



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 100125446-001

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)

Erect dwellinghouse on Site At Kirkton, Alves

Is this a temporary permission? \*  Yes  No

If a change of use is to be included in the proposal has it already taken place?  
(Answer 'No' if there is no change of use.) \*  Yes  No

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:	Grant and Geoghegan Ltd.		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Neil	Building Name:	Unit 4 Westerton Road Business
Last Name: *	Grant	Building Number:	
Telephone Number: *	07769744332	Address 1 (Street): *	4 Westerton Road South
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	KEITH
Fax Number:		Country: *	United Kingdom
		Postcode: *	AB55 5FH
Email Address: *	neil@ggmail.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:	per grant and geoghegan
First Name: *	Douglas	Building Number:	
Last Name: *	Fraser	Address 1 (Street): *	unit 4 Westerton Road Business
Company/Organisation	grant and geoghegan	Address 2:	4 Westerton Road South
Telephone Number: *	01343556644	Town/City: *	KEITH
Extension Number:		Country: *	Moray
Mobile Number:		Postcode: *	AB55 5FH
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

863495

Easting

313098

## Pre-Application Discussion

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

Yes  No

## Site Area

Please state the site area:

3936.00

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? \*  Yes  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?

0

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)? \*

3

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).

## Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? \*

Yes  No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? \*

- Yes – connecting to public drainage network  
 No – proposing to make private drainage arrangements  
 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? \*

- New/Altered septic tank.  
 Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed).  
 Other private drainage arrangement (such as chemical toilets or composting toilets).

What private arrangements are you proposing for the New/Altered septic tank? \*

- Discharge to land via soakaway.  
 Discharge to watercourse(s) (including partial soakaway).  
 Discharge to coastal waters.

Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: \*

New septic tank to soakaway

Do your proposals make provision for sustainable drainage of surface water?? \*  
(e.g. SUDS arrangements) \*

Yes  No

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)

To Local Authority requirements

## 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

## Certificate Required

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

Certificate E

## Land Ownership Certificate

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

Certificate E

I hereby certify that –

(1) – No person other than myself/the applicant was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) - The land to which the application relates constitutes or forms part of an agricultural holding and there are no agricultural tenants

Or

(1) – No person other than myself/the applicant was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) - The land to which the application relates constitutes or forms part of an agricultural holding and there are agricultural tenants.

Name:

Address:

Date of Service of Notice: \*

(4) – I have/The applicant has taken reasonable steps, as listed below, to ascertain the names and addresses of the other owners or agricultural tenants and \*have/has been unable to do so –

Signed: Neil Grant

On behalf of: Mr Douglas Fraser

Date: 21/06/2018

Please tick here to certify this Certificate. \*

## Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

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

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

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

Yes  No  Not applicable to this application

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

Yes  No  Not applicable to this application

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

Yes  No  Not applicable to this application

Town and Country Planning (Scotland) Act 1997

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

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

Yes  No  Not applicable to this application

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

Yes  No  Not applicable to this application

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

Yes  No  Not applicable to this application

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

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

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

Provide copies of the following documents if applicable:

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

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

## Declare – For Application to Planning Authority

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

Declaration Name: Mr Neil Grant

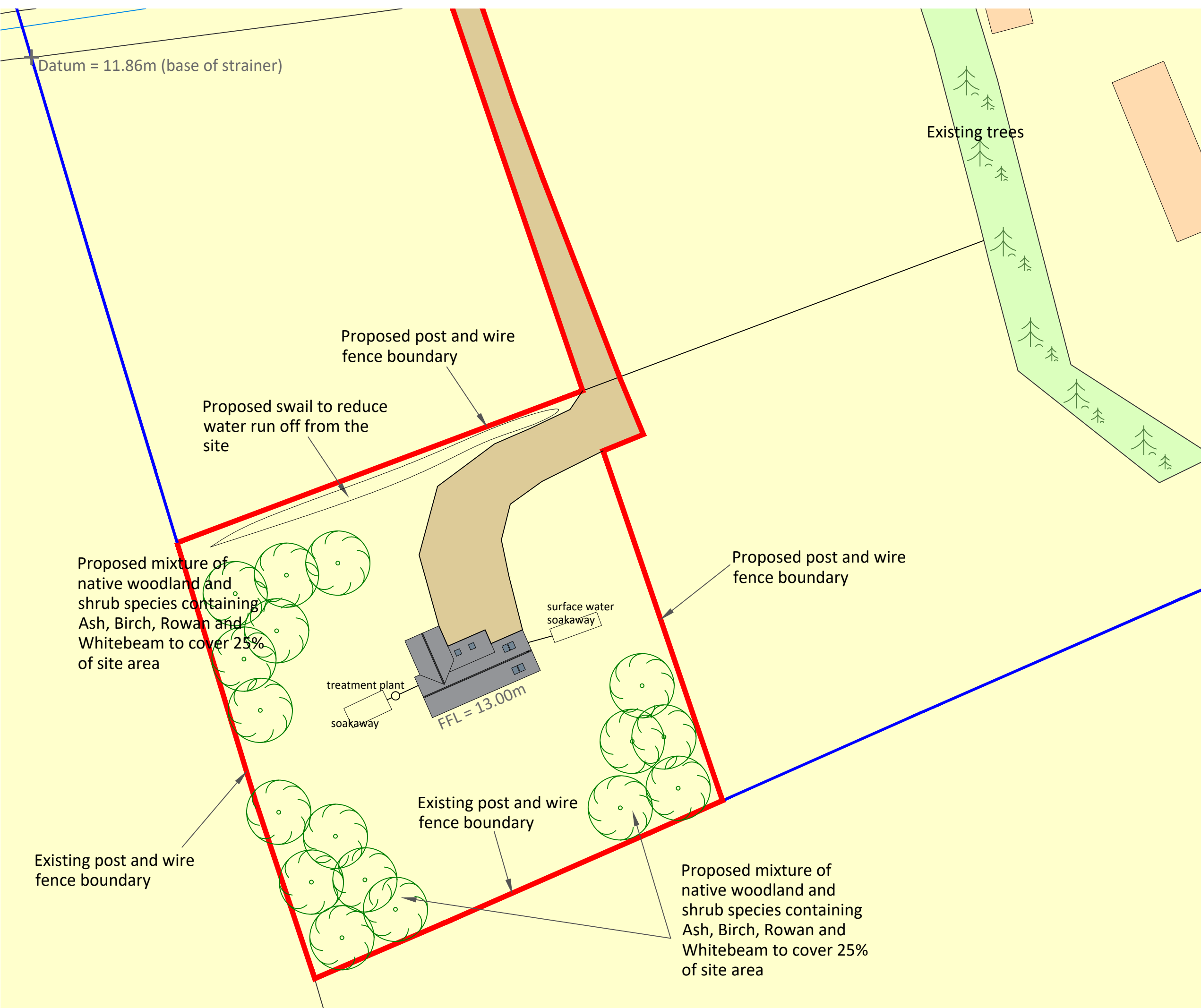
Declaration Date: 21/06/2018

## Payment Details

Cheque: 1, 1

Created: 21/06/2018 09:05





Datum = 11.86m (base of strainer)

Existing trees

Proposed post and wire fence boundary

Proposed swail to reduce water run off from the site

Proposed mixture of native woodland and shrub species containing Ash, Birch, Rowan and Whitebeam to cover 25% of site area

Proposed post and wire fence boundary

surface water soakaway

treatment plant  
soakaway

FFL = 13.00m

Existing post and wire fence boundary

Existing post and wire fence boundary

Proposed mixture of native woodland and shrub species containing Ash, Birch, Rowan and Whitebeam to cover 25% of site area

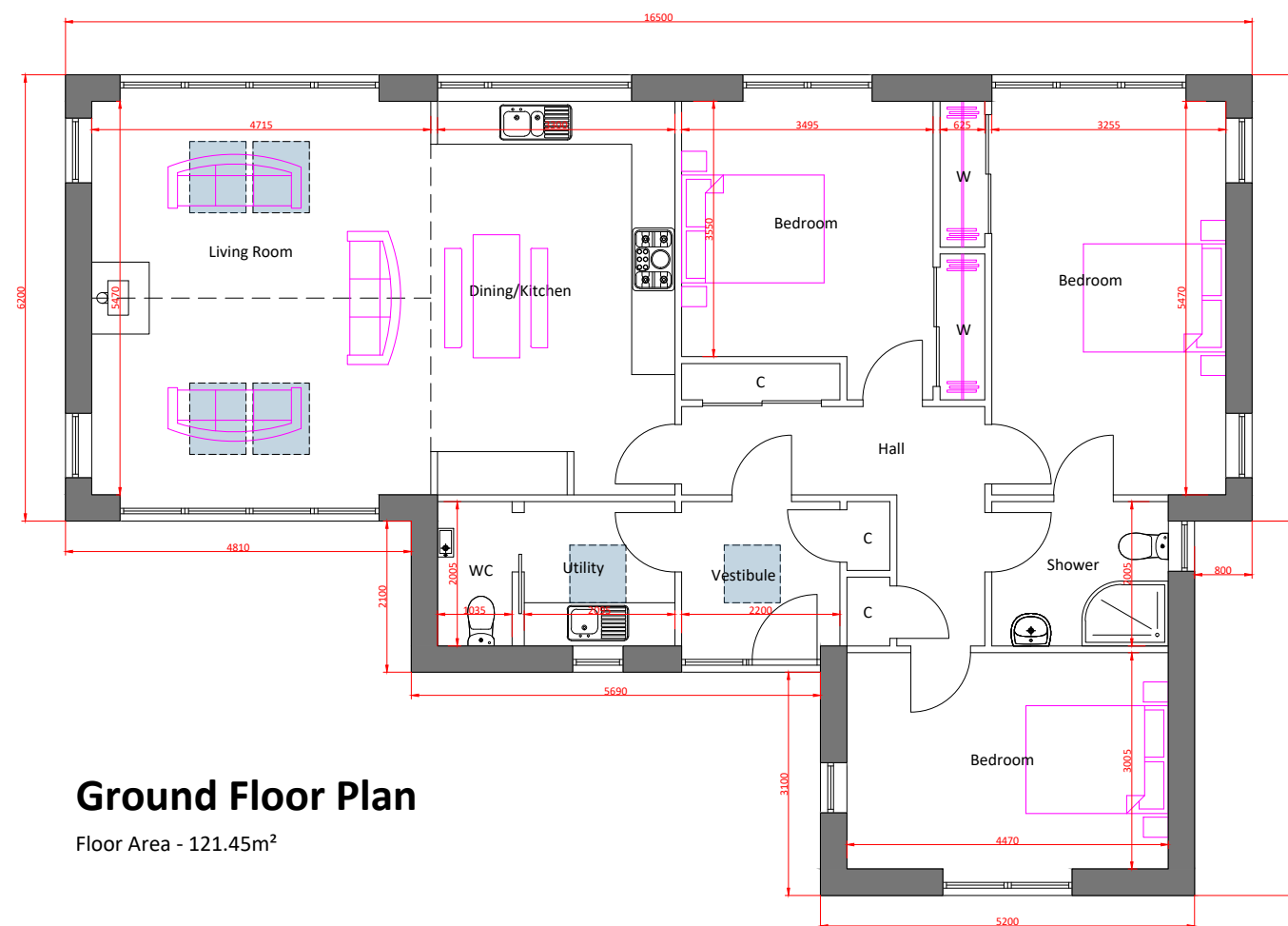
grant and geoghegan

planning, development and architectural consultants

T:01343 556644  
E:enquiries@ggmail.co.uk

Drawing Title	Scale at A3	Date:	Drawing No.
Site Plan	1:500	5.9.18	017/364/03





**Ground Floor Plan**

Floor Area - 121.45m<sup>2</sup>

grant and  
geoghegan

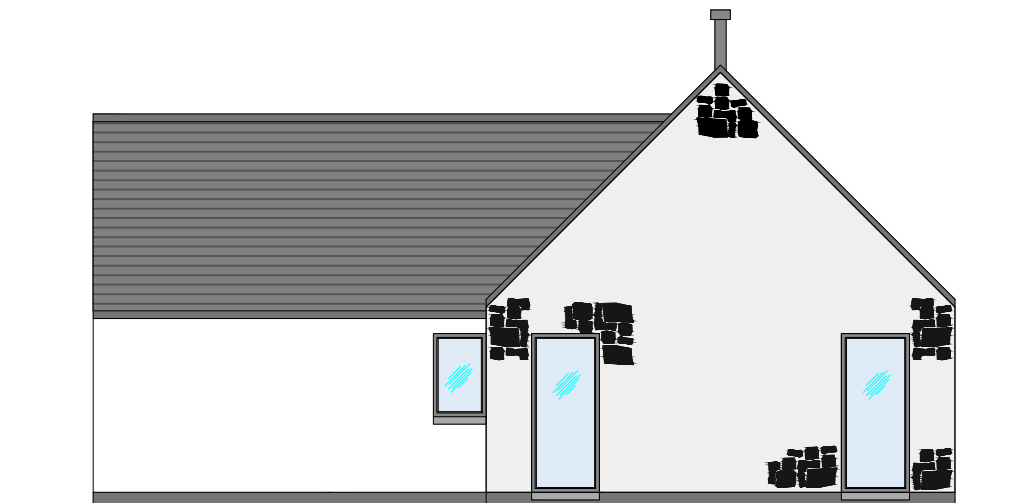
planning, development and  
architectural consultants

T:01343 556644  
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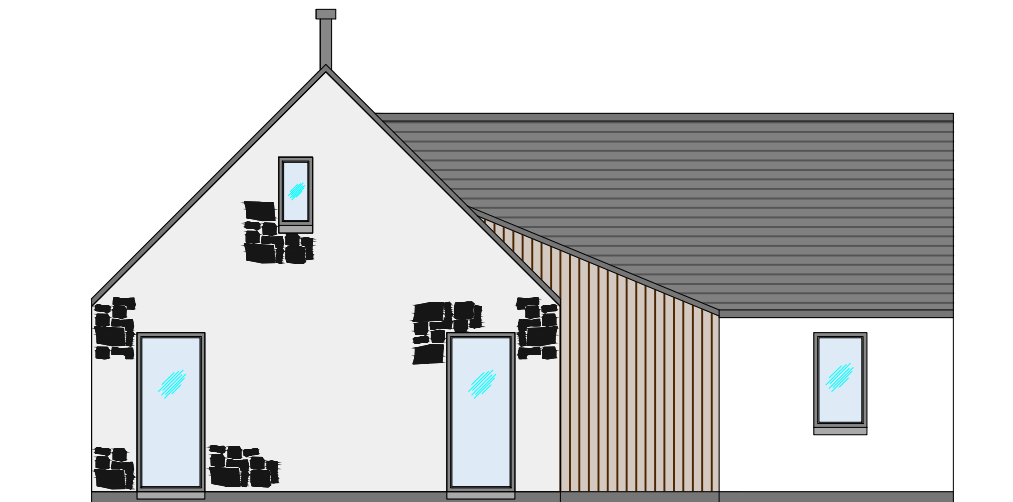
Front Elevation (North)



Side Elevation (West)



Rear Elevation (South)



Side Elevation (East)

**External Finishes**

Walls  
Smooth K-Rend White Render  
Larch Cladding  
Natural Stone

Roof  
Natural Slate

Windows  
Grey UPVC

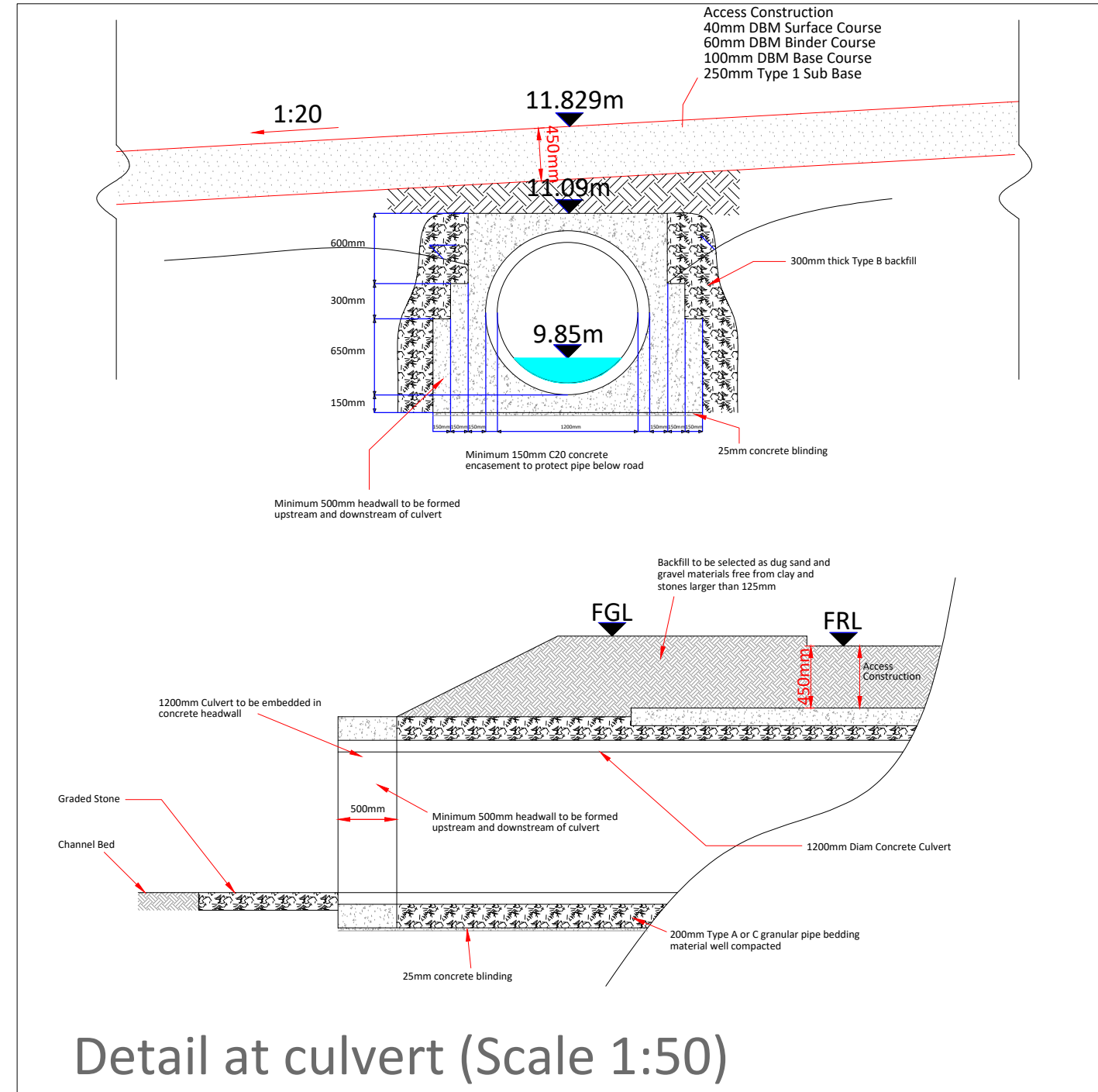
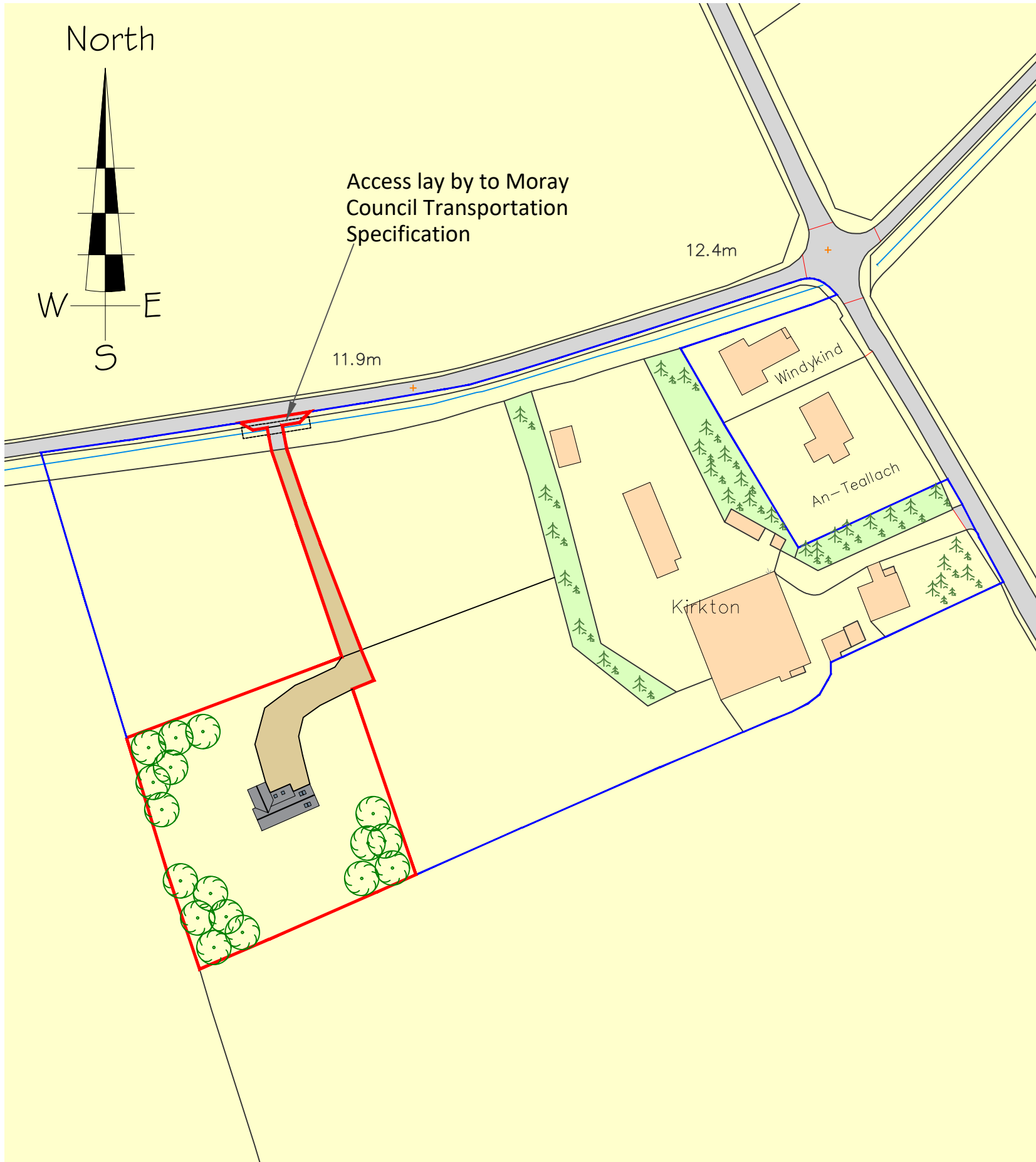
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geoghegan

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architectural consultants

T:01343 556644  
E:enquiries@ggmail.co.uk



# Site at Kirkton, Alves



grant and  
geoghegan

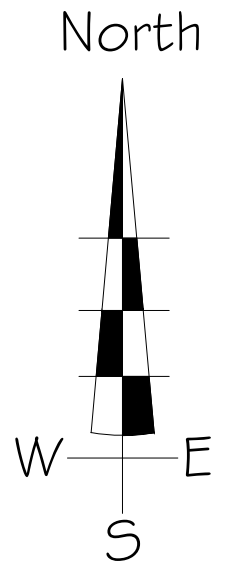
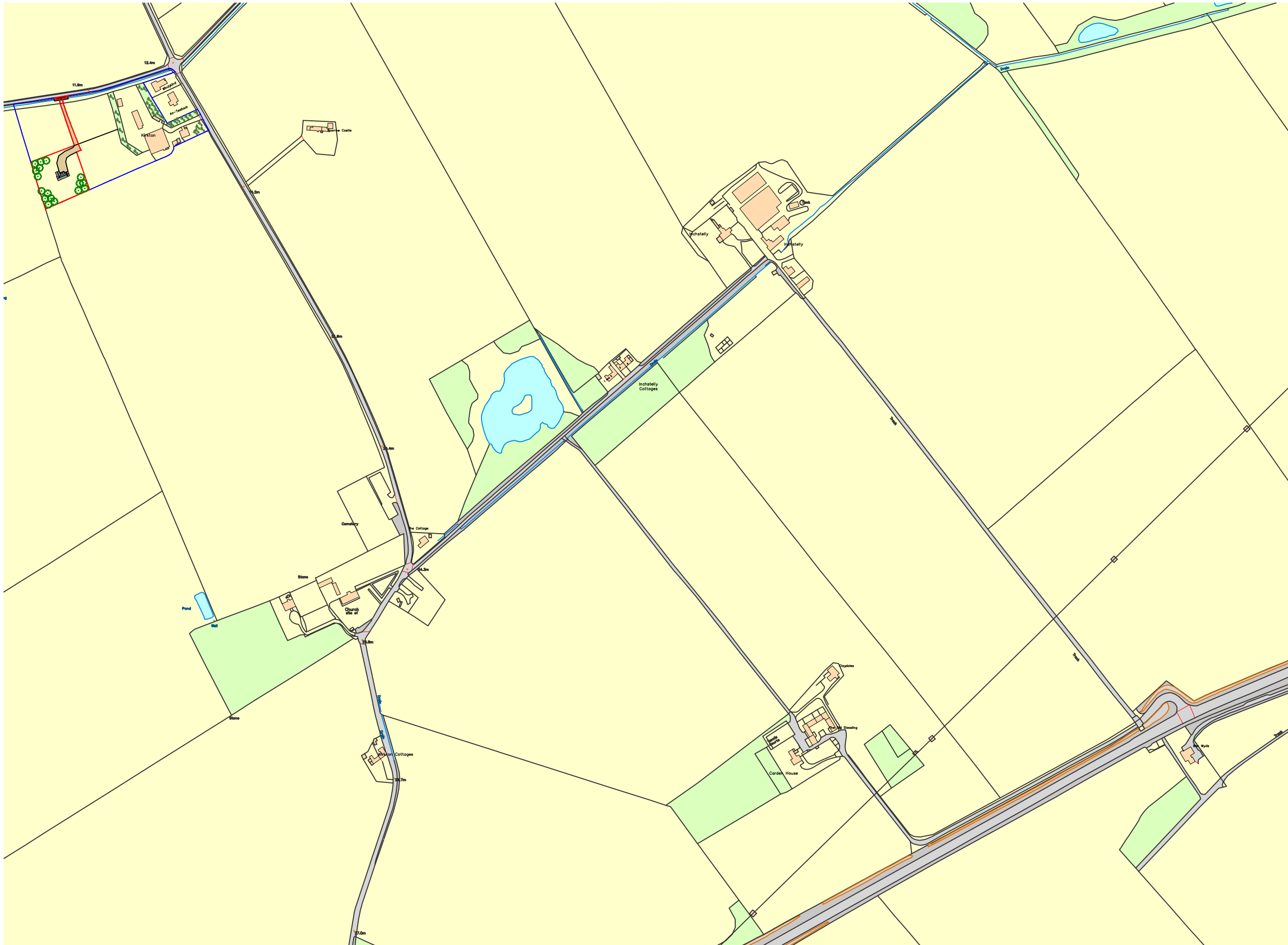
planning, development and  
architectural consultants

T:01343 556644  
E:enquiries@ggmail.co.uk





# Site at Kirkton, Alves



grant and  
geoghegan

planning, development and  
architectural consultants

T:01343 556644  
E:enquiries@ggmail.co.uk

Drawing Title  
Location Plan

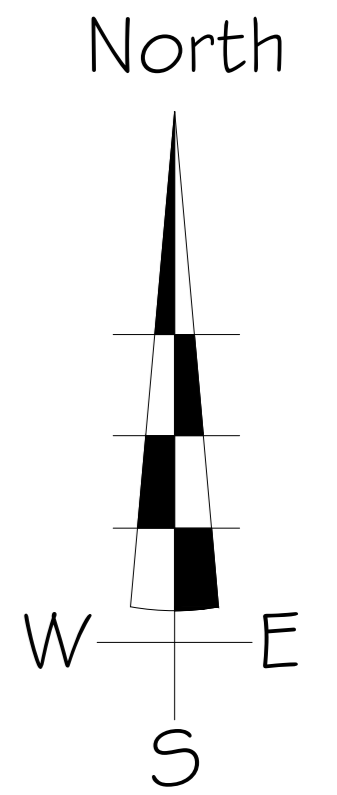
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1:5000

Date:  
June 18

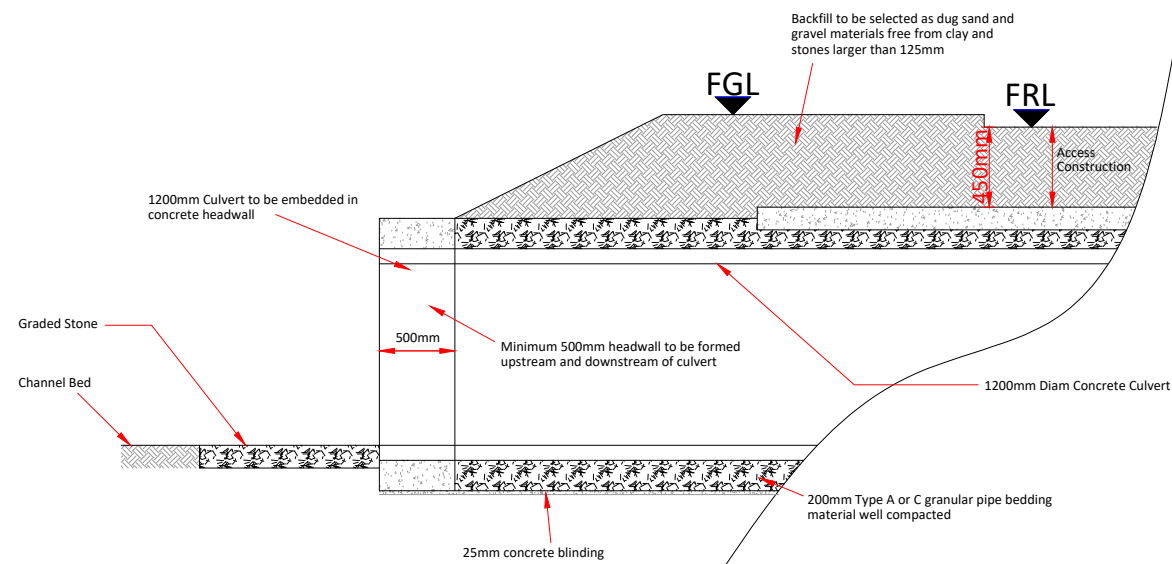
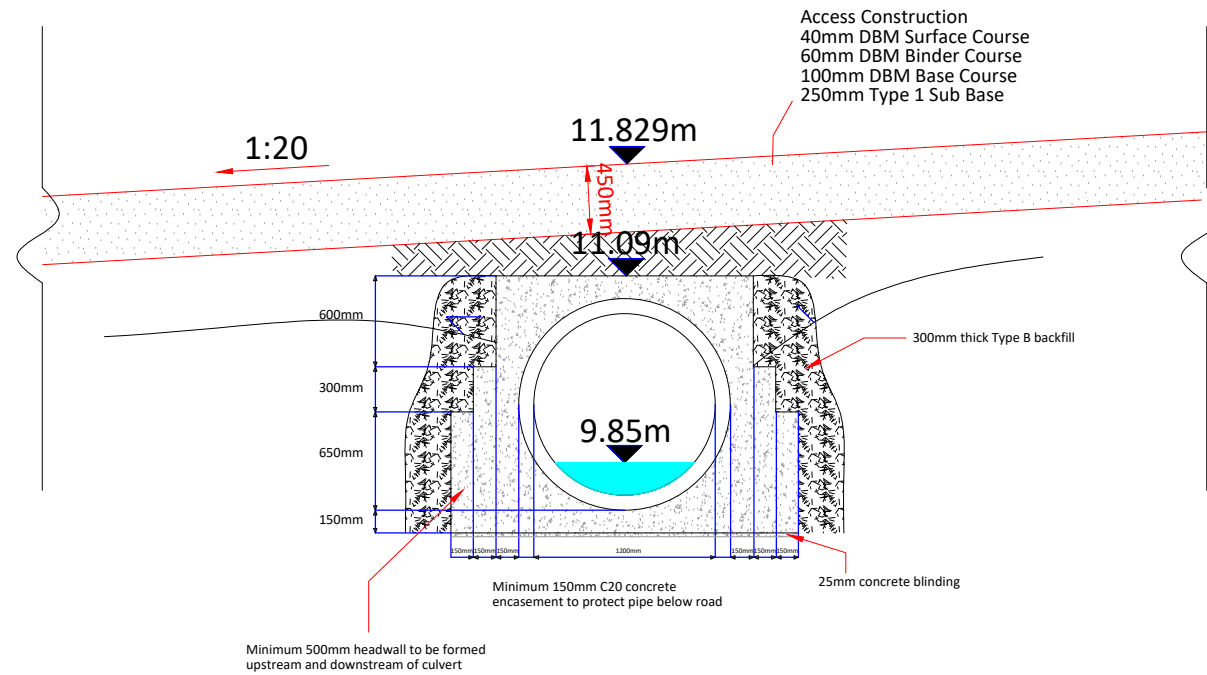
Drawing No.  
017/364/05



# Site at Kirkton, Alves







REV:	DESCRIPTION:	BY:	DATE:
STATUS:			

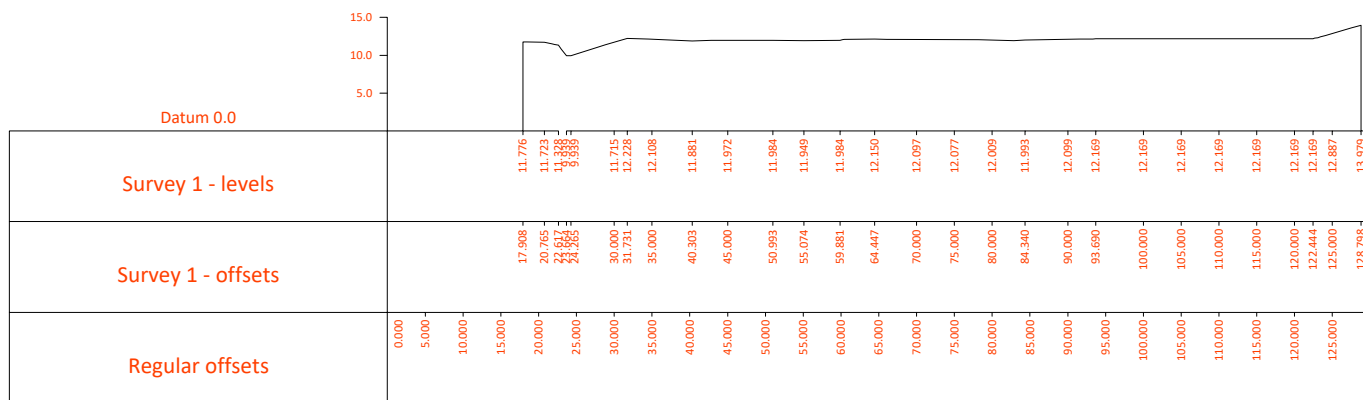
**gmcsurveys**  
 Surveys, Setting Out, Civil Engineering Design  
 T: 07557 431 702  
 E: gmcsurveys@gmail.com

CLIENT:  
 Mr D Frser  
 C/o Grant and Geoghegan  
 4 Westerton Road South  
 Keith

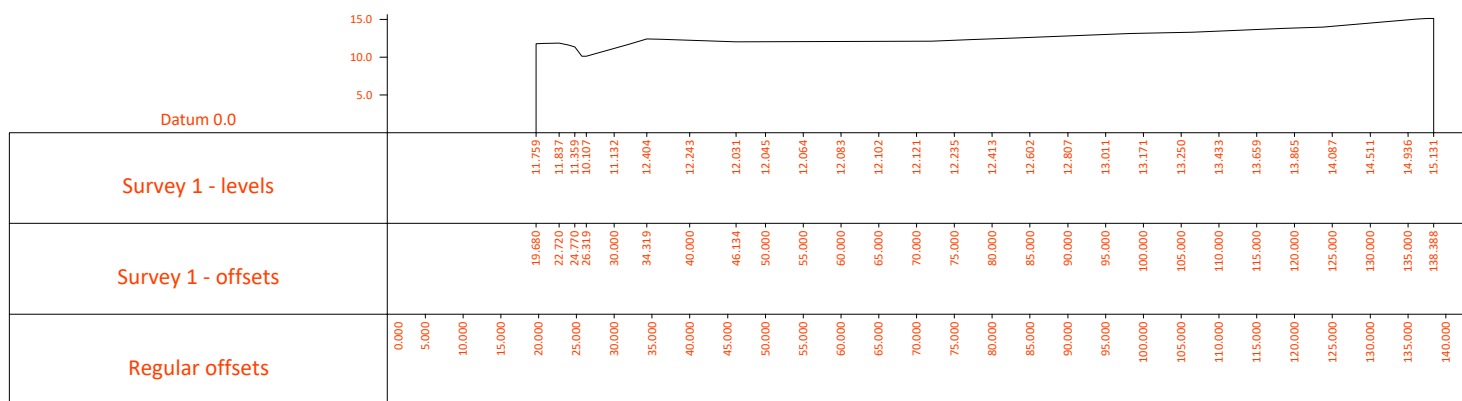
SITE:  
 Kirkton  
 Alves  
 TITLE:  
 Proposed Culvert Details

SCALE AT AS:	DATE:	DRAWN:	CHECKED:
1:50	DEC16	GM	
PROJECT NO:	DRAWING NO:	REVISION:	
KT01	901		

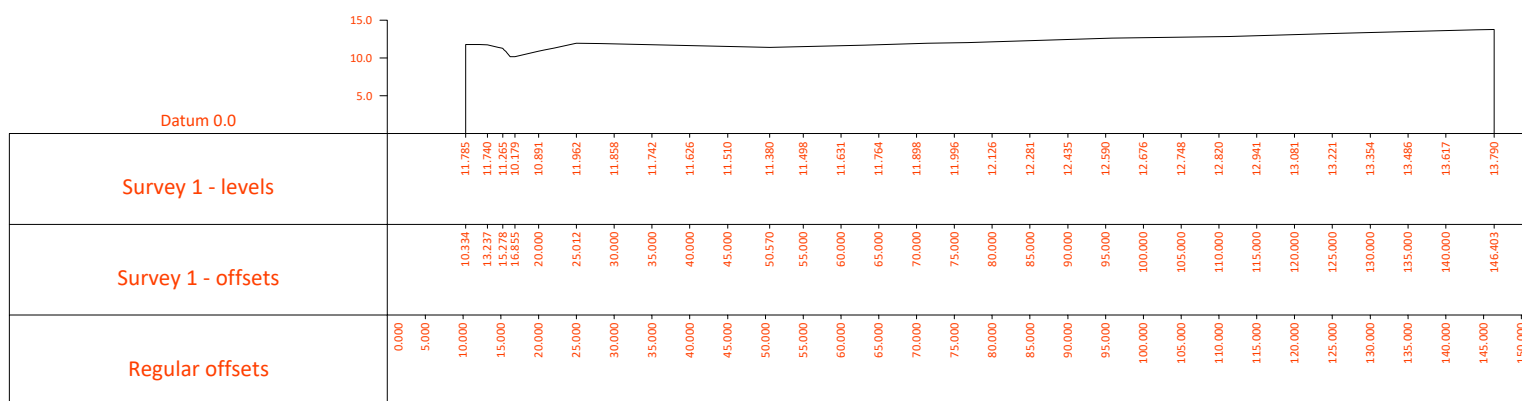




Section A - A Upstream



Section B - B Site



Section A - A Downstream

REV:	DESCRIPTION:	BY:	DATE:
STATUS:			

**gmcsurveys**  
 Surveys, Setting Out, Civil Engineering Design  
 T: 07557 431 702  
 E: gmcsurveys@gmail.com

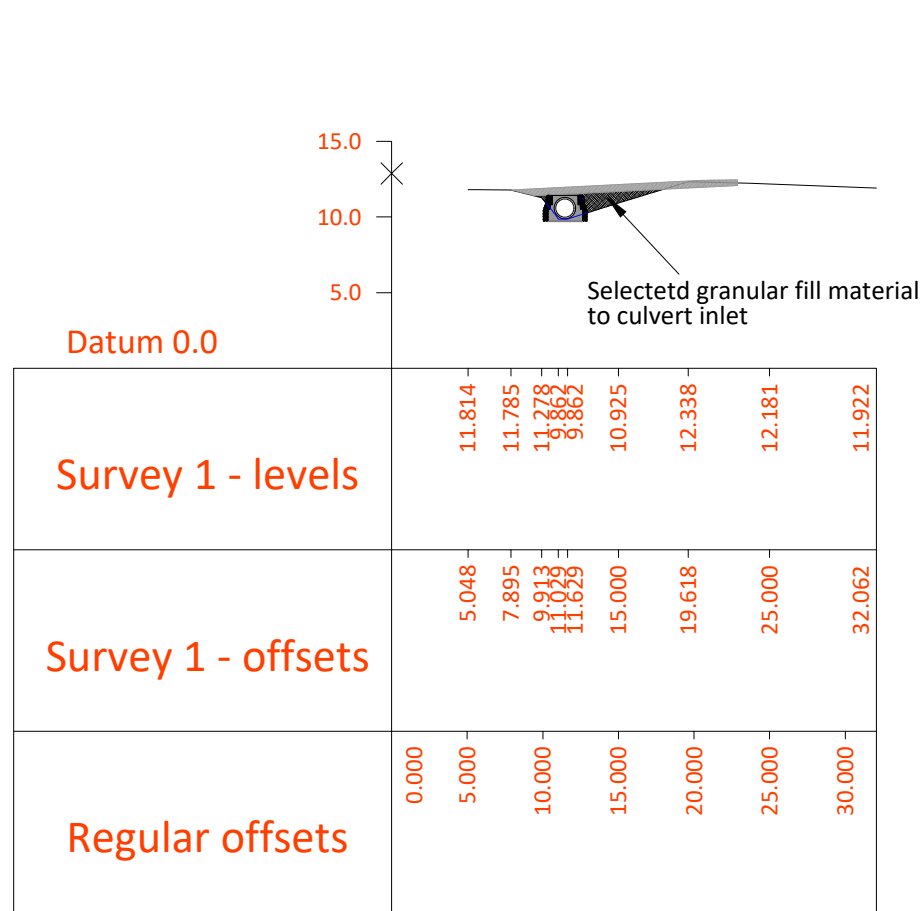
CLIENT:  
 Mr D Frser  
 C/o Grant and Geoghegan  
 4 Westerton Road South  
 Keith

SITE:  
 Kirkton  
 Alves  
 TITLE:  
 Site Sections

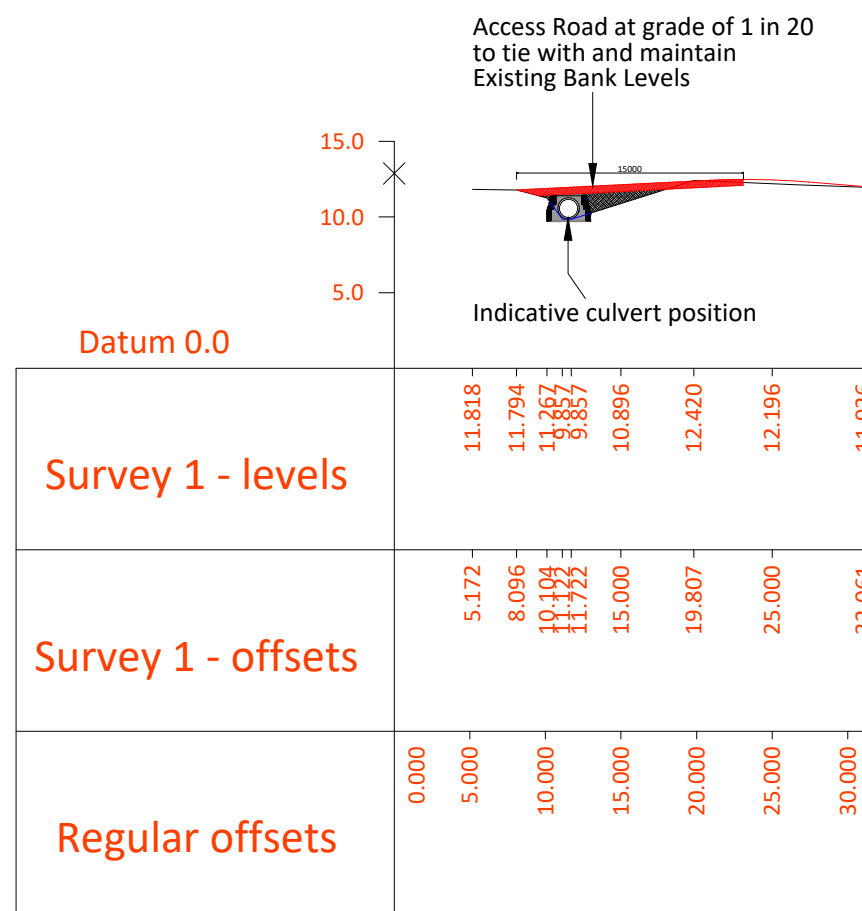
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PROJECT NO: KT01	DRAWING NO: 906	REVISION:	



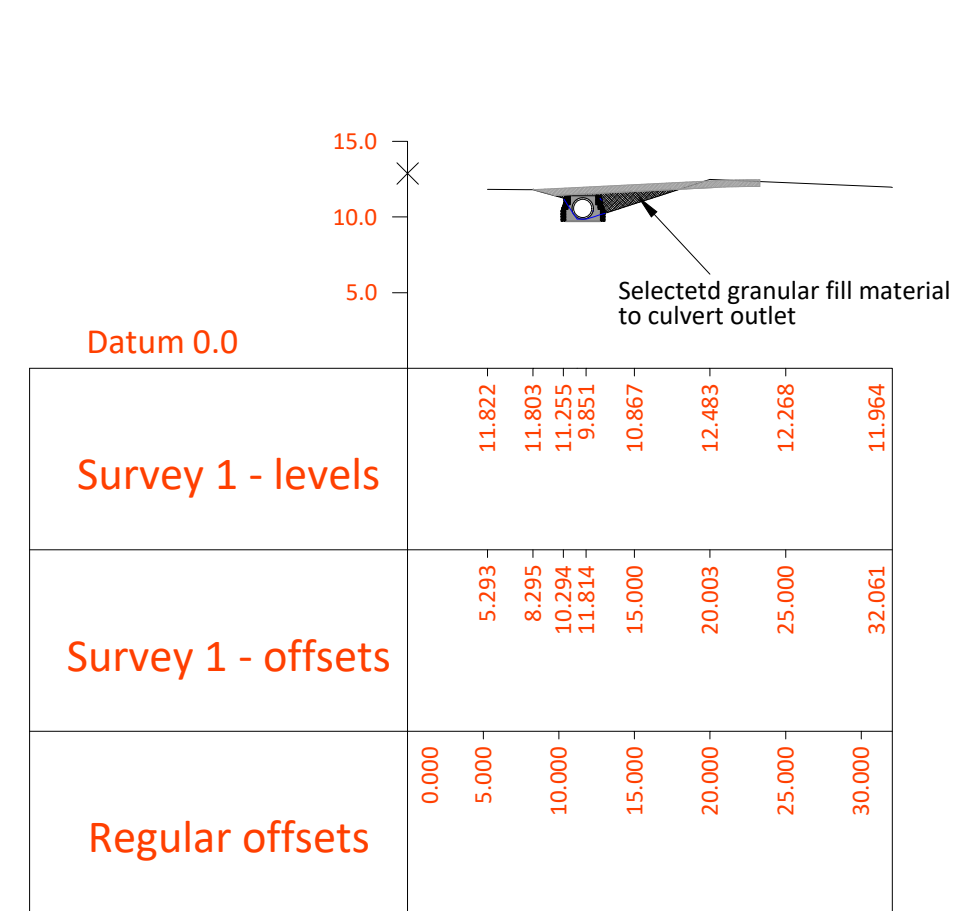




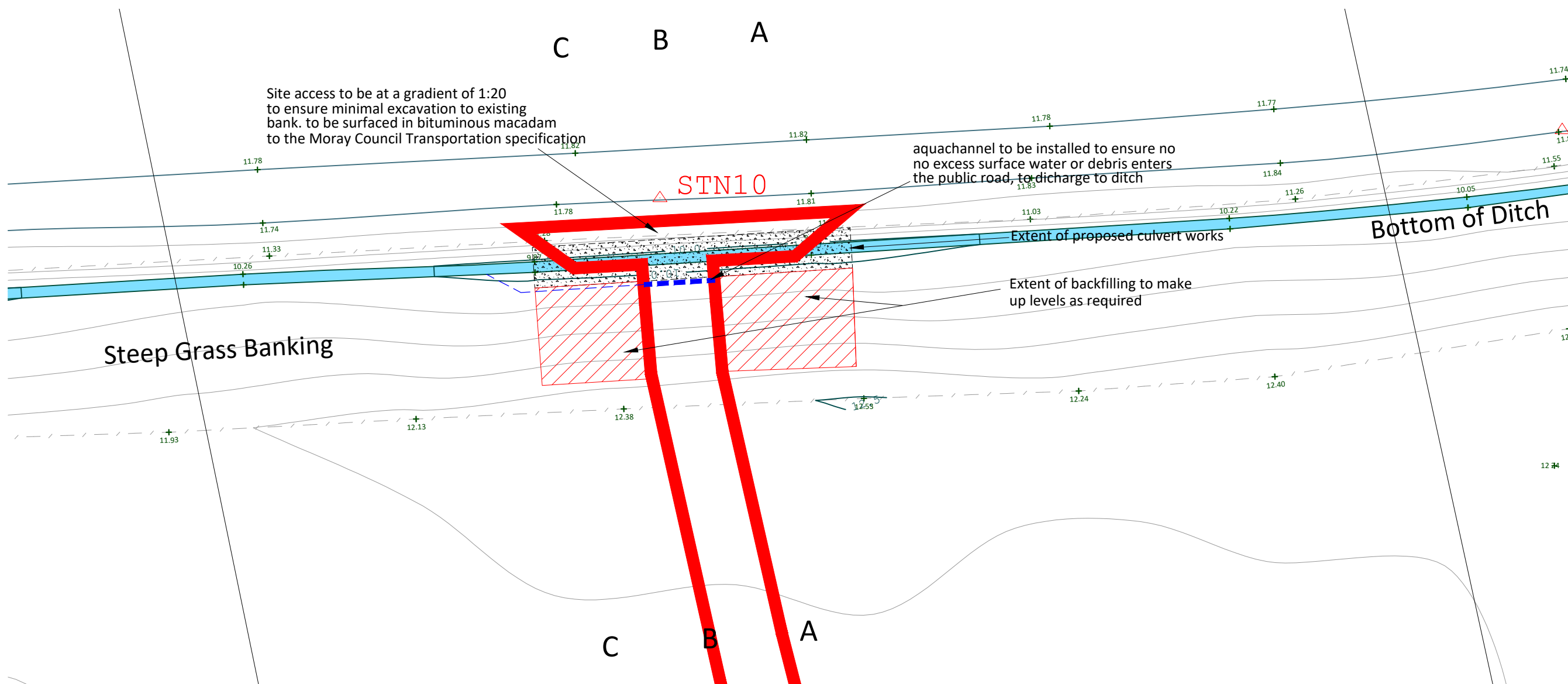
Section A - A



Section B - B



Section C - C



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STATUS:			

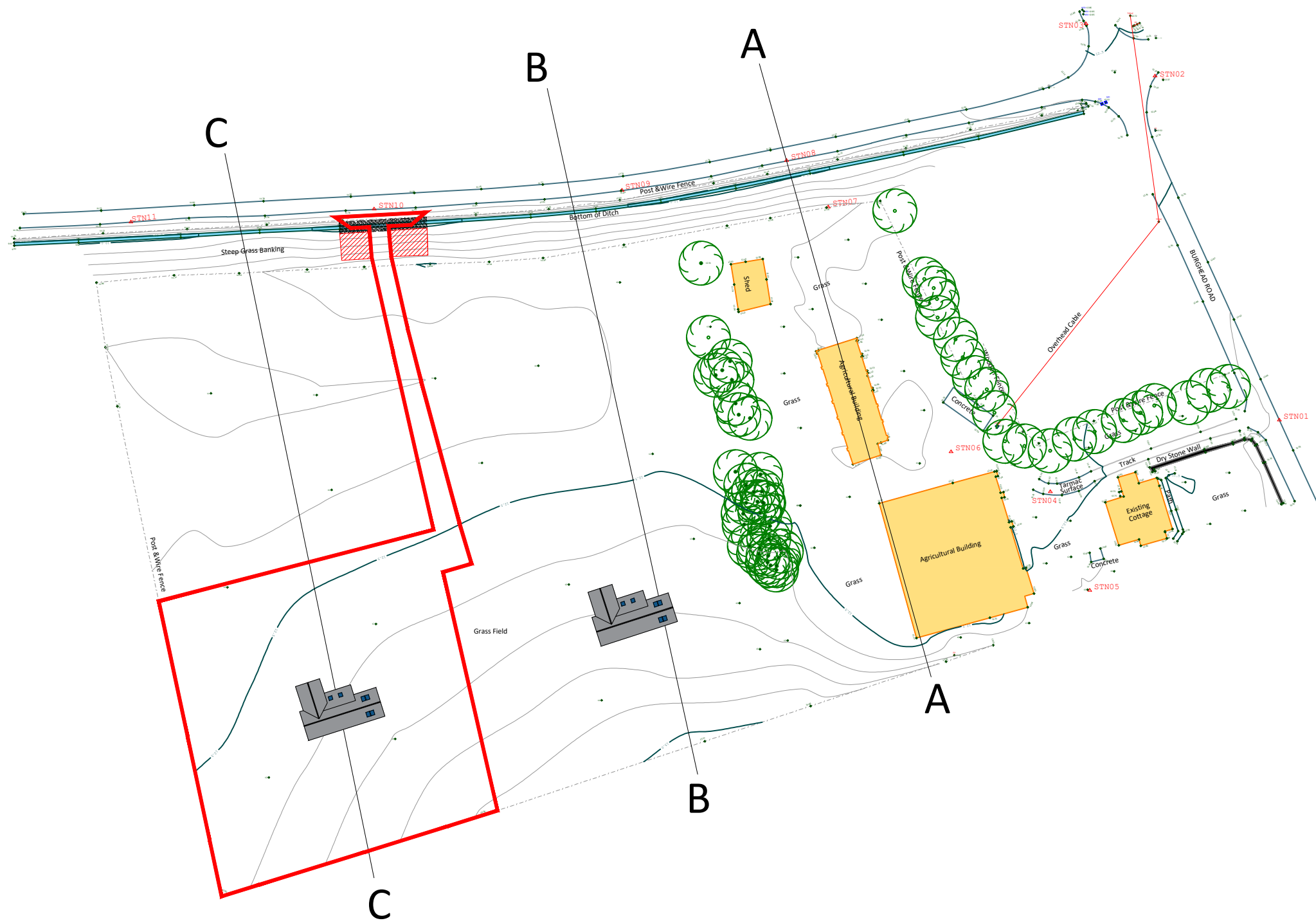
**gmcsurveys**  
 Surveys, Setting Out, Civil Engineering Design  
 T: 07557 431 702  
 E: gmcsurveys@gmail.com

CLIENT:  
 Mr D Frser  
 C/o Grant and Geoghegan  
 4 Westerton Road South  
 Keith

SITE: Kirkton Alves			
TITLE: Access and Culvert Works			
SCALE AT AS: 1:50	DATE: DEC16	DRAWN: GM	CHECKED:
PROJECT NO: KT01	DRAWING NO: 902	REVISION:	



Notes:



REV:	DESCRIPTION:	BY:	DATE:

**gmcsurveys**  
 Surveys, Setting Out, Civil Engineering Design  
 T: 07557 431 702  
 E: gmcsurveys@gmail.com

CLIENT:  
 Mr D Frser  
 C/o Grant and Geoghegan  
 4 Westerton Road South  
 Keith

SITE:  
 Kirkton  
 Alves  
 TITLE:  
 Site Section Location

SCALE AT AS: 1:1000	DATE: DEC17	DRAWN: GM	CHECKED:
PROJECT NO: KT01	DRAWING NO: 905	REVISION:	



Hi Joe

The plan looks acceptable, there are no dimensions shown which is not great but the distance of the surface water soakaway from the building looks sufficient. This will be checked as part of the building control process so I am not concerned. With regard to the foul drainage this is not something we would normally comment on and the developer should contact SEPA about this. As James has already checked the DIA and is happy with it, I do not consider it necessary to go through this again.

Kind regards  
Debbie

**Debbie Halliday BSc MSc CEng MICE | Consultancy Manager | Consultancy**

[deborah.halliday@moray.gov.uk](mailto:deborah.halliday@moray.gov.uk) | [website](#) | [facebook](#) | [twitter](#) | [newsdesk](#)

01343 563770



Working Pattern Monday to Thursday



# Consultee Comments for Planning Application 18/00862/APP

## Application Summary

Application Number: 18/00862/APP

Address: Site At Kirkton Cottage Alves Moray

Proposal: Erect dwellinghouse on

Case Officer: Joe Taylor

## 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

CLO





## Consultation Request Notification

Planning Authority Name	<b>The Moray Council</b>
Response Date	<b>1st August 2018</b>
Planning Authority Reference	<b>18/00862/APP</b>
Nature of Proposal (Description)	<b>Erect dwellinghouse on</b>
Site	<b>Site At Kirkton Cottage Alves Moray</b>
Site Postcode	<b>N/A</b>
Site Gazetteer UPRN	<b>000133071765</b>
Proposal Location Easting	<b>313114</b>
Proposal Location Northing	<b>863526</b>
Area of application site (Ha)	<b>3936 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=PAPNF3BGMBK00">http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&amp;keyVal=PAPNF3BGMBK00</a>
Previous Application	<b>02/01773/PE</b>
Date of Consultation	<b>18th July 2018</b>
Is this a re-consultation of an existing application?	<b>No</b>
Applicant Name	<b>Mr Douglas Fraser</b>
Applicant Organisation Name	
Applicant Address	<b>Per Agent</b>
Agent Name	<b>Grant And Geoghegan Limited</b>
Agent Organisation Name	
Agent Address	<b>Unit 4 Westerton Road Business Centre 4 Westerton Road South Keith AB55 5FH</b>
Agent Phone Number	
Agent Email Address	<b>N/A</b>
Case Officer	<b>Joe Taylor</b>
Case Officer Phone number	<b>01343 563082</b>
Case Officer email address	<b>joe.taylor@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:** Aberdeenshire Council Archaeology Service

**Planning Application Ref. No:** 18/00862/APP

**Erect dwellinghouse on Site At Kirkton Cottage Alves Moray for Mr Douglas Fraser**

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**

None

#### **Condition(s)**

The proposed development site lies partly within the archaeology site NJ16SW0050, an area of cropmarks indicating likely prehistoric activity, and in close proximity to the archaeology site NJ16SW0051, another area of cropmarks indicating probable settlement activity (again, likely prehistoric in date).

I would ask that the following condition is applied should the application be minded for approval due to the potential for previously unrecorded archaeology to survive in this area:

#### ***Programme of archaeological works***

*No works in connection with the development hereby approved shall commence unless an archaeological written scheme of investigation (WSI) has been submitted to and approved in writing by the planning authority and a programme of archaeological works has been carried out in accordance with the approved WSI. The WSI shall include details of how the recording and recovery of archaeological resources found within the application site shall be undertaken, and how any updates, if required, to the written scheme of investigation will be provided throughout the implementation of the programme of archaeological works. Should the archaeological works reveal the need for post excavation analysis the development hereby approved shall not be occupied unless a post-excavation research design (PERD) for the analysis, publication and dissemination of results and archive deposition has been submitted to and approved in writing by the planning authority. The PERD shall be carried out in complete accordance with the approved details.*

**Reason: To safeguard and record the archaeological potential of the area.**

This should be undertaken as an archaeological watching brief over **all** groundbreaking works, including (but not limited to) the footprint of the building, access track, services etc.

I would also ask that the following are added as informatives to the decision notice should the application be minded for approval:

**Works by archaeological organisation**

*Any archaeological survey, watching brief or archaeological works required by a condition attached to this planning permission must be undertaken by a suitably qualified archaeological organisation.*

**Development Brief**

*A written specification prepared by the Aberdeenshire Council Archaeology Service for the applicant outlining the nature of the specific archaeological work required under the archaeological planning condition, and which includes information on the archaeological background of the development site. This document can be used by the applicant in the tendering process, and should be used by the appointed Chartered Institute for Archaeologists (CIfA) member archaeological contractor to inform the Written Scheme of Investigation.*

**Written Scheme of Investigation (WSI)**

*A written specification produced by the appointed Chartered Institute for Archaeologists (CIfA) member archaeological contractor on behalf of the applicant which outlines in detail the proposed scheme of archaeological investigation. It should detail what archaeological works will be carried out and how; how any encountered archaeological remains will be dealt with; how any updates to the WSI will be provided; the reporting process; and the potential for post-excavation requirement. The WSI must be submitted to the planning authority for approval before being implemented. The contents of the WSI must conform to the relevant national and CIfA standards and guidance.*

**Post-Excavation Research Design (PERD)**

*A written specification for the post-excavation analysis of artefacts and samples recovery during the excavation phase or archaeological works, prepared by the appointed Chartered Institute for Archaeologists (CIfA) member archaeological contractor on behalf of the applicant. This should include a project design for the post-excavation work, a costed assessment for this work, and costed proposals for the publication of results. The PERD must be submitted to the planning authority for approval. Once the PERD has been agreed, written confirmation must be provided to the planning authority demonstrating that an agreement is in place between the applicant and the appointed CIfA member archaeological contractor, committing the applicant to fund the post-excavation work and for said work to be completed by an agreed date.*

**Securing post excavation research design**

*When any post excavation research design is required through the implementation of a programme of archaeological works, the analysis, publication and dissemination of results*

*and archive deposition requires to be agreed and secured between the developer of the site and the archaeological contractor undertaking the archaeological works on the site before it will be agreed in writing by the planning authority.*

**Further comment(s) to be passed to applicant**

**Further information required to consider the application**

**Contact: Claire Herbert**  
**email address:**  
[archaeology@aberdeenshire.gov.uk](mailto:archaeology@aberdeenshire.gov.uk)  
**Consultee: Archaeology service**

**Date...20/07/2018.....**  
**Phone No ...01467 537717**

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



## Consultation Request Notification

Planning Authority Name	<b>The Moray Council</b>
Response Date	<b>1st August 2018</b>
Planning Authority Reference	<b>18/00862/APP</b>
Nature of Proposal (Description)	<b>Erect dwellinghouse on</b>
Site	<b>Site At Kirkton Cottage Alves Moray</b>
Site Postcode	<b>N/A</b>
Site Gazetteer UPRN	<b>000133071765</b>
Proposal Location Easting	<b>313114</b>
Proposal Location Northing	<b>863526</b>
Area of application site (Ha)	<b>3936 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=PAPNF3BGMBK00">http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&amp;keyVal=PAPNF3BGMBK00</a>
Previous Application	<b>02/01773/PE</b>
Date of Consultation	<b>18th July 2018</b>
Is this a re-consultation of an existing application?	<b>No</b>
Applicant Name	<b>Mr Douglas Fraser</b>
Applicant Organisation Name	
Applicant Address	<b>Per Agent</b>
Agent Name	<b>Grant And Geoghegan Limited</b>
Agent Organisation Name	
Agent Address	<b>Unit 4 Westerton Road Business Centre 4 Westerton Road South Keith AB55 5FH</b>
Agent Phone Number	
Agent Email Address	<b>N/A</b>
Case Officer	<b>Joe Taylor</b>
Case Officer Phone number	<b>01343 563082</b>
Case Officer email address	<b>joe.taylor@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: 18/00862/APP**

**Erect dwellinghouse on Site At Kirkton Cottage Alves Moray for Mr Douglas Fraser**

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"/>             |

### Condition(s)

1. No development shall commence until:

- i) a detailed drawing (scale 1:500 or 1:1000 which shall also include details to demonstrate control of the land) showing the visibility splay 2.4 metres by 215 metres to the west, and 2.4 metres by 148 metres to the east (to the C5E/C25E junction), and a schedule of maintenance for the splay area has been submitted to and approved by the Council, as Planning Authority in consultation with the Roads Authority; and
- ii) thereafter 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 through the provision of details currently lacking.

2. No development shall commence until a detailed drawing (scale 1:500) showing the location and design of a passing place on the section of the C5E East Grange – Spindle Muir Road (to the Moray Council standards and specification), has been submitted to and approved in writing by the Council, as Planning Authority in consultation with the Roads Authority; and 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.

3. No development works associated with the dwellinghouse shall commence until the access onto the public road and associated culvert is completed in accordance with submitted drawings KT01/902 and 017/364/04.

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

4. Notwithstanding the submitted details prior to the occupation of the dwellinghouse, the first 10m of the access track, measured from the edge of the public carriageway, shall be constructed to the Moray Council specification and surfaced with bituminous macadam. The width of the vehicular access shall be minimum 3.0 metres for the first 5.0 metres measured from the edge of the public carriageway, and have a maximum gradient of 1:20 measured for the first 5.0m from the edge of the public carriageway.

Reason: To ensure acceptable infrastructure at the development access.

5. Prior to the occupation of the dwellinghouse an access lay-by 8.0m long by 2.5m wide with 30 degrees splayed ends shall be provided at the edge of the public road to allow visiting service vehicles to park clear of the public road. The vehicular access should lead off the lay-by. The lay-by must be constructed in accordance with The Moray Council specification and surfaced with bituminous macadam.

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

6. No water shall be permitted to drain or loose material be carried onto the public footway/carriageway.

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.

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

Reason: To ensure the permanent availability of the level of parking necessary for residents/visitors/others in the interests of an acceptable development and road safety.

8. 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.

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 56 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.

No retaining structures or embankments shall be constructed along the edge of the road, whether retaining the public road or ground adjoining the public road without prior consultation and agreement of the Roads Authority.

**Contact:LL  
email  
address:transport.develop@moray.gov.uk  
Consultee: Transportation**

**Date 30.07.18**

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



# Consultee Comments for Planning Application 18/00862/APP

## Application Summary

Application Number: 18/00862/APP

Address: Site At Kirkton Cottage Alves Moray

Proposal: Erect dwellinghouse on

Case Officer: Joe Taylor

## Consultee Details

Name: Mr EH Consultations

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

Email: ehplanning.consultations@moray.gov.uk

On Behalf Of: Environmental Health C12

## Comments

Approved unconditionally.

Russell Anderson

EHO



19<sup>th</sup> July 2018

Moray Council  
Council Office High Street  
Elgin  
IV30 9BX



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

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

Dear Local Planner

**IV30 Alves Kirkton Cottage Site At  
PLANNING APPLICATION NUMBER: 18/00862/APP  
OUR REFERENCE: 763964  
PROPOSAL: Erect dwellinghouse**

**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**

- This proposed development will be fed from Glenlatterach Water Treatment Works. Unfortunately, Scottish Water is unable to confirm capacity at this time so to allow us to fully appraise the proposals we suggest that the applicant completes a Pre-Development Enquiry (PDE) Form and submits it directly to Scottish Water. The applicant can download a copy of our PDE Application Form, and other useful guides, from Scottish Water's website at the following link  
[www.scottishwater.co.uk/business/connections/connecting-your-property/new-development-process-and-applications-forms/pre-development-application](http://www.scottishwater.co.uk/business/connections/connecting-your-property/new-development-process-and-applications-forms/pre-development-application)

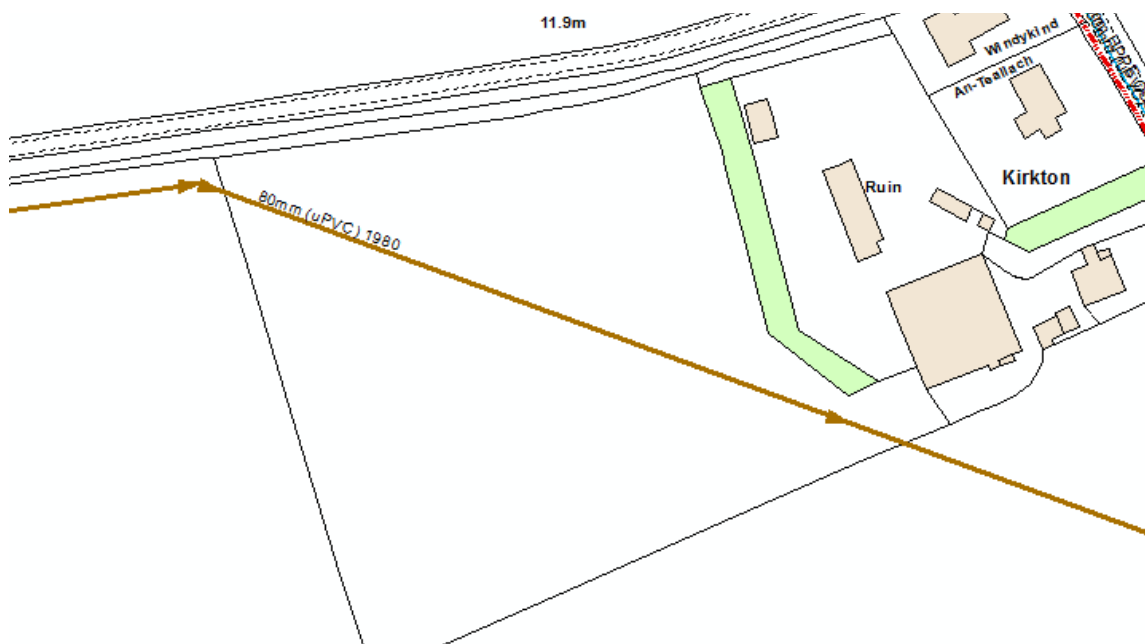
#### **Foul**

- 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.

### Infrastructure within boundary

According to our records, the development proposals may impact on existing Scottish Water assets.



The applicant should identify any potential conflicts with Scottish Water assets. I can confirm that I have made our Asset Impact Team aware of this proposed development however the applicant will be required to contact them directly at [service.relocation@scottishwater.co.uk](mailto:service.relocation@scottishwater.co.uk).

The applicant should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction.

### Surface Water

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

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



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

**General notes:**

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

**Site Investigation Services (UK) Ltd**

**Tel: 0333 123 1223**

**Email: [sw@sisplan.co.uk](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 laundrettes. 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



Our ref: PCS/160290  
Your ref: 18/00862/APP

If telephoning ask for:  
Jessica Fraser

27 July 2018

Joe Taylor  
The Moray Council  
Development Services  
Environmental Services Dept.  
Council Office, High Street  
Elgin  
IV30 1BX

By email only to: [consultation.planning@moray.gov.uk](mailto:consultation.planning@moray.gov.uk)

Dear Mr Taylor

**Town and Country Planning (Scotland) Acts**  
**Planning application: 18/00862/APP**  
**Erect dwellinghouse on**  
**Site At Kirkton Cottage Alves Moray**

Thank you for your consultation email which SEPA received on 18 July 2018 specifically requesting our advice on flood risk. We note that we responded to an application on the adjacent site (your ref: 17/01578/APP) within our letters referenced PCS/156346 (7 December 2017) and PCS/156887 (22 January 2018).

We have **no objection** to the proposed development on fluvial flood risk grounds. Notwithstanding this we would expect Moray Council to undertake their responsibilities as the Flood Risk Management Authority. Please note the advice provided below.

**1. Flood risk**

- 1.1 The application site lies adjacent to the medium likelihood (0.5% annual probability or 1 in 200 year) flood extent of the SEPA Flood Maps and may therefore be at medium to high risk of flooding. ((For background information please note that the [SEPA Flood Maps](#) have been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km<sup>2</sup> using a Digital Terrain Model (DTM) to define river corridors and low-lying coastal land. The maps are indicative and designed to be used as a strategic tool to assess flood risk at the community level and to support planning policy and flood risk management in Scotland).
- 1.2 We recently provided comments on an application for the neighbouring site (PCS/156887) where, following the submission of additional topographic information and a culvert assessment, we were able to remove our objection. It appears that much of the same

information has been provided in support of this application. We are not aware of any new flood risk information that would suggest that the risk to the site has changed, or that the information previously submitted is no longer appropriate.

- 1.3 The sections show that the site is at a higher elevation than the banks of the small water course, and that the opposite bank is lower. Therefore any out of bank flow is likely to preferentially flow away from the site first. Based on the information provided, we have **no objection** on fluvial flood risk grounds.
- 1.4 As we stated in our response for the neighbouring application, we understand that the existing Moray Council road culvert upstream of the site is under capacity and this may indirectly benefit the site if it has the effect of holding back water upstream. Some details of the proposed culvert have been provided, however it is not clear what the capacity of the culvert is. If the existing upstream culvert is under capacity, then it is likely that the flow in the channel would be limited. We note the condition applied to the neighbouring site regarding the access crossing, and would advise that the culvert assessment is used to inform the design and capacity of the new access culvert for the site.

## **2. Other planning matters**

- 2.1 For all other matters we provide [standing advice](#) applicable to this type of local development.

## **3. Regulatory advice for the applicant**

- 3.1 Authorisation is required under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR) to carry out engineering works in or in the vicinity of inland surface waters (other than groundwater) or wetlands. Inland water means all standing or flowing water on the surface of the land (e.g. rivers, lochs, canals, reservoirs). There are three levels of authorisation: General Binding Rules, registration and licences. The applicant should ensure that the correct authorisation is in place prior to works taking place.
- 3.2 As well as being designed to ensure no impacts on flood risk, the culvert should follow good practice as set out in [River crossings guidance](#). For example, the invert should be sunk below the bed of the watercourse to allow for bed continuity.
- 3.3 Discharges to ground or the water environment also require authorisation from SEPA under CAR.
- 3.4 A Controlled Activities Regulations (CAR) construction site licence will be required for management of surface water run-off from a construction site, including access tracks, which:
  - is more than 4 hectares,
  - is in excess of 5km, or
  - includes an area of more than 1 hectare or length of more than 500m on ground with a slope in excess of 25°

See SEPA's [Sector Specific Guidance: Construction Sites \(WAT-SG-75\)](#) for details. Site design may be affected by pollution prevention requirements and hence we strongly encourage the applicant to engage in pre-CAR application discussions with a member of the regulatory services team in your local SEPA office.

- 3.5 Below these thresholds you will need to comply with [CAR General Binding Rule 10](#) which requires, amongst other things, that all reasonable steps must be taken to ensure that the discharge does not result in pollution of the water environment.
- 3.6 Details of regulatory requirements and good practice advice for the applicant can be found on the [Regulations section](#) of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory services team in your local SEPA office at: 28 Perimeter Road, Pinefield, Elgin IV30 6AF Tel: 01343 547663.

If you have any queries relating to this letter, please contact me by telephone on 01224 266698 or e-mail at [planning.aberdeen@sepa.org.uk](mailto:planning.aberdeen@sepa.org.uk).

Yours sincerely

Jessica Fraser  
Planning Officer  
Planning Service

ECopy to: [neil@ggmail.co.uk](mailto:neil@ggmail.co.uk) and [joe.taylor@moray.gov.uk](mailto:joe.taylor@moray.gov.uk)

*Disclaimer*

*This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at this time. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning or similar application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application or similar application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue. For planning applications, if you did not specifically request advice on flood risk, then advice will not have been provided on this issue. Further information on our consultation arrangements generally can be found on our [website planning pages](#).*





**From:** DeveloperObligations  
**Sent:** 30 Jul 2018 08:53:14 +0100  
**To:** Joe Taylor  
**Cc:** DC-General Enquiries  
**Subject:** 18/00862/APP Erect dwellinghouse on Site at Kirkton Cottage, Alves  
**Attachments:** 18-00862-APP Erect dwellinghouse on Site at Kirkton Cottage, Alves.pdf

Hi

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

Regards  
Hilda

Find us on   
[Moray Council Planning](#)

**Hilda Puskas**  
Developer Obligations Officer  
Development Plans  
[hilda.puskas@moray.gov.uk](mailto:hilda.puskas@moray.gov.uk)  
01343 563265

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

# Developer Obligations: ASSESSMENT REPORT



**MORAY**  
council

**Date:** 30/07/2018

**Reference:** 18/00862/APP

**Description:** Erect dwellinghouse on Site at Kirkton Cottage, Alves

**Applicant:** Mr Douglas Fraser

**Agent:** Grant and Geoghegan 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 1 March 2018.

The LDP and SG can be found at [http://www.moray.gov.uk/moray\\_standard/page\\_100443.html](http://www.moray.gov.uk/moray_standard/page_100443.html)

## Summary of Obligations

Primary Education	Nil
Secondary Education	Nil
Transport	Nil
Healthcare ( <i>Contribution towards extension at Forres Health Centre, 2 Additional Dental Chairs and reconfiguration to existing Pharmacy outlets</i> )	██████████
Sports and Recreation ( <i>Contribution towards 3G pitch in Forres</i> )	██████████
<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:

3 bed = 1 SRUE

This assessment is therefore based on 1 SRUE.

### Developer Obligations Discount for Small Scale Development

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



# INFRASTRUCTURE

## Education

### Primary Education

Pupils generated by this development are zoned to Alves Primary School. The school is currently operating at 64% 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 Alves are zoned to Forres Academy. The school is currently operating at 72% capacity and the additional pupil as a result of this development can be accommodated. As a result, no mitigation is necessary.

**Contribution towards Secondary Education = Nil**

## Transport

The Moray Council Transportation Services has confirmed that no developer obligations will be sought for this proposal.

**Contributions towards Transport = Nil**

## Healthcare

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

General Practitioner (GP) and floorspace requirement per GP is 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 2.17 persons -Census 2011).

Forres Health Centre is the nearest GP Practice within which healthcare facilities can be accessed by the proposed development. NHS Grampian has confirmed that Forres Health Centre is working at design capacity and existing space will be required to be extended and that 2 Additional Dental Chairs and Reconfiguration to Existing Pharmacy Outlets will be required.

Contributions are calculated based on a proportional contribution of [REDACTED] per SRUE for the health centre and additional dental chairs each and [REDACTED] per SRUE for the pharmacy.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**Contribution towards Healthcare= [REDACTED]**

## Sports and Recreational Facilities

*Sports and Recreation Facilities*



The nearest sports and recreational facilities that serve this development are located in Forres. The Moray Local Development Plan 2015 identifies a requirement for new developments to contribute towards additional capacity of sports and recreational facilities. As set out in the Review of Sport, Leisure and Recreational Provision in Moray (April 2014), current pitch provision in Forres falls below national standards in terms of both quantity and quality. The Review set out the preference is to provide synthetic grass pitches given the ever improving developments of synthetic turf technology, flexibility offered by the surface in terms of game size and capacity for repeated play without detrimental effect.

Moray's provision of synthetic grass pitches is 0.55 (5 x 3G pitches/90,000 population), which is significantly lower than the national average of 0.7 pitches per 10,000 population. Moray Council has agreed that the Council aim is to provide every secondary school with convenient/adjacent access to a 3G pitch given that sportscotland stipulates that pitches should be adjacent to schools. Therefore, contributions will be sought towards a 3G pitch in Forres on the following basis:

[REDACTED]

[REDACTED]

**Contribution for Sports and Recreation Facilities = [REDACTED]**



## 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 towards Moray Council infrastructure 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, 2017 and obligations towards NHS Grampian infrastructure are index linked to All in Tender

Price Index (TPI) as published by the Royal Institute of Chartered Surveyors (RICS) from Q2, 2017.





## **REPORT OF HANDLING**

<b>Ref No:</b>	18/00862/APP	<b>Officer:</b>	Joe Taylor
<b>Proposal Description/ Address</b>	Erect dwellinghouse on Site At Kirkton Cottage Alves Moray		
<b>Date:</b>	1/11/18	<b>Typist Initials:</b>	FJA

### **RECOMMENDATION**

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

### **CONSULTATIONS**

<b>Consultee</b>	<b>Date Returned</b>	<b>Summary of Response</b>
Environmental Health Manager	25/07/18	No objection
Contaminated Land	19/07/18	No objection
Transportation Manager	30/07/18	No objection subject to conditions and informatives as recommended.
Scottish Water		No objection but this does not confirm that the development can be serviced. Further investigation may be required regarding water capacity. No public foul waste water infrastructure available, hence need to investigate private options and also discuss potential impact of development upon Scottish Water asset infrastructure located in proximity to the development.
Planning and Development Obligations	30/07/18	Obligations required towards healthcare facilities (extension at Forres Health Centre, 2 additional dental chairs and reconfiguration of existing pharmacy outlets) and sports and recreation (contribution towards 3G pitch in Forres).

Scottish Environment Protection Agency	27/07/18	No objection subject to informatives as recommended.
Aberdeenshire Council Archaeology Service	20/07/18	No objections subject to conditions and informatives as recommended (for written scheme of investigation). The proposed application lies within an identified archaeology site, an area of cropmarks indicating prehistoric settlement, hence high potential for buried archaeology to survive within the development site.
Moray Flood Risk Management	11/07/18	No objection. (Distance of surface water soakaway from building looks sufficient and will be checked as part of Building Standards submission).

### DEVELOPMENT PLAN POLICY

Policies	Dep	Any Comments (or refer to Observations below)
H7: New Housing in the Open Countryside	N	departure if approved
EP5: Sustainable Urban Drainage Systems	N	
EP10: Foul Drainage	N	
T2: Provision of Access	N	
T5: Parking Standards	N	
IMP1: Developer Requirements	N	departure if approved
IMP3: Developer Obligations	N	
PP1: Sustainable Economic Growth	N	departure if approved
EP2: Recycling Facilities	N	
EP7: Control of Develop in FloodRiskArea	N	
BE1: Sch Monuments and Nat Designations	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

### **The Proposal**

This application seeks planning permission to erect a single-storey, approx. L-shaped, 3-bedroom house on land at Kirkton, Alves.

The external material finishes for the walls include white render (K-rend), larch cladding and natural stone, and a slate roof.

Together with a proposed connection to the public water supply, an on-site septic tank with soakaway and a separate on-site surface water soakaway are proposed.

Access to the site is taken from an access (to the north) onto the C5E East Grange - Spindle Muir Road. A culvert will be provided under the access road where the road crosses over an existing drainage ditch.

### **The Site**

Approx. square-shaped, 3936sq m, site. which forms the south western quadrant part of a relatively large agricultural field. To the west and south, the site is bounded by existing post and wire fencing, with a relatively flat, open, agricultural landform extending beyond. To the north, the proposed site boundary is currently undefined with the land beyond also forming part of the same field area and bounded along it's northern boundary by a ditch and the C5E road.

To the east, the boundary of the application site is undefined and the land beyond also forms part of the same field area but approx. 60m beyond, there is a line of conifers. Further beyond that conifer line is an existing dilapidated steading complex and other buildings, including residential property, are sited in proximity to Kirkton crossroads.

On the land immediately to the east, between the application site and the conifers, planning permissions have been granted for two dwellings, one lies to the north east of the site (17/01578/APP) with the C5E road and the line of conifers along it's northern and eastern boundaries respectively, whilst the other approved site, which lies immediately to the east of, and shares a boundary with, the current application site is bounded by the line of trees and post and wire fencing along it's eastern and southern boundaries respectively (application 18/00191/APP).

Both sites are comparable in site area and identical in their house design, appearance and material finishes to that proposed for this current application site. Both applications, along with this current application, will share the same access arrangement onto the C5E road and require provision of the proposed culvert.

### **Appraisal**

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.

### **Policy PP1**

Primary Policy PP1 reflects Scottish Planning Policy and objectives of Moray Council in terms of sustainable economic growth, including proposals which, in the context of this application, contribute towards fostering high design standards provided the built and natural environment is safeguarded. Although the proposal may respect some of these principles, the location/siting characteristics associated with this proposal are however considered to be unacceptable and therefore, the proposal would not accord with this policy.

## **Siting and Design (H7, IMP1 + Supplementary Guidance: Housing in the Countryside)**

Policy H7 contains the location/siting and design criteria for assessing the acceptability of new build housing in the countryside. In terms of location/siting, this policy requires proposals to reflect the existing traditional pattern of settlement in the locality; be sensitively integrated and not obtrusive in the landscape; not detract from the character or setting of existing development; and not contribute to an unacceptable build-up of development that otherwise detracts from the rural character of the area. 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.

As a material consideration, the Council's Supplementary Guidance: 'Housing in the Countryside' provides advice on Policy H7. In terms of the cumulative build-up of housing within any locality, it states inter alia that "*A proposal that contributes to a build-up of development that is considered to undermine the rural character of the locality will not be acceptable ...*" [and] ... "*another dwelling may adversely impact on the distinctive rural qualities of the area ...*" [and] ... "*applications for houses in the corner of fields within a dispersed pattern of settlement may be considered to detrimentally alter the character of the locality ...*" (pages 13 and 14).

Policy IMP1 Developer Requirements requires new development proposals to be sensitively sited, designed and serviced appropriate to the amenity of the surrounding area.

### **Location/Siting**

This site is not located within any designated settlement or rural grouping (as defined in the MLDP 2015) nor is it located within any area where there has been a notable cumulative build-up of development.

As a house in the countryside and as noted, the proposal is located approx. 200m west of the Kirkton crossroads, and to the west of two approved house sites. Both permissions are extant but as yet no development has commenced at the time of this application (applications 17/01758/APP and 18/00191/APP refer). Both of these plots and this current application will share the same access and culvert arrangements onto the C5E road.

The current application site and the two approved house sites are separated by a line of conifer trees from an existing dilapidated steading complex and other buildings/property located further to the east towards Kirkton crossroads. This conifer line affords a boundary enclosure together with screening and backdrop to the two already approved plots, in particular when approaching the site from the west. The presence of this tree line (plus other buildings/structures beyond to the east) is a notable feature in supporting the approval of those two plots.

Unlike those plots, the current proposal is sited further away (approx. 60m distant) and does not benefit from proximity to the tree line for enclosure, screening or backdrop with or without the presence of the two properties (if and when built). Viewed from the north, for example, the site is approx. 0.16m below the level of the road and the surrounding landform in all directions is relatively flat, not undulating, agricultural land. The site has established boundaries i.e. post and wire fencing along the southern and western boundaries, a form of boundary enclosure which is considered appropriate (associated Supplementary Guidance refers) but this alone is not sufficient in providing enclosure and backdrop to the proposed property. The proposed fence boundaries to the north and east are somewhat arbitrary in their definition and unrelated to the surrounding landform although it is noted that the eastern boundary will be shared with, and form a mutual boundary to, one of the approved house sites (18/00191/APP).

With the surrounding land in agricultural use, there is no other immediately surrounding landform or landscape feature available (including the existing trees) that would likely afford enclosure and backdrop, to enable the site to integrate into its otherwise open setting. As noted, the line of conifers

to the east are too distant to contribute to the immediate setting around this proposed plot and the only landscaping available would be that proposed within the application site. Any proposed landscaping, whether within this current application site or yet to be provided within the other two sites located within other corners of the field, will take time to become established and reach maturity, if at all. In the interim, the proposed house on the application site will likely appear to be isolated and result in a somewhat conspicuous and obtrusive form of development on a site located in the south western quadrant, and towards the corner, of a field. Any property thereon would be set against a fairly open agricultural land setting without enclosure and backdrop to the site.

In these terms, and notwithstanding the acceptability of the adjacent house sites, the site as now proposed could not be supported or considered as a well-designed and appropriately located site because, in siting/location terms, the proposal would not integrate sensitively into its surroundings. Therefore, the introduction of this proposal would represent an unacceptable form of residential development which would not comply with planning policy and detract from, and be detrimental to, the rural character and appearance of the locality in which it is located. On this basis, the proposal, in terms of its (individual) location/siting, would be contrary to the development plan including Policy H7 and IMP1 and the associated Supplementary Guidance, as a material consideration.

Generally, the settlement pattern within the surrounding area is dispersed in form although, as noted, there is a loose grouping or clustering of property and buildings located between the line of conifers and Kirkton crossroads. Although located to the west of the conifers, the approval for the two plots to the east of the current application site acknowledges that they are not contained within that grouping but nevertheless their presence, along with the conifer line, provides an acceptable context for their setting including backdrop and screening considerations (17/01758/APP and 18/00191/APP refer).

As noted, the current proposal, with its more open and obtrusive setting and being set further away to the west of any established grouping of properties, lacks any association with that existing grouping of property to the east of the conifers. As a further additional dwelling, the proposal would therefore be unacceptable as it would result in, and contribute to, an increased (cumulative) build-up of development in this locality.

Therefore, both individually and cumulatively, the introduction of this proposal would represent an unacceptable form of residential development, it would not comply with planning policy and detract from, and be detrimental to, the rural character and appearance of the locality within which it is located. On this basis, the proposal, in terms of its location/siting, would be contrary to the development plan including Policy H7 and IMP1, and the Supplementary Guidance as identified (as a material consideration).

Without prejudice, the siting of this proposal, if approved, would potentially set a precedent for further (cumulative) development within the remaining quadrant of the field, also using the same access off the C5E road. However, this a matter which would require to be given separate consideration on its own individual merits in accordance with the development plan unless material considerations indicate otherwise.

### **Design (H7)**

In design terms and relative to the available plot size, the proposed house is somewhat modest in its size, scale and appearance, as is also the case with the other two approved house plots. Based upon the earlier applications and with the current design, including material finishes being identical to those on the adjacent approved house plots, the design of the proposed property is (again) acceptable and considered to be reasonably sympathetic in respect for a traditional rural build form and its rural setting. The actual siting layout and design arrangements, including distance between buildings and orientation and use of windows within the property, are not considered to result in unacceptable or adverse amenity impacts between this proposal and any other neighbouring or nearby existing or proposed properties, thus addressing any amenity impact considerations associated with Policy IMP1.

The proposed house design is compliant with the requirements set out in Policy H7 including gable width, roof pitch, vertical emphasis to openings, and use of slates, etc. However, whilst proposing 1.5m high native species trees, the landscape details lack sufficient details for a landscape scheme, a matter which could be addressed by a planning condition, to ensure that full planting specifications and 25% landscape coverage of the site are achieved.

Notwithstanding any potential acceptability of the proposal in design terms, albeit subject to conditions where recommended, this does not over-ride the main policy objection to this development concerning the unacceptable impact of the siting of the proposal and the resultant further build-up of development upon the surrounding area.

### **Archaeology (BE1)**

The site lies within the archaeology site NJ16SW0050, an area of cropmarks indicating a prehistoric settlement. Here, as advised by Aberdeenshire Archaeology Services, there is a high potential for buried archaeology to survive within the development site and to mitigate such impact, an archaeological written scheme of investigation requires to be submitted/approved to set out an agreed programme of archaeological works to be undertaken on the site (to include investigation, recording and reporting of the scheme works, etc.). A condition is recommended to address this matter to ensure the development accords with Policy BE1.

Notwithstanding any potential acceptability of the proposal in archaeological terms, albeit subject to conditions where recommended, this does not over-ride the main policy objection to this development concerning the unacceptable impact of further build-up of development upon the surrounding area.

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

The proposed development will be connected to the public water supply. Scottish Water does not guarantee this connection: this will require further (separate) consultation with Scottish Water direct regarding the availability of capacity and connection arrangements for such infrastructure.

No public mains drainage facility is available hence the proposed on-site septic tank and soakaway arrangement. In order to dispose of surface water from, and within, the site a separate on-site surface water soakaway is proposed. The detailed arrangements for drainage (foul and surface water) will require to be addressed under the Building Regulations but generally, in principle, the proposal would accord with Policy EP5 and EP10.

Scottish Water has highlighted a potential conflict between the development and an existing water infrastructure asset crossing through the field. Based in the identified routing of the pipework, this is more likely to affect the access track arrangement rather than the siting of the house itself but this will be a matter for separate investigation between the applicant/developer and Scottish Water direct.

Notwithstanding the drainage arrangements being acceptable in principle, this does not over-ride the main policy objection to this development regarding the unacceptable impact of the siting of the proposal and the resultant further build-up of development upon the surrounding area.

### **Development within area at risk of flooding (EP7)**

The site is at medium risk of surface water flooding (SEPA indicative maps refer). Policy EP7 requires that new development does not take place if it would be at significant risk of flooding from any source and/or it would exacerbate or significantly increase the risk of flooding elsewhere.

Following consultation and based on consideration of information provided in the earlier approved applications, in terms of their relationship to the small watercourse (drainage ditch), SEPA has not objected to the current development although they have provided further regulatory advice for the applicant, to ensure that the culvert arrangements accord with other relevant regulations and guidance.

Following consultation and after consideration of a Drainage Statement, to assess the impact of culverting the ditch, Moray Flood Risk Management has also advised that they do not object to the proposal.

On the above basis, the proposal is acceptable in flooding terms and satisfies Policy EP7. However and notwithstanding any potential acceptability of the proposal in flooding terms, albeit subject to conditions where recommended, this does not over-ride the main policy objection to this development concerning the unacceptable impact of the siting of the proposal and the resultant further build-up of development upon the surrounding area.

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

As noted, the proposal will be accessed from the C5E East Grange - Spindle Muir Road and use the same access arrangements off the public road, including provision of a culvert under the road where it crosses a drainage ditch in order to serve the already approved house sites (17/01578/APP and 18/00191/APP refer).

As with those earlier applications, the Transportation Section has not objected to the proposed access arrangement subject to conditions (and informatives) as recommended including the requirement for visibility at the site access, provision for both a passing place and an access layby, the culverting and tarring of the road/access surface over the first part of the access closest to the public road, etc. On this basis, the proposal is acceptable and complies with policy T2.

For the proposed size of property with 3 bedrooms, 2 car parking spaces require to be provided on the site, as recommended by the Transportation Section. Based on the submitted details, this requirement can be readily accommodated within the site, and the proposal would therefore also accord with Policy T5.

Notwithstanding any potential acceptability of the proposal in access and parking terms, albeit subject to conditions where recommended, this does not over-ride the main policy objection to this development concerning the unacceptable impact of the siting of the proposal and the resultant further build-up of development upon the surrounding area.

### **Developer Obligations (IMP3)**

To address the impact of development, an assessment for developer obligations has been carried out in accordance with Policy IMP3 including the associated Supplementary Guidance: Developer Obligations (March 2018). In this case, obligations have been identified and sought for healthcare facilities (towards extension of Forrest Health Centre, 2 additional dental chairs and reconfiguration to existing pharmacy outlets) and sports and recreation (towards 3G pitch in Forrest).

Prior to the determination of this application, the applicant/agent confirmed a willingness to accord with Policy IMP3 and provide the obligation in the event of approval being granted for this development.

Again, compliance with developer obligations requirements would not over-ride the main policy objection to this development regarding the siting of the proposal and the resultant further build-up of development upon the surrounding area. Any obligation (contribution) made in advance of the determination of this application is without prejudice to the formal decision on this application.

## **OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT**

None

HISTORY			
Reference No.	Description		
02/01773/PE	Proposed dwelling house on site at Kirk hill Farm Alves Moray IV30 8UZ		
	Decision	ID/PE Answered	Date Of Decision

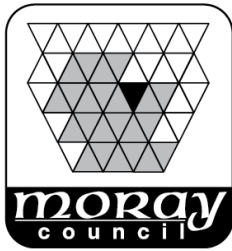
ADVERT		
Advert Fee paid?	Yes	
Local Newspaper	Reason for Advert	Date of expiry
Northern Scot	No Premises	16/08/18
PINS	No Premises	16/08/18

DEVELOPER CONTRIBUTIONS (PGU)	
Status	CONT SOUGHT

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)			



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

**REFUSAL OF PLANNING PERMISSION**

**[Heldon And Laich]  
Application for Planning Permission**

TO Mr Douglas Fraser  
c/o Grant And Geoghegan Limited  
Unit 4  
Westerton Road Business Centre  
4 Westerton Road South  
Keith  
AB55 5FH

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

**Erect dwellinghouse on Site At Kirkton Cottage Alves Moray**

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

Date of Notice: **1 Novmeber 2018**

Pp —

**HEAD OF DEVELOPMENT SERVICES**  
Environmental Services Department  
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, Moray Council has REFUSED this proposal. The Council's reason(s) for this decision are as follows: -

The proposal is contrary to Policies PP1, H7 and IMP1 of the adopted Moray Local Development Plan 2015 and, as a material consideration, the associated Supplementary Guidance: Housing in the Countryside, whereby

- a) individually, the proposal would not integrate sensitively with the surrounding area where, given the open setting of the site on part of an agricultural field, any resultant dwelling thereon would appear as an obtrusive and conspicuous form of development and, in addition, the site lacks sufficient backdrop, screening and enclosure to mitigate the impact of the development and assist in its integration sensitively into the surrounding landscape; and
- b) cumulatively, the introduction of an additional dwelling would contribute to the further build-up of development in the locality and thereby, it would detract from, and be detrimental to, the character, appearance and amenity of the surrounding rural area within which it is located.

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

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

Reference	Version	Title
017/364/03		Site plan
017/364/01		Floor plan
017/364/02		Elevations
017/364/04		Block plan
017/364/05		Location plan
017/364/06		Section plan
901		Proposed culvert details
906		Site sections
902		Access and culvert
905		Site section location



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

N/A

**DETAILS OF MATTERS SPECIFIED IN CONDITIONS**

Approval, consent or agreement has been GRANTED for the following matter(s):-

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, 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.

