



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

REFUSAL OF PLANNING PERMISSION

**[Fochabers Lhanbryde]
Outline Application**

TO Robertson Homes Limited
10 Perimeter Road
Pinefield
Elgin
Moray
IV30 6AE

**Form 2no private house plots at Walkers Crescent (Kirkhillhead)
Lhanbryde Moray**

With reference to your application for outline planning permission in conditions 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: -

**Form 2no private house plots at Walkers Crescent (Kirkhillhead)
Lhanbryde Moray**

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

Date of Notice: **8th October 2009**

HEAD OF DEVELOPMENT SERVICES

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

IMPORTANT
YOUR ATTENTION IS DRAWN TO THE REASONS and NOTES BELOW

SCHEDULE OF REASON(S) FOR REFUSAL

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

1. The proposal is contrary to policy T2 in the adopted Moray Local Plan 2008 as a safe and suitable access cannot be provided owing to the substandard access width, and visibility of Walkers Crescent onto the public highway and the use of which would result in hazards to pedestrians and other road users.

LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT

The following plans and drawings form part of the decision:

Reference	Title
	Location plan
LAY-03	Site layout plan

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

None.

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

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

If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.