From: eforms@moray.gov.uk

To: Localdevelopmentplan

Subject: FR_R7 - 002113

Date: 02 March 2019 16:49:38

Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

Your Details

Title: Mr

Forename(s): Andrew

Surname: Laing

Your Address



Contact Details



Agent Details

Do you have an agent: No

Response

Do you want to object to a site?: Yes

Do you want to object to a policy, the vision or spatial strategy: Yes

Other: Yes

Supporting information: Download supporting document Available also via link at bottom of this email.

Site Objections

Name of town, village or grouping: Forres

Site reference: R7

Site name: Pilmuir Road West

Comments: The road infrastructure and dimensions can not adequately support the development. The proximity to a Children's Nursery and poor layout of a junction would -given the increase in traffic flow- pose an increased risk of vehicle collision with a pedestrian. The dimensions of the Ferry Road/Pilmuir Road West junction does not lend itself to the safe movement of an increased volume of vehicles. The proposed development is in the run off area for a flood alleviation scheme!!! The Water table is high in this area- the rear grassed area of my property is regularly saturated, the additional development would increase the risk of flooding.

Policy Objection

Policy: EP14 Pollution, Contamination and Hazards

Comments: Asbestos and contamination hazard assessment- disused RAF Airfield and buildings

policies_list: PP3 Infrastructure and Services

policy_obj_comments: Assessment on the ability of Forres to cater for the Health and Education needs of an increased population.

policies_list : EP2 Biodiversity

policy_obj_comments: The old RAF Buildings have a resident Bat population.

Other Objection

Document commenting on: R7 Pilmuir Road West

Comments:

Please use this link to view and retrieve the uploaded attachments.





From: christine lane

To: Localdevelopmentplan

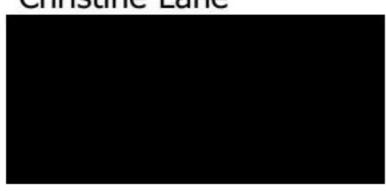
Subject: TE_SITEA - 002177

Date: 14 March 2019 12:52:41

I wish to object to the building of four houses at Templestones .

- 1. There is already a loss of good agricultural land in the area with sporadic building across Califer Hill ruining the natural beauty of this very visible landmark in the area.
- 2. More of this urbanisation of the countryside is not desirable and should be situated closer to Rafford or Forres where road access is more suitable.
- 3. The single track road is inadequate for the present traffic and is in need of repair and maintenance in many places at the moment.

Yours faithfully Christine Lane



From: eforms@moray.gov.uk

To: Localdevelopmentplan

Subject: EL_OPP11 - 002028

Date: 22 February 2019 08:28:21

Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

Your Details

Title: mrs

Forename(s): evelyn

Surname: lawson

Your Address



Contact Details



Agent Details

Do you have an agent: No

Response

Do you want to object to a site?: Yes

Do you want to object to a policy, the vision or spatial strategy: No

Other: No

Supporting information: Download supporting document Available also via link at bottom of this email.

Site Objections

Name of town, village or grouping: Elgin Central

Site reference: OPP11

Site name: Walled Garden

Comments: I object to the proposed plans for this area which include removing an area

used as a resource by Moray College Students

Please use this link to view and retrieve the uploaded attachments.

From: eforms@moray.gov.uk

To: Localdevelopmentplan

Subject: WB_SITEA - 002011

Date: 14 February 2019 10:13:30

Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

Your Details

Title: Mr

Forename(s): Godfrey

Surname: Leech

Your Address



Contact Details



Agent Details

Do you have an agent: No

Response

Do you want to object to a site?: Yes

Do you want to object to a policy, the vision or spatial strategy: No

Other: Yes

Supporting information: Download supporting document Available also via link at bottom of this email.

Site Objections

Name of town, village or grouping: Carron / Archieston

Site reference: Not provided in letter

Site name: Woodside of Ballintomb Site A

Comments: The proposed site is to the north-east of our property. I would make the following observations concerning drainage in the area: 1. The area area backs onto a large area of forest, moor and marsh which is uphill from all the properties which stretch along the lane. Rainfall causes water to come off the hill towards the existing properties and is prevented from going further because the road acts as a dam. The land surrounding the existing properties is therefore always wet or saturated except in rare times of drought. 2. Our property,

Both had septic tanks and then sand filtration systems instead of soakaways because to ground is too wet for soakaways. The system at allows excess water from the sand filtration to run below and collect in a pool when the whether is wet. The sand filtration system at Lichens failed at excess water from the septic tank ran back towards the house. A new expensive filter bed system had to be used and though this does not flow towards the house does still create pools of water inside the garden near the road since it has nowhere else to go. 3. Since our property was built new drainage had to be installed around the house manage the flow of rainwater. This now collects just outside the house at the driveway entrance where a soakaway was dug but fails to deal with the quantity of water at all times. 4. New developments will have similar problems with septic tanks and rainwater. Problems will be transferred to whichever properties are lower down the slope or adjoining. Builders and surveyors are likely to underestimate the problems which will only come to light a few years later when septic tank overflow surfaces in someone else's property.

Other Objection

Document commenting on: Drainage regulations

Comments: Whatever the drainage/septic tank regulations were at the time of building out property (about 14 years ago) they were insufficient to take account of the soil/water/rocks in the area.

Please use this link to view and retrieve the uploaded attachments.

From: eforms@moray.gov.uk

To: Localdevelopmentplan

Subject: CG_SITEA - 002112

Date: 28 February 2019 20:42:30

Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

Your Details

Title: Mr

Forename(s): Stuart

Surname: Leiper

Your Address

Tour Address

Contact Details



Agent Details

Do you have an agent: No

Response

Do you want to object to a site?: Yes

Do you want to object to a policy, the vision or spatial strategy: No

Other: Yes

Supporting information: Download supporting document Available also via link at bottom of this email.

Site Objections

Name of town, village or grouping: Cragganmore

Site reference: Moray Local Development Plan 2020

Site name: Cragganmore Site A

Comments: We have 2 major areas of concern regarding the above proposal to build 5 houses on above site. Water supply - 13 houses in the immediate location of Site A are totally reliant on a private water supply from 3 springs. During July and August 2018 these springs became seriously low which resulted in the 13 properties, ourselves included being restricted in the amount of water we could use and reliant on Moray Council supplying bottle water for drinking purposes. Any further demands resulting from the proposed build of these additional houses would put our water supply at greater risk. It should be noted that the supply line running from the spring to our properties runs directly beneath Site A. Access - Current accessibility to several properties is limited to a single track which is in very poor condition. Adding a further 5 houses would negatively compound access to our properties. I would also want to know who would be taking responsibility for the maintenance of the access roads as currently the Council does not.

Other Objection

Document commenting on: Personal

Comments: People choose certain life styles, some want to live in a town or city so that they have easy access to work, shopping, social activities etc etc, others choose to live in a village where they have access to a few amenities but it's not too busy, and then there are folk who wish to live in more remote places where they can enjoy the views and wildlife nature provides and are willing to travel further to access the necessary amenities. People have spent hard earned money on properties that fit the bill, it is not appreciated the Council having ideas that would have a major impact on their lifestyle, I'm sure some people would think it's only 5 houses but when it's on your doorstep it is an issue. Our houses are spread out affording us privacy which we all appreciate, these proposed houses would be looking down on some of our properties denying us of our seclusion.

Please use this link to view and retrieve the uploaded attachments.



Moray Local Development Plan 2020

Response to Proposed Plan for Leiths (Scotland) Limited

in respect of Sites LONG1 and R3, Forres

CONTENTS

1	INTRODUCTION AND EXECUTIVE SUMMARY	1
2	BACKGROUND	1
3	FORRES SETTLEMENT STATEMENT	2
4	SUPPORTING INFORMATION	3



1 INTRODUCTION AND EXECUTIVE SUMMARY

- 1.1 Leiths (Scotland) Limited ("the Objectors") wish to object to the following proposals in the Proposed Moray LDP 2020:
 - 1.1.1 The allocation of LONG 1 for a new primary school, neighbourhood park and sports pitch (as indicated on page 205) if access is to be taken via the C27E road; and
 - 1.1.2 The indicative masterplan contained within figure 1.2 on page 201, which shows vehicular and pedestrian linkages from R3 through LONG 1 and on to the C27E to Forres Enterprise Park.
- The Objectors' preference would be for the LONG 1 to remain within the Countryside Around Town designation, as shown on page 217, in which there is a presumption against development under Policy EP4. Failing that, the Objectors would wish to see all access to R3 and LONG1 being taken from the old A96 and not from the C27E road which may become more heavily trafficked as it is used to access the new A96 via the Forres East junction following the completion of the A96 dualling project.

2 BACKGROUND

- 2.1 The Objectors are currently working the hard rock quarry at New Forres, which is situated off the unclassified Forres to Califer road. The quarry has a current planning consent (04/02359/EIA) which runs until 2047. The quarry produces a full range of quarried products, including armour stone, gabion, crusher run, track ballast, surface dressing chippings, Type 1 and single sized aggregates. The quarry also produces a full range of coated macadam and asphalt bases, base courses and wearing courses.
- 2.2 New Forres Quarry currently serves a market area centred on Forres, but covering as far as Inverness to the west and Elgin to the east.
- 2.3 The quarry operates between 0600 and 1900 Monday to Friday and 0600 to 1300 on Saturdays. There are on average 50 HGV movements on a daily basis, although this number can increase significantly to meet occasional larger contracts. Currently the greater percentage of HGVs travelling to and from the quarry do so via the A96.
- 2.4 The current Local Development Plan seeks to protect sites for the extraction of minerals from inappropriate development, in accordance with Scottish Government guidance. Policy DP 10 of the Proposed Moray LDP 2020 carries forward the safeguarding of all existing workable mineral reserves/operations from incompatible development unless there are no other suitable sites for development and the extraction of mineral resources will be completed before development commences.



- 2.5 The Objectors raised concerns in respect of the proposed allocation of 850 dwellings, a new primary school and playing fields at Lochyhills (R3) due to the potential traffic conflict between residential/school traffic and HGVs, including those accessing/egressing the quarry.
- 2.6 In commenting on the Objectors' concerns, officers appeared to acknowledge the likely conflict between residential and quarry traffic, but place the obligation on the Objectors to avoid using residential roads. It is suggested that quarry traffic continue to use the C27E road through Forres Enterprise Park.

3 FORRES SETTLEMENT STATEMENT

- The Objectors oppose the allocation of site LONG 1 for the construction of a new primary school, neighbourhood park and sports pitch, as shown on page 205 of the draft Plan, if access to the new development is to be taken via the C27E road. They also oppose the indicative masterplan in figure 1.2 on page 201, which shows vehicular and pedestrian linkages from R3 through LONG 1 and on to the C27E to Forres Enterprise Park.
- 3.2 The Objectors are concerned that these proposed developments will lead to potential traffic conflict with HGVs, including those accessing/egressing the quarry, which may have an impact on the ability to fully exploit the economically recoverable mineral resources at the quarry.
- 3.3 With confirmation of the proposed route of the new A96 dualling, quarry traffic will only be able to get on/off the new A96 via the new Forres East junction at Forres Enterprise Business Park (see Layout Plan Sheet 2 of 6). This means that quarry traffic will require to use the C27E from the Business Park to the quarry. This appears to be in accordance with what the officers envisaged.
- 3.4 This means that the majority of quarry HGVs will pass by the LONG1 site which is earmarked for a new primary school, neighbourhood park and sports pitches. There is potential for conflict with parents and school buses dropping off/collecting children from the school if the school is to be accessed from the C27E as shown on the indicative masterplan, as well as those using the neighbourhood park and sports pitches.
- 3.5 The Objectors also have concerns about the possibility of pedestrians walking along the C27E road and its verges to access the facilities on LONG 1.
- 3.6 These concerns and the potential conflict will be increased should there be linkages through from the adjacent R3 residential development as currently shown.
- 3.7 It is noted that there are various transport interventions proposed on the route from the quarry to Forres Enterprise Park (see page 218 and 219). It is not clear that these have regard to the proposed A96 dualling, the Forres East junction and the need for the majority of quarry



- movements to use this route. These interventions also have the possibility of leading to conflicts between residential/pedestrian traffic and quarry HGVs.
- 3.8 It appears to the Objectors that the current proposals for R3 and the LONG 1 site, with access being taken via the C27E road, conflict with national and local planning policies which seek to protect sites for the extraction of minerals and avoid development which will sterilise important reserves. Given that there is other land available, there is no policy support for allocating the LONG 1 site.
- 3.9 If, contrary to these objections, site LONG 1 is to be allocated for a school, neighbourhood park and sports pitches, it is submitted that there should be no access into the site from the C27E which will be the only route which can be used by quarry vehicles to access the A96. Access should only be taken via Site R3.
- 3.10 This requires to be made clear on pages 200 and 205 of the proposed Plan and the indicative masterplan on page 201 varied accordingly.
- 3.11 The Objectors would wish to be consulted on the preparation of the masterplan for the R3/LONG 1 developments. This should also be made clear in the Plan.

4 SUPPORTING INFORMATION

- 4.1 Copy Planning Permission Reference 04/02359/EIA dated 17 April 2007 together with Amendment dated 17 July 2007
- 4.2 A96 Dualling Plan of Forres Layout Plan Sheet 2 of 6

BURNESS PAULL LLP Solicitors, Aberdeen

1 March 2019



APPENDIX 1

Copy Planning Permission Reference 04/02359/EIA dated 17 April 2007 together with Amendment dated 17 July 2007



THE MORAY COUNCIL TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

PERMISSION FOR DEVELOPMENT

[Heldon And Laich] Environmental Impact Assessment

TO Leith (Scotland) Limited c/o Dalgleish Associates Limited Cathedral Square DUNBLANE FK15 0AH

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

Extension of New Forres Quarry to allow the continued winning and working of hard rock re-cycling of inert materials and operation of a coating plant at New Forres Quarry Forres Moray IV36 2RQ

in accordance with the plan(s) docquetted as relative hereto and the particulars given in the application, subject however to the following condition(s):-

- That the development to which this permission relates shall be began not later than the expiration of five years beginning with the date on which this permission is granted, and shall cease within 40 years of the date of this consent.
- Unless otherwise agreed with the Council, as Planning Authority, the development hereby approved shall be carried out strictly in accordance with the approved plans and conditions, including the Environmental Impact Assessment.
- That prior to any development commencing on site the quarry site shall be enclosed by a stock proof fence which shall be maintained thereafter to the full satisfaction of the Head of Development Services throughout the lifetime of the consent. There shall be no working whatsoever including the storage of materials, outwith this fence.
 - 4. That (to the satisfaction of the Head of Development Services, in consultation with the Environmental Protection Manager) portable water sprayers shall be provided and used for the damping down of stockpiles; areas adjacent to the crushing plant; and areas adjacent to the haul roads in order to eliminate any nuisance from wind blown dust.

(Page 1 of 7)

Ref: 04/02359/E1A

- 5. That prior to any extraction of sand and gravel on any of the phases of development commencing screen bunding, as per the approved plans shall be formed around the relevant phase. (These bunds to be topsoiled and grass seeded to the satisfaction of the Head of Development Services).
- Prior to commencement of the development, a Restoration Scheme for the site shall be submitted to, and approved by, the Head of Development Services. This restoration scheme shall illustrate the following requirements:-
 - (a) final ground levels to allow for agricultural use of the site:
 - (b) the entire area to be grass-seeded and returned to agricultural use:
 - (c) details of the depth of topsoil to be used and detailed profiles of the restoration slopes together with details of the type and method of seeding.

The approved Restoration Scheme shall be implemented to the full satisfaction of the Head of Development Services within 6 months of the expiry of the planning consent or completion of the quarrying operations whichever is the sooner.

- 7. The site shall not be used for the development hereby permitted before 0700 hours on weekdays and 0700 hours on Saturdays, nor after 1900 hours on weekdays and 1300 hours on Saturdays, nor at any time on Sundays.
- 8. That any oil storage tanks shall be protected as follows:
 - (a) The oil storage tank to be located on an impervious base and surrounded by the bund wall. The capacity of the bunded area should be equal to 110% of the storage tank volume.
 - (b) All valves and couplings to the tank should be included in the bunded area. Any delivery hose should be fitted with trigger type sprung handles and hung back in the bunded area after use.
 - (c) All vent pipes must be designed and positioned so that any overflow, through overfilling the tank, is discharged into the bunded area.
 - (d) All surface water or other water which accumulates within the bund should be removed by a manually controlled positive lift pump (e.g. a semi rotary hand pump) and not a gravity drain.
 - (e) All drainage from the bunded area should be treated by an oil interceptor device, the design of which is approved by the River Inspector.
- On completion of the extraction, or at the expiry of the planning permission, whichever is the sooner, all plant, machinery and stockpiles shall be removed from the site within 6 months and the site restored and landscaped in accordance with the approved restoration scheme within the first planting season following clearing of the site, all to the satisfaction of the Head of Development Services.

(Page 2 of 7)

Ref: 04/02359/EIA

- That notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992 any proposal to install any plant, machinery or other equipment on site (whether fixed or mobile) other than a portable riddle, shall require the express consent of the Head of Development Services.
- That any requirement to operate outwith the hours detailed in Condition 7 of this consent shall be the subject of agreement in writing with this Council as Planning Authority at least 2 days prior to the commencement of such works.
- That noise emissions from the development shall not exceed an Leq of 45 dB (A) (I hour) at any existing noise sensitive property where I hour means any hour within the defined working day and readings shall be taken in 'free field'.
- For the purpose of drilling, blasting, acoustic bund formation and other work in connection with landscaping the noise level permitted shall be an Leq of 55 dB (A) (1 hour) 'free field'.
- 14. The asphalt plant operations may only be permitted to operate from 0600 hours to 1900 hours Monday to Friday, and from 0600 hours to 1300 hours on Saturday, and shall not exceed an Leq of 47 dB (A) (1 hour) 'free field' at any existing noise sensitive property as identified in the Noise Impact Assessment.
- No blasting shall be carried out on the site except between the hours of 1000 to 1500 hours Monday to Friday, and there shall be no blasting operations on Saturdays, Sundays, Bank holidays or National holidays.
- Ground vibration as a result of the blasting operation shall not exceed a peak particle velocity of 8.5 mms -1 (millimetres per second) in 95% of all blasts measured over a period of 6 months, and no individual blast shall exceed a peak particle velocity of 12mms 1 (millimetres per second) as measured at any existing vibration sensitive residential property. The measurement shall be the maximum of 3 mutually perpendicular directions taken at the ground surface at any existing vibration sensitive residential property.
- The quarry operator shall undertake blast monitoring to check each blast complies with the vibration criteria detailed on Condition 16 of this consent. The results of this monitoring shall be made available to the Planning Authority upon request.
- That measures to prevent and control pollution resulting from fuel or bitumen spillage as detailed in paragraphs 7.5.1.6 to 7.5.1.8 of the Environmental Statement shall be affective from the date of this consent and maintained throughout the lifetime of the development.
- That the maximum amount of material excavated and exported from the site in any given calendar year shall not exceed 110,00 tonnes unless otherwise agreed in writing with this Council, as Planning Authority.

(Page 3 of 7)

- That within one month of the date of this consent, all damage to public road verges resulting from the passage of quarry related traffic shall be restored to the satisfaction of this Council as Planning Authority in consultation with the Transportation Manager, and that thereafter any damages to public roads verges resulting from the passage of quarry related traffic shall be restored to the satisfaction of this Council as Roads Authority.
- Within three months of the date of this permission, detailed proposals for the establishment of a Quarry Liaison Committee and the remit of this with regard to operational impact shall be submitted to and require the approval in writing of the Planning Authority. Such proposals shall include the intended membership of the Liaison Committee and the frequency of its meetings. The Quarry Liaison Committee shall thereafter meet throughout the lifetime of the quarry working unless agreed in writing by the Planning Authority.
- That within one month of the date of this permission, the operator shall demonstrate that the operations do not exceed the stated noise levels (as defined in condition no's 12, 13 and 14 of this permission) in accordance with a programme for monitoring (which shall include a methodology, monitoring locations and periods for monitoring) which shall be submitted to and approved by The Moray Council as Planning Authority.

The Council's reason(s) for imposing the above condition(s) are:-

- In order to comply with the requirements of section 58 of the Town and Country Planning (Scotland) Act 1997, and to retain control overthe development.
- In order to ensure that there are no unauthorised departures from the approved plans
 which could adversely affect the development or character and amenity of the
 surrounding properties and area.
- 3. In the interests of the safety of the public and of livestock and in order to control the working of the site within the approved boundaries.
- 4. In the interests of amenity and in order to control any pollution/nuisance arising out of wind blown dust.
- 5. In the interests of amenity and effective planning control in order to minimise the visual impact of the development hereby approved.
- 6. In the interests of visual amenity and to ensure the proper reinstatement of the site.
- 7. In the interests of amenity so as to ensure that the development does not cause a nuisance or disturbance to residents in the area.
- 8. In the interests of amenity and public health so as to ensure that there is no contamination of adjoining land or watercourses arising out of accidental discharges or damage to the tanks.
- In the interests of visual amenity and to ensure that, on the expiry of this consent, the site is left in a condition which is not detrimental to the amenity and character of the area.

(Page 4 of 7)

- In the interests of amenity and effective planning control and in order to control any processing of material on site.
- 11. In the interests of amenity so as to ensure that the development does not cause a nuisance or disturbance to residents in the area.
- 12. In the interests of amenity so as to ensure that the development does not cause a nuisance or disturbance to residents in the area.
- 13. In the interests of amenity so as to ensure that the development does not cause a nuisance or disturbance to residents in the area.
- 14. In the interests of amenity so as to ensure that the development does not cause a nuisance or disturbance to residents in the area.
- 15. In the interests of amenity so as to ensure that the development does not cause a nuisance or disturbance to residents in the area.
- 16. In the interests of amenity so as to ensure that the development does not cause a nuisance or disturbance to residents in the area.
- 17. In the interests of amenity so as to ensure that the development does not cause a nuisance or disturbance to residents in the area.
- 18. In the interests of environmental integrity and effective planning control.
- 19. In the interests of amenity so as to ensure that the development does not cause a nuisance or disturbance to residents in the area.
- 20. In the interests of amenity and as agreed with the applicant's.
- 21. In the interests of amenity so as to ensure that the development does not cause a nuisance or disturbance to residents in the area.
- 22. In the interests of amenity so as to ensure that the development does not cause a nuisance or disturbance to residents in the area.

This permission does not carry with it any necessary consent or approval to the proposed development under the Building (Scotland) Act 1959 as amended or other enactments.

The applicant(s) should also note the following comments:-

THE SCOTTISH ENVIRONMENT PROTECTION AGENCY has commented that:-

The developers should ensure that there is no impact on the water environment (both surface and ground waters) during the construction phase as well as at the latter operational stage.

(Page 5 of 7) Ref: 04/02359/EIA

Any waste material arising from the development of the site must be disposed of in accordance with the Waste Water Management Licensing Regulations 1994 and the Environmental Protection Act 1990.

The developer and site contractors must comply with the provisions of the Control of Pollution Act 1974 and in particular shall not knowingly permit any poisonous, noxious or polluting matter to enter any surface water, drain or watercourse.

The applicant and all sub-contractors must comply with SEPA's Pollution Prevention Guidelines (PPGs) at all times. The following are of particular relevance to this proposal:

PPG1 General Guide to the prevention of Water Pollution.

PPG5 Works to, Near or Liable to Affect Watercourses

PPG6 Working at Construction and Demolition Sites.

I enclose notes for guidance in cases where applications are refused or granted subject to conditions.

Date of Notice:

17th April 2007



)

HEAD OF DEVELOPMENT SERVICES

Environmental Services Department
The Moray Council
Council Office
High Street
ELGIN
Moray 1V30 IBX

(Page 6 of 7)

Ref: 04/02359/EIA

NOTES:

- (1) If the applicant is aggrieved by the decision of the local Planning Authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Scottish Ministers in accordance with Section 47 of the Town and Country Planning (Scotland) Act 1997 within six months of the date of this Notice. The Scottish Ministers have power to allow a longer period for the giving of a Notice of Appeal but they will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving Notice of Appeal. The Scottish Ministers are not required to entertain an appeal if it appears to them that permission for the proposed development could not have been granted by the local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order.
- (2) If permission to develop land is refused or granted subject to conditions, whether by the Local Authority or by the Scottish Ministers, and the owner of the land claims that the land has become incapable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the local Planning Authority a purchase notice requiring the purchase of his interest in the land in accordance with the provisions of Part V of the Town and Country Planning (Scotland) Act 1997.
- (3) In certain circumstances, a claim may be made against the local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Scottish Ministers on appeal or on a reference of the application to them. The circumstances in which such compensation is payable are set out in Parts IV and V of the Town and Country Planning (Scotland) Act 1997.
- (4) Any Notice of Appeal should be sent to the -

Scottish Ministers
Scottish Executive Inquiry Reporters Unit
4 The Courtyard
Callendar Business Park
Callendar Road
FALKIRK
FKT LXR

and a copy of the Notice of Appeal should be sent to the local Planning Authority.

(Page 7 of 7)

Ref: 04/02359/EIA



than





Development Services
Environmental Services Department
The Moray Council
Council Office, High Street, Elgin IV30 1BX
Tel: (01343) 543451

DX No 520666

FAX: (01343) 563263



Direct Dial: Our Ref: Your Ref: Web Site:



17th July 2007

moray

Counc



Should read

Dear Sir

04/02359/EIA

Condition 4

Extension of New Forres Quarry to allow the continued winning and working of hard rock re-cycling of inert materials and operation of a coating plant at New Forres Quarry Forres Moray IV36 2RQ

I refer to all recent correspondence and discussions in respect of the above matter, and to your queries with regard to conditions of the planning consent. I will respond to your queries in the order in which they appear in your email.

	Environmental Protection Manager.
Condition 5	It is accepted that the consent is for a hard rock quarry operation, as

"Environmental Health Manager", rather

Condition 5	It is accepted that the consent is for a hard rock quarry operation, as
	this is in the description of the proposal. Reference to "sand and
	gravel" in the wording of the condition is an error.

Condition 6	This is a standard condition which is attached to all mineral working
	decisions. The landscaping and restoration plans submitted as part of
	the application have been approved as accepted restoration measures
	for the site.

Condition 7	It is accepted that this is an error and that the starting time should be
	stated as 06:00 hours. This is covered by condition No.14.

Condition 8(e)	It is accepted that reference to the "River Inspector" should instead be
	replaced with reference to SEPA

Condition 10	It is understood and accepted that "portable riddle" is more commonly
	referred to as "screens" but that these refer to the same process and machinery

Condition 11	It is accepted that, on occasion, rapid response to emergencies will
	mean that two day's notice cannot be given for obtaining written
	permission to operate. In such instances, notification should be
	forwarded at the carliest to this service to confirm the variance from
	the condition

the condition.

Condition 12 It is accepted that reference to a 45dB limit in the condition issued is an error. The Committee report and recommended condition quite clearly states a limit of 50dB.

Condition 16 It is accepted that, in its present format it is not possible for the operator to comply with this condition. Accordingly, this service agrees that reference to the "period of 6 months" should be deleted and that this should instead read as "in 95% of 20 consecutive blasts".

Condition 19 It is noted that there is an error in the tonnage figure given in this condition, which should read "110,000 tonnes".

Condition 22 See notes on condition 12 above.

I trust that the above will be satisfactory to answer your questions and concerns with regard to the conditions of planning consent. However, please do not hesitate to contact me if you have any further questions relating to this.

Yours faithfully

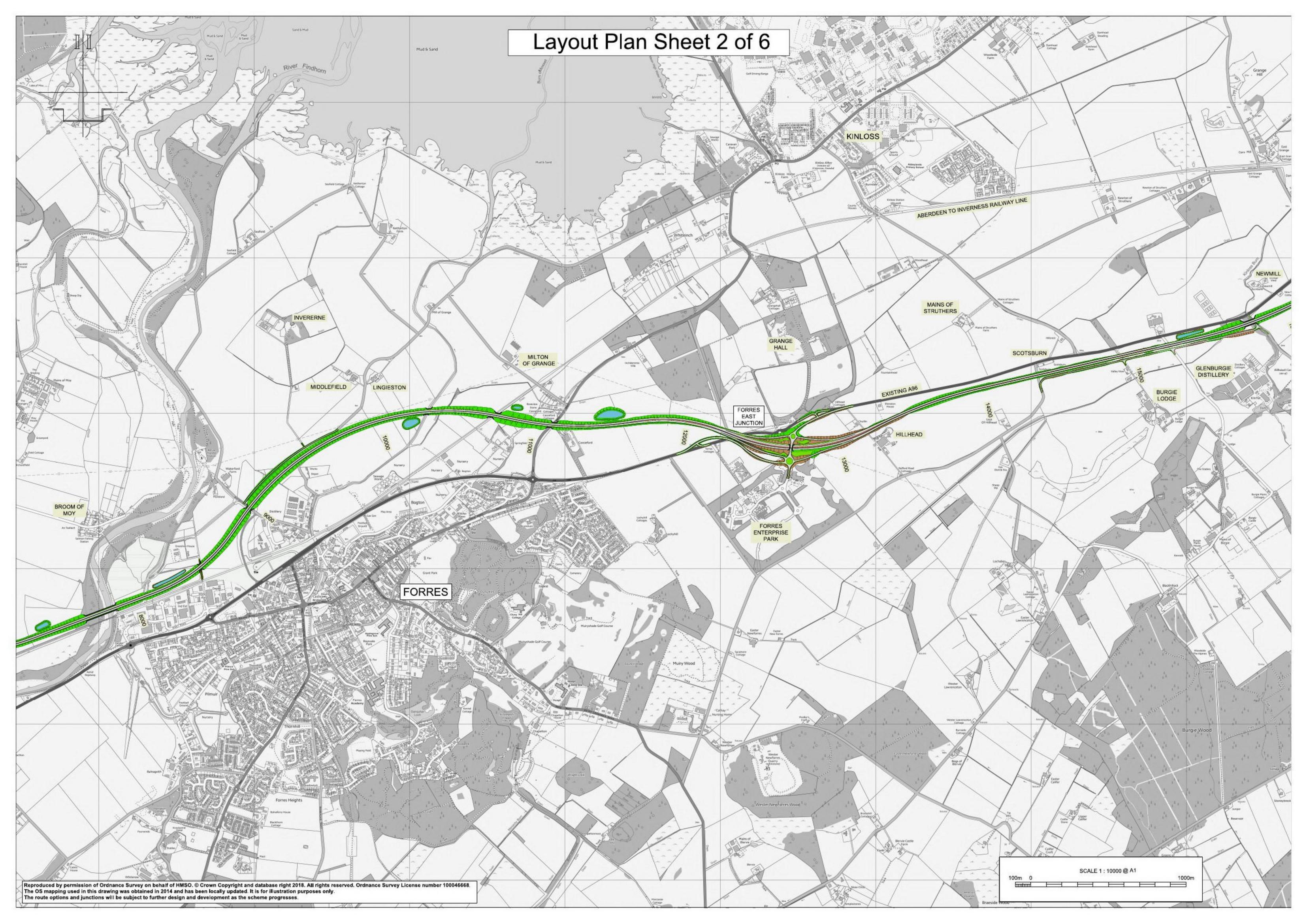


Jim Martin Principal Planning Officer



APPENDIX 2

Layout Plan Sheet 2 of 6



From: Leon

To: Localdevelopmentplan

Subject: EL_OPP11 - 002128

Date: 08 March 2019 10:16:10

Please dont sell off the walled garden or do anything to harm the biblical Gardens.

Leon Lumsden

From: eforms@moray.gov.uk

To: Localdevelopmentplan

Subject: CM_R1 - 001972

Date: 27 January 2019 14:55:19

Moray Local Development Plan - Proposed Plan 2019

Your Place, Your Plan, Your Future

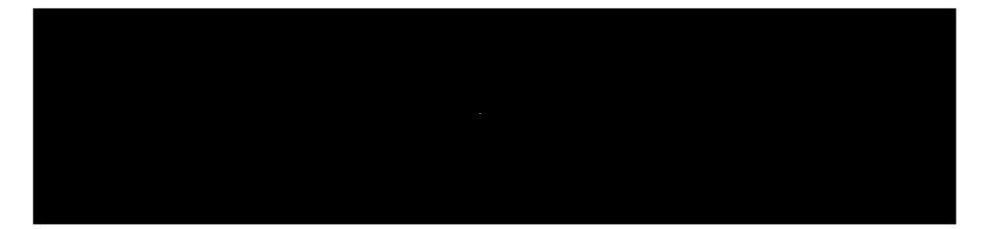
Your Details

Title: Mr

Forename(s): Jerome

Surname: Lestienne

Your Address



Contact Details



Agent Details

Do you have an agent: No

Response

Do you want to object to a site?: Yes

Do you want to object to a policy, the vision or spatial strategy: No

Other: No

Supporting information: Download supporting document Available also via link at bottom of this email.

Site Objections

Name of town, village or grouping: Cummingston

Site reference: CUMMINGSTON R1

Site name: R1 SEAVIEW ROAD

Comments: We have a few objections to this plan: 1. The plan for the 4 houses will not respect the local layout of access paths in Cummingston which is a historical feature which makes Cummingston unique. Farmers paths are a feature on both sides of the main road and separate every 2 to 3 houses with a small lane. These were respected in the current houses built on Seaview road but don't appear to be a feature on the current plan by the local builder. This contradicts the plan which protects the integrity and uniqueness of our village. 2. The sea views enjoyed from our property which is over 100 years old will be totally impacted. New houses built will directly overlook our back windows and garden, removing any privacy, seen we only have a traditional staned wall in our garden, in keeping with the rural setting. 3. From Spring to Autumn tiny bats feed on the insects around our property. They seem to come from the fields where the 4 houses are planned to be build. These could cause the bats to move away, potentially a protected species. 4. We were told the site is/was contaminated, hence the pipes laid out to remove mythene. Any building work could negatively impact on our property and health. Thank you.

Please use this link to view and retrieve the uploaded attachments.



Local Development Plan 2020

15/03/2019

Dear Sir/Madam

On the 20th February 2019 I attended the public consultation event at the town hall, with an interest in the development plan for the Bilbohall area. I was left very disappointed with the complete lack of detail given during that consultation with particular reference to:

Traffic Management and the impact on the railway bridge from Mayne Farm to Wittet Drive. No one could clarify exactly what is happening and the impact this will have. Is it a one way system, is it a two way system, is there going to be traffic lights? If a traffic management impact assessment has been carried out I am requesting a copy of that report. This bridge was not built for the volume of traffic that will according to your design and I quote from your Internal Traffic Hierarchy 4.4.6. Bullet point "Primary Street: the link road through the core of the site that connects the Wards Road and Edgar Road access points. The design of which is suitable for public transport and mixed use" It is not a link road and will just add to the traffic volume passing through this area increasing both noise and pollution, undoubtedly leading to traffic jams and back up on to Wittet Drive. The number of houses now being proposed has risen from 370 to 450 which will simply add to the problem.

I formally object to this proposed plan and ask the council to look for an alternative route as you are simply resurrecting the Western Link Road by default.

We reside at and looking again at **your** preferred option we find no detail on the height and distance that the proposed build will impact on our property. All we have again is numbers and computer impressions of a development. We were led to believe that single storey bungalows will be built behind us, again no detail. The land height parallel to Fairfield Avenue is variable as are the distances from the properties and the boundary of the factored land. You were at pains to point out how sympathetic the use of space was for the new development. I await the detail.

I **The environmental impact on the Wetlands** which by your own admission is a natural reservoir for any drainage is dubious to say the least as this part of Edgar Road has a history of flooding already from the burn. Any increase in water flow can only increase that potential risk.

Drainage and potential flooding therefore remain a huge concern with your representative at the consultation claiming this was all in place. I would request a detailed report on that or access to it.

The Development of the Firs. Whilst I did not receive a letter with regard to this development it remains very much contentious as there is yet again no detail on what is being proposed and the number of houses and style. It sits surrounded by protected trees and on no account should they be interfered with.

I am flabbergasted that we are being asked to object to a plan with such little detail therefore my objections will more than likely remain unresolved until that detail is supplied and can be assessed.

In the interim I firmly object to the number of houses now being proposed and request a reduction to more manageable numbers.

You have a very long way to go to get this right

Lastly like my neighbours I extend an invitation to any and all of the consortium members to come to our house and view the proposal from our property.

Yours faithfully

Denise Long



Local Development Plan 2020

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Peter Long