



The Moray Council Council Office High Street Elgin IV30 1BX Tel: 01343 563 501 Fax: 01343 563 263 Email: development.control@moray.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100006919-002

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

- ☐ Application for planning permission (including changes of use and surface mineral working).
- ☐ Application for planning permission in principle.
- ☒ Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- ☐ Application for Approval of Matters specified in conditions.

Please give the application reference no. of the previous application and date when permission was granted.

Application Reference No: *

15/01401/APP

Date (dd/mm/yyyy): *

24/09/2015

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Variation of Vestibule roof

Is this a temporary permission? *

☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) *

☐ Yes ☒ No

Has the work already been started and/or completed? *

☐ No ☒ Yes – Started ☐ Yes - Completed

Please state date of completion, or if not completed, the start date (dd/mm/yyyy): *

14/03/2016

Please explain why work has taken place in advance of making this application: * (Max 500 characters)

House as approved proceeding - permission sought for variation to shape of house entrance vestibule roof.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation: Ashley Bartlam Partnership

Ref. Number:

You must enter a Building Name or Number, or both: *

First Name: *

Alistair

Building Name:

Last Name: *

Murdoch

Building Number:

41

Telephone Number: *

01343 543287

Address 1
(Street): *

Moss Street

Extension Number:

Address 2:

Mobile Number:

Town/City: *

Elgin

Fax Number:

Country: *

Moray

Postcode: *

IV30 1LT

Email Address: *

enquiries@ashleybartlam.co.uk

Is the applicant an individual or an organisation/corporate entity? *

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

| | | | |
|----------------------|---|--|--|
| Title: | <input type="text" value="Other"/> | You must enter a Building Name or Number, or both: * | |
| Other Title: | <input type="text" value="Mr & Mrs"/> | Building Name: | <input type="text" value="Cairnend"/> |
| First Name: * | <input type="text" value="K"/> | Building Number: | <input type="text"/> |
| Last Name: * | <input type="text" value="Gray"/> | Address 1 (Street): * | <input type="text" value="unclassified road"/> |
| Company/Organisation | <input type="text"/> | Address 2: | <input type="text"/> |
| Telephone Number: * | <input type="text"/> | Town/City: * | <input type="text" value="Mosstodloch"/> |
| Extension Number: | <input type="text"/> | Country: * | <input type="text" value="Scotland"/> |
| Mobile Number: | <input type="text"/> | Postcode: * | <input type="text" value="IV32 7LN"/> |
| Fax Number: | <input type="text"/> | | |
| Email Address: * | <input type="text"/> | | |

Site Address Details

| | |
|---|--|
| Planning Authority: | <input type="text" value="Moray Council"/> |
| Full postal address of the site (including postcode where available): | |
| Address 1: | <input type="text" value="CAIRNEND"/> |
| Address 2: | <input type="text"/> |
| Address 3: | <input type="text"/> |
| Address 4: | <input type="text"/> |
| Address 5: | <input type="text"/> |
| Town/City/Settlement: | <input type="text" value="FOCHABERS"/> |
| Post Code: | <input type="text" value="IV32 7LN"/> |

Please identify/describe the location of the site or sites

| | | | |
|----------|-------------------------------------|---------|-------------------------------------|
| Northing | <input type="text" value="858154"/> | Easting | <input type="text" value="331704"/> |
|----------|-------------------------------------|---------|-------------------------------------|

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☒ Yes ☐ No

Pre-Application Discussion Details Cont.

In what format was the feedback given? *

☐ Meeting ☒ Telephone ☐ Letter ☐ Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (max 500 characters)

The Planning Officer considered the change of the Vestibule roof to be "a material change" and would require a further Planning Application for it to be considered. He considered the proposed variation of the Entrance Vestibule roof not to be a design feature he would normally associate with a house in the Moray countryside.

Title:

Mr

Other title:

Planning Officer

First Name:

Iain

Last Name:

Drummond

Correspondence Reference Number:

15/01401/APP

Date (dd/mm/yyyy):

22/12/2015

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Site Area

Please state the site area:

1888.00

Please state the measurement type used:

☐ Hectares (ha) ☒ Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

2 no. dwelling houses and associated outbuilding and workshop.

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

☐ Yes ☒ No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? *

☐ Yes ☒ No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

| | |
|---|--|
| How many vehicle parking spaces (garaging and open parking) currently exist on the application Site? | <div style="border: 1px solid black; width: 100px; height: 20px; margin: 0 auto; display: flex; align-items: center; justify-content: center;">4</div> |
| How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? * | <div style="border: 1px solid black; width: 100px; height: 20px; margin: 0 auto; display: flex; align-items: center; justify-content: center;">2</div> |
| Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces). | |

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? * ☐ Yes ☒ No

Do your proposals make provision for sustainable drainage of surface water?? * ☐ Yes ☒ No
(e.g. SUDS arrangements) *

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

☐ Yes

☐ No, using a private water supply

☒ No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? * ☐ Yes ☒ No ☐ Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? * ☐ Yes ☒ No ☐ Don't Know

Trees

Are there any trees on or adjacent to the application site? * ☒ Yes ☐ No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? * ☐ Yes ☒ No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013 * ☐ Yes ☒ No ☐ Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? * ☐ Yes ☒ No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? * ☒ Yes ☐ No

Is any of the land part of an agricultural holding? * ☐ Yes ☒ No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Alistair Murdoch

On behalf of: Mr & Mrs K Gray

Date: 18/03/2016

☒ Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

☐ Yes ☐ No ☒ Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- ☐ Site Layout Plan or Block plan.
- ☒ Elevations.
- ☐ Floor plans.
- ☐ Cross sections.
- ☐ Roof plan.
- ☐ Master Plan/Framework Plan.
- ☐ Landscape plan.
- ☒ Photographs and/or photomontages.
- ☐ Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

☐ Yes ☒ N/A

A Design Statement or Design and Access Statement. *

☐ Yes ☒ N/A

A Flood Risk Assessment. *

☐ Yes ☒ N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *

☐ Yes ☒ N/A

Drainage/SUDS layout. *

☐ Yes ☒ N/A

A Transport Assessment or Travel Plan

☐ Yes ☒ N/A

Contaminated Land Assessment. *

☐ Yes ☒ N/A

Habitat Survey. *

☐ Yes ☒ N/A

A Processing Agreement. *

☐ Yes ☒ N/A

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

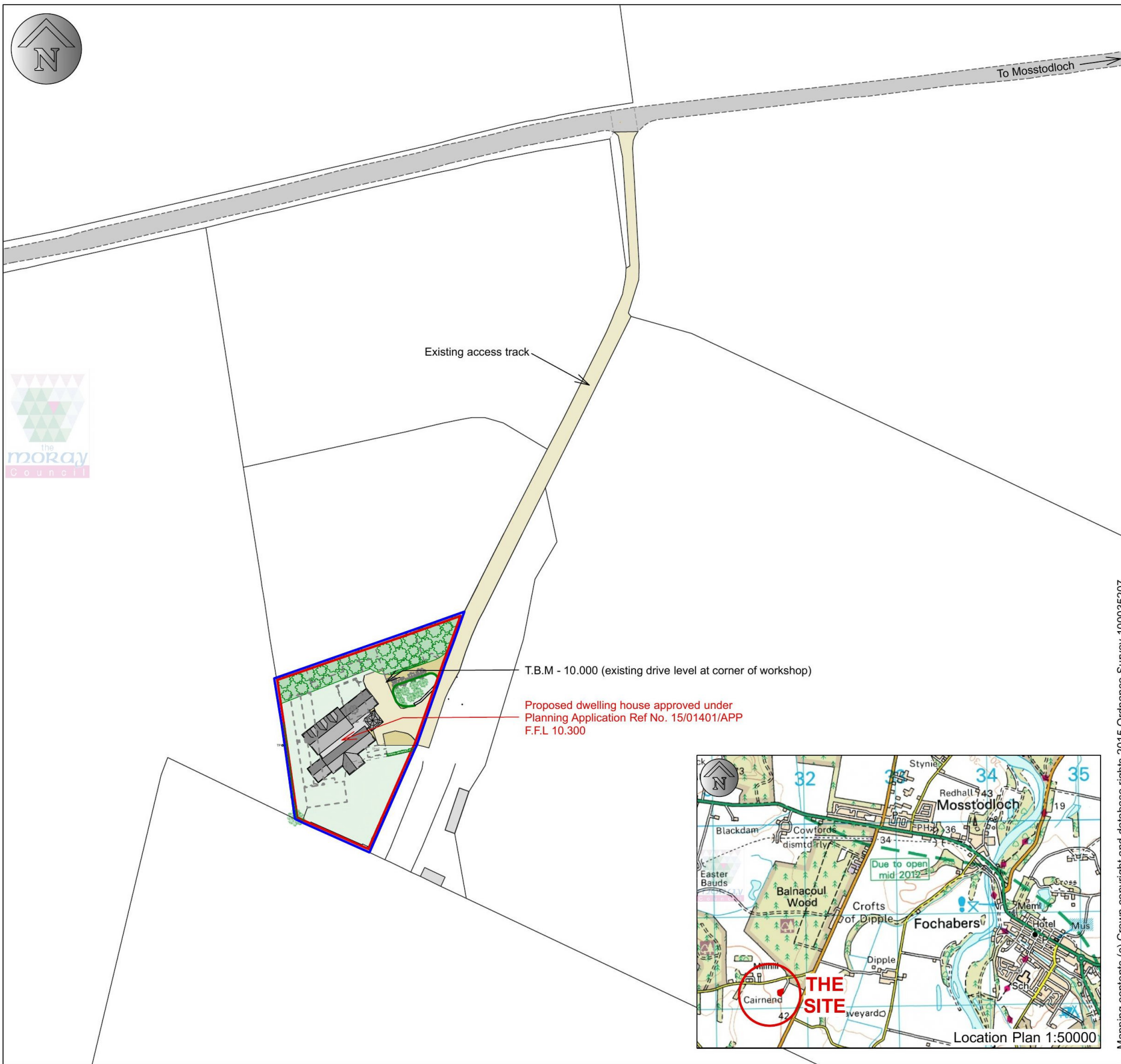
Declaration Name: Mr Alistair Murdoch

Declaration Date: 18/03/2016

Payment Details

Cheque: Ashley Bartlam Partnership, 00000

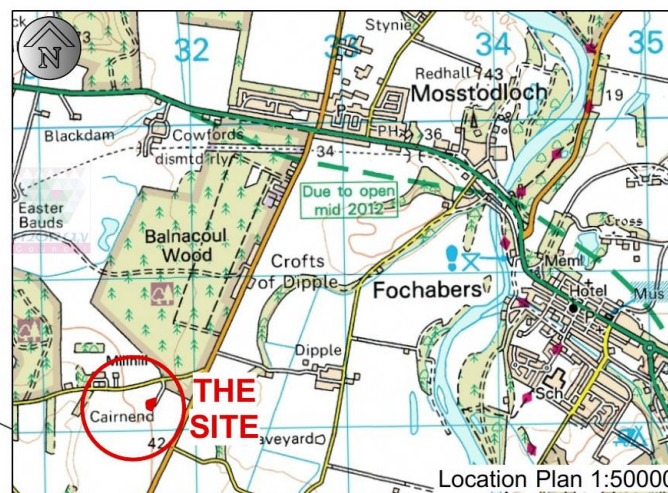
Created: 18/03/2016 15:39



Location Plan 1:1250

Boundary of Ownership outlined in **Blue**
Area of site shown outlined in **Red**

0 10 20 30 40 50
Metres



Mapping contents (c) Crown copyright and database rights 2015 Ordnance Survey 100035207

N.B. **DO NOT SCALE DRAWINGS**

Contractor / Manufacturers to check all site measurements and profiles prior to ordering and/or manufacturing components. Any discrepancies must be brought to the attention of the Architect. Do not scale dimensions from drawings.

If any deviations from the approved Building Warrant drawings take place on site further Architectural services may be required. In the first instance the contractor should check with Building Standards if an Amendment of Building Warrant is required and thereafter, the matter referred back to the Architect for re-submission.

**Town & Country Planning
(Scotland) Act, 1997
as amended**

REFUSED

13/05/2016

**Development Management
Environmental Services
The Moray Council**

| | | |
|--|----|-----------|
| B - Variation of vestibule roof submission | MP | March '16 |
| A - Planning Application Drawing | MP | July '15 |
| Amendment | By | Date |

**ASHLEY
BARTLAM
PARTNERSHIP**

Est. 1947

41 MOSS STREET, ELGIN, IV30 1LT

Variation of Vestibule Roof,
Cairnend Croft,
Mosstodloch,
IV32 7LN
For Mr & Mrs K Gray.

Location Plan

| | | |
|----------|------------------|-------|
| Drg./No. | 8082/1/LP1 | 1/LP1 |
| Date | July 2015 | |
| Scale | 1 : 1250 / 50000 | |
| By | MP | |
| Checked | AIM | |

Tel. 01343 543287

Fax. 01343 546297

enquiries @ ashleybartlampartnership.co.uk



ARCHITECTS

www ● ashleybartlampartnership.co.uk

N.B.

DO NOT SCALE DRAWINGS

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If any deviations from the approved Building Warrant drawings take place on site further Architectural services may be required. In the first instance the contractor should check with Building Standards if an Amendment of Building Warrant is required and thereafter, the matter referred back to the Architect for re-submission.

Town & Country Planning
(Scotland) Act, 1997
as amended

REFUSED

13/05/2016

Development Management
Environmental Services
The Moray Council



South East Elevation 1:100
(Proposed - with amended vestibule roof)



North East Elevation 1:100
(Proposed - with amended vestibule roof)



South East Elevation 1:100
(Currently Approved)



North East Elevation 1:100
(Currently Approved)



North West Elevation 1:100
(Currently Approved)



South West Elevation 1:100
(Currently Approved)

Amendment By Date

**ASHLEY
BARTLAM
PARTNERSHIP**

Est. 1947

41 MOSS STREET, ELGIN, IV30 1LT

Variation of Vestibule Roof,
Cairnend Croft,
Mosstodloch,
IV32 7LN
For Mr & Mrs K Gray.

Elevations - with alternative vestibule roof

Dwg/No. 8082/1/VR1

Date March 2016

Scale 1:100

By MP

Checked AIM

Tel. 01343 543287

Fax. 01343 546297

enquiries@ashleybartlampartnership.co.uk



ARCHITECTS

www.ashleybartlampartnership.co.uk

REPORT OF HANDLING

| | | | |
|--------------------------------------|--|-------------------------|-----------------|
| Ref No: | 16/00449/APP | Officer: | Iain T Drummond |
| Proposal Description/ Address | Amend design of vestibule roof approved under planning consent 15/01401/APP for demolish 2 no. dwellinghouses (Cairnend and Lismore) and associated outbuildings and workshop and erect new dwellinghouse with garage at Cairnend Fochabers Moray IV32 7LN | | |
| Date: | 13/05/2016 | Typist Initials: | RS |

| RECOMMENDATION | | |
|--|-------------------|---|
| Approve, without or with condition(s) listed below | N | |
| Refuse, subject to reason(s) listed below | Y | |
| Legal Agreement required e.g. S,75 | N | |
| Notification to Scottish Ministers/Historic Scotland | N | |
| Hearing requirements | Departure | N |
| | Pre-determination | N |

| CONSULTATIONS | | |
|---------------|---------------|---------------------|
| Consultee | Date Returned | Summary of Response |
| | | |

| DEVELOPMENT PLAN POLICY | | |
|---|-----|--|
| Policies | Dep | Any Comments (or refer to Observations below) |
| EP5: Sustainable Urban Drainage Systems | N | |
| EP9: Contaminated Land | N | |
| EP10: Foul Drainage | N | |
| H6: Re-use & Replace of Existing Build | Y | |
| | Y | |
| T2: Provision of Access | N | |
| T5: Parking Standards | N | |
| IMP1: Developer Requirements | Y | |
| IMP3: Developer Obligations | N | |
| E3: Protected Species | N | |
| BE1: Sch Monuments and Nat Designations | N | |
| IMP2: Development Impact Assessments | N | |

| REPRESENTATIONS | | |
|---|--|----|
| Representations Received | | NO |
| Total number of representations received | | |
| Names/Addresses of parties submitting representations | | |
| Name and address details of parties submitting representations withheld in accordance with the Data Protection Act. | | |
| Summary and Assessment of main issues raised by representations | | |
| Issue: | | |
| Comments (PO): | | |

OBSERVATIONS – ASSESSMENT OF PROPOSAL

The Proposal

This application seeks planning permission for the amendment of the design of house approved under 15/01401/APP. The proposed amendments only relate to the design of the entrance vestibule. The application does not seek to amend any other aspects of the development approved under 15/01401/APP and therefore it is this slight change in design which forms the focus of this application.

Appraisal

Section 25 of the 1997 Act as amended requires applications to be determined in accordance with the development plan i.e. the adopted Moray Local Development Plan 2015 (MLDP) unless material considerations indicate otherwise. The main planning issues are considered below.

Design (Policies H6 and IMP1)

Policy H6 and IMP1 outline amongst other things stipulate that new development should be in keeping with the surrounding area and be in accordance with the design stipulations of policy H7 for new houses in the countryside. Policy H7, again amongst other things, outlines that new houses should have a traditional proportion and roof pitch between 40 and 55 degrees. Exceptions to this may should only be justified on the basis of innovative designs which respond to the setting of the house. Proposals must also be compliant with the design guidance contained in the supplementary planning guidance for new houses in the countryside.

During the consideration of the original application 15/01401/APP, the original design submitted included the entrance vestibule as now proposed. During the consideration of this original application it was outlined that the design of the vestibule did not comply with the design stipulation of policy H7 and it was not considered to represent an innovative design. On this basis the applicants amended the design to the pended style vestibule which was subsequently approved under application 15/01401/APP. Following on from this approval the applicant requested an amendment to the approved scheme to revert back to the original design proposed. This was declined on the basis that the design was not considered compliant with policy H7. Notwithstanding this previous advice the applicants now seek via this application to amend the design of the vestibule roof to that which was originally proposed as part of application 15/01401/APP and which can be seen in the proposed elevations.

The design of the roof proposed does not have a roof pitch between 40 and 55 degrees and nor does it reflect traditional residential roof styles found within the surrounding countryside. No supporting case has been submitted which attempts to justify the design as being innovative, responding to the setting of the house and the design is not considered to fit within this category. The remainder of the house design has relatively traditional proportions and is acceptable, however, the proposed design is at odds with this established form and there appears to be little rational for its inclusion within the house design. It is understood that the proposed design is an attempt to create an entrance feature, however, it is considered that there are a number of other ways to achieve such a feature whilst still staying within the parameters of policy H7 and achieving a design which is in keeping with this rural setting. Extending the existing gable end over this entrance area and providing a vaulted ceiling and possibly a gazed gable and roof lights would be one such way of creating an entrance feature whilst still complying with policy.

Recommendation

Taking all of the above into account the proposal does not comply with policies H6, H7 and IMP1 and supplementary planning guidance for new housing in the countryside and is therefore recommended for refusal.

OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT

None.

HISTORY

| Reference No. | Description | | | |
|---------------|--|----------------|------------------|----------|
| 15/01401/APP | Demolish 2 no. dwellinghouses (Cairnend and Lismore) and associated outbuildings and workshop and erect new dwellinghouse with garage at Cairnend Fochabers Moray IV32 7LN | | | |
| | Decision | Permitted | Date Of Decision | 24/09/15 |
| 15/00052/PE | Proposed development to form 3 dwellinghouses at Cairnend Fochabers Moray IV32 7LN | | | |
| | Decision | ID/PE Answered | Date Of Decision | 29/01/15 |

ADVERT

| | | | |
|------------------|---------------------------------|----------------|--|
| Advert Fee paid? | Yes | | |
| Local Newspaper | Reason for Advert | Date of expiry | |
| Northern Scot | Departure from development plan | 21/04/16 | |
| PINS | Departure from development plan | 21/04/16 | |

DEVELOPER CONTRIBUTIONS (PGU)

| | |
|--------|-------------|
| Status | None sought |
|--------|-------------|

DOCUMENTS, ASSESSMENTS etc. *

** Includes Environmental Statement, Appropriate Assessment, Design Statement, Design and Access Statement, RIA, TA, NIA, FRA etc*

| | | |
|--|--|----|
| Supporting information submitted with application? | | NO |
|--|--|----|

| |
|---|
| Summary of main issues raised in each statement/assessment/report |
|---|

| |
|----------------|
| Document Name: |
|----------------|

| |
|--------------|
| Main Issues: |
|--------------|

S.75 AGREEMENT

| | | |
|---------------------------------------|--|----|
| Application subject to S.75 Agreement | | NO |
|---------------------------------------|--|----|

| |
|--------------------------------|
| Summary of terms of agreement: |
|--------------------------------|

| |
|--|
| Location where terms or summary of terms can be inspected: |
|--|

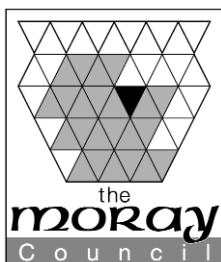
DIRECTION(S) MADE BY SCOTTISH MINISTERS (under DMR2008 Regs)

| | | | |
|------------|-----------------|--|----|
| Section 30 | Relating to EIA | | NO |
|------------|-----------------|--|----|

| | | | |
|------------|---|--|----|
| Section 31 | Requiring planning authority to provide information and restrict grant of planning permission | | NO |
|------------|---|--|----|

| | | | |
|------------|--|--|----|
| Section 32 | Requiring planning authority to consider the imposition of planning conditions | | NO |
|------------|--|--|----|

| |
|-------------------------|
| Summary of Direction(s) |
|-------------------------|



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

REFUSAL OF PLANNING PERMISSION

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

TO Mr & Mrs K Gray
c/o Ashley Bartlam Partnership
41 Moss Street
ELGIN
Moray
IV30 1LT

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:-

Amend design of vestibule roof approved under planning consent 15/01401/APP for demolish 2 no. dwellinghouses (Cairnend and Lismore) and associated outbuildings and workshop and erect new dwellinghouse with garage at Cairnend Fochabers Moray IV32 7LN

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

Date of Notice: **13th May 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 H6, H7 and IMP1 of the Moray Local Development Plan 2015 and associated housing in the countryside planning guidance for the following reason:
 1. The proposed amended design by virtue of its proportion, form and pitch does not comply with the design requirements of policy H7, nor is the design considered to be innovative and responsive to the setting of the house, as such the development would not be in keeping with the design of houses found in the surrounding countryside and would detract from the character of the area.

LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT

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

| Reference | Version | Title |
|-----------|---------|---------------|
| 1/LP1 | | Location plan |
| 1/VR1 | | Elevations |

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

None.

DETAILS OF MATTERS SPECIFIED IN CONDITIONS

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.