to match house
 Walls - White wet-dash rendered blockwork to match house
 Roof Pitch - 20° to match house



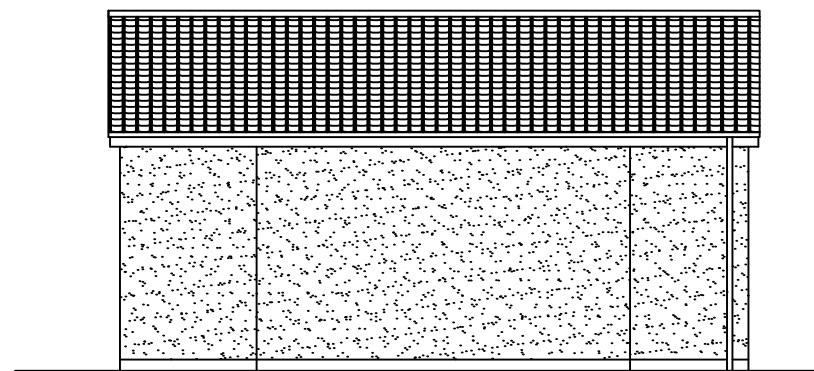
South Elevation



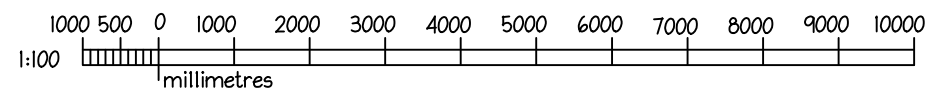
East elevation



North Elevation



West elevation



New Garage and
 French Window at
 Bundon, Findhorn for
 Mr C Jamieson

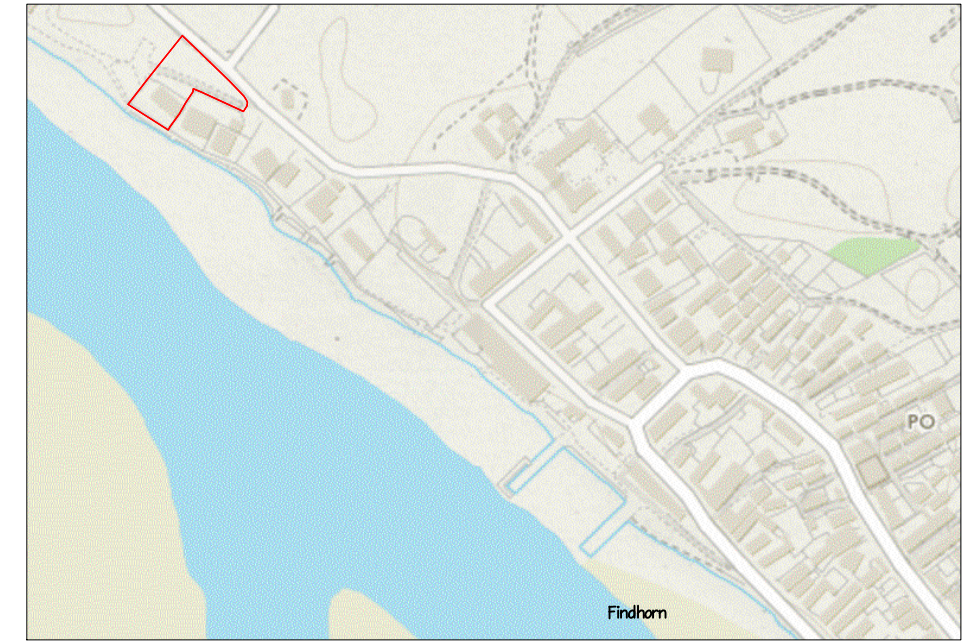
Elevations
 Planning

WITTETS
ARCHITECTS

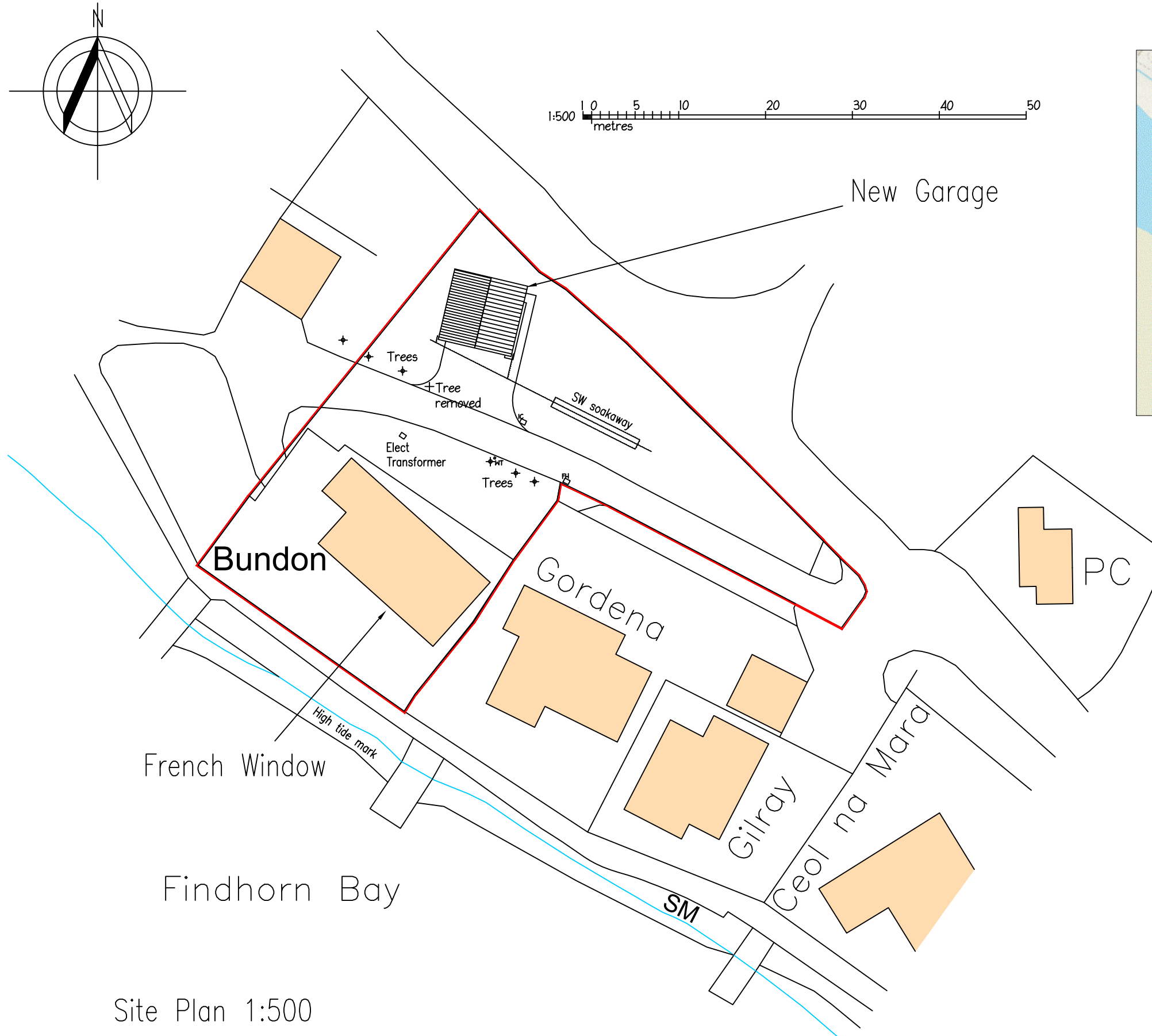
26 Hay St, Elgin, Moray IV30 1NQ
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 e info@wittets.co.uk www.wittets.co.uk

1:100 @A3 Apr 2018

18:23:01a



Site Location 1:5000



Site Plan 1:500

New Garage and
 French Window at
 Bundon, Findhorn for
 Mr C Jamieson

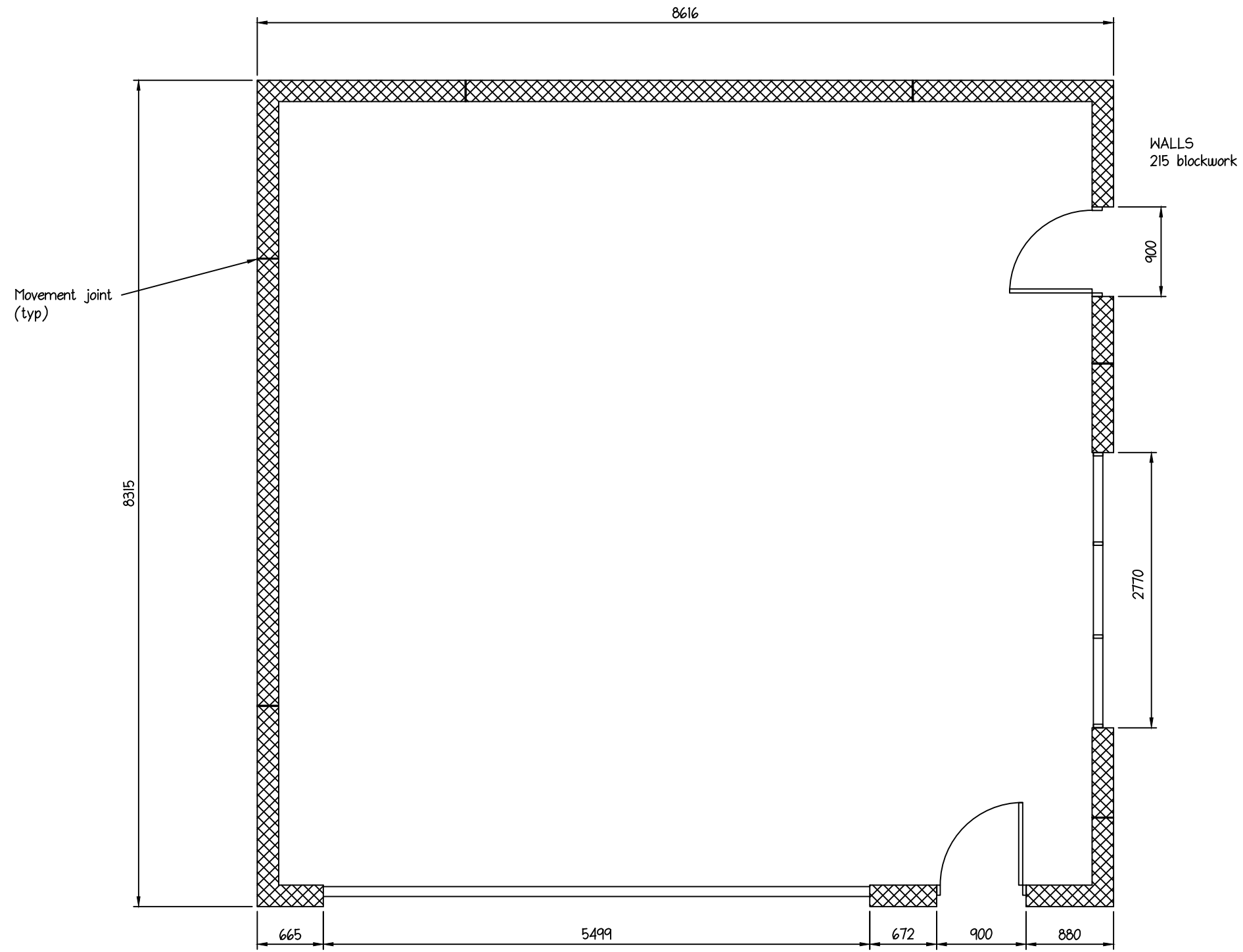
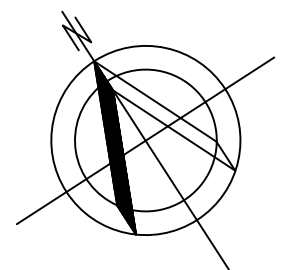
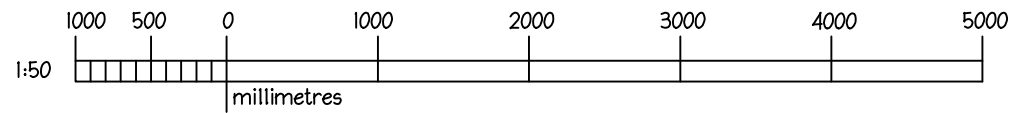
Site Plan
 Planning

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26 Hay St, Elgin, Moray IV30 1NQ
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 e info@wittets.co.uk www.wittets.co.uk

1:500 @A3 Apr 2018

18:23:01a



Floorplan 1:50

New Garage and
French Window at
Bundon, Findhorn for
Mr C Jamieson

Floor Plan
Planning

WITTETS
ARCHITECTS

26 Hay St, Elgin, Moray IV30 1NQ
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e info@wittets.co.uk www.wittets.co.uk

1:50 @A3 Apr 2018

18:23:02

Consultation Request Notification

Planning Authority Name	The Moray Council
Response Date	4th July 2018
Planning Authority Reference	18/00795/APP
Nature of Proposal (Description)	Erect garage and install patio doors at
Site	Bundon Findhorn Forres Moray IV36 3YE
Site Postcode	N/A
Site Gazetteer UPRN	000133052058
Proposal Location Easting	303592
Proposal Location Northing	864670
Area of application site (Ha)	m²
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=PA74VWBGISY00
Previous Application	06/00053/FUL
Date of Consultation	20th June 2018
Is this a re-consultation of an existing application?	No
Applicant Name	Mr C Jamieson
Applicant Organisation Name	
Applicant Address	Bundon West Shore Findhorn UK IV36 3YE
Agent Name	Wittets Architects
Agent Organisation Name	
Agent Address	26 Hay Street ELGIN Moray IV30 1NQ
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Cathy Archibald
Case Officer Phone number	01343 563101
Case Officer email address	cathy.archibald@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: Aberdeenshire Council Archaeology Service

Planning Application Ref. No: 18/00795/APP
Erect garage and install patio doors at
Bundon Findhorn Forres Moray for Mr C Jamieson

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

None

Condition(s)

None

Further comment(s) to be passed to applicant

Further information required to consider the application

Contact: Claire Herbert
email address:
archaeology@aberdeenshire.gov.uk
Consultee: Archaeology service

Date...21/06/2018..
Phone No ...01467 537717

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.

Consultee Comments for Planning Application 18/00795/APP

Application Summary

Application Number: 18/00795/APP

Address: Bundon Findhorn Forres Moray IV36 3YE

Proposal: Erect garage and install pation doors at|cr|

Case Officer: Cathy Archibald

Consultee Details

Name: Mr CL Consultations

Address: Environmental Health, Council Offices, High Street Elgin, Moray IV30 1BX

Email: clconsultations@moray.gov.uk

On Behalf Of: Contaminated Land

Comments

Approved unconditionally.

Adrian Muscutt

CL Officer

Consultation Request Notification

Planning Authority Name	The Moray Council
Response Date	4th July 2018
Planning Authority Reference	18/00795/APP
Nature of Proposal (Description)	Erect garage and install pation doors at
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Proposal Location Easting	303592
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Area of application site (Ha)	m²
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	http://public.moray.gov.uk/eplanning/centralDis tribution.do?caseType=Application&keyVal=P A74VWBGISY00
Previous Application	06/00053/FUL
Date of Consultation	20th June 2018
Is this a re-consultation of an existing application?	No
Applicant Name	Mr C Jamieson
Applicant Organisation Name	
Applicant Address	Bundon West Shore Findhorn UK IV36 3YE
Agent Name	Wittets Architects
Agent Organisation Name	
Agent Address	26 Hay Street ELGIN Moray IV30 1NQ
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Cathy Archibald
Case Officer Phone number	01343 563101
Case Officer email address	cathy.archibald@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: Moray Flood Risk Management

Planning Application Ref. No: 18/00795/APP
Erect garage and install pation doors at
Bundon Findhorn Forres Moray for Mr C Jamieson

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

Reason(s) for objection

The application site lies entirely within the medium likelihood (0.5% annual probability or 1 in 200 years) flood extent of the SEPA Flood Maps and may therefore be at medium to high risk of Coastal flooding and any development at the site would increase flood risk to surrounding properties.

Scottish Planning Policy states (paragraph 255) that “the planning system should promote flood avoidance by safeguarding flood storage and conveying capacity, and locating development away from functional floodplain and medium to high risk areas”. It further defines that “for planning purposes the functional floodplain will generally have a greater than 0.5% (1:200) probability of flooding in any year”. Therefore built development should not take place on the functional floodplain.

This application is for the erection of a garage in association with the property “Bundon”. Although some types of small scale extensions to existing properties are considered to be outwith the scope of Scottish Planning Policy, in this particular case the proposed garage is a separate, relatively large building which is located away from the property of Bundon. Therefore it does not appear to us that the proposed garage would fall under this definition.

It is important to note that adoption of flood mitigation measures would only be suitable in some circumstances (such as Brownfield sites, clarified in SPP) and that TMC will insist on the avoidance of flood risk as the first principle.

Condition(s)

Further comment(s) to be passed to applicant

The applicant could undertake a Flood Risk Assessment (FRA) to ascertain more detailed and site specific flood information. The detail and technical complexity of a FRA should reflect the scale and potential significance of the proposed development.

The FRA should demonstrate that the development is not at risk of flooding during a 1:200 year flood event (including an allowance for climate change, refer UK Climate Projections 2009). A key requirement of the FRA is that it must consider all sources of flooding and demonstrate how mitigation methods will be managed. The FRA will be required to demonstrate that any flood risk associated with the development can be managed now and for the lifetime of the development, taking into account the potential effects of climate change. It should also demonstrate that the development will not increase the risk of flooding elsewhere. With regard to coastal flood risk this should allow for surge and wave action as well as the astronomical tide level.

In circumstances where mitigation is considered acceptable, the developer must demonstrate the measures will not increase flood risk elsewhere. Mitigation measures should include an allowance for freeboard and climate change and demonstrate that they do not negatively impact on the flood storage and conveyance capacity of the floodplain and that flood risk is not increased.

Please note that if you do undertake an FRA, and provide the information above, there is a strong chance that the application would still be objected to due to flood risk.

Further information required to consider the application

Contact: Katie Cruickshank
email address:
Consultee:

Date 03/07/18.....
Phone No

Return response to	consultation.planning@moray.gov.uk
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Consultee Comments for Planning Application 18/00795/APP

Application Summary

Application Number: 18/00795/APP

Address: Bundon Findhorn Forres Moray IV36 3YE

Proposal: Erect garage and install pation doors at|cr|

Case Officer: Cathy Archibald

Consultee Details

Name: Mr CL Consultations

Address: Environmental Health, Council Offices, High Street Elgin, Moray IV30 1BX

Email: clconsultations@moray.gov.uk

On Behalf Of: Contaminated Land

Comments

Approved unconditionally.

Adrian Muscutt

CL Officer

Comments for Planning Application 18/00795/APP

Application Summary

Application Number: 18/00795/APP

Address: Bundon Findhorn Forres Moray IV36 3YE

Proposal: Erect garage and install pation doors at|cr|

Case Officer: Cathy Archibald

Customer Details

Name: Mr Greig Munro

Address: 156 Findhorn

Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

- Inappropriate materials/finishes
- Lack of landscaping

Comment: This is a high profile site location for the proposed new garage as it is seen by all visitors to the village en-route to the Beach Car Parking.

Findhorn has an established history of sheds and outbuildings and it would be reasonable to assume that any new constructions would make an effort to fit in with these historical precedents of building form and external materials.

This is a large garage structure and no details are given for the levels or proposed landscaping.

REPORT OF HANDLING

Ref No:	18/00795/APP	Officer:	Cathy Archibald
Proposal Description/ Address	Erect garage and install patio doors at Bundon Findhorn Forres Moray		
Date:	06/08/18	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
Contaminated Land	22/06/18	Approve unconditionally
Aberdeenshire Council Archaeology Service	21/06/18	No objection
Moray Flood Risk Management	04/07/18	Objection The application site lies entirely within the medium likelihood (0.5% annual probability or 1 in 200 years) flood extent of the SEPA Flood Maps and may therefore be at medium to high risk of Coastal flooding and any development at the site would increase flood risk to surrounding properties.

DEVELOPMENT PLAN POLICY

Policies	Dep	Any Comments (or refer to Observations below)
H4: House Alterations and Extensions		
EP9: Contaminated Land		
T2: Provision of Access		
T5: Parking Standards		
BE1: Sch Monuments and Nat Designations		
EP7: Control of Develop in FloodRiskArea	Y	
IMP1: Developer Requirements		

REPRESENTATIONS		
Representations Received	YES	
Total number of representations received		
Names/Addresses of parties submitting representations		
Name and address details of parties submitting representations withheld in accordance with the General Data Protection Regulations.		
Summary and Assessment of main issues raised by representations		
<p>Issue: Findhorn has an established history of sheds and outbuildings and it would be reasonable to assume that any new constructions would make an effort to fit in with these historical precedents of building form and external materials. This is a large garage structure and no details are given for the levels or proposed landscaping.</p>		
<p>Comments (PO): The materials are proposed to match the adjoining property, which given the garages location closer to some of the modern houses on the northern edge of the village are acceptable in what it clear a modern building. The finishes matching the adjoining building assist in allowing any observer to associate the garage with the close-by house. Had the application been approved, a condition requiring final approval of the finished level of the building would have been imposed.</p>		
See also the Observations Section below		

OBSERVATIONS – ASSESSMENT OF PROPOSAL

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

The Proposal

The application seeks planning permission for:

- A detached garage with pitched roof; located adjacent to the house a track runs between the house and garage.
- The external material finishes are wet dash rendered blockwork, colour white, red roof tiles both to match the existing house.
- The external measurements are approx. 8.3m x 8.6m: 2.8m to eaves; 4.8m (to ridgeline of pitched roof)
- Also proposed the installation of French windows on the front elevation of the house.

The proposal is contrary to policy H4 and IMP1 of the Moray Local Plan 2015 based on the following considerations:

Site and Surrounds

The site is located on the edge of the west shore at Findhorn, and out with the Article 4 conservation area and older part of the village. There are mixture of styles of property fronting onto the shoreline.

Policy Assessment

Impact upon the surrounding locality (IMP1)

The proposal is required to be assessed against IMP1: Development Requirements in terms of style, scale, proportions, materials and the potential impact on the surrounding area. The main issue for consideration is whether the proposed garage will have any adverse effects or impacts on the amenity of the existing house and the surrounding area, including any neighbouring dwellings.

In terms of scale, design and material finishes the garage is considered acceptable. It is in keeping

with the parent house and is considered that it would not have a significant adverse impact on the house or the surrounding locality. Given its location and distance of the neighbouring adjacent properties it will not have a significant adverse impact on sunlight or daylight and no significant overlooking or privacy issues in relation to this application.

The proposed french-doors would be acceptable under policy H4 House alterations and Extensions, and might otherwise have been permitted development had it not been proposed in association with the garage being refused. For the avoidance of doubt, the french-doors do comply with all relevant policies of the Local Development Plan, but as they form part of the current application are not being given planning approval. A separate letter will be issued to the applicant regarding the french-doors confirming that they alone would benefit from permitted development, and not require planning permission.

Flood issues (EP7 and IMP1)

The site is an area of flood risk (1 in 200 year event) as identified on the SEPA flood risk maps. Moray Flood Risk Management (MFRM) object to the siting of the building in this location. That construction in this area would increase the risk of flood risk to surrounding properties.

Scottish Planning Policy states (paragraph 255) that "the planning system should promote flood avoidance by safeguarding flood storage and conveying capacity, and locating development away from functional floodplain and medium to high risk areas". It further defines that "for planning purposes the functional floodplain will generally have a greater than 0.5% (1:200) probability of flooding in any year". Therefore built development should not take place on the functional floodplain.

This application is for the erection of a detached garage in association with the property "Bundon". Although some types of small scale extensions to existing properties are considered to be outwith the scope of Scottish Planning Policy, in this particular case the proposed garage is a separate, relatively large building which is located away from the property of Bundon. Therefore it does not appear to us that the proposed garage would fall under this definition. Local development plan policy EP7 Control of Development in Flood Risk Areas states that development that would be at risk of flooding or would displace flood water elsewhere should not be permitted. Given the coastal location and potential for coastal flooding in this locality, it not considered the development of a garage in this location would be appropriate.

This also conflicts with the aims of policy IMP1 i) where development should avoid areas at risk of flooding.

Access and Parking (T2 & T5)

There is sufficient space within the site to provide adequate parking and turning in this case the site can meet the Council's parking standards and therefore Transportation has not been consulted. The access onto the public road is unaltered. A visit to the site demonstrated that there would adequate space to access the parking the garage would create.

Conclusion

On the basis of the above information it is considered that the proposal does not comply with policies EP7 and IMP1 of the Moray Local Plan and therefore the application is recommended for refusal.

OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT

None

HISTORY

Reference No.	Description
	Build boatshed and sail loft at Bundon, Findhorn, Forres, Moray IV36 3VE

06/00053/FUL	Decision	Permitted	Date Of Decision	21/02/06

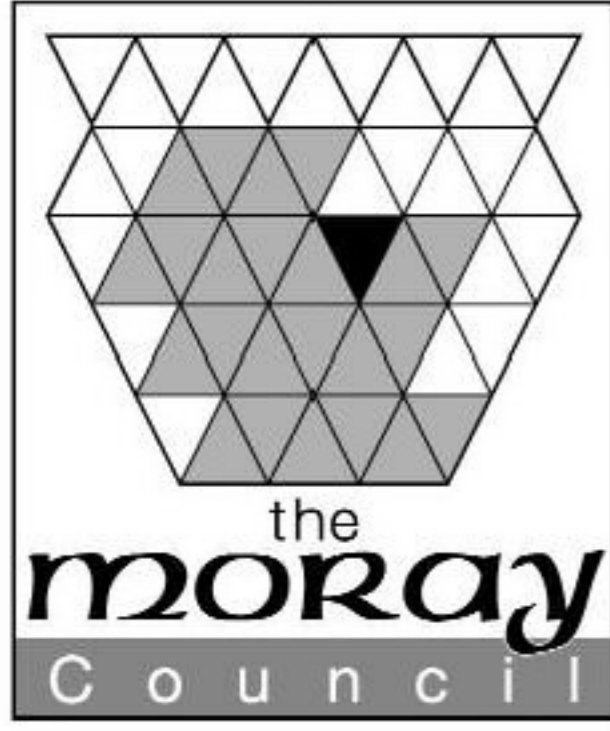
ADVERT		
Advert Fee paid?	N/A	
Local Newspaper	Reason for Advert	Date of expiry

DEVELOPER CONTRIBUTIONS (PGU)	
Status	N/A

DOCUMENTS, ASSESSMENTS etc. *		
<i>* Includes Environmental Statement, Appropriate Assessment, Design Statement, Design and Access Statement, RIA, TA, NIA, FRA etc</i>		
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

**[Forres]
Application for Planning Permission**

TO

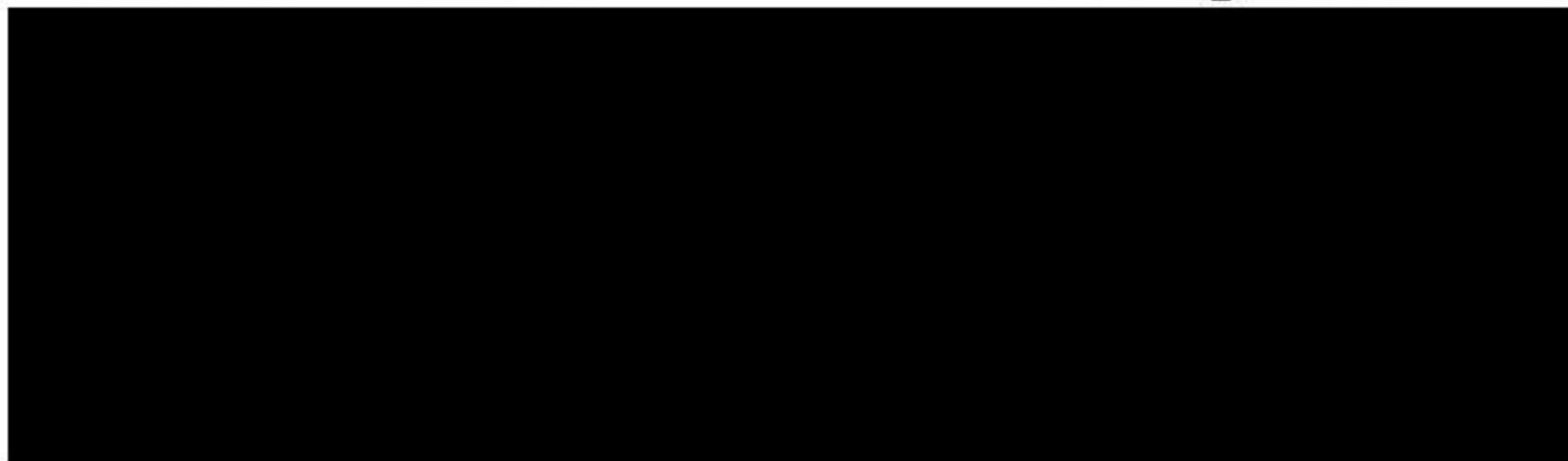


With reference to your application for planning permission under the above mentioned Act, the Council in exercise of their powers under the said Act, have decided to **REFUSE** your application for the following development:-

Erect garage and install patio doors at Bundon Findhorn Forres Moray

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

Date of Notice: **6 August 2018**



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 adopted Moray Local Development Plan 2015 policies EP7 and IMP1 on flood risk grounds where the proposal would lie entirely within the medium likelihood (0.5% annual probability or 1 in 200 years) flood extent of the SEPA Flood Maps. The proposed garage would therefore be at medium to high risk of coastal flooding in a location that would increase flood risk to surrounding properties.

LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT

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

Reference	Version	Title
18:23:03		French window elevation
18:23:01	A	Garage elevation
18:23:01	A	Location plan
18:23:02		Garage floor plan

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

N/A

**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.