



10 August 2010

Our Ref. 080142/COWIE/mjh
Your Ref. LRB/Case 017

Mr Ron Ritchie
Clerk to the Local Review Body
The Moray Council
High Street
Elgin

CENTRAL SERVICES			
12 AUG 2010			
CITIEE	ESTATES	LEGAL	PERSONNEL
COMMENTS			

Dear Ron:

NOTICE OF REVIEW: PLANNING APPLICATION 08/02487/FUL: PLANNING PERMISSION TO RENOVATE AND REUSE THE EXISTING LIME KILN TO CREATE A DWELLINGHOUSE AT BRAEHEAD QUARRY, KEITH

I refer to the above Local Review Board appeal and the Council Contaminated Land Section comments dated 2nd August 2010 forward to the appellant for information and comment. The appellant note the content of this letter and wishes to offer the following comments;

The appellant is not averse to undertaking the required Contaminated Land assessments and only resisted commissioning it following an indication from the Planning Officer that the planning application was likely to find little merit in his consideration against the CAT Local Plan policy. The required Contaminated Land work for this site is anticipated to cost upwards of £10,000.00 and we would hope the LRB consider the appellant to be prudent to not to invest a figure of this amount without some reassurance that planning approval would be forthcoming.

In terms of the previous gas testing done around the site, the Council Contaminated Land Section is correct in its statement that this testing was not undertaken on the precise site of the house. However, until recently it would not have been possible to undertake testing on the proposed house footprint and the appellant would state that the previous gas testing was done between the land fill area and the proposed house site.

The appellant would be entirely content with the suggestion contained within the last paragraph of the Contaminated Land Section letter that should the LRB support this appeal, that the issue of the approval notice is deferred until the Contaminated Land work has been resolved.

Sincerely,



Matthew Hilton

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*from conception...
to completion*