

08/00930/FUL
21st May 2008

Retrospective change of use from agricultural land to garden ground and erection of detached garage incorporating studio at Woodside Farmhouse Mosstowie Elgin Moray IV30 8UW for Mrs Emma Cooper

Comments:

- MEMBERS WILL HAVE VISITED THE SITE.
- Development Control Manager minded to approve application (as recommended below) which is a departure from the development plan.
- Advertised as a departure from the development plan.
- Objections/representations received.
- Departure from L/ENV11 CAT policy.

Procedure:

- Application to be considered at Special Meeting of Planning & Regulatory Services Committee on 12th August 2008 to include a hearing at which applicant/agent and objector to be given opportunity to speak to application and stated objections prior to determination.

Recommendation: **Permit - Subject To The Following:-**

1. The development to which this permission relates must be begun not later than the expiration of five years beginning with the date on which this permission is granted.
2. 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.
3. Unless otherwise agreed with the Council (as Planning Authority) the development shall not commence until samples of the proposed slate grey metal roof sheeting have been submitted to and approved by the Head of Development Services.

Reasons:

1. The time limit condition is imposed in order to comply with the requirements of Section 58 of the Town and Country Planning (Scotland) Act 1997.
2. 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 order to ensure that the development harmonises with the appearance and character of the surrounding properties and area.

List of Informatives:

THE CONTAMINATED LAND SECTION has commented that:-

Due to the past agricultural use of the site, there is always a potential for contamination to have arisen from, for example, farm tips, chemical storage or animal burial sites.

The Moray Council does not have information to confirm whether or not the ground has been contaminated, however it is recommended that you investigate this matter prior to proceeding with the proposed works. Should contamination be identified you should contact the Environmental Health section immediately and carry out agreed remediation works. For advice on researching/investigating a site, please visit the Council website at www.moray.gov.uk/ContaminatedLand. Alternatively you can contact the Environmental Health Section on 01343 563345 or by email to contaminated.land@moray.gov.uk

Comments received from SCOTTISH WATER are attached for your information.