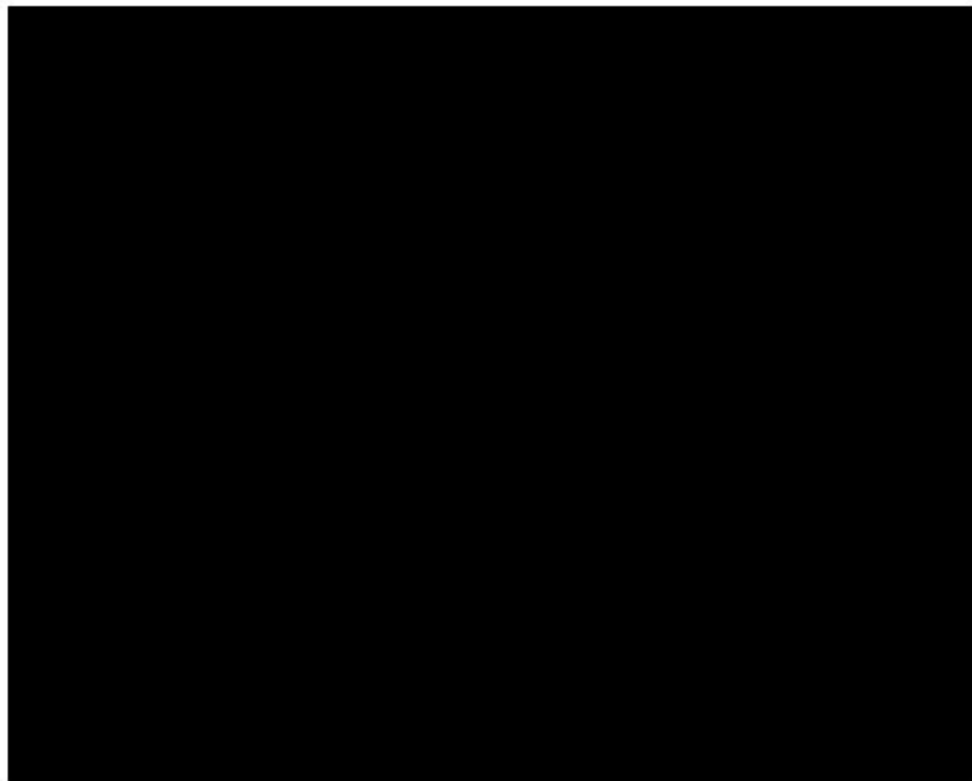


**THE MORAY COUNCIL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997,
as amended**

REFUSAL OF PLANNING PERMISSION

**[Heldon And Laich]
Application for Planning Permission**

TO

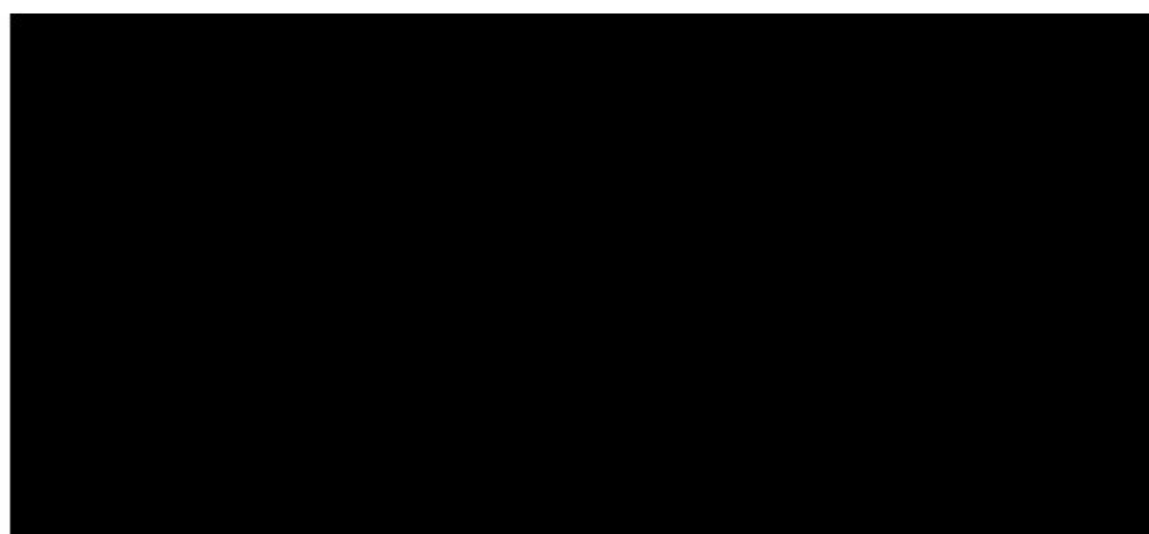


With reference to your application for planning permission under the above mentioned Act, the Council in exercise of their powers under the said Act, have decided to **REFUSE** your application for the following development:-

**Erect dwellinghouse and associated works Site Approximately 200M East Of
Lea Rig Mosstowie Elgin Moray**

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

Date of Notice: **22 March 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 and associated Supplementary Guidance 'Housing in the Countryside' (MLDP 2015) for the following reasons:

The proposed house and associated garage would fail to comply with the siting requirements of the above policies as they would lack the sufficient natural backdrop required to integrate sensitively with the surrounding landform, and would be highly visible in the landscape. The development occupying a prominent roadside position within this open setting (with no discernible backdrop) would therefore represent unacceptable 'obtrusive' development which would detract from the rural character of this part of the countryside contrary to policies H7 and IMP1 of the MLDP 2015 and associated Supplementary Guidance 'Housing in the Countryside (Moray Local Development Plan 2015).

LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT

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

Reference	Version	Title
HHL 13047.P08		Elevations and floor plans
HHL 13047.P04		Garage elevations and floor plans
HHL 13047.P07	B	Visibility splay
HHL 13047.P09	A	Site and location plan

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.