



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

REFUSAL OF PLANNING PERMISSION

**[Fochabers Lhanbryde]
Application for Planning Permission**

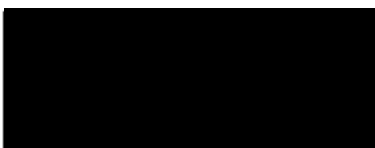
TO Mr Chris Roberts
c/o C M Design
St Brendans
69 South Guildry Street
Elgin
Moray
IV30 1QN

With reference to your application for planning permission 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 Site At Greenfields Bogton Farm Lhanbryde Moray

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

Date of Notice: **18 January 2016**



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: -

The proposal is contrary to policies H7 and IMP1 of the Moray Local Development Plan (MLDP) 2015) for the following reasons:

The submitted house design of the form, massing and proportions proposed would fail to reflect traditional Scottish rural architecture and would neither be low impact nor reflect the character of existing traditional housing in the surrounding area. The design which incorporates a deep plan form, wide flat roofed flank elements and 2 storey full height glazing and balconies across the entire front elevation (features generally more suited to an urban setting) would relate poorly to other traditional buildings in the area and would alter the rural character of this part of the landscape. Any adverse impact in this regard would be heightened further due to the elevated position of the site, readily visible from the A96 trunk road to the north. On this basis the proposal would represent an inappropriate form of development for this location that would neither integrate sensitively into the landscape nor fit with its rural surrounds, as required by policies H7 and IMP1.

Although the house utilises some traditional materials and would have a footprint smaller than the original (traditional) design, the current proposal is unacceptable in this instance for the reasons already outlined. In addition, although the applicant's Supporting Case contends that the proposal is an innovative modern design, officers take the contrary view in that it has not been adequately demonstrated that the submitted design is innovative or truly inspirational, or that it relates well to the landscape and setting in which it lies.

LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT

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

Reference	Version	Title
150063.ROBERTS.04PP		Elevations floor plans site and location plan
150063.01		3D visualisation of dwelling
150063.02		3D visualisation of dwelling
150063.03		3D visualisation of dwelling

**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.