

APPLICATION FOR PLANNING PERMISSION

Town and Country Planning (Scotland) Act 1997
The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please refer to the accompanying Guidance Notes when completing this application
PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS
ELECTRONICALLY VIA <https://www.eplanning.scot>

1. Applicant's Details		2. Agent's Details (if any)	
Title	MR.	Ref No.	18 / 75.
Forename	ALFIE	Forename	COLIN
Surname	MORRISON.	Surname	KEIR
Company Name		Company Name	PLANS PLUS.
Building No./Name		Building No./Name	MAIN STREET
Address Line 1	1 EDWARDS AVENUE	Address Line 1	OFFICES
Address Line 2	LOSSIEMOUTH	Address Line 2	URQUHART
Town/City	MOLAY	Town/City	ELGIN
Postcode	IV31 6FE.	Postcode	IV30 8LG
Telephone		Telephone	01343 842635
Mobile	-	Mobile	07766 315501
Fax	-	Fax	
Email	-	Email	ctkplans@aol.com
3. Postal Address or Location of Proposed Development (please include postcode)			
PLOT 1 RATHVEN STATION. BUCKIE. ABS6 4DW.			
NB. If you do not have a full site address please identify the location of the site(s) in your accompanying documentation.			
4. Type of Application			
What is the application for? Please select one of the following:			
Planning Permission		<input type="checkbox"/>	
Planning Permission in Principle		<input checked="" type="checkbox"/>	
Further Application*		<input type="checkbox"/>	
Application for Approval of Matters Specified in Conditions*		<input type="checkbox"/>	
Application for Mineral Works**		<input type="checkbox"/>	
NB. A 'further application' may be e.g. development that has not yet commenced and where a time limit has been imposed a renewal of planning permission or a modification, variation or removal of a planning condition.			
*Please provide a reference number of the previous application and date when permission was granted:			
Reference No:	08/01235/FUL	Date:	14/00174/APP.
**Please note that if you are applying for planning permission for mineral works your planning authority may have a separate form or require additional information.			

5. Description of the Proposal

Please describe the proposal including any change of use:

PPP TO ERECT NEW DWELLING HOUSE.

Is this a temporary permission?

Yes No

If yes, please state how long permission is required for and why:

/

Have the works already been started or completed?

Yes No

If yes, please state date of completion, or if not completed, the start date:

Date started:

Date completed:

If yes, please explain why work has already taken place in advance of making this application

/

6. Pre-Application Discussion

Have you received any advice from the planning authority in relation to this proposal?

Yes No

If yes, please provide details about the advice below:

In what format was the advice given?

Meeting Telephone call Letter Email

Have you agreed or are you discussing a Processing Agreement with the planning authority? Yes No

Please provide a description of the advice you were given and who you received the advice from:

Name: Date: Ref No.:

/

7. Site Area

Please state the site area in either hectares or square metres:

Hectares (ha): Square Metre (sq.m.)

8. Existing Use

Please describe the current or most recent use:

GROUND WHICH HAS HAD 2 PREVIOUS CONSENTS GRANTED FOR A HOUSE .

9. Access and Parking

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

Yes No NO

If yes, please show in your drawings the position of any existing, altered or new access and explain 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 changes to public paths, public rights of way or affecting any public rights of access?

Yes No

If yes, please show on your drawings the position of any affected areas and explain 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 number of existing spaces plus any new spaces)

3

Please show on your drawings the position of existing and proposed parking spaces and specify if these are to be allocated for particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, etc.)

10. Water Supply and Drainage Arrangements

Will your proposals require new or altered water supply or drainage arrangements?

Yes No

Are you proposing to connect to the public drainage network (e.g. to an existing sewer?)

Yes, connecting to a public drainage network
No, proposing to make private drainage arrangements
Not applicable – only arrangement for water supply required

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 show more details on your plans and supporting information

What private arrangements are you proposing?
Treatment/Additional treatment (relates to package sewer treatment plants, or passive sewage treatment such as a reed bed)
Other private drainage arrangement (such as a chemical toilets or composting toilets)

Please show more details on your plans and supporting information.

Do your proposals make provision for sustainable drainage of surface water?

Yes No

Note:- Please include details of SUDS arrangements on your plans

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

Yes No

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

11. Assessment of Flood Risk

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

Yes No

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

If yes, briefly describe how the risk of flooding might be increased elsewhere.

12. Trees

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

Yes No

If yes, please show on drawings any trees (including known protected trees) and their canopy spread as they relate to the proposed site and indicate if any are to be cut back or felled.

13. Waste Storage and Collection

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

Yes No

If yes, please provide details and illustrate on plans.

If no, please provide details as to why no provision for refuse/recycling storage is being made:

14. Residential Units Including Conversion

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

Yes No

If yes how many units do you propose in total?

1

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

15. For all types of non housing development – new floorspace proposed

Does your proposal alter or create non-residential floorspace? Yes No

If yes, please provide details below:

Use type:

If you are extending a building, please provide details of existing gross floorspace (sq.m):

Proposed gross floorspace (sq.m.):

Please provide details of internal floorspace (sq.m)

Net trading space:

Non-trading space:

Total net floorspace:

16. Schedule 3 Development

Does the proposal involve a class of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008?

Yes No Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in your area. Your planning authority will do this on your behalf but may charge a fee. Please contact your planning authority for advice on planning fees.

17. Planning Service Employee/Elected Member Interest

Are you / the applicant / the applicant's spouse or partner, a member of staff within the planning service or an elected member of the planning authority? Yes No

Or, are you / the applicant / the applicant's spouse or partner a close relative of a member of staff in the planning service or elected member of the planning authority? Yes No

If you have answered yes please provide details:

DECLARATION

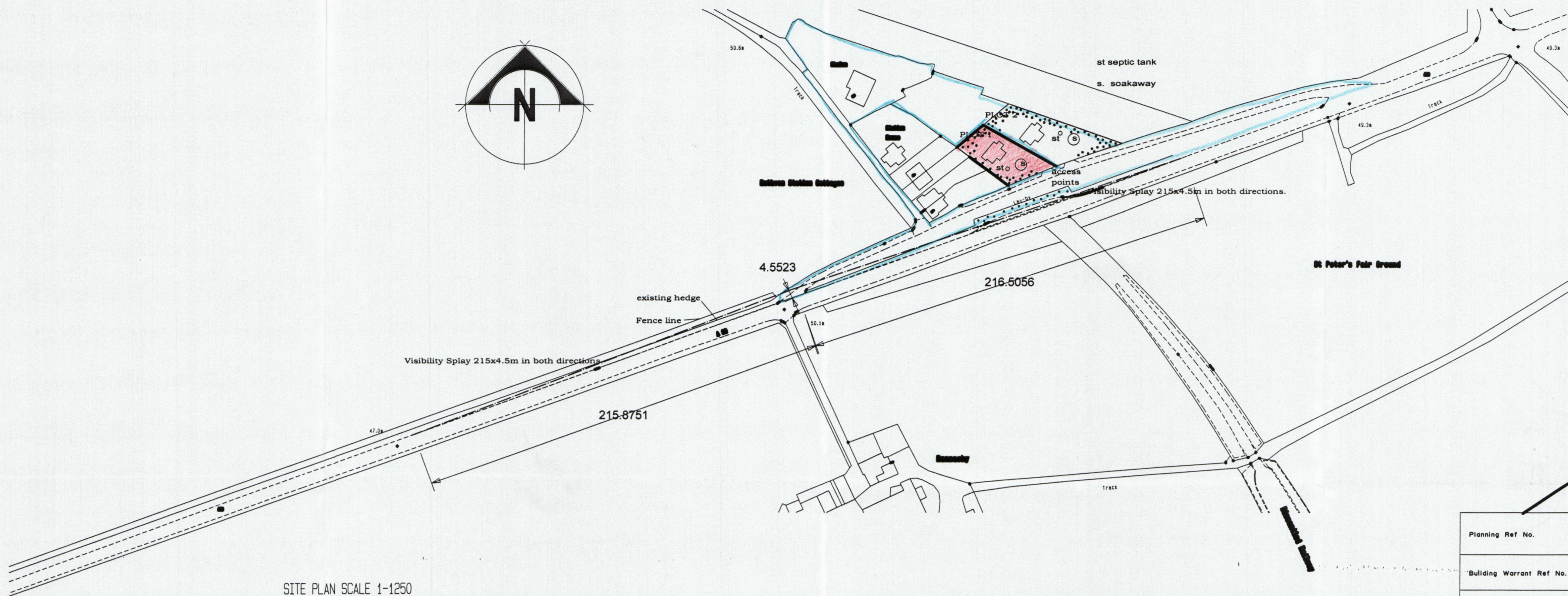
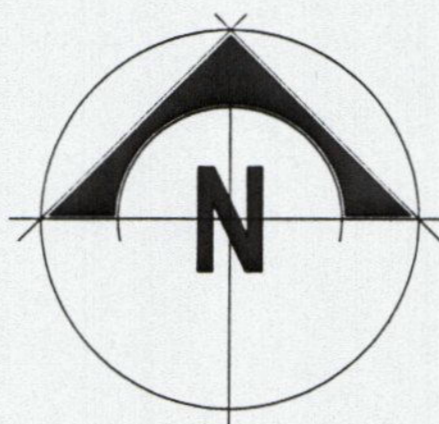
I, the applicant/agent certify that this is an application for planning permission. The accompanying plans/drawings and additional information are provided as part of this application. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

I, the applicant/agent hereby certify that the attached Land Ownership Certificate has been completed

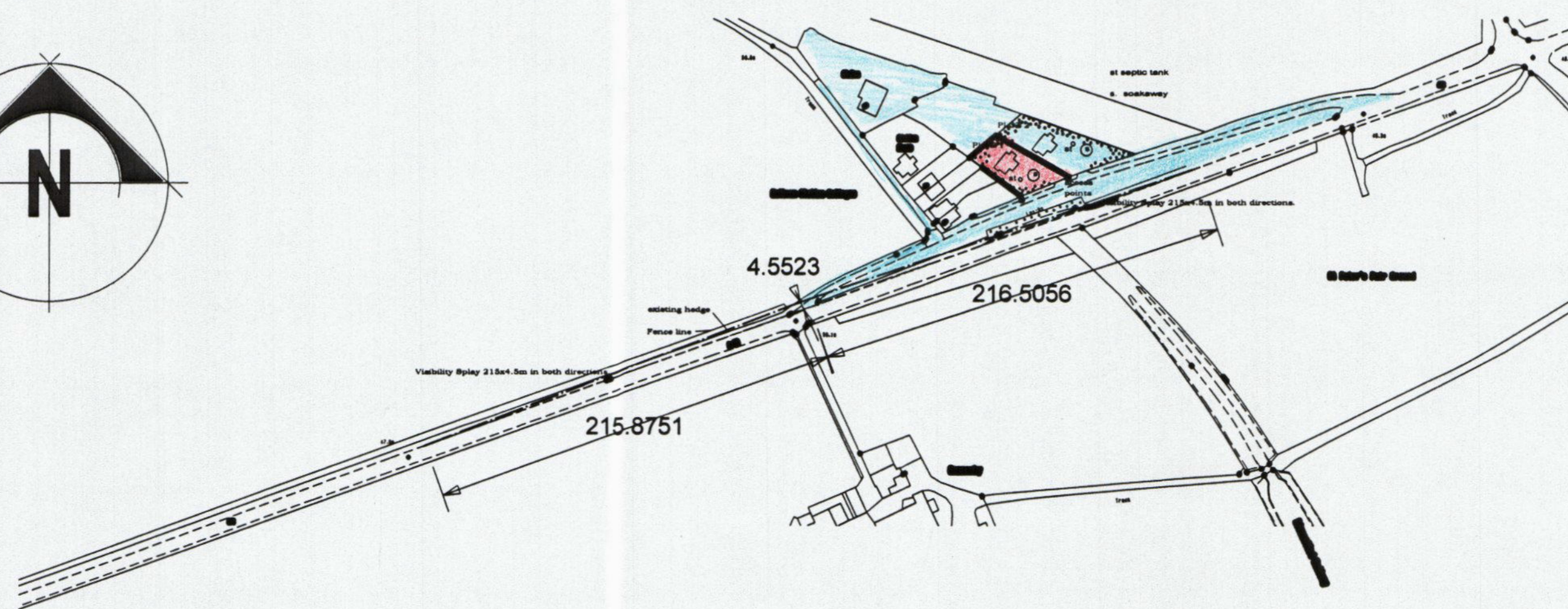
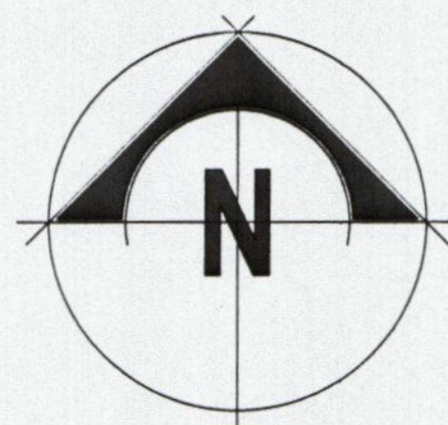
I, the applicant/agent hereby certify that requisite notice has been given to other land owners and /or agricultural tenants Yes No N/A

Signature: Name: Date:

Any personal data that you have been asked to provide on this form will be held and processed in accordance with Data Protection Legislation.



SITE PLAN SCALE 1-1250



LOCATION PLAN SCALE 1-2500

Mapping contents (c) Crown copyright and database rights 2018 Ordnance Survey 10002027

Planning Ref No.		
Building Warrant Ref No.		
Structural Engineer Ref No.		
Revisions and Distributions.		
Date	Revision.	Amended by.

Crown copyright all rights reserved License No. 100041145.
 No works to commence on site until all relevant Local Authority consents have been obtained. No responsibility taken for work commenced before all Local Authority consents have been issued.
 Contractors will have deemed to have visited the site to familiarise themselves with all aspects of the project prior to submitting any quotation for the building operations.
 Any deviation to the approved plans to be reported to this office. Contractors to check all dimensions on site prior to commencement of any building operations.
 Given dimensions only to be used. DO NOT SCALE DRAWINGS.
 Any roof truss or timbers tying into an existing roof to be checked on site by the contractor to ensure heights and ridges meet correctly.

PLANS PLUS (URQUHART)		
ARCHITECTURAL		
DESIGN CONSULTANTS		
Main Street Offices, Urquhart, By Elgin IV30 8LG. Tel No 01343 842635 / 07766 315501 ctkplans aol.com		
Project	Project No.	
PROPOSED 2 HOUSES AT PLOTS AT RATHVEN STATION, BUCKIE, MORAY.	18-75-D-1	
Client	Drawn By	Scale
MR A MORRISON	Colin T Keir	1-1250 and 1-2500

Consultation Request Notification

Planning Authority Name	Moray Council
Response Date	11th April 2019
Planning Authority Reference	19/00294/PPP
Nature of Proposal (Description)	Erect dwellinghouse on
Site	Plot 1 Site To Rear Of The Old Station House Buckie Moray
Site Postcode	N/A
Site Gazetteer UPRN	000133050821
Proposal Location Easting	344150
Proposal Location Northing	864544
Area of application site (M²)	
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	https://publicaccess.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=POEWFVBG0CR00
Previous Application	14/00174/APP 08/01235/FUL 06/02310/FUL
Date of Consultation	28th March 2019
Is this a re-consultation of an existing application?	No
Applicant Name	Mr Alfie Morrison
Applicant Organisation Name	
Applicant Address	1 Edwards Avenue Lossiemouth Moray IV31 6FE
Agent Name	Plans Plus
Agent Organisation Name	Plans Plus
Agent Address	Main Street URQUHART By Elgin Moray IV30 8LG
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Shona Strachan
Case Officer Phone number	01343 563303
Case Officer email address	shona.strachan@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

NOTE:

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

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

Data Protection - Moray Council is the data controller for this process. Information collected about you on this form will be used to process your Planning Application, and the Council has a duty to process your information fairly. Information we hold must be accurate, up to date, is kept only for as long as is necessary and is otherwise shared only where we are legally obliged to do so. You have a legal right to obtain details of the information that we hold about you.

For full terms please visit http://www.moray.gov.uk/moray_standard/page_121513.html

For full Data Protection policy, information and rights please see http://www.moray.gov.uk/moray_standard/page_119859.html

You can contact our Data Protection Officer at info@moray.gov.uk or 01343 562633 for more information.

Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Aberdeenshire Council Archaeology Service

Planning Application Ref. No: 19/00294/PPP

Erect dwellinghouse on Plot 1 Site To Rear Of The Old Station House Buckie Moray for Mr Alfie Morrison

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

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

Reason(s) for objection

None

Condition(s)

None

Further comment(s) to be passed to applicant

Further information required to consider the application

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

Date...04/04/2019.....
Phone No ...01467 537717

Return response to	consultation.planning@moray.gov.uk
---------------------------	---

Please note that information about the application including consultation responses and

representations (whether in support or objection) received on the proposal will be published on the Council's website at <http://publicaccess.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	Moray Council
Response Date	11th April 2019
Planning Authority Reference	19/00294/PPP
Nature of Proposal (Description)	Erect dwellinghouse on
Site	Plot 1 Site To Rear Of The Old Station House Buckie Moray
Site Postcode	N/A
Site Gazetteer UPRN	000133050821
Proposal Location Easting	344150
Proposal Location Northing	864544
Area of application site (M²)	
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	https://publicaccess.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=POEWFVBG0CR00
Previous Application	14/00174/APP 08/01235/FUL 06/02310/FUL
Date of Consultation	28th March 2019
Is this a re-consultation of an existing application?	No
Applicant Name	Mr Alfie Morrison
Applicant Organisation Name	
Applicant Address	1 Edwards Avenue Lossiemouth Moray IV31 6FE
Agent Name	Plans Plus
Agent Organisation Name	Plans Plus
Agent Address	Main Street URQUHART By Elgin Moray IV30 8LG
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Shona Strachan
Case Officer Phone number	01343 563303
Case Officer email address	shona.strachan@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

NOTE:

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

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

Data Protection - Moray Council is the data controller for this process. Information collected about you on this form will be used to process your Planning Application, and the Council has a duty to process your information fairly. Information we hold must be accurate, up to date, is kept only for as long as is necessary and is otherwise shared only where we are legally obliged to do so. You have a legal right to obtain details of the information that we hold about you.

For full terms please visit http://www.moray.gov.uk/moray_standard/page_121513.html

For full Data Protection policy, information and rights please see http://www.moray.gov.uk/moray_standard/page_119859.html

You can contact our Data Protection Officer at info@moray.gov.uk or 01343 562633 for more information.

Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Contaminated Land

Planning Application Ref. No: 19/00294/PPP

Erect dwellinghouse on Plot 1 Site To Rear Of The Old Station House Buckie Moray for Mr Alfie Morrison

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

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

**Condition(s)
(Informative)**

This development site is former railway land. A contamination assessment report in 2009 recommended that gas protection measures are required in residential properties on this site. Safe development is the responsibility of the developer. The Council recommends that you seek appropriate technical advice from an appropriately qualified engineer or ground gas risk practitioner to ensure that a suitable level of gas protection is incorporated into the construction design for the proposed dwelling house. For further information, you can contact the Environmental Health Section on 0300 1234561 or by email at contaminated.land@moray.gov.uk.

Contact: Adrian Muscutt
email address:
Consultee:

Date: 03/04/2019
Phone No

Return response to	consultation.planning@moray.gov.uk
---------------------------	---

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

From: DeveloperObligations
Sent: 9 Apr 2019 16:49:44 +0100
To: Shona Strachan
Cc: DC-General Enquiries
Subject: 19/00294/PPP Erect dwellinghouse on Plot 1, Site to Rear of the Old Station House, Buckie

Hi

This proposal is part of a previously approved larger development (14/00174/APP and 08/01235/FUL) and this application will result in a net increase of less than 1 SRUE. Therefore, no developer obligations will be sought in this instance.

Regards
Hilda

Hilda Puskas | Developer Obligations Officer (Development Planning & Facilitation) |
Development Services
hilda.puskas@moray.gov.uk | [website](#) | [facebook](#) | [moray council planning facebook](#) | [twitter](#) |
[newsdesk](#)
01343 563265

MORAY
council



Consultee Comments for Planning Application 19/00294/PPP

Application Summary

Application Number: 19/00294/PPP

Address: Plot 1 Site To Rear Of The Old Station House Buckie Moray

Proposal: Erect dwellinghouse on

Case Officer: Shona Strachan

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

No objections.

Allan Park

EHO



1st April 2019

Moray Council
Council Office High Street
Elgin
IV30 9BX

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

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

Dear Local Planner

**AB56 Buckie Old Station House Plot 1 Site To Rear
PLANNING APPLICATION NUMBER: 19/00294/PPP
OUR REFERENCE: 775183
PROPOSAL: Erect dwellinghouse on**

Please quote our reference in all future correspondence

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

Water

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

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 close to 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 and contact our Asset Impact Team directly at 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.

Scottish Water Disclaimer

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will **not** 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 taking account of various factors including legal, physical, and technical challenges. However it may still be deemed that a combined connection will not be accepted. Greenfield sites will not be considered and a connection to the combined network will be refused.

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

General notes:

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

Site Investigation Services (UK) Ltd

Tel: 0333 123 1223

Email: sw@sisplan.co.uk

www.sisplan.co.uk

- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area then they should write to the Customer Connections department at the above address.

- If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
- Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
- The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.
- **Please find all of our application forms on our website at the following link <https://www.scottishwater.co.uk/business/connections/connecting-your-property/new-development-process-and-applications-forms>**

Next Steps:

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

For developments of less than 10 domestic dwellings (or non-domestic equivalent) we will require a formal technical application to be submitted directly to Scottish Water or via the chosen Licensed Provider if non domestic, once full planning permission has been granted. Please note in some instances we will require a Pre-Development Enquiry Form to be submitted (for example rural location which are deemed to have a significant impact on our infrastructure) however we will make you aware of this if required.

- **10 or more domestic dwellings:**

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

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

- **Non Domestic/Commercial Property:**

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

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

Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment

washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and 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 using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found using the following link <https://www.scottishwater.co.uk/business/our-services/compliance/trade-effluent/trade-effluent-documents/trade-effluent-notice-form-h>

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

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

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

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

Yours sincerely

Pamela Strachan

Planning Consultations Administrator

Consultation Request Notification

Planning Authority Name	Moray Council
Response Date	11th April 2019
Planning Authority Reference	19/00294/PPP
Nature of Proposal (Description)	Erect dwellinghouse on
Site	Plot 1 Site To Rear Of The Old Station House Buckie Moray
Site Postcode	N/A
Site Gazetteer UPRN	000133050821
Proposal Location Easting	344150
Proposal Location Northing	864544
Area of application site (M²)	
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	https://publicaccess.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=POEWFVBG0CR00
Previous Application	14/00174/APP 08/01235/FUL 06/02310/FUL
Date of Consultation	28th March 2019
Is this a re-consultation of an existing application?	No
Applicant Name	Mr Alfie Morrison
Applicant Organisation Name	
Applicant Address	1 Edwards Avenue Lossiemouth Moray IV31 6FE
Agent Name	Plans Plus
Agent Organisation Name	Plans Plus
Agent Address	Main Street URQUHART By Elgin Moray IV30 8LG
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Shona Strachan
Case Officer Phone number	01343 563303
Case Officer email address	shona.strachan@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

NOTE:

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

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

Data Protection - Moray Council is the data controller for this process. Information collected about you on this form will be used to process your Planning Application, and the Council has a duty to process your information fairly. Information we hold must be accurate, up to date, is kept only for as long as is necessary and is otherwise shared only where we are legally obliged to do so. You have a legal right to obtain details of the information that we hold about you.

For full terms please visit http://www.moray.gov.uk/moray_standard/page_121513.html

For full Data Protection policy, information and rights please see http://www.moray.gov.uk/moray_standard/page_119859.html

You can contact our Data Protection Officer at info@moray.gov.uk or 01343 562633 for more information.

Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Transportation Manager

Planning Application Ref. No: 19/00294/PPP

Erect dwellinghouse on Plot 1 Site To Rear Of The Old Station House Buckie Moray for Mr Alfie Morrison

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

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

History of Site

This application represents a renewal of an expired planning permission (reference 14/00174/APP). The history on this site dates back to a 2006 application which was refused by Moray Council at that time (06/02310/FUL). A subsequent application came forward in 2008 (08/01235/FUL) which was again refused by Moray Council however was permitted on appeal by the Scottish Government Reporter (P/PPA/300/318). All three previous planning applications have been subject to an objection from Transportation on road safety grounds. An objection is being raised again at this time, particularly in consideration of Moray Local Development Plan 2015 policies.

Preamble

The proposed development would intensify the use of existing accesses on a stretch of the A98 Fochabers-Culllen Road which carries significant traffic movements, usually at speed. The accesses are narrow and at an acute angle to the public road. Turning onto the A98 can be difficult depending on the direction of travel.

The existence of these accesses in this location is a matter of fact and therefore some degree of conflict and interference to the passage of through vehicles already occurs, but the intensification of that interference which this proposal would engender would be detrimental to road safety.

The submitted layout plan details a visibility splay from the Westernmost access of 4.5m by 215m in both directions. However, the 4.5m (x distance) is not drawn correctly and

does not accurately reflect the position of a vehicle given the acute angle of the access. In addition the splay would be required to be clear of obstruction greater than 0.26m rather than 0.6m as proposed. The supporting letter states that the Westernmost access would be used to serve this development site however sole use of this access cannot be enforced. Given the spacing between the two accesses Transportation consider both would be utilised frequently, influenced by the direction of travel. Therefore, a visibility splay of 4.5m by 215m in both directions, clear of obstructions measuring 0.26m above the level of the carriageway, would also be required to be provided at the Easternmost access point.

Visibility is restricted by vegetation, fence lines, and road infrastructure. At the Westernmost access visibility is restricted to the West by a hedge and a boundary fence – the position of the boundary fence and the ability of the applicant to modify this has not been accurately represented on the submitted Site Layout Drawing. At the Easternmost access visibility is restricted by road infrastructure (signage), even at a reduced x distance of 2.4m.

There is also a parking layby on the A98 to the South of the road serving these plots which further restricts visibility when vehicles are present.

The alignment of the accesses themselves also compounds the visibility and road safety issue due to the way in which drivers have to position themselves to turn onto the public road. To support any intensification of use both access points would need to be realigned to provide formal, perpendicular junctions of the A98. Such modifications may require third party land.

As far as can be determined from the submitted plans, the Applicant does not appear to control sufficient land to provide adequate visibility and improvements at the accesses onto the A98. The proposed development would therefore be detrimental to road safety.

Reason(s) for objection

The proposed development, if permitted, would involve the intensification of use of two existing vehicular accesses onto the A98 Fochabers – Cullen road which suffer from sub-standard road alignment and where visibility is restricted adjacent trees/ hedges/ obstructions and would likely give rise to conditions detrimental to the road safety of road users contrary to Moray Local Plan policies T2 Provision of Access and IMP1 Development Requirements.

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

Date 05.04.19

Return response to

consultation.planning@moray.gov.uk

Please note that information about the application including consultation responses and representations (whether in support or objection) received on the proposal will be published on the Council's website at <http://publicaccess.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.

Application Summary

Address: Plot 1 Site To Rear Of The Old Station House Buckie
Moray

Proposal: Erect dwellinghouse on

Case Officer: Shona Strachan

[Click for further information](#)

Customer Details

Name: [REDACTED]

Email: [REDACTED]

Address: [REDACTED]

Comments Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Reasons for comment:

- Drainage
- Road access
- Road safety
- Traffic

Comments: My soakaway lies somewhere on the land which was originally part of the old Rathven Station and is now Plot 1. The soakaway was extended by permission given from the previous owner of the house known as Shalom at 6 Rathven Station Cottages approximately 16 years ago. The plans indicate that my soakaway could be positioned somewhere in the back garden of the applicants proposed new building plot. However, I am unaware of its exact location.

As per the appeal Decision notice dated 2009, the applicants solicitor suggested that the soakaway be discussed as a private matter between the applicant and myself. The applicant has never approached me for this discussion.

In addition, I rely on using the access road on a daily basis for commuting to and from work. I find it too dangerous to emerge onto the A98 from the western side so always use the eastern Cullen end. I find the traffic flow has increased drastically for the time I have stayed here and it is very dangerous for residents to try and cross the A98 or emerge into traffic flow at the western access point. I would therefore like the road to remain open/free for ease of access.

I would want all the conditions met from the Appeal decision notice letter dated 2009, in particular with reference to item 2- 'Before work commences..... ,2a- A 3m x 10m layby onsite be constructed to allow other vehicular access and all the other conditions are met.

In addition, I agree with the Transport Manager comments dated 5 April 2019 on accessing the A98, on the speed at which traffic moves at that point on the road and on the volume of traffic. The speed and volume of traffic on the A98 has increased drastically over the last 14 years I have lived here making it quite dangerous for all the residents to emerge onto the road.

Comments for Planning Application 19/00294/PPP

Application Summary

Application Number: 19/00294/PPP

Address: Plot 1 Site To Rear Of The Old Station House Buckie Moray

Proposal: Erect dwellinghouse on

Case Officer: Shona Strachan

Customer Details

Name: [REDACTED]

Address: [REDACTED]

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Drainage
- Road access
- Road safety
- Traffic

Comment: The soakaway for my property lies somewhere on the land which was originally part of the old Rathven Station and is now Plot 1. The soakaway was extended by permission given from the previous owner of the house known as Shalom at 6 Rathven Station Cottages approximately 16 years ago. The plans indicate that my soakaway could be positioned somewhere in the back garden of the applicants proposed new building plot. However, I am unaware of its exact location. As per the appeal Decision notice dated 2009, the applicants solicitor suggested that the soakaway be discussed as a private matter between the applicant and myself. The applicant has never approached me for this discussion.

In addition, as an elderly resident, I rely on the support and assistance from friends to take me out and bring me home, delivery vans and if needed healthcare workers. The friends always come in/leave from the Cullen side of the A98 as they find the access route easier and safer. I would not want the access to that area to be blocked.

I would want all the conditions met from the Appeal decision notice letter dated 2009, in particular with reference to item 2- 'Before work commences..... ,2a- A 3m x 10m layby onsite be constructed to allow other vehicular access and all the other conditions are met.

In addition, I agree with the Transport Manager comments dated 5 April 2019 on accessing the A98, on the speed at which traffic moves at that point on the road and on the volume of traffic. The speed and volume of traffic on the A98 has increased drastically over the last 14 years I have lived

here making it quite dangerous for all the residents to emerge onto the road.



Comments for Planning Application 19/00294/PPP

Application Summary

Application Number: 19/00294/PPP

Address: Plot 1 Site To Rear Of The Old Station House Buckie Moray

Proposal: Erect dwellinghouse on

Case Officer: Shona Strachan

Customer Details

Name: [REDACTED]

Address: [REDACTED]

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to the development of a house for the following reason:

The neighbours in house number 1 to 4 have their soakaways somewhere on the land which was originally part of the old Rathven Station and is now Plot 1. The soakaways have always been positioned on that land and were allowed to be extended by the prior owner of 6 Rathven Station Cottages who owned the land.

As per the appeal Decision notice dated 2009, the applicants solicitor suggested that the soakaway be discussed as a private matter between the applicant and myself. The applicant has never approached me for this discussion.

If planning permission is granted for this development then I believe that in the future the applicant may put planning permission for a further 2 houses as per the original planning application of 2006 which will impinge on my soakaway and view.

I rely on using the access road on a daily basis for commuting to and from work. If the traffic flow is increased by vehicles using the access road, this may prove inconvenient to the residents, farmers, delivery vehicles, amenities vehicles that use this road on a daily if not weekly basis. It is very dangerous at present for the existing traffic to emerge onto the a98 without an increase in traffic flow. In addition, some of the vehicles such as the Oil tankers and Septic tank disposal companies rely on the access road eastern end being kept open as they are unable to turn around at any of the houses including house number 6.

I would want all the conditions met from the Appeal decision notice letter dated 2009, in particular with reference to item 2- 'Before work commences..... ,2a- A 3m x 10m layby onsite be constructed to allow other vehicular access and all the other conditions are met.

I agree with the Transport Manager comments dated 5 April 2019 on accessing the A98, on the speed at which traffic moves at that point on the road and on the volume of traffic. The speed and volume of traffic on the A98 has increased drastically over the last 14 years I have lived here making it quite dangerous for all the residents to emerge onto the road.

Comments for Planning Application 19/00294/PPP

Application Summary

Application Number: 19/00294/PPP

Address: Plot 1 Site To Rear Of The Old Station House Buckie Moray

Proposal: Erect dwellinghouse on

Case Officer: Shona Strachan

Customer Details

Name: [REDACTED]

Address: [REDACTED]

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Drainage
- Road access
- Road safety
- Traffic

Comment: This comment is on behalf of the family of Mrs Mary Robinson (deceased).

The soakaway for my property lies somewhere on the land which was originally part of the old Rathven Station and is now Plot 1. The soakaway has always existed on this land as my house pre-dates back to 1886 when the station was originally built and the septic tank is at the bottom of my garden. The plans show that my soakaway may be positioned somewhere under the applicants front driveway. However, I am unaware of its location. As per the appeal Decision notice dated 2009, the applicants solicitor suggested that the soakaway be discussed as a private matter between the applicant and myself. The applicant has never approached me for this discussion.

In addition, as an elderly resident, I rely on the support and assistance from friends to take me out and bring me home, delivery vans and if needed healthcare workers. The friends always come in/leave from the Cullen side of the A98 as they find the access route easier and safer. I would not want the access to that area to be blocked.

I would want all the conditions met from the Appeal decision notice letter dated 2009, in particular with reference to item 2- 'Before work commences..... ,2a- A 3m x 10m layby onsite be constructed to allow other vehicular access and all the other conditions are met.

In addition, I agree with the Transport Manager comments dated 5 April 2019 on accessing the A98, on the speed at which traffic moves at that point on the road and on the volume of traffic. The

speed and volume of traffic on the A98 has increased drastically over the last 14 years I have lived here making it quite dangerous for all the residents to emerge onto the road.

[REDACTED]

REPORT OF HANDLING

Ref No:	19/00294/PPP	Officer:	Shona Strachan
Proposal Description/ Address	Erect dwellinghouse on Plot 1 Site To Rear Of The Old Station House Buckie Moray		
Date:	16/05/19	Typist Initials:	FJA

RECOMMENDATION

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

CONSULTATIONS

Consultee	Date Returned	Summary of Response
Environmental Health Manager	10/04/19	No objection
Contaminated Land	04/04/19	No objection with informative highlighting the requirement for gas protection measures.
Transportation Manager	05/04/19	Object to the proposal as the proposal would likely give rise to conditions detrimental to the road safety of road users contrary to Moray Local Plan policies T2 Provision of Access and IMP1 Development Requirements.
Scottish Water	01/04/19	No objection but this does not guarantee connection to Scottish Water Infrastructure.
Planning And Development Obligations	09/04/19	Response confirms that no Developer Obligation will be sought in this instance.
Aberdeenshire Council Archaeology Service	04/04/19	No objection

DEVELOPMENT PLAN POLICY

Policies	Dep	Any Comments (or refer to Observations below)
Moray Local Development Plan 2015	N	
PP1: Sustainable Economic Growth	N	
PP2: Climate Change	N	
PP3: Placemaking	N	

H7: New Housing in the Open Countryside	Y	The application is contrary to the provisions of this policy and this forms the basis of one of the reasons of refusal for this application.
E9: Settlement Boundaries	N	
E10: Countryside Around Towns	Y	The application is contrary to the provisions of this policy and this forms the basis of one of the reasons of refusal for this application.
EP5: Sustainable Urban Drainage Systems	N	
EP10: Foul Drainage	N	
T2: Provision of Access	Y	The application is contrary to the provisions of this policy and this forms the basis of one of the reasons of refusal for this application.
T5: Parking Standards	N	
IMP1: Developer Requirements	Y	The application is contrary to the provisions of this policy and this forms the basis of one of the reasons of refusal for this application.
IMP3: Developer Obligations	N	
2020 Proposed Local Development Plan		
PP1 Placemaking		
PP2 Sustainable Economic Growth		
PP3 Infrastructure & Services		
EP4 Countryside Around Towns		
DP4 Rural Housing		
EP12 Management and Enhancement of the		
EP13 Foul Drainage		
EP14 Pollution, Contamination & Hazards.		

REPRESENTATIONS

Representations Received	YES	
Total number of representations received FOUR		
Names/Addresses of parties submitting representations		
Name and address details of parties submitting representations withheld in accordance with the General Data Protection Regulations.		
Summary and Assessment of main issues raised by representations		
<p>Issue: The neighbours at the adjacent Rathven Station Cottages have their soakaways somewhere on the land which was originally part of the old Rathven Station and is now Plot 1. The soakaways have always been positioned on that land. As per the appeal Decision notice dated 2009, the applicants solicitor suggested that the soakaway be discussed as a private matter between the applicant and myself. The contributors advise that this discussion has never taken place.</p> <p>Comments (PO): It is confirmed that the location of the soakaways within the plot and any access required for their servicing etc would be a private legal matter between the applicant and the relevant neighbours. Building Standards would for the new plot (if approved) consider the proximity of existing soakaways to any new soakaways proposed.</p>		
Issue: If planning permission is granted for this development then I believe that in the future the		

<p>applicant may put planning permission for a further 2 houses as per the original planning application of 2006 which will impinge on my soakaway and view.</p> <p>Comments (PO): This is a speculative comment and it is further noted that each application is judged on its own individual merits against the requirements of the Local Development Plan as would be the case with any future application.</p>
<p>Issue: Access: the existing access is already used to serve the existing cluster of 6 houses including use by healthcare workers, visiting friends and family and delivery drivers (including oil tankers) many of whom rely on the access track for through access. There is concern that the additional use of the access could lead to it being blocked.</p> <p>Comments (PO): It is purely speculative to suggest that any additional use of the access would lead to it being blocked, particularly as there would be a requirement for any sites to have sufficient onsite parking and turning space. Other transportation issues have been identified.</p>
<p>Issue: Concern about increase use of the access as it is commented that the 6 existing house rely on the access for commuting and general daily use. The additional traffic associated with this application would lead to increased use and inconvenience.</p> <p>Comment (PO): Following assessment of the access considerations of the proposal, the application is the subject of an objection from the Transportation Service as the proposal would likely give rise to conditions detrimental to the road safety of road users contrary to Moray Local Plan policies T2 Provision of Access and IMP1 Development Requirements. Along with the unacceptable siting of the proposal, the objection from Transportation Service will form part of the reason for refusal of the application.</p>
<p>Issue: Increase traffic: The contributors agree with the comment from the Transportation Manager dated 5 April 2019 on accessing the A98 and the speed at which traffic moves on the road and the increased volume of traffic making it quite dangerous for all the residents to emerge onto the road.</p> <p>Comments (PO): Following assessment of the access considerations of the proposal, the application is the subject of an objection from the Transportation Service as the proposal would likely give rise to conditions detrimental to the road safety of road users contrary to Moray Local Plan policies T2 Provision of Access and IMP1 Development Requirements. Along with the unacceptable siting of the proposal, the objection from Transportation Service will form part of the reason for refusal of the application.</p>
<p>Issue: All the conditions from the Appeal Decision (dated 2009) should be met if any development is to be permitted at this location including the access upgrade requirements.</p> <p>Comments (PO): The Appeal Decision from 2009 is a lapsed permission on this site and the application has to be considered afresh under the requirements of the Moray Local Development Plan 2015. Following assessment, this application is the subject of an objection from the Transportation Service as the proposal would likely give rise to conditions detrimental to the road safety of road users contrary to Moray Local Plan policies T2 Provision of Access and IMP1 Development Requirements. Along with the unacceptable siting of the proposal, the objection from Transportation Service will form part of the reason for refusal of the application.</p> <p>Following the issue of Decision the applicant will be able to seek a Review of the case to the Local Review Body (LRB). If the applicant pursues this opportunity, the LRB will assess all the material considerations in the case and consider the proposal afresh, it is not possible to speculate on the outcome of this Review.</p>

OBSERVATIONS – ASSESSMENT OF PROPOSAL

Legislative Requirements

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 (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.

On 18 December 2018, at a special meeting of the Planning and Regulatory Services Committee, the Proposed Plan was approved as the "settled view" of the Council and minimal weight will be given to

the Proposed Plan, with the 2015 MLDP being the primary consideration.

Proposal

Planning permission in principle is sought for the erection of a dwellinghouse on Plot 1 site to rear of The Old Station House, Buckie.

The site plan shows an indicative site layout including the individual plot accesses taken from the unclassified access track to the south of the site, an indicative house footprint and position as well as indicative siting of the septic tank and soakaway. As advised in the application form, the dwelling would seek a connection to public mains water.

This site and the neighbouring site Plot 2 formed one application site under application reference 08/01235/FUL. This application was refused on siting, access and land contamination issues. The siting issues related to the site's location within the Countryside Around Town designation and because the development would be detrimental to the existing traditional settlement pattern at this location having a detrimental impact on the character of the existing rural cluster of houses at this location. The access issues were related to the intensification of use at this access which was considered to be detrimental to road safety and the contaminated land issues related to the lack of detailed assessment to ascertain if the site was suitable of residential use given its history of being land associated with the former railway.

Application 08/01235/FUL was the subject of an Appeal to The Planning and Environmental Appeals Division (DPEA) of the Scottish Government with the appeal upheld on 18 February 2009 and grant planning permission subject to conditions. Central to the Reporters' Decision was the opinion that the site was brownfield land adjacent to a well-defined housing group and could be accommodated with modest access upgrading.

Application 14/00174/APP sought a renewal of the permission granted by the appeal decision and at the time of submission the Appeal Decision was an extant consent on the site and was therefore a significant material consideration in the determination of application 14/00174/APP and the application was therefore approved and issued by Decision on 2 April 2017.

This means therefore at the time of the submission of this current planning application, the permission granted under application 14/00174/APP is a lapsed consent on the site.

Plot 2 is located to the east of this site and is the subject of a separate planning application under application reference 19/00295/PPP which is under separate consideration.

This means the application has to be considered afresh against the requirements of the Moray Local Development Plan 2015.

Site Characteristics

Extending to 774 sq m the site is open grass land with a dispersed covering of natural seeded trees and scrub vegetation. The ground is understood to have once formed part of what would have been the old railway station at Rathven. The site is located on the north side of the A98 and is located to the rear (east) of Rathven Station Cottages. Plot 2 is located to the east of the site and is under separate consideration under application reference 19/00295/PPP.

This site and the neighbouring site 19/00295/PPP (Plot 2) form part of the Buckie Countryside Around Town Designation.

Planning History

There is a long planning history associated with this site, with permission granted for two houses under the terms of the Scottish Government Appeal Decision on application reference 08/01235/FUL (18 February 2009) and planning permission effectively renewed under the terms of application

14/00174/APP (expiring on 2 April 2017).

However, it is noted here that all previous permissions on this site have lapsed and as noted previously, this means that the application must be considered afresh against the requirements of the Moray Local Development Plan 2015.

Policy Assessment

Siting and Impact on the Rural Character of the Surrounding Area (E10, H7 IMP1 plus associated Supplementary Planning Guidance: Housing in the Countryside).

Policy E10 Countryside Around Towns (CAT): advises that development proposals within the Countryside Around Towns areas will be refused unless they meet an number of qualifying exemptions including: a) the rehabilitation, conversion, limited extension, replacement or change of use of existing buildings; b) are necessary for the purposes of agriculture, forestry, low intensity recreational or tourism use; c) are designated "LONG" term housing allocation, released for development under the terms of Policy H2. With the key policy objective being to preserve the special character of the countryside around the town, maintaining and preserving its distinction from the built up area.

Policy H7 New Housing in the Open Countryside: contains the location/siting and design criteria for assessing the acceptability of applications for new houses in the open countryside. In terms of location/siting, this policy requires proposals to reflect the existing traditional pattern of settlement in the locality, be sensitively integrated and not obtrusive in the landscape, not detract from the character or setting of existing development, and not to contribute to a build-up of development that detracts from the rural character of the area.

In discussing the traditional pattern of settlement, further advice is provided in the Council's associated Supplementary Planning Guidance on Housing in the Countryside (SPG) when it is advised that: Whilst a proposal may reflect the traditional pattern of settlement it may not always be appropriate. 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. Where a considerable level of development has taken place, another dwelling may adversely impact on the distinctive rural qualities of the area (e.g. open appearance and ambiance) (page 14 refers).

In terms of the impact of new development on the character and setting of existing buildings further advice is given on page 16 of the Housing in the Countryside (SPG) advising that: A proposal for a new house must not detract from the character or setting of existing buildings or their surrounding area when added to an existing cluster. This means that the siting of a new building must form a logical part of the existing cluster and not have the appearance of being 'added on' (page 16).

Policy IMP1 Developer Requirements: seeks compatibility in terms of scale, density and character, requiring new development to integrate into the surrounding landscape and be sensitively sited, designed and serviced appropriate to the amenity and character of the area.

In this instance, the proposed site is located in Buckie Countryside Around Town (CAT) and as an application for a new build rural dwellinghouse does not meet any of the qualifying exemptions associated with this Policy and is therefore contrary to its provisions. As an application for a new dwelling at this location, the proposal would have an adverse impact on the Buckie CAT and its objectives, and would not help to preserve the special character of the countryside at this location or preserve the distinction with the built up environment.

It is also considered that the siting of an additional dwelling at this location adjacent to this existing small rural cluster would lead to a build-up of development which would be detrimental to the character and setting of this existing small grouping and the surrounding countryside increasing the number of rural dwellings present at this location.

As an application for planning permission in principle no detailed design information or landscaping details have been provided. However, given the in principle nature of this planning permission these elements could be ensured by condition. However, this does not alter the fundamental siting issues associated with this planning application.

Water and Drainage (EP5 and EP10)

A connection to the public water supply is proposed; whilst Scottish Water has not objected to the proposal any connection would be the subject of separate liaison between the applicant and Scottish Water directly.

The indicative site layout shows indicative siting of the septic tank and soakaway. Ultimately detailed provision for surface and foul waters are detailed matters of consideration which would be further considered as part of any future detailed planning application but generally and in principle (and subject to condition) the proposal would be likely to be able to secure acceptable drainage provision.

Access and Parking (T2 and T5)

In considering the planning application the Transportation Service has provided a detailed consultation response to the proposal highlighting the following key points:

The proposed development would intensify the use of existing accesses on a stretch of the A98 Fochabers-Cullen Road which carries significant traffic movements, usually at speed. The accesses are narrow and at an acute angle to the public road. Turning onto the A98 can be difficult depending on the direction of travel.

The existence of these accesses in this location is a matter of fact and therefore some degree of conflict and interference to the passage of through vehicles already occurs, but the intensification of that interference which this proposal would engender would be detrimental to road safety.

It is further highlighted in the response that the submitted layout plan details a visibility splay from the Westernmost access of 4.5m by 215m in both directions. However, the 4.5m (x distance) is not drawn correctly and does not accurately reflect the position of a vehicle given the acute angle of the access. In addition the splay would be required to be clear of obstruction greater than 0.26m rather than 0.6m as proposed. The supporting letter states that the Westernmost access would be used to serve this development site however sole use of this access cannot be enforced. Given the spacing between the two accesses Transportation consider both would be utilised frequently, influenced by the direction of travel. Therefore, a visibility splay of 4.5m by 215m in both directions, clear of obstructions measuring 0.26m above the level of the carriageway, would also be required to be provided at the Easternmost access point.

Visibility is restricted by vegetation, fence lines, and road infrastructure. At the Westernmost access visibility is restricted to the West by a hedge and a boundary fence - the position of the boundary fence and the ability of the applicant to modify this has not been accurately represented on the submitted Site Layout Drawing. At the Easternmost access visibility is restricted by road infrastructure (signage), even at a reduced x distance of 2.4m. There is also a parking layby on the A98 to the South of the road serving these plots which further restricts visibility when vehicles are present.

The alignment of the accesses themselves also compounds the visibility and road safety issue due to the way in which drivers have to position themselves to turn onto the public road. To support any intensification of use both access points would need to be realigned to provide formal, perpendicular junctions of the A98. Such modifications may require third party land.

As far as can be determined from the submitted plans, the Applicant does not appear to control sufficient land to provide adequate visibility and improvements at the accesses onto the A98. The proposed development would therefore be detrimental to road safety.

In concluding all of the foregoing matters the Transportation Manager has concluded that: The proposed development, if permitted, would involve the intensification of use of two existing vehicular accesses onto the A98 Fochabers - Cullen road which suffer from sub-standard road alignment and where visibility is restricted adjacent trees/ hedges/ obstructions and would likely give rise to conditions detrimental to the road safety of road users contrary to Moray Local Plan policies T2 Provision of Access and IMP1 Development Requirements.

This objection from Transportation on road safety grounds will form part of the reason for refusal of the application.

Developer Obligations (IMP3)

An assessment has been carried out in relation to Policy IMP3 Developer Obligations of the Moray Local Development Plan 2015. The assessment identifies that no Developer Obligation will be sought in this instance.

Conclusion

The application is considered to result in an unacceptable form of development in siting and access terms and does not comply with the provisions of the Local Development Plan (and associated Supplementary Guidance). The application is therefore to be refused.

OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT

None

HISTORY

Reference No.	Description		
14/00174/APP	Extend planning consent 08/01235/FUL to erect 2 houses and garages Rathven Station House Buckie Moray		
	Decision	Permitted	Date Of Decision 02/04/14
08/01235/FUL	Erect 2 houses and garages at The Old Rathven Station Buckie Moray		
	Decision	Refuse	Date Of Decision 12/09/08
06/02310/FUL	Erect four houses and garages on Site At The Old Rathven Station Buckie Moray		
	Decision	Refuse	Date Of Decision 14/08/07

ADVERT

Advert Fee paid?	Yes	
Local Newspaper	Reason for Advert	Date of expiry
Banffshire Advertiser	Departure from development plan	06/05/19
PINS	Departure from development plan	06/05/19

DEVELOPER CONTRIBUTIONS (PGU)

Status	NONE SOUGHT
---------------	--------------------

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

Supporting information submitted with application?	YES	
--	-----	--

Summary of main issues raised in each statement/assessment/report

Document Name: **Appeal Decision Notice P/PPA/300/318 as issued by decision on 18 February 2009.**

Main Issues:
 Outlines the Scottish Governments' Reporters' Decision to uphold the appeal and grant planning permission subject to conditions. Central to the Reporters' Decision was the opinion that the site (made up of plots 1 and 2) was brownfield land adjacent to a well-defined housing group and could be accommodated with modest access upgrading.

Document Name: Letter in Support of the Application with key comments in support centred on the Appeal Decision on application 08/01235/FUL and the further renewal of the application under reference 14/00174/APP. Further comments advise that the applicant had not realised that the permission granted under 14/00174/APP was for three years. Thereafter further comments are provided on the plot itself and the visibility requirements.

Main Issues:

S.75 AGREEMENT

Application subject to S.75 Agreement		NO
---------------------------------------	--	----

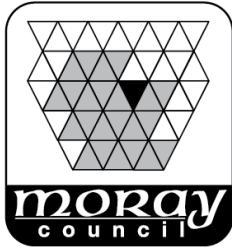
Summary of terms of agreement:

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

**[Buckie]
Planning Permission in Principle**

TO Mr Alfie Morrison
c/o Plans Plus
Main Street
URQUHART
By Elgin
Moray
IV30 8LG

With reference to your application for planning permission in principle 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 Plot 1 Site To Rear Of The Old Station House Buckie Moray

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

Date of Notice: **16 May 2019**

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

The proposal is contrary to the provisions of the adopted Moray Local Development Plan 2015 (Policies E10, H7, T2 and IMP1) and, as a material consideration, the associated Supplementary Planning Guidance 'Housing in the Countryside' because:

- 1) As an application for a new dwelling at this location, the proposal would have an adverse impact on the Buckie Countryside Around Town designation and its objectives, and would not help to preserve the special character of the countryside at this location or preserve the distinction with the built up environment.
- 2) The siting of an additional dwelling at this location adjacent to an existing small rural cluster would lead to a build-up of development which would be detrimental to the character and setting of this small grouping and the character and appearance of surrounding countryside by increasing the number of rural dwellings present at this location.
- 3) The proposed development, if permitted, would involve the intensification of use of two existing vehicular accesses onto the A98 Fochabers - Cullen road which suffer from sub-standard road alignment and where visibility is restricted adjacent trees/ hedges/ obstructions and would likely give rise to conditions detrimental to the road safety of road users contrary to Moray Local Plan policies T2 Provision of Access and IMP1 Development Requirements.

LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT

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

Reference	Version	Title
18-75 D1		Site and location plan

**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.scot/eplanningClient

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.

