



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 100007784-001

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.

Description of Proposal

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

Erect 3(no) holiday chalets on site adjacent to Covesea Village, Lossiemouth

Is this a temporary permission? *

☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place?

☐ Yes ☒ No

(Answer 'No' if there is no change of use.) *

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

☒ No ☐ Yes – Started ☐ Yes - Completed

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:	Grant and Geoghegan Ltd.		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Neil	Building Name:	Unit 4 Westerton Road Business
Last Name: *	Grant	Building Number:	
Telephone Number: *	07769744332	Address 1 (Street): *	4 Westerton Road South
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	KEITH
Fax Number:		Country: *	United Kingdom
		Postcode: *	AB55 5FH
Email Address: *	neil@ggmail.co.uk		

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

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	per grant and geoghegan
First Name: *	D	Building Number:	
Last Name: *	Anderson	Address 1 (Street): *	Unit 4 Westeron Road Business
Company/Organisation		Address 2:	4 Westerton Road South
Telephone Number: *		Town/City: *	KEITH
Extension Number:		Country: *	UK
Mobile Number:		Postcode: *	AB55 5FH
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

Moray Council

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Covesea Village, Lossiemouth

Northing

870875

Easting

318773

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☐ Yes ☒ No

Site Area

Please state the site area:

3827.00

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)

Undeveloped land

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? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?	<input style="width: 100%;" type="text" value="0"/>
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)? *	<input style="width: 100%;" type="text" value="6"/>
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).	
<h2 style="margin: 0;">Water Supply and Drainage Arrangements</h2>	
Will your proposal require new or altered water supply or drainage arrangements? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *	
<input type="checkbox"/> Yes – connecting to public drainage network <input checked="" type="checkbox"/> No – proposing to make private drainage arrangements <input type="checkbox"/> Not Applicable – only arrangements for water supply required	
As you have indicated that you are proposing to make private drainage arrangements, please provide further details. What private arrangements are you proposing? *	
<input checked="" type="checkbox"/> New/Altered septic tank. <input type="checkbox"/> Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed). <input type="checkbox"/> Other private drainage arrangement (such as chemical toilets or composting toilets).	
What private arrangements are you proposing for the New/Altered septic tank? *	
<input checked="" type="checkbox"/> Discharge to land via soakaway. <input type="checkbox"/> Discharge to watercourse(s) (including partial soakaway). <input type="checkbox"/> Discharge to coastal waters.	
Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: *	
New septic tanks to soakaways	
Do your proposals make provision for sustainable drainage of surface water?? * (e.g. SUDS arrangements) * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
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.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? *

☒ Yes ☐ No

If Yes or No, please provide further details: * (Max 500 characters)

To Local Authority requirements

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

☒ Yes ☐ No

How many units do you propose in total? *

3

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

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

Do you have any agricultural tenants? * ☐ Yes ☒ No

Certificate Required

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

Certificate E

Land Ownership Certificate

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

Certificate E

I hereby certify that –

(1) – No person other than myself/the applicant was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) - The land to which the application relates constitutes or forms part of an agricultural holding and there are no agricultural tenants

Or

(1) – No person other than myself/the applicant was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) - The land to which the application relates constitutes or forms part of an agricultural holding and there are agricultural tenants.

Name:

Address:

Date of Service of Notice: *

(4) – I have/The applicant has taken reasonable steps, as listed below, to ascertain the names and addresses of the other owners or agricultural tenants and *have/has been unable to do so –

Signed: Neil Grant

On behalf of: Mr D Anderson

Date: 31/03/2016

☒ 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. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Flood Risk Assessment. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Drainage/SUDS layout. * | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> N/A |
| A Transport Assessment or Travel Plan | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Contaminated Land Assessment. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Habitat Survey. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Processing Agreement. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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 Neil Grant

Declaration Date: 31/03/2016

**SUPPORTING STATEMENT AND BUSINESS PLAN FOR THE ERECTION OF 3 HOLIDAY CHALETS AND
ASSOCIATED WORKS ON SITE AT COVESEA, MORAY**

Mr Dean Anderson

30th March 2016

PLANNING STATEMENT

PREPARED BY GRANT AND GEOGHEGAN

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INTRODUCTION

The applicant has commissioned this Planning Statement to demonstrate how the scheme has evolved to its current form and to examine the key issues against relevant planning policy and other assessment criteria. This statement will explain the rationale behind the proposed development and has three purposes:

- To inform the general public, consultees and planning officers of the planning issues relating to the site and the proposal;
- To communicate the planning and design principles contained in the application;
- To demonstrate that the proposal is in accordance with the policies contained in National and Local Planning Policy.

The Statement should be read in conjunction with the drawings that accompany the application.

THE COVESEA VISION

The proposed holiday chalet site is a small scale, visually discreet low impact development in a coastal location. It constitutes diversification of an existing, well established farming operation.

The campsite is aimed at a niche market with the aim of bringing a new type of visitor to the already popular Covesea area. The campsite would provide access to educational and play experiences based on low impact, sustainable living. The principal facilities would be three chalets with their own flushing toilets, showers and kitchens. The hut units would be built with recycled, locally sourced materials where possible. Access to the campsite would be from the existing track.

The applicant is committed to providing visitors to Moray with a unique, low impact, low density and environmentally friendly holiday experience in this relatively remote and beautiful coastal location.

The vision for the proposal at Covesea is twofold:

For the guest:

- To provide high quality, affordable and accessible accommodation in sustainably built, low impact eco chalets;
- To provide a unique, safe and regulated holiday experience;
- To provide unique, high quality, accessible and low impact self-catering units in contemporary chalets which reflect the heritage and characteristics of the area.
- To educate and inform guests about the natural and cultural heritage resources of the surrounding environment and coastline.

For the Moray community:

- To provide economic and employment opportunities to help catalyse a buoyant and diverse economy.
- To value, safeguard and enhance the natural and cultural heritage resources and environment of the surrounding coastline.
- To minimise environmental impact whilst generating economic and year round benefits for the community.

- To develop a business model that can be replicated in other regions of Moray.

THE SITE

The site is gently rolling and undulating, in character with the surrounding area- this feature restricts views of the site from the south. The site is bound by the access that serves it and Covesea village to the west and post and wire fencing to the north, east and south. The site is separated from and does not form part of the larger agricultural operation to the south.

The eastern boundary of the site falls away sharply to the golf course, driving range and clubhouse and the Moray Coastal Trail runs past the northern boundary of the site.

There are no National or International environmental designations covering the site (although there is an SSSI nearby) and it does not appear on SEPA's flood maps. There does not appear to be any historic interest in the site itself but Covesea Village is identified as being of local historic significance (17th-century burgh of barony).

DEVELOPMENT PLAN CONTEXT

A new National Planning Framework (NPF3) and Scottish Planning Policy (SPP) have recently been published by Scottish Government. This restates a commitment to a development plan led planning system, but with an additional requirement that there should also be a presumption in favour of sustainable development.

The NPF supports vibrant rural areas, and new low-carbon development. The SPP requires development plans to identify scope for new rural development.

Paragraph 77 of SPP emphasises the importance of maintaining and growing rural communities by encouraging development that provides suitable sustainable economic activity, while preserving important environmental assets such as landscape and wildlife habitats that underpin continuing tourism visits and quality of place. Paragraph 79 recognises the importance of tourism, in particular holiday units and huts, and supports new tourist development in rural locations where it promotes the diversification and growth of the rural economy while protecting the distinctiveness of rural areas.

Subsequently, there is a presumption in favour of proposals which contribute towards Moray's role and image as a tourist area in the new Moray Local Development Plan 2015 (MLDP) through policy ED8 Tourism Facilities and Accommodation as long as they;

- Are compatible with policies to safeguard and enhance the built and natural environment;
- Provide adequate infrastructure arrangements (e.g. roads, parking, water, drainage), and;
- Demonstrate a locational need for a specific site.

This policy recognises the importance of tourism within the local economy but seeks to ensure that tourism development does not have a detrimental impact on the environment, which is the main attraction of the area as a tourist destination.

Policy ED7 Rural Business Proposals states that new business developments in the countryside will be supported if they can meet the following criteria;

- There is a locational justification for the site concerned, particularly if there is serviced industrial land available in a nearby settlement;
- There is capacity in the local infrastructure to accommodate the proposals, particularly road access, or that mitigation measures can be achieved;
- Account is taken of environmental considerations, including the impact on natural and built heritage designations, with appropriate protection for the natural environment; the use of enhanced opportunities for natural heritage integration into adjoining land;
- There is careful control over siting, design, landscape and visual impact, and emissions. In view of the rural location, standard industrial estate/urban designs may not be appropriate.

The subject site is also identified in the Coastal Protection Zone (CPZ). Policy E8 of the Moray Local Development Plan states that Development proposals identified as being within the CPZ will be refused except:

- where there is an existing use;
- it is an appropriate extension or change of use to existing buildings, or replacement of existing buildings;
- for low intensity recreational or tourist use;
- For uses directly related to agriculture, forestry and fishing.

The objective of the policy is to protect and enhance the Moray coast for its landscape, nature conservation, recreational and tourism benefits. As a result, proposals that are appropriate within the policy must not prejudice the objectives of the CPZ or adversely affect the ecological, geomorphological or landscape importance of the area.

Given this policy background, the proposed development finds support in principle in both National and Local Planning Policy; the introduction of a unique, low density environmentally accountable tourism enterprise would clearly contribute positively to the role and image of Moray as a tourist area, and there is an exception in the criteria prescribed in policy E8 for low intensity tourism related uses.

However, having regard to the nature of the proposal, its context and relevant national and local planning policies, the applicant understands that the success of this application rests with the demonstration of adherence to the criteria identified in the body of these policies and the proposal has evolved in line with the criteria prescribed, namely;

- Demonstration of locational need;
- Natural and Built Heritage Resources;
- Layout, Design and Landscape Impact;
- Provision of adequate infrastructure i.e. roads, parking, water, drainage;
- Neighbouring amenity;
- Indicative Business Plan.

The following paragraphs will show that the proposals are fully compliant with the development plan.

DEMONSTRATION OF LOCATIONAL NEED (POLICIES ED8, ED9 AND T1)

Hut/ eco- pod style accommodation is one of the few growth areas in UK tourism. There is clear consumer demand for unique self-catering, and Moray has no similar accommodation of this type nearby and this site at Covesea has the potential to satisfy the demands of potential visitors.

Furthermore, in recent years it has become increasingly popular for people go away several times a year, often for short breaks and not exclusively in the summer months and much of this demand is for self-catering accommodation. This spread of demand dramatically improves overall use of holiday accommodation with clear benefits to businesses that provide it, but also to host communities through a reduction in the disadvantages of seasonal employment which ultimately helps to retain trained and experienced staff.

In terms of the practicalities of locating holiday chalets in this location, this site is unique- a combination of beautiful views over the Firth and the shelter from the prevailing winds provided by the undulating landscape makes the site ideal for a use of this nature, no other location in the vicinity provides the natural amenities, access and privacy afforded by these natural attributes.

In addition, as well as the vast potential of the sea to develop recreational activities such as power kiting, kite surfing, wind surfing, canoeing etc, the site is ideally located adjacent to established recreational attractions such as the Moray Coastal Trail which will allow visitors to comfortably and sustainably travel the Moray Coast by foot and/ or bicycle and the Covesea Golf Links. The proposal is fully in accordance with policy T1 of the MLDP as it will not prejudice existing public routes during the construction phase or otherwise nor will it restrict future opportunities for the extension or upgrade of the public access network.

The natural resources surrounding the site at Covesea are vital to the educational vision of this development, providing a unique visitor experience and promoting responsible low impact tourism.

NATURAL AND BUILT HERITAGE RESOURCES (POLICIES ED7, ED8, E8 AND IMP1)

The entire philosophy behind this application demonstrates the applicant's commitment to avoid any significant detrimental effect on natural and/ or built heritage resources. This is most obviously manifested in the design, the use of local and sustainable building materials in the construction, the low density of the development and the sensitive siting of all structures to minimise any detrimental impact on the environment.

The applicant's vision is to inform, educate, protect and enhance the area so that visitors value the Moray landscape, its history, nature and its future. Education will be a large component of the development both economically and culturally- as a successful farmer the applicant has worked in harmony with these resources all of his life and fully recognises the value of the natural and built environment in the area. Guests and visitors who are educated about nature, culture and the built environment are likely to respect nature and history. He plans to run regular educational courses ranging from guided walks to dry stone dyke building- offering a tailored Moray experience, not just a holiday.

The applicant intends to develop this site sympathetically, working with local and national wildlife/archaeological organisations and through education, information boards and a new website

hopes to become the guardian of these resources and deter the ever present dangers of unregulated or harmful intrusion. Sustainability is a key theme of this development and the vision, wherever practical, is to create an off grid model of sustainable living using many ideas from permaculture limiting our impact on the earth. The self-catering chalets will feature innovative technologies that will run in parallel with traditional low tech solutions such as the use of wood fired stoves for space and water heating to minimise the use of LPG and bought in solid fuels. Recycling and energy efficiency will also be prominent at the site.

The applicant hopes that this development will become a model of good practice for new tourist accommodation in Moray.

LAYOUT, DESIGN AND LANDSCAPE IMPACT (POLICIES ED7, ED8, AND IMP1)

SNH's Moray and Nairn Landscape Character Assessment characterises the area of which the subject site forms part as 'Hard Coastal Shore'. This landscape consists of an irregular coastal edge of relatively remote, small covers and pebble strewn raised beaches backed by Old Red Sandstone cliffs. These cliffs form an abrupt margin to the Coastal Farmland to the south, and focus views out over the Firth, partially screening the rocky foreshore. This landscape character type is sensitive to new built form which detracts from the open character of views to the coast from adjacent areas.

We recognise that Moray's landscape is a major asset, contributing to its national and regional identity, adding to the quality of many people's lives and in this case providing an attractive setting which will help promote social and economic development. Consequently, the site layout and building design has been developed to minimise its impact on the development site and the surrounding landscape.

- Building materials have been selected to merge with the landscape and meet high Ecological standards.
- The chalets have been located to minimise visibility from public vantage points to the south and to take advantage of the spectacular views to the north. The chalets will be virtually invisible from the main road to the south.
- Breaking of the existing ground finish will be kept to a minimum. The intention is for the site to look established and part of the landscape from the start.
- Footpaths between chalets formed by overlaying the existing ground cover with grass reinforcement mesh. This technique is used to form footpaths without disrupting the existing ground finish.
- The accommodation has been provided on the level area of the site making the development accessible to all.
- Car parking screened with low level earth mounding and shrubs. The mounding will be formed to provide natural appearance and planted with turf.
- Stone walling bounding the site.
- The proposal seeks to upgrade the existing access which serves Covesea Village as depicted in the submitted plans to provide for both pedestrian and vehicular access to the north.

NEIGHBOURING AMENITY (ED7, ED8, E8 AND IMP1)

The access arrangements at the public road will be upgraded in accordance with Moray Council's guidelines to ensure they are safe and suitable. This will also benefit the residents of Covesea Village.

In the context of the proposed low density use, the proposed development would involve an extremely low number of traffic movements on an intermittent basis. Vehicles would use the access track that serves Covesea Village and although there will be some additional noise from the intermittent vehicle movements along the access track this would be very limited given the background noise levels and the proposed low impact use.

The track is available for vehicle use at the moment and this use could be intensified through the exercise of permitted development rights. As well as agricultural operations the access road is also used by walkers and the applicant proposes to install an additional path for their exclusive use beside the access road.

There are no clear, close lines of sight into neighbouring properties on account of careful siting. Vehicles using the track at night would be very infrequent and would involve only a fleeting impact from headlights on neighbouring properties. Vehicle noise would also only be brief and infrequent.

The applicant will ensure that a no amplified music policy is adhered to and noise levels will be kept to an absolute minimum after 10pm and before 8am for the enjoyment of visitors and neighbours alike. The camping area will operate as a licenced site and be subject to building control and fire safety standards which will be closely adhered to when the site is built and monitored by the applicant and his staff.

MINIMISING ENERGY USE (POLICIES ED7, ED8 AND IMP1)

The site specific strategy to reduce the demand of external sources of energy in this proposal to ensure the energy efficiency and comfort of the house will be sustainable into the future includes:

- Siting and design aimed to reduce wind cooling and increase passive solar gain;
- Higher than standard levels of insulation and high levels of air tightness to mitigate heat loss;
- The greater insulation offered by the green roofs will also reduce the amount of energy needed to moderate the temperature of a building, as roofs are the site of the greatest heat loss in the winter and the hottest temperatures in the summer.
- Heating is via wood fired range system and domestic hot water will also be provided by this system;
- All doors and glazing will use +AAA rated timber

DESIGN TO CONSERVE WATER (POLICIES EP5, ED7, ED8 AND IMP1)

The applicant was keen that the proposal minimised surface water run-off, by keeping the pitch of the green roof as shallow as possible and including rainwater recovery – the parking area will be used to collect the water that falls in it via an underground membrane that channels the rainwater to a below ground collection sump which in turn pumps it into a tank. The water will be used in

flushing WC's and in washing machines. Further simple yet effective measures will be employed to minimise water use in this development; these will include;

- Low dual flush low water WC's;
- Flow reduced/ aerating taps fitted throughout the house;
- Shower rated at no more than 6 litres per minute;
- Low water use white goods.

DESIGN IN WASTE AND SEWAGE TREATMENT FACILITIES (POLICIES EP10, ED7, ED8 AND IMP1)

Waste reduction will be implemented in a number of ways in this development;

- Foul drainage from the chalets will be treated via a septic tank with an infiltration field;
- Storage space to allow for sorting and temporary storage of Household waste is designed into the chalets;
- On site composting;
- Lean construction methods will be employed to reduce the transport of components, personnel and material waste;
- All existing materials; soil, sub soil and aggregates will be retained on site for use.

CONCLUSION

This application seeks Planning Permission for a low density holiday chalet development which provides for an increasingly popular segment of the tourism market and can be considered as sustainable on a number of levels.

The development is considered to be sustainable in terms of its location with the ability to walk and cycle to visit the wider countryside and attractions in the surrounding area. Public transport is also available for trips further afield.

The proposed development offers economic benefits for the local economy from the direct and indirect expenditure of the visitors and business.

Socially the proposal helps to underpin existing employment, both directly and indirectly through service providers and tradesmen.

Within the landscape context of the surrounding area it is considered that the development can be satisfactorily assimilated into the landscape without undue impact on the character of the wider area.

It is considered that the application would be in accordance with National and Local Planning Policy, and through the provision of material weight in favour of the proposal contained in this statement the acceptability of this application is considered to have been established.

We trust that this statement coupled with the Business Plan and the submitted plans are sufficient to allow the application to be approved.

APPENDIX 1- BUSINESS PLAN

This Business Plan has been prepared in support of an application for Planning Permission for a holiday chalet development on land adjacent to Covesea Village, Moray.

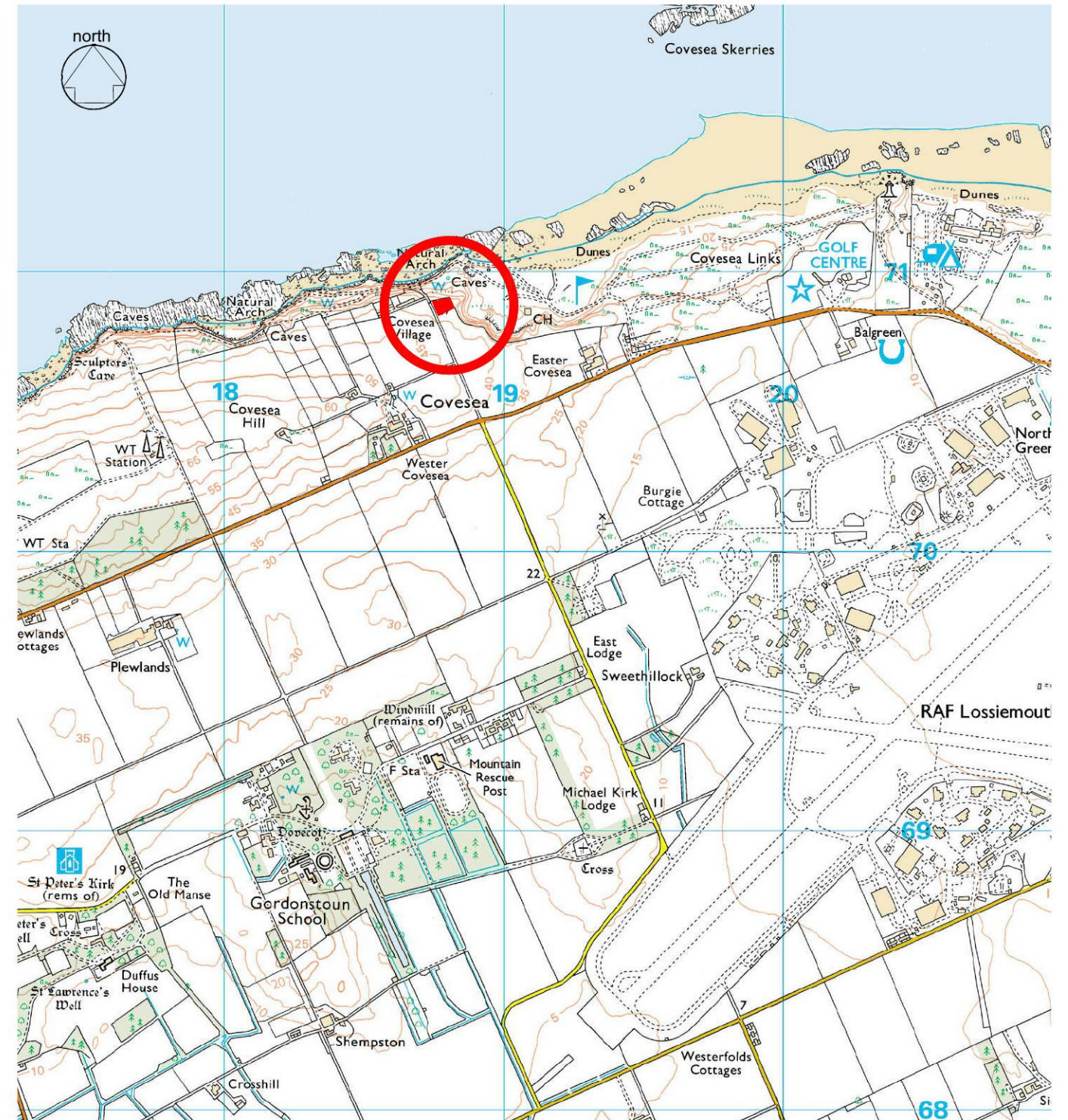
The business plan outlines the financial case for a development comprising 3 units but it should be noted that these are initial figures and the applicant intends to seek the advice of a Chartered Accountant and the Scottish Agricultural College (farm diversification) after the planning process has taken its course. The following bullet points provide an explanatory commentary and should be read in conjunction with the detailed balance sheet analysis on the following page.

- Turnover has been based conservatively on 2 of the 3 units being rented throughout the year and for 46 weeks of the 52 week year. Each unit is anticipated conservatively to earn £400 per week when rented;
- No account has been taken of potential local or EU grants;
- It is expected that salaried staff will only maintain the units and attend to guests. The upkeep of the grounds will be carried out by the applicant's existing agricultural enterprise;
- Advertising is scheduled to take place predominantly through Visit Scotland. A web site will generate on-going interest and contact and inclusion in the holiday brochures of the larger holiday letting firms is also anticipated;
- The applicant intends to fund this project fully with his own capital. As such there will be no loan repayments or bank charges.
- At the end of the 10 year period it is anticipated that the proprietors will have -
 - (a) A site of value approx. £350,000 at today's prices
 - (b) All debt repayments completed
 - (c) A 10 year profit (no equity repayments) of £246,600

	Year	Year	Year	Year	Year	Year	Year	Year	Year	Year	End of Period
	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>	<u>9</u>	<u>10</u>	
INCOME											
Sales	11700	41400	41400	41400	41400	41400	41400	41400	41400	41400	384300
Grants etc	0	0	0	0	0	0	0	0	0	0	
Other income	0	0	0	0	0	0	0	0	0	0	
Total Income	11700	41400	41400	41400	41400	41400	41400	41400	41400	41400	384300
EXPENSES											
Salaries	7500	15000	15000	15000	15000	15000	15000	15000	15000	15000	142500
Cost of Sales	0	0	0	0	0	0	0	0	0	0	0
Advertisement	1000	500	500	500	500	500	500	500	500	500	5500
Equipment repairs	0	0	0	500	500	500	500	500	500	500	3500
Telephone	500	500	500	500	500	500	500	500	500	500	5000
Heat & Light	750	750	750	750	750	750	750	750	750	750	7500
Insurances	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000	10000
Rates											
Property Maintenance	0	0	0	1000	1000	1000	1000	1000	1000	1000	700
Interest & Loan Repayment	0	0	0	0	0	0	0	0	0	0	0
Bank Charges	0	0	0	0	0	0	0	0	0	0	0
Accounting/ Legal Costs	1000	500	500	500	500	500	500	500	500	500	5500
Landscaping	0	0	0	0	0	0	0	0	0	0	0
Construction of chalets	250000	0	0	0	0	0	0	0	0	0	250000
Total expenses	261750	18250	18250	18250	18250	18250	18250	18250	18250	18250	
Opening Bank Balance	300000	38250	61400	84550	107700	130850	154000	177150	200300	223450	
Closing Bank Balance	38250	61400	84550	107700	130850	154000	177150	200300	223450	246600	



Holiday Accomodation at Covesea Village



os map

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

REFUSED

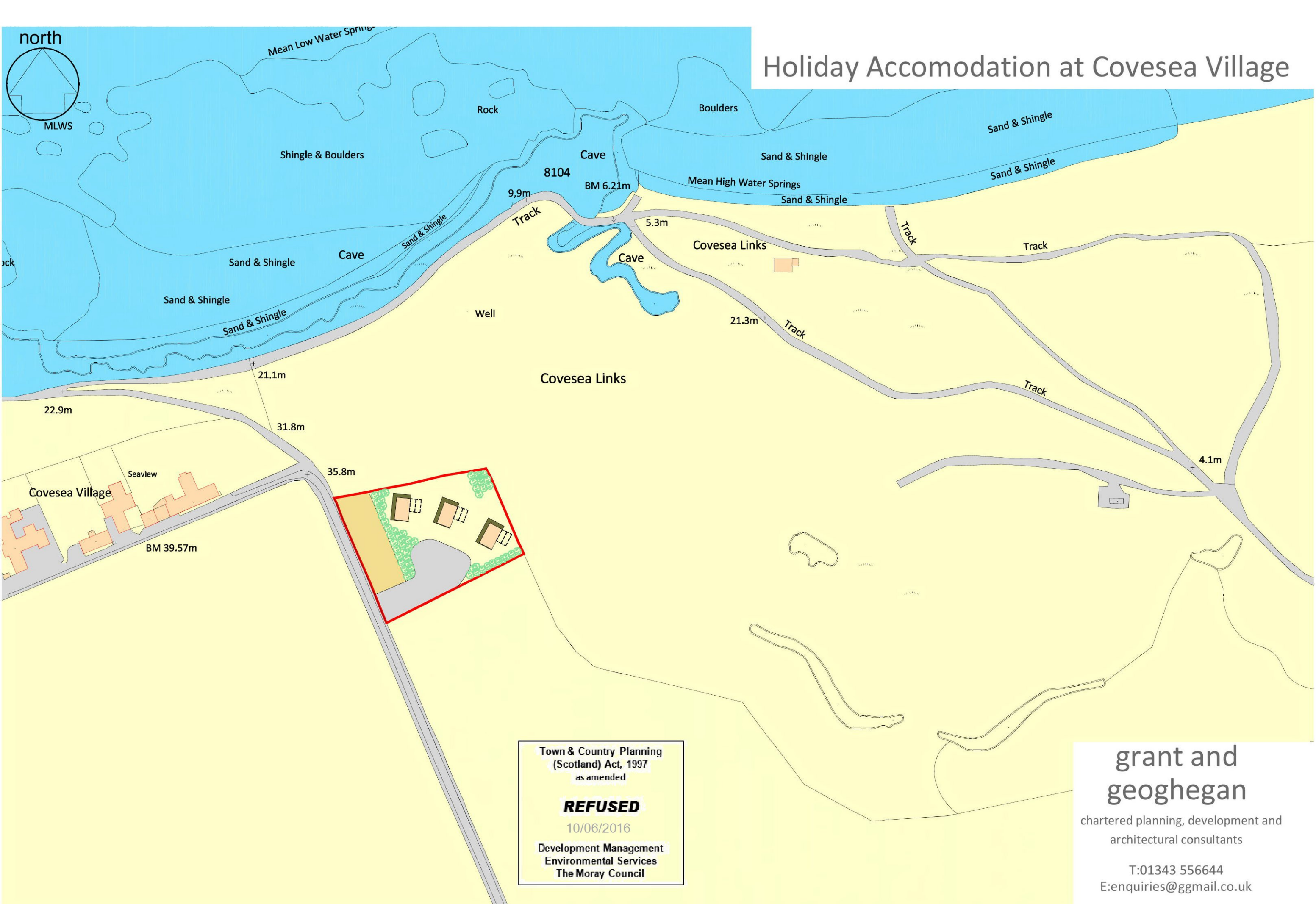
10/06/2016

Development Management
Environmental Services
The Moray Council

grant and
geoghegan

chartered planning, development and
architectural consultants

T:01343 556644
E:enquiries@ggmail.co.uk



Holiday Accomodation at Covesea Village

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

REFUSED

10/06/2016

Development Management
Environmental Services
The Moray Council

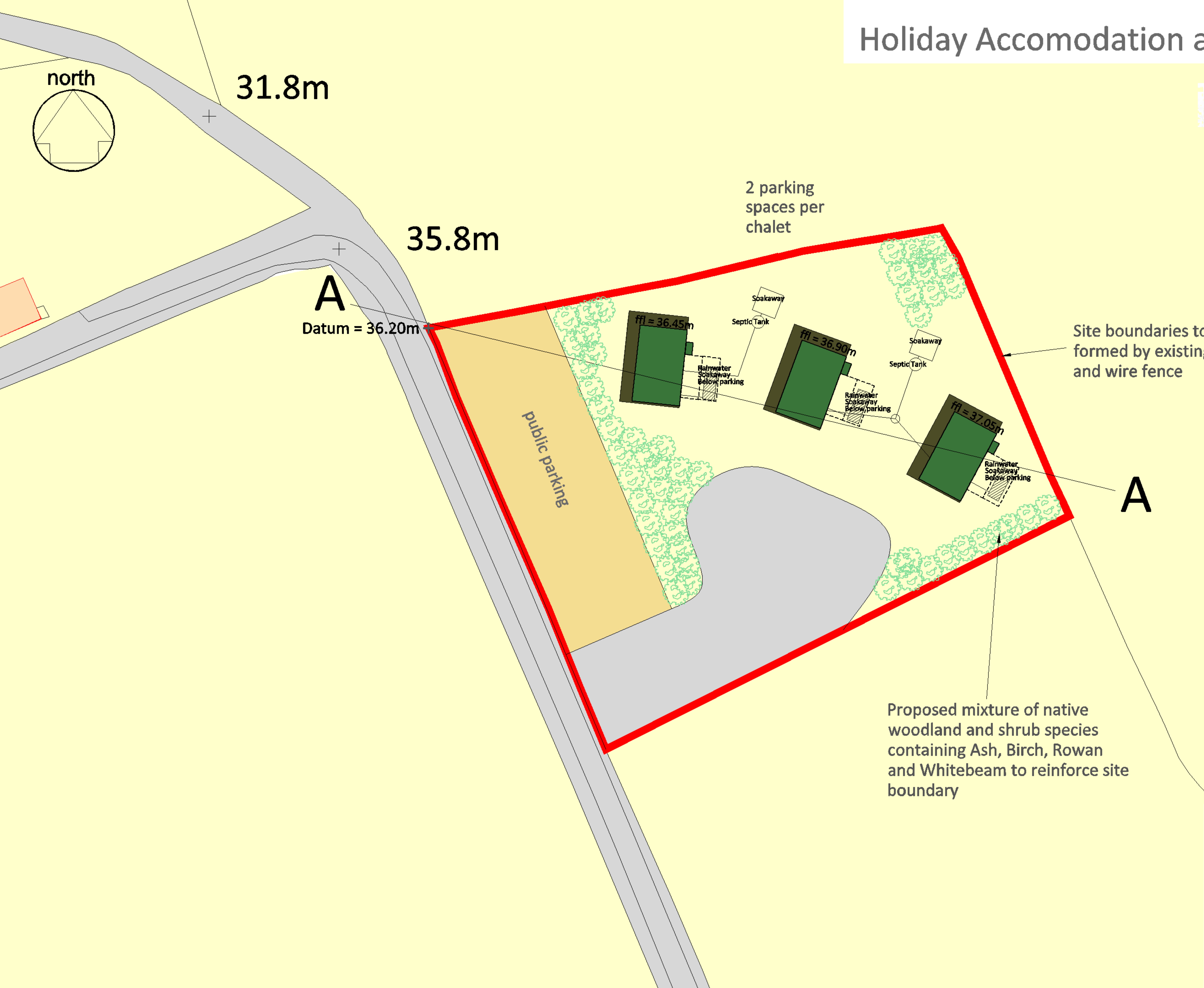
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Holiday Accomodation at Covesea Village

AMENDED PLANS



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

REFUSED

10/06/2016

Development Management
Environmental Services
The Moray Council

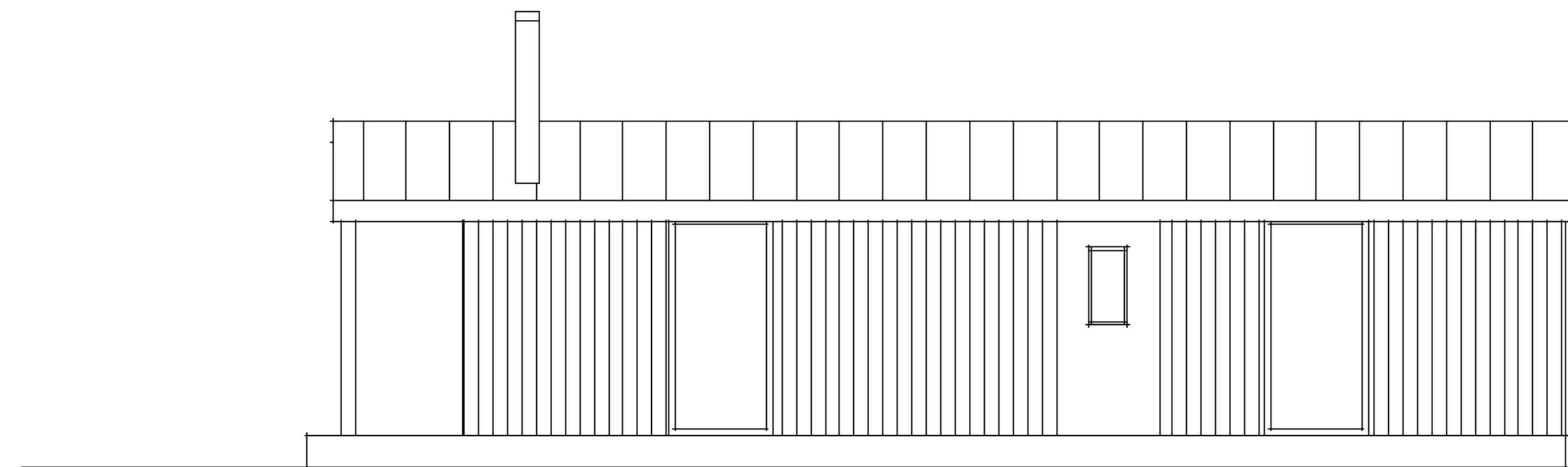
grant and
geoghegan

chartered planning, development and
architectural consultants

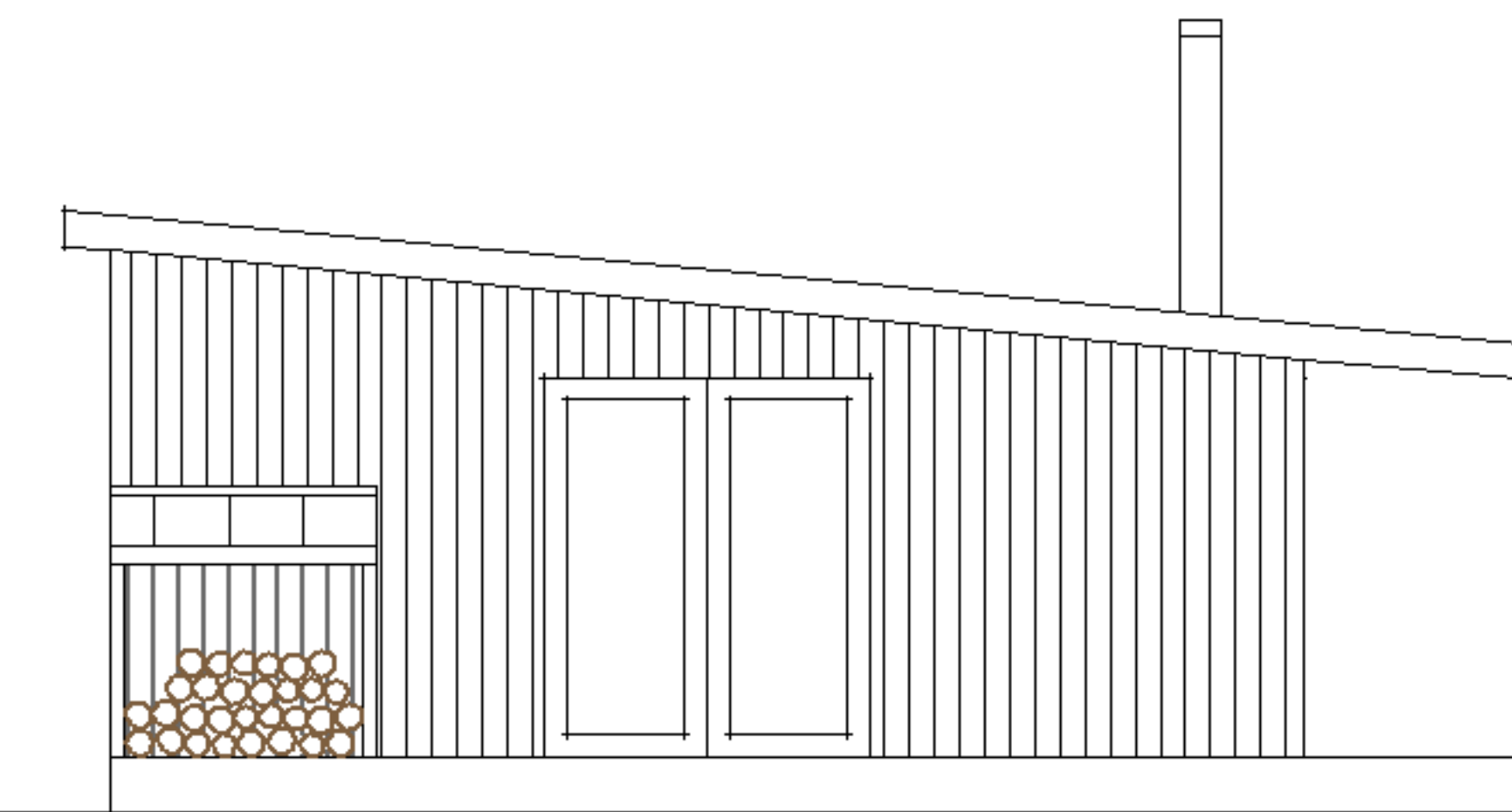
T:01343 556644
E:enquiries@ggmail.co.uk

Holiday Accomodation at Covesea Village

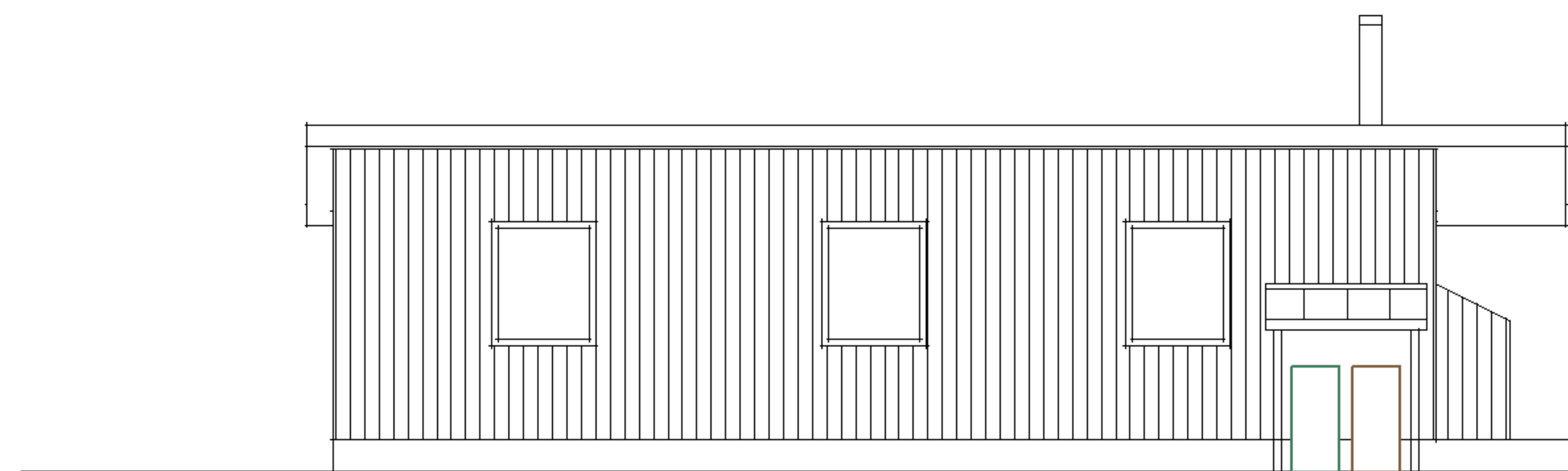
AMENDED PLANS



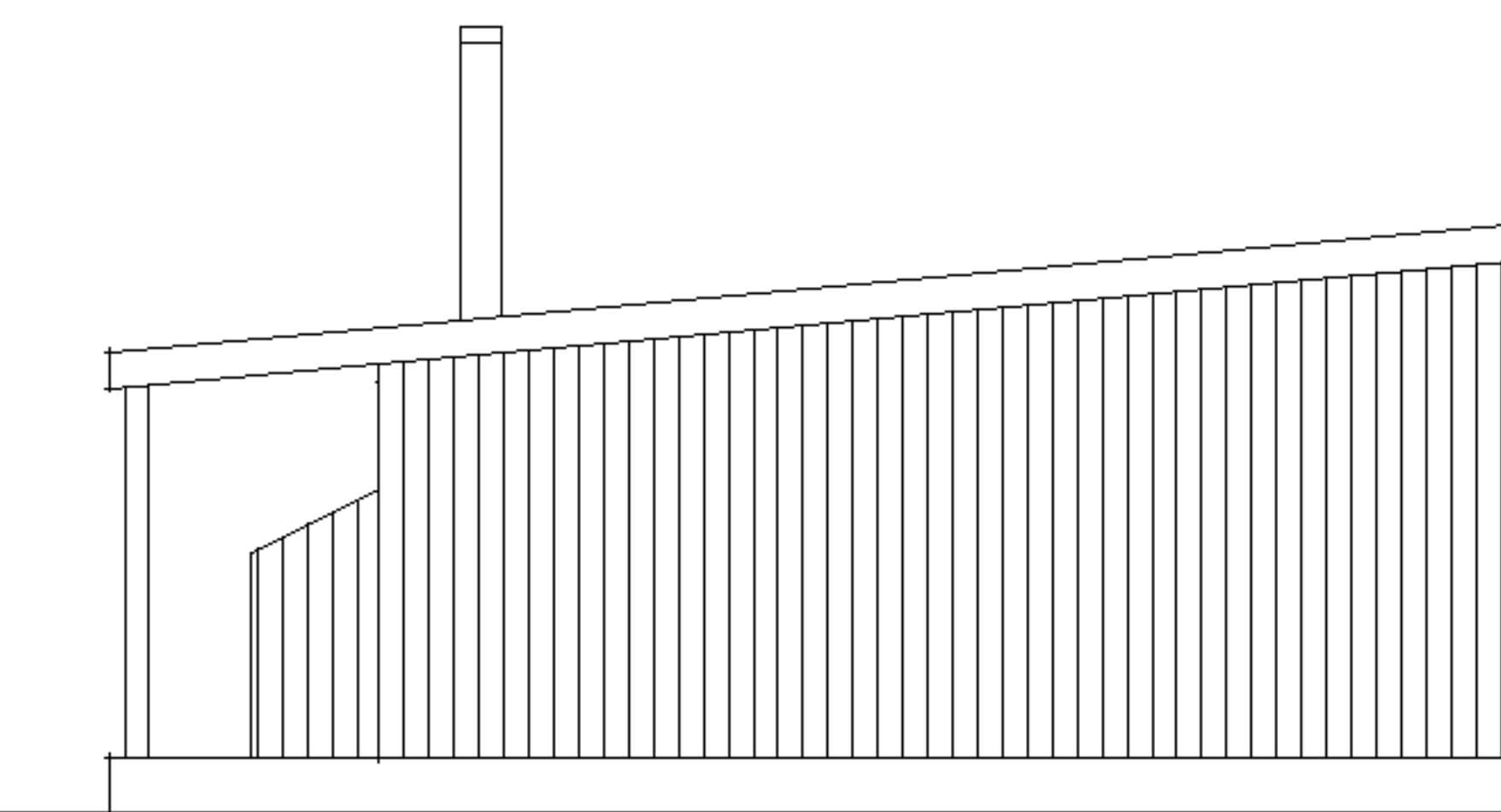
Front Elevation



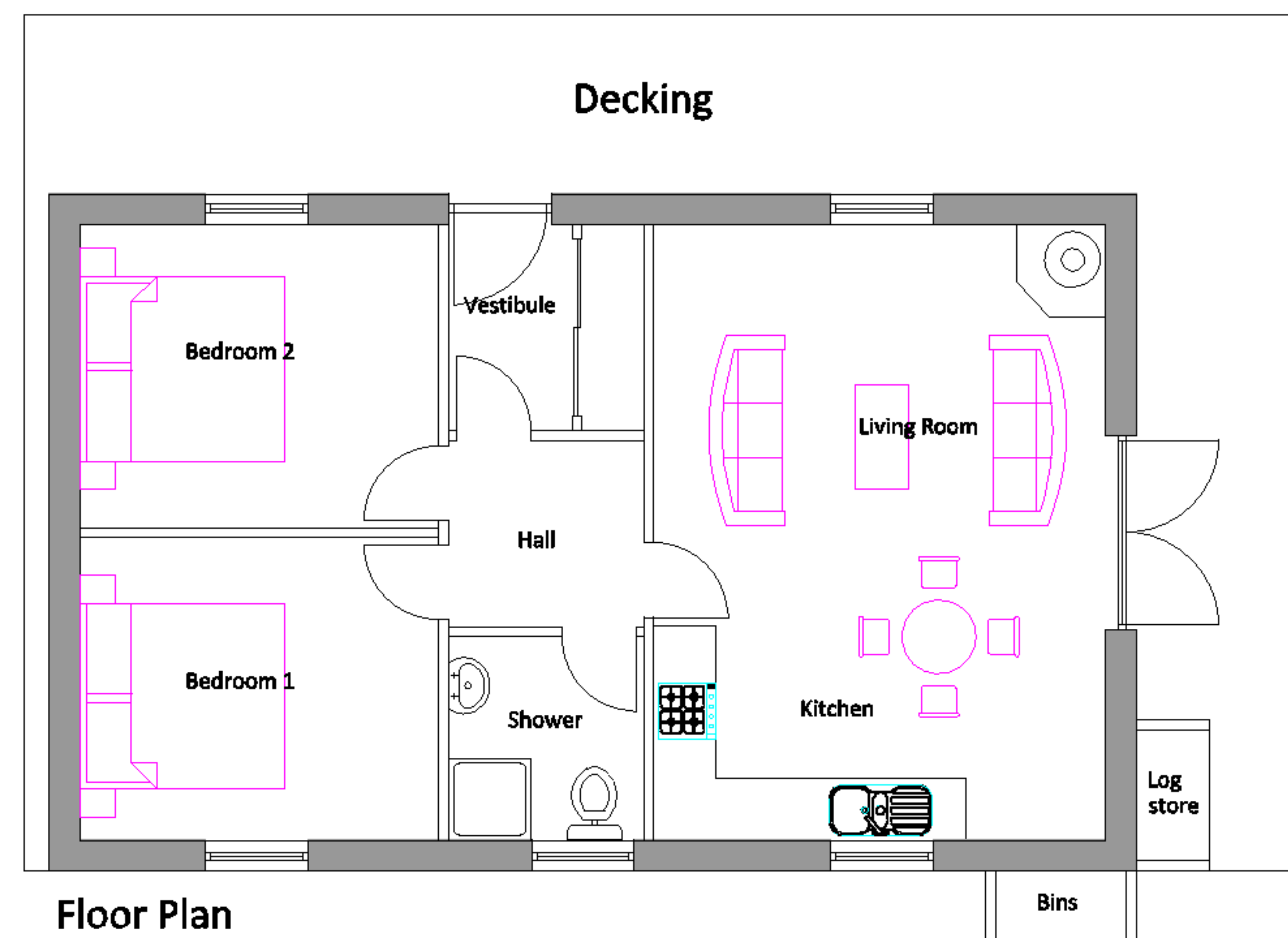
Side Elevation



Rear Elevation



Side Elevation



Floor Plan

external finishes

roof
recycled metal sheeting - moorland green

walls
scotch larch linings

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

REFUSED

10/06/2016

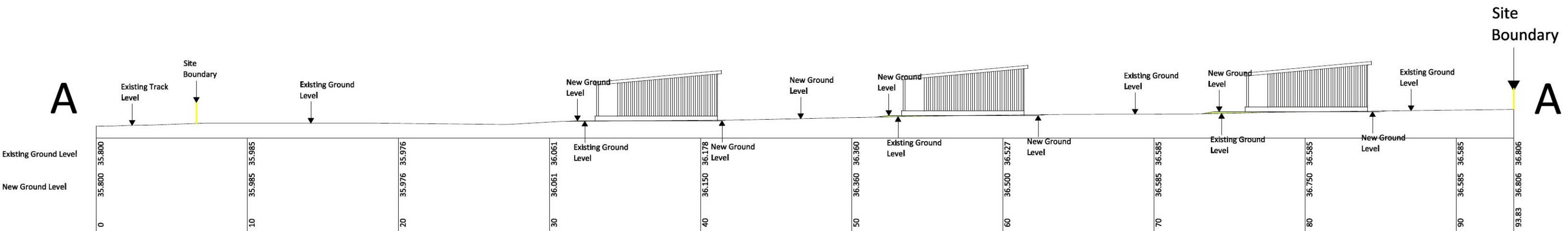
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E:enquiries@ggmail.co.uk

Holiday Accomodation at Covesea Village

Notes:

Area within splay to be maintained at the beginning of the summer season with additional cutting carried out as required or at The Moray Council Transportation departments request to ensure the area remains clear of any obstruction over 1.0m tapering down to 0.26m to the east and 0.6 to the west at all times.

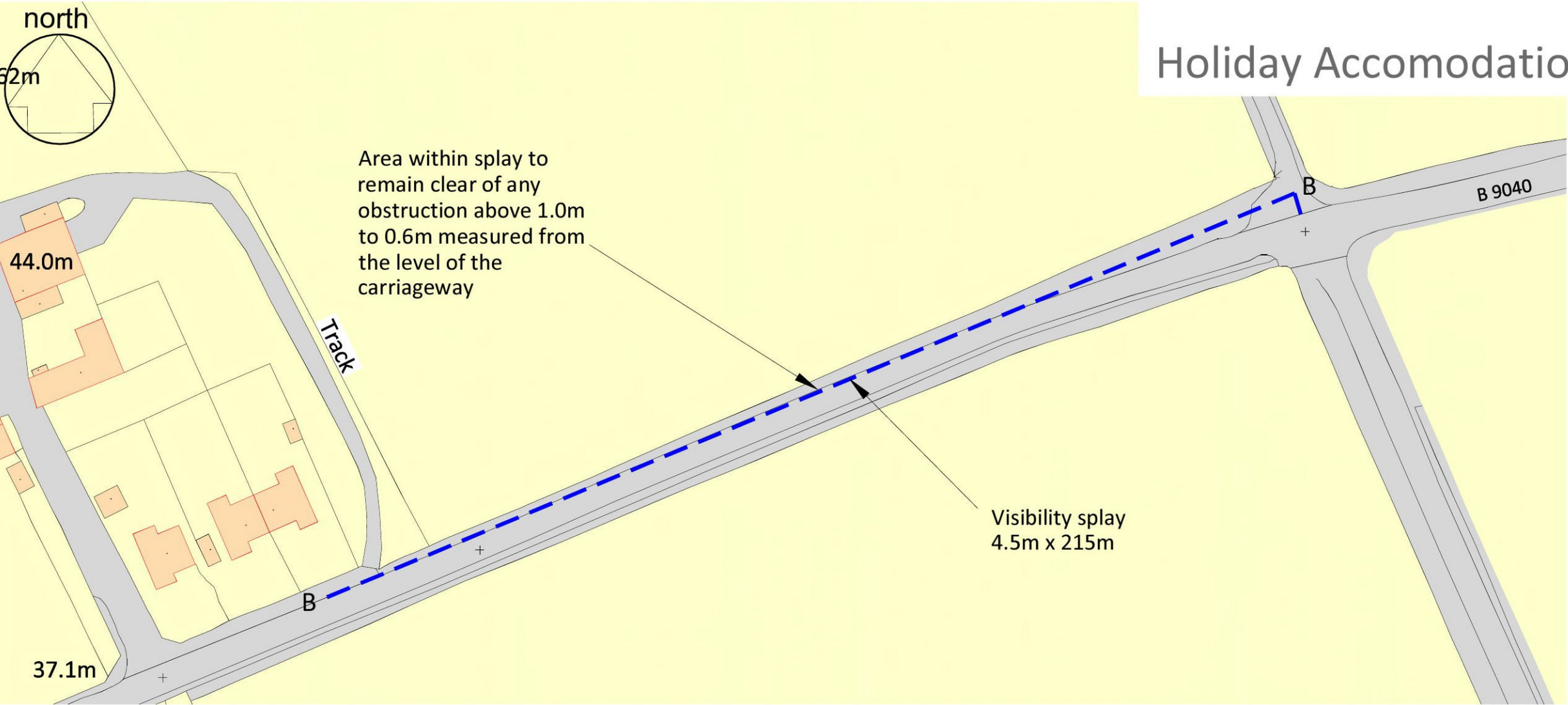
All boundary fences to be set back out with the 4.5m requirements for the visibility splay.

The applicant will provide agreement with the owner regarding the maintenance of the visibility splay.

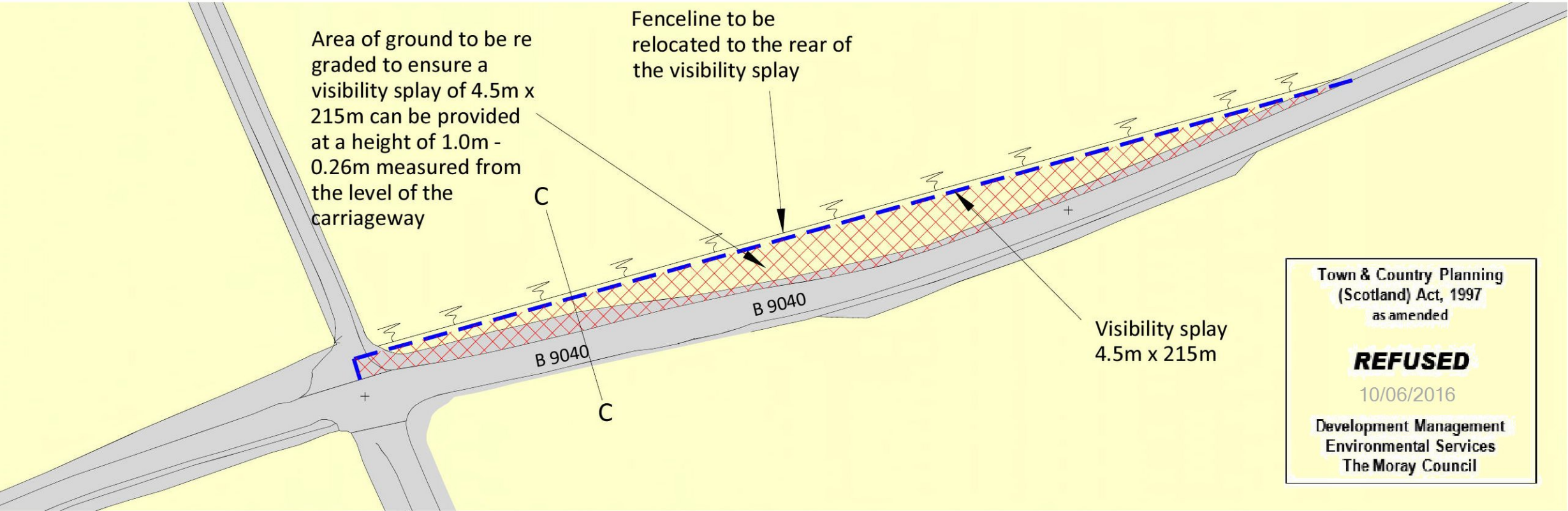
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geoghegan

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architectural consultants

T:01343 556644
E:enquiries@ggmail.co.uk



West Visibility



East Visibility

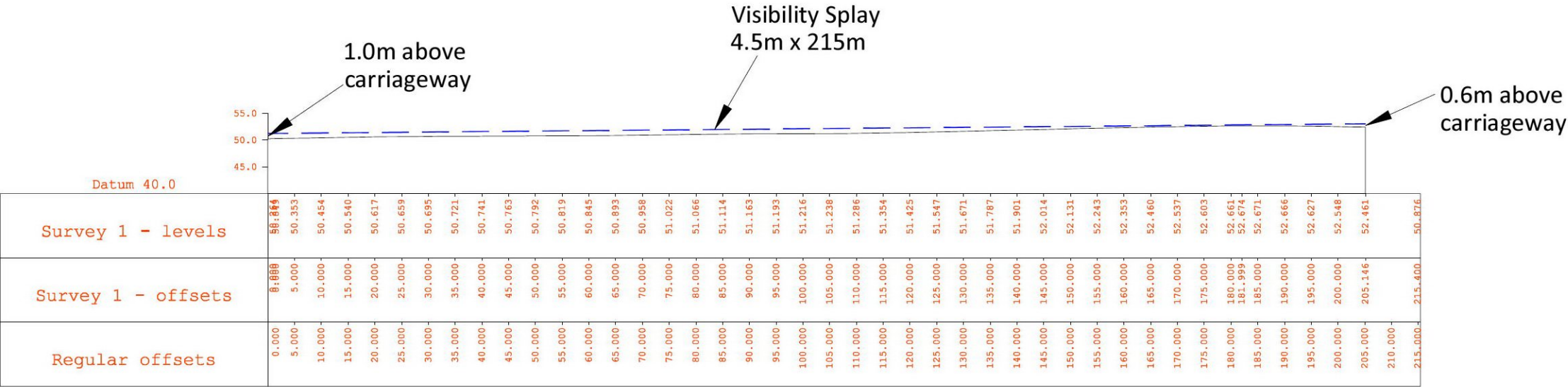
Town & Country Planning
(Scotland) Act, 1997
as amended

REFUSED

10/06/2016

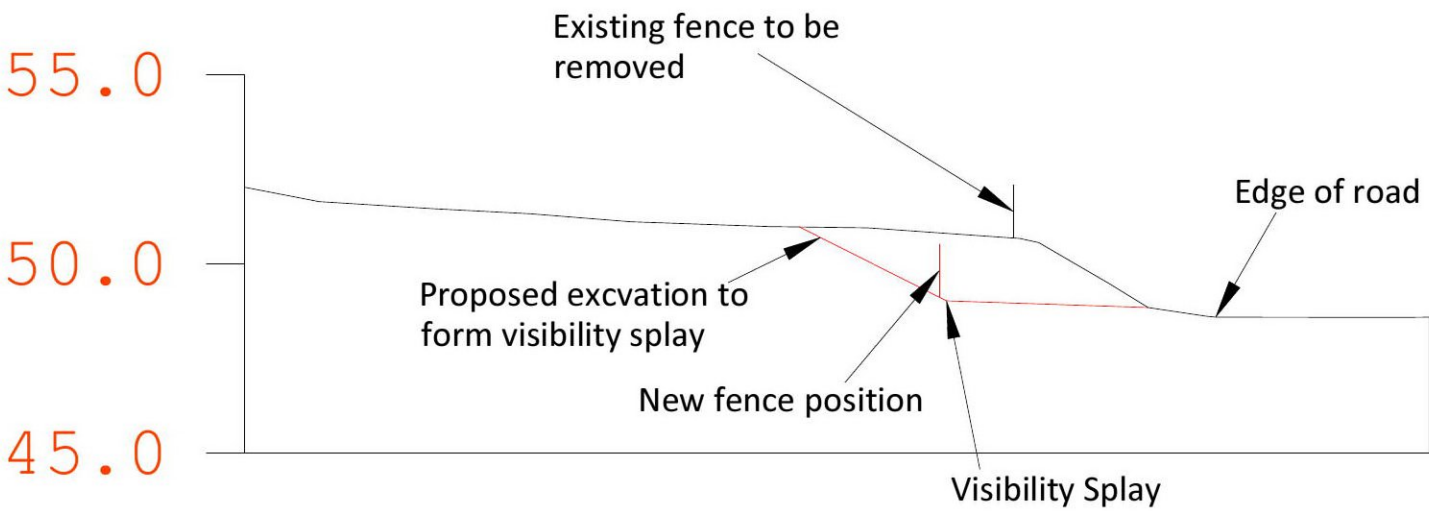
Development Management
Environmental Services
The Moray Council

Holiday Accomodation at Covesea Village



Section B - B

West Visibility



Section C - C

East Visibility Typical Section

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

REFUSED

10/06/2016

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Environmental Services
The Moray Council

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T:01343 556644
E:enquiries@ggmail.co.uk

Consultation Request Notification

Planning Authority Name	The Moray Council
Response Date	13th May 2016
Planning Authority Reference	16/00513/APP
Nature of Proposal (Description)	Erect 3(no) holiday chalets on
Site	Land At North Covesea Village Duffus Moray
Site Postcode	N/A
Site Gazetteer UPRN	000133054989
Proposal Location Easting	318784
Proposal Location Northing	870875
Area of application site (Ha)	3827 m²
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=O4XY44BGIFT00
Previous Application	96/02002/OUT
Date of Consultation	29th April 2016
Is this a re-consultation of an existing application?	No
Applicant Name	Mr D Anderson
Applicant Organisation Name	
Applicant Address	Per Agent
Agent Name	Grant And Geoghegan
Agent Organisation Name	
Agent Address	Unit 4 Westerton Road Business Centre 4 Westerton Road South Keith AB55 5FH
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Richard Smith
Case Officer Phone number	01343 563256
Case Officer email address	richard.smith@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

NOTE:

If you do not respond by the response date, it will be assumed that you have no comment to make.

The statutory period allowed for a consultation response is 14 days. Due to scheduling pressures if a definitive response is not received within 21 days this may well cause the two month determination period to be exceeded.

Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Contaminated Land

Planning Application Ref. No: 16/00513/APP

Erect 3(no) holiday chalets on Land At North Covesea Village Duffus Moray for Mr D Anderson

I have the following comments to make on the application:-

- | | Please |
|---|--------------------------------------|
| (a) I OBJECT to the application for the reason(s) as stated below | x
<input type="checkbox"/> |
| (b) I have NO OBJECTIONS to the application and have no condition(s) and/or comment(s) to make on the proposal | X |
| (c) I have NO OBJECTIONS to the application subject to condition(s) and/or comment(s) about the proposal as set out below | <input type="checkbox"/> |
| (d) Further information is required in order to consider the application as set out below | <input type="checkbox"/> |

Reason(s) for objection

Condition(s)

Further comment(s) to be passed to applicant

Further information required to consider the application

Contact: Adrian Muscutt
email address:
Consultee:

Date.....3/5/16**.....**
Phone No

Return response to	consultation.planning@moray.gov.uk
---------------------------	---

Please note that information about the application including consultation responses and representations (whether in support or objection) received on the proposal will be published on the Council's website at <http://public.moray.gov.uk/eplanning/> (You can also use this site to track progress of the application and view details of any consultation responses and representations (whether in support or objection) received on the proposal). In order to comply with the Data Protection Act, personal information including signatures, personal telephone and email details will be removed prior to publication using "redaction" software to avoid (or mask) the display of such information. Where appropriate other "sensitive" information within documents will also be removed prior to publication online.

Consultation Request Notification

Planning Authority Name	The Moray Council
Response Date	13th May 2016
Planning Authority Reference	16/00513/APP
Nature of Proposal (Description)	Erect 3(no) holiday chalets on
Site	Land At North Covesea Village Duffus Moray
Site Postcode	N/A
Site Gazetteer UPRN	000133054989
Proposal Location Easting	318784
Proposal Location Northing	870875
Area of application site (Ha)	3827 m²
Additional Comment	RAF Lossiemouth Noise Zone 63dBA Category B
Development Hierarchy Level	LOCAL
Supporting Documentation URL	http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=O4XY44BGIFT00
Previous Application	96/02002/OUT
Date of Consultation	29th April 2016
Is this a re-consultation of an existing application?	No
Applicant Name	Mr D Anderson
Applicant Organisation Name	
Applicant Address	Per Agent
Agent Name	Grant And Geoghegan
Agent Organisation Name	
Agent Address	Unit 4 Westerton Road Business Centre 4 Westerton Road South Keith AB55 5FH
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Richard Smith
Case Officer Phone number	01343 563256
Case Officer email address	richard.smith@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

NOTE:

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Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Environmental Health Manager

Planning Application Ref. No: 16/00513/APP

Erect 3(no) holiday chalets on Land At North Covesea Village Duffus Moray for Mr D Anderson

I have the following comments to make on the application:-

- | | Please |
|---|--------------------------------------|
| (a) I OBJECT to the application for the reason(s) as stated below | x
<input type="checkbox"/> |
| (b) I have NO OBJECTIONS to the application and have no condition(s) and/or comment(s) to make on the proposal | <input type="checkbox"/> |
| (c) I have NO OBJECTIONS to the application subject to condition(s) and/or comment(s) about the proposal as set out below | X |
| (d) Further information is required in order to consider the application as set out below | <input type="checkbox"/> |

Further comment(s) to be passed to applicant

Should planning consent be granted, an application will require to be made for a caravan site licence, in terms of the Caravan Sites and Control of Development Act 1960.

Contact: Kevin Boyle
email address:
Consultee:

Date.....3/5/16**.....**
Phone No

Return response to	consultation.planning@moray.gov.uk
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Please note that information about the application including consultation responses and representations (whether in support or objection) received on the proposal will be published on the Council's website at <http://public.moray.gov.uk/eplanning/> (You can also use this site to track progress of the application and view details of any consultation responses and representations)

(whether in support or objection) received on the proposal). In order to comply with the Data Protection Act, personal information including signatures, personal telephone and email details will be removed prior to publication using "redaction" software to avoid (or mask) the display of such information. Where appropriate other "sensitive" information within documents will also be removed prior to publication online.

From: Sonia Macdonald
Sent: 13 May 2016 09:26:07 +0000
To: DC-General Enquiries
Subject: 16/00513/APP 3 Holiday Chalets Covesea Village Duffus - Developer Obligations
Final Response

Good morning,

Erect 3(no) holiday chalets on Land At North Covesea Village Duffus Moray

The type of development proposed above will not require to be mitigated by Developer Obligations. However, if a future application is received seeking permission for change of use to Class 9 Residential Use then we would require to be consulted as Developer Contributions may be sought at this stage.

Kind regards,

Sonia

Sonia MacDonald | Developer Obligations Officer
Legal and Governance | Business Services | Aberdeenshire Council | C/o Area Office | The Square |
Banchory | AB31 5RW

☎ 01330 825 518

Blackberry: 07766367706

E-mail: sonia.macdonald@aberdeenshire.gov.uk

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www.aberdeenshire.gov.uk

SAVE PAPER - Please do not print this e-mail unless absolutely necessary.

Consultation Request Notification

Planning Authority Name	The Moray Council
Response Date	13th May 2016
Planning Authority Reference	16/00513/APP
Nature of Proposal (Description)	Erect 3(no) holiday chalets on
Site	Land At North Covesea Village Duffus Moray
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Additional Comment	
Development Hierarchy Level	LOCAL
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Previous Application	96/02002/OUT
Date of Consultation	29th April 2016
Is this a re-consultation of an existing application?	No
Applicant Name	Mr D Anderson
Applicant Organisation Name	
Applicant Address	Per Agent
Agent Name	Grant And Geoghegan
Agent Organisation Name	
Agent Address	Unit 4 Westerton Road Business Centre 4 Westerton Road South Keith AB55 5FH
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Richard Smith
Case Officer Phone number	01343 563256
Case Officer email address	richard.smith@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

NOTE:

If you do not respond by the response date, it will be assumed that you have no comment to make.

The statutory period allowed for a consultation response is 14 days. Due to scheduling pressures if a definitive response is not received within 21 days this may well cause the two month determination period to be exceeded.

Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Transportation Manager

Planning Application Ref. No: 16/00513/APP

Erect 3(no) holiday chalets on Land At North Covesea Village Duffus Moray for Mr D Anderson

I have the following comments to make on the application:-

Please

- | | | |
|-----|---|-------------------------------------|
| (a) | I OBJECT to the application for the reason(s) as stated below | <input type="checkbox"/> |
| (b) | I have NO OBJECTIONS to the application and have no condition(s) and/or comment(s) to make on the proposal | <input type="checkbox"/> |
| (c) | I have NO OBJECTIONS to the application subject to condition(s) and/or comment(s) about the proposal as set out below | <input checked="" type="checkbox"/> |
| (d) | Further information is required in order to consider the application as set out below | <input type="checkbox"/> |

Condition(s)

1. Prior to the commencement of development details shall be submitted for the approval in writing of the Planning Authority, in consultation with the Roads Authority, to ensure no water or loose material shall be permitted to drain or be carried onto the public footpath/carriageway for the life time of the development.
2. Notwithstanding the submitted drawings prior to any development works commencing:
 - i) a detailed drawing (scale 1:500 or 1:1000 which shall also include details to demonstrate control of the land) showing the visibility splay 4.5 metres by 215 metres in both directions showing boundary fences/hedges set back to a position behind the required visibility splay, and a schedule of maintenance for the splay area shall be submitted to and approved by the Council, as Planning Authority in consultation with the Roads Authority; and
 - ii) the visibility splay shall be provided in accordance with the approved drawing prior to any works commencing (except for those works associated with the provision of the visibility splay); and
 - iii) thereafter the visibility splay shall be maintained at all times free from any obstruction exceeding 0.26metres to the east and 0.6 metres to the west above the level of the carriageway in accordance with the agreed schedule of maintenance. The formation of the splay will also require the lowering of ground levels.
3. The width of the vehicular access shall be 5.5m for the first 5.0m then 3.5m thereafter and have a maximum gradient of 1:20 measured for the first 5.0m from the edge of the public carriageway. The part of the access over the public footway/verge shall be to The Moray Council specification and surfaced with bituminous macadam.

4. The first 15m of the access track, measured from the edge of the public road, shall be constructed to the Moray Council specification and surfaced with bituminous macadam.
5. Two car parking spaces shall be provided for each unit within the site prior to the occupation. The parking spaces shall thereafter be retained throughout the lifetime of the development, unless otherwise agreed in writing with the Council as Planning Authority.
6. A turning area shall be provided within the curtilage of the site to enable vehicles to enter and exit in a forward gear.

REASONS

1. To ensure acceptable development that does not create any hazard to road users in the interests of road safety.
2. To enable drivers to vehicles leaving the site to have a clear view over a length of road sufficient to allow safe exit, in the interests of road safety for the proposed development and other road users.
3. To ensure acceptable infrastructure at the development access through the provision of details currently lacking.
4. To ensure acceptable infrastructure at the development access through the provision of details currently lacking.
5. To ensure the permanent availability of the level of parking necessary for residents/visitors/others in the interests of an acceptable development and road safety.
6. To ensure the provision for vehicles to enter/exit in a forward gear in the interests of the safety and free flow of traffic on the public road

Further comment(s) to be passed to applicant

Planning consent does not carry with it the right to carry out works within the public road boundary.

The development is not directly served by a public road. The applicant should note that it is their responsibility to establish any Rights of Vehicular Access with the party (parties) in control of the private road which serves the site. Agreement must also be reached with regard to any works in the formation of the access which would have an impact on neighbouring land.

Before starting any work on the existing public road the applicant is obliged to apply for a road opening permit in accordance with Section 85 of the Roads (Scotland) Act 1984. This includes any temporary access joining with the public road. Advice on these matters can be obtained by emailing roadspermits@moray.gov.uk

Public utility apparatus may be affected by this proposal. Contact the appropriate utility service in respect of any necessary utility service alterations which have to be carried out at the expense of the developer.

No building materials/scaffolding/builder's skip shall obstruct the public road (including footpaths) without permission from the Roads Authority.

The applicants shall free and relieve the Roads Authority from any claims arising out of his operations on the road or extension to the road.

No retaining structures or embankments shall be constructed along the edge of the road, whether retaining the public road or ground adjoining the public road without prior consultation and agreement of the Roads Authority.

The formation of the required visibility splay will involve the removal of vegetation, setting back of boundary fences/ field gates and the lowering of ground levels. A hydro-electric pole would likely also require to be relocated due to the change in ground levels.

Contact: DA
email address: transport.develop@moray.gov.uk
Consultee: TRANSPORTATION

Date 12 May 2016

Return response to	consultation.planning@moray.gov.uk
---------------------------	---

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Comments for Planning Application 16/00513/APP

Application Summary

Application Number: 16/00513/APP

Address: Land At North Covesea Village Duffus Moray

Proposal: Erect 3(no) holiday chalets on

Case Officer: Derek Wilson

Customer Details

Name: Mrs Mary Byatt

Address: [REDACTED]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Contrary to Local Plan
- Over-development of site
- Road safety

Comment: Dear Development Manager

Re 16/00513/APP Erect 3 (no) holiday chalets on land at North Covesea Village

I am writing to object to the above planning application, in particular because it is not in accordance with Moray Council's Local Development Policy E8 (Coastal Protection Zone - CPZ). It has also been advertised because it does not accord with Moray Council's Local Development Plan policies ED7 (Rural business proposals), ED8 (Tourism facilities and accommodation).

There is a long history of planning applications for the area, some of which have been refused and some withdrawn. The reasons given by the Council and Scottish Executive/Government Reporters are still valid, despite minor changes in planning legislation and Council Development Plans, and the different usage proposed for the buildings in this application.

Applications on this site to east of Covesea Village have been as follows:

89/00593 - House and garage - refused and dismissed on appeal in 1990.

96/02002/OUT and 96/02003/OUT - houses and garages - refused.

00/01630/FUL - 2 (no) farm workers' cottages (advertised as at Plewlands Farm although on this site east of Covesea Village) - refused after a Public Hearing.

On land immediately south of Covesea Village:

92/0292-301 - 10 houses - refused and appeal dismissed in 1993; associated applications for 2 houses, 92/1131 and 92/1132, also refused.

This application does not conform to CPZ E8 which states that developments should be appropriate extensions or replacement of existing buildings. There is no call for an extension of Covesea Village, however well planned. Its occupants will inevitably be affected and one wonders how the applicant will police noise levels? It is referred to as a camping area, which implies use of tents and caravans in the area. Surely this is 'the thin end of the wedge' in terms of development and will give rise to countless other applications along the ridge, if granted.

The Scottish Planning Policy (SPP) stresses the importance of maintaining and growing rural communities by encouraging development 'whilst preserving important environmental assets such as landscape and wildlife habitats'. Covesea village is not a 'rural community' and does not need to be developed. The natural environment of this very special place will most certainly be affected by the proposed three chalets. The view from the south may indeed be minimised but they would be very visible from the beach and from the sea.

MCDP 2015 ED8 states that tourism facilities should be encouraged if they demonstrate 'a locational need for a specific site and are compatible with policies to safeguard and enhance the natural environment'. There is no locational need at Covesea and the chalets will detract from the natural environment. Furthermore they are not serviced by a bus and waste must be taken to the end of the track where there will have to be a row of unsightly bins. The Hopeman-Lossiemouth road is very fast and access to it potentially dangerous, however well planned.

I am very aware of Moray's need for increased tourism, with the provision of supporting resources, but the value of the Moray coast as a tourism resource and for the amenity of the local community is for its natural attractions like the coastline at Covesea. There is already caravan/chalet type accommodation in the locality - both to the west at Hopeman and east at Silver Sands and beyond in Lossiemouth - that meets the needs of visitors looking for this form of holiday accommodation. I urge the Council to refuse this application.

Comments for Planning Application 16/00513/APP

Application Summary

Application Number: 16/00513/APP

Address: Land At North Cove Sea Village Duffus Moray

Proposal: Erect 3(no) holiday chalets on

Case Officer: Derek Wilson

Customer Details

Name: Mr Alasdair Gordon-Rogers

Address: [REDACTED]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Contrary to Local Plan
- Height of proposed development
- Noise
- Over-development of site
- Precedent

Comment: I wish to object to the above application. The application contradicts many of the Council's Development Plan Policies.

The site is part of one of the most remarkable sections of Moray's Coastal Protection Zone (CPZ), valued for its geomorphology, fragile dune landscape, wildlife and tranquillity - it is a precious asset for Moray and needs careful protection.

It is relatively unspoilt and an asset for now and for the future should not be ruined by development which once started will become a precedent for construction along the rim beside it bringing all the infra structure with it such as access roads, parking, camper vans and no doubt street lights.

I urge the Moray Council to ask what exactly this site is to be used for. The applicant variously describes it as:

A site for holiday chalets

A site for hut units

A site for eco-pods

A campsite

A camping area which: "will operate as a licensed site" (page 8 of supportive statement)

A campsite or a camping area clearly implies the presence of tents, caravans, camper vans and motor homes with associated toilets, showers and so on. Further road building would ensue and no doubt streetlights would appear. A caretaker or supervisors accommodation will then also be

required.

The business plan referred to on page 10, which the public are not able to see may contain important informative details. Why is this not available?

The supportive statement contains many confusing statements and uses language, which is lacking in definition. It uses words such as 'sustainable' and 'ecological' more as sound bites than as clear explanations. A few examples are:

On page 4: "The site is separated from and does not form part of the larger agricultural operation to the south". This is somewhat ingenious and rather devious as the site was previously fenced off specifically to enable applications for building, which were in the past refused or withdrawn. It is in fact agricultural land.

Mention of so called "off grid model of sustainable living" and "green roofs" are just sound bites. The statement is made that: "Building materials have been selected to merge with the landscape and meet high ecological standards." The ecology of the area is best served by not building any huts. The inevitable increase in human noise pollution and movement is ecologically damaging.

On page 5: The statement that these huts constitute a "unique, low density environmentally accountable tourism enterprise" is long-winded. From zero presence to the possibility of 18 residents with 6 or more vehicles and equipment with service traffic and so on is not low density for the area. The phrase 'environmentally accountable' is a debatable and imprecise statement.

On page 5: 'Locational' evidence for these huts is stated because there is "serviced industrial land in a nearby settlement". There is lack of clarity here.

The developer's comment that this is a "Relatively remote and beautiful coastal location" with "tranquillity" contrasts with the fact that constructing these huts with their infrastructure and the implied campsite will urbanise the area. Noise is a pollutant and is notoriously difficult to control when people congregate. Thus the very reasons used to justify the building will be destroyed.

The area is already used by Moray residents and visitors and is able to retain its precious characteristics simply because there is no development. The natural environment recovers each day when visitors go home. This will not happen with any permanent development in the area. Allowing the first structures will set a precedent for the future, which would destroy a valuable asset.

I therefore urge the Moray Council to refuse this application.

Comments for Planning Application 16/00513/APP

Application Summary

Application Number: 16/00513/APP

Address: Land At North Covesea Village Duffus Moray

Proposal: Erect 3(no) holiday chalets on

Case Officer: Derek Wilson

Customer Details

Name: Mrs Kate Gordon-Rogers

Address: [REDACTED]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Contrary to Local Plan
- Inadequate plans
- Over-development of site
- Precedent

Comment: I am objecting to this planning application as it is contrary to a number of the Council's planning policies - in particular E8 (Coastal Protection Zone - CPZ); ED8 (tourism facilities and accommodation; ED7 (rural business proposals) and IMP1 (developer requirements); in all likelihood approval would set a precedent for future development which would be seriously detrimental to the area.

Over the past 25 years the site in question, adjacent to Covesea Village, has been subject to numerous attempts to gain planning permission for houses, but these have either been withdrawn, or have failed because of the impact on the protected area, and the need to ensure that the natural assets that attract people to the area are not damaged by inappropriate or unsympathetic development. The same is true of this application albeit it is for a different housing market (year-round holiday let) and style of property (chalet/cabin). The applicant has applied for a change in land use from agriculture to tourism. The site is currently classified as agricultural land, although it has not been used for that purpose since it was fenced off on three sides - as a precursor to previous and unsuccessful planning applications - thus creating an artificial partition.

The business plan for the holiday chalets referred to in the applicant's planning statement is not available on the website, therefore it is not possible to comment on the economic sustainability of the proposal as it stands which is for three, two-bedroomed, affordable self-catering units on what would become a 'licensed caravan site'. However, there is already caravan/chalet type

accommodation in the locality - both to the west at Hopeman and east at Silver Sands and beyond in Lossiemouth - that meets the needs of visitors looking for this form of holiday accommodation, and where there is easy access to the beach for canoeists and power kites, as well as other activities for visitors to pursue.

Whilst no doubt a case can be put for more high quality, low-impact accommodation in Moray of the type proposed, this should not be to the detriment of the CPZ and the unique, unspoilt setting of Covesea. The proposal does not demonstrate a locational need for this particular site. Timber-clad cabins are best suited to woodland/rolling hillside settings, and not open, relatively flat farmland and exposed cliff top within a protected area. There is a small golf course at the western end of the West Beach, and the Covesea area does not have the capacity for additional development without severely compromising the area's CPZ designation. (A proposed caretaker's house at the golf course is the subject of a current planning application - 16/00555/APP - which, if approved, would contribute to undesirable creeping development.) The stretch of coastline east from Hopeman towards Lossiemouth is remarkable for its geomorphology, wildlife and absence of intrusive, inappropriate man-made structures; it is unique and creates an air of tranquillity rare in today's world.

The developer's planning statement refers not only to a year-round holiday chalet site, but also to a campsite which implies additional tents, caravans or motorhomes and associated infrastructure. Should the proposed development be permitted, is this a prelude to further development on the farmland to the south of the proposed site? Will there, for example, be an application for an on-site caretaker's house (as there is at the golf links) or an educational facility in support of more cabins?

The applicant describes the development as 'low intensity'. Three chalets with decking designed for year-round occupation by up to some 18 people, and parking for six cars on a 3,827 m² site can hardly be classified as such. The chalets are in essence comfortable wooden huts with sheet metal roofs (the plans do not show turf roofs mentioned in the planning statement) that in architectural terms are alien to the immediate area; they do not reflect the local architecture. Covesea Village is of local historic significance the setting of which requires to be maintained. The statement also refers to an 'off grid model of sustainable living', yet there is no mention of how all the power for heating, cooking and lighting will be generated off grid for all-year occupation. Even wood for the 'range system' will have to be brought in. The site plan does not show the location of any additional structures, eg for housing domestic waste and recycling bins (though the statement refers to recycling being prominent on the site), on-site composting, log store(s), or any other means of additional heat provision such as LPG tanks (also mentioned in the planning statement).

The developer proposes improvements to sight lines along the B9040, better visibility splays, and the upgrading of the track leading to Covesea Village to cater for more vehicles, as well as the provision of a separate path for walkers beside the track, on the grounds of pedestrian safety. This implies an anticipated increase in vehicle movements both during the construction period, and afterwards, from not only local visitors/holidaymakers but also service providers including fuel and

possibly refuse trucks, unless all refuse and recycling bins are to be placed at the lay-by on the B9040, thus creating further visual intrusion in the form of a line of multi-coloured bins. The end result is a creeping urbanisation of a beautiful rural area leading to the destruction of its special and recognised qualities.

The applicant refers to use by visitors staying at the chalets of public transport rather than cars. There is no public transport between Hopeman and Lossiemouth on the B9040. The nearest public transport hubs are in Lossiemouth and Elgin. From the proposed site walkers to Lossiemouth via the beach will need to allow in the region of 45 minutes before catching a bus to Elgin and beyond; alternatively they could walk to Hopeman along the coastal trail (in the region of 1 hour) where there is an hourly bus service to Elgin. Cyclists would have to use the busy B9040 as there is no cycle way. Visitors staying at the site are inevitably going to use cars for grocery shopping and to explore wider Moray.

Should this application be granted, a precedent will have been set, and a case could be made in the future for expansion of the site on the grounds of, amongst other things, economic sustainability. By approving the site for three chalets, the unique environmental qualities of the area and its peaceful ambience would have been severely diminished, and the protection that comes with a CPZ designation would have been severely compromised.

Comments for Planning Application 16/00513/APP

Application Summary

Application Number: 16/00513/APP

Address: Land At North Covesea Village Duffus Moray

Proposal: Erect 3(no) holiday chalets on

Case Officer: Derek Wilson

Customer Details

Name: Mrs Barbara Hall

Address: [REDACTED]

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Contrary to Local Plan
- Lack of landscaping

Comment: I fully support Mr Anderson's application to develop the tourist industry in Moray by creating jobs and adding to the local economy. The accommodation he proposes is becoming increasingly popular and should prove successful in Moray. My only objection is to the actual location of the chalets; the site has been the subject of six planning applications dating back to 1989. Two of the applications were partially or fully withdrawn and the remaining four were refused, all on environmental grounds. The site was initially in an Area of Great Landscape Value, later to become the Coastal Protection Zone.

The current application lists only one associated document, 96/02002/OUT, on 31 October 1996. This was actually one of two applications, the other being 96/02003/OUT. Each one was for a house on the site of the current application, but both were refused. The reasons were the same in both cases;

1. "..... a site occupying a conspicuous and prominent skyline, top of slope, location"
2. "..... by reason of the isolated and prominent location and siting, it would detract from the existing open appearance and attractiveness of the coastline, the unique character of which makes it worthy of protection for its own sake."

Prior to these two applications, on 30 May 1989 an application was submitted for a single house on the same site. This was refused, one reason being that it would "..... detract from the appearance and character of an AGLV." The decision went to appeal, and was dismissed, because the house "would be an undesirable intrusion in the countryside. It would affect the

character of the AGLV, where a higher standard of integration is expected, and would impair enjoyment of the coastal zone."

In July 1998, an application (98/01063FUL) was submitted for four farmworkers cottages linked to a new dairy. Two of the cottages were on the same site at Covesea as the above applications. One of these cottages, and subsequently the second, were withdrawn prior to a planning decision. In May 2000, a further application (00/00865FUL) was submitted for two farmworkers cottages only, on the site at Covesea under current consideration. These were also withdrawn before the planning decision.

An almost identical application (00/1630FUL) was submitted in October 2000 and refused.

Reasons given included the comments that the site

1. " does not integrate sensitively with existing landforms nor blend unobtrusively with its surroundings and results in a conspicuous and prominent skyline/top of slope location
"

2. " the unacceptable location and siting characteristics of the proposal detract from the visual and scenic qualities of the coastal landscape." This decision led to a public hearing in May 2001, and the application was again turned down for the same reasons as before.

The current application, with reference to the Moray Local Development Plan, would seem to contravene ED7, as there appears to be no locational justification for chalets on this particular site, which is in the CPZ. In addition, it also contravenes ED8, which requires demonstration of locational need for a specific site. This is not the only site suitable for holiday chalet development. Furthermore, ED8 states that "For caravans and chalets in countryside areas, visual impact and access arrangements will be important considerations. Proposals must demonstrate what landscaping measures will be put in place to assist in integrating the site into its rural setting." Justification by Moray Council for Policy ED8 is that "much of Moray's attraction is its environment While wishing to encourage and support development in this area, care must be taken to ensure that the assets which create this attraction are not damaged by inappropriate or unsympathetic development." The chalet development would seem to detract from the attraction of this particular location, rather than add to it.

E8 refers to the CPZ, which permits low intensity recreational or tourist use. I am not convinced that year-round use of three holiday chalets with associated parking can be classed as low intensity.

The application has considerable merit, in terms of meeting tourist demand but it seems inappropriate to locate the chalets in order to "minimise visibility from the south", which is essentially farmland or the B4090, but place them instead in this "relatively remote and beautiful coastal location."

I would like clarification of the term "campsite", which implies an extension of the site to include

tents, caravans, motorhomes, etc, together with the associated sanitation buildings.

The application refers to creating an "off grid model of sustainable living ". There is no reference to an electricity supply in the application, but roof solar panels will not provide a 24-hour electricity supply. Is the site to be connected to the main grid supply? Use of wood burning alone to provide hot water may not appeal to casual holidaymakers, and for year-round use, the chalets may require an additional and more instantaneous form of heating.

The application also makes reference to "green roofs" but the plans indicate sheet metal roofs.

The measures outlined for water conservation are sensible, particularly as Covesea village and linked properties such as Radar Cottage can experience low water pressure at times of heavy usage further back in the supply. Radar Cottage was without any water at all fairly recently, for this very reason.

The waste collection for Covesea village is currently via an industrial wheelie bin at the main road, and there are no recycling facilities. Re-alignment of the end of the track would require provision of an alternative site for the existing wheelie bin, plus facilities for additional waste collection, as the bin currently can be full at the end of a fortnight.

Whilst wishing to fully support Mr Anderson in his plans to develop tourism in Moray by providing holiday accommodation, I cannot agree that a location within the CPZ is an appropriate one.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Manager (Development Management)
Development Services
PO Box 6760
Elgin
IV30 9BX

19 May 2016

Dear Manager (Development Management)

Re 16/00513/APP Erect 3 (no) holiday chalets on land at North Covesea Village

I am writing in objection to the above planning application. It has been advertised because it does not accord with Moray Council's Local Development Plan policies ED7 (Rural business proposals), ED8 (Tourism facilities and accommodation), E8 (Coastal Protection Zone, CPZ) and IMP1 (Developer requirements). I agree with this assessment and so request that planning permission be refused.

I refer to the planning history for development at Covesea Village which shows clearly that repeated applications have justifiably been refused. The reasons given by the Council and Scottish Executive/Government Reporters are still valid, despite minor changes in planning legislation and Council Development Plans, and the different usage proposed for the buildings in this application.

On this site to east of Covesea Village:

89/00593 - House and garage – refused and dismissed on appeal in 1990.

96/02002/OUT and 96/02003/OUT – houses and garages - refused.

00/01630/FUL - 2 (no) farm workers' cottages (advertised as at Plewlands Farm although on this site east of Covesea Village) – refused after a Public Hearing.

On land immediately south of Covesea Village:

92/0292-301 – 10 houses - refused and appeal dismissed in 1993; associated applications for 2 houses, 92/1131 and 92/1132, also refused.

My objections to the current application are as follows:

This is an agricultural area and the site is not currently used for agriculture only because it was fenced off in an attempt to obtain planning permission for a previous building. It has never been part of the existing settlement at Covesea Village.

The development will be visible from the beach by other users of the coastal amenity, and will detract from the tourism attraction and amenity value of this unique and unspoilt stretch of coastline. At the moment, the cliff top sight of housing is an incomplete view of the compact

longstanding row of cottages to the west.

Covesea has no infrastructure such as bus service, cycle path or mains drainage - it is a scattering of small hamlets, individual houses and farms and a former lighthouse. ED8 (Tourism Facilities and Accommodation) specifically says that for caravan or chalets in countryside areas, visual impact will be an important consideration, and that proposals will require to demonstrate a locational need for a **specific** site. Neither of these conditions is met for this particular site and this application is inappropriate because of its detrimental visual impact on the environment.

ED7 Rural business proposals:- There is limited capacity in the local infrastructure - no mains drainage, limited broadband, no gas and low water pressure. The nearest bus stops (and shops) are at Lossiemouth, Hopeman and Duffus, reached via the pathless B9040.

E8 Coastal Protection Zone (CPZ):- none of the criteria apply and 3 chalets and parking for 6 cars on 3827 sq m is not low intensity and would adversely affect the landscape importance of the area .

There is mention of proposed educational courses and a camping area suggesting that this application is merely the beginning. The risk of cumulative development in this sensitive location must be taken very seriously indeed.

In conclusion I suggest that the value of the Moray coast as a tourism resource and for the amenity of the local community is for its natural attractions and this new development at Covesea would undoubtedly reduce its appeal. I urge the Council to refuse this application.

Yours sincerely

D Parlour
Mrs D M Parlour

[REDACTED]

[REDACTED]

25/5/2016

26 MAY 2016

Dear Manager (Development Management)

Re 16/00513/APP Erect 3 (no) holiday chalets on land at North Covesea Village

I am writing in objection to the above planning application. It has been advertised because it does not accord with Moray Council's Local Development Plan policies ED7 (Rural business proposals), ED8 (Tourism facilities and accommodation), E8 (Coastal Protection Zone, CPZ) and IMP1 (Developer requirements). I agree with this assessment and so request that planning permission be refused.

We have been resident at Covesea Village since 1990. We are consequently very familiar with the coast here and towards Hopeman and the Lighthouse, and also with the pattern of usage by others, from Moray and beyond, and the high regard in which this coast is held by them – the point being that its special merit is seen as its simultaneously accessible, relatively remote and unspoilt character.

I refer to the **planning history** for development at Covesea Village, other than the two in-fills to the row of cottages, which shows clearly that repeated applications have justifiably been refused. The reasons given by the Council and Scottish Executive/Government Reporters are still valid, despite minor changes in planning legislation and Council Development Plans, and the different usage currently proposed for the buildings in this application.

On this site to east of Covesea Village:

89/00593 - House and garage – refused and dismissed on appeal in 1990.

96/02002/OUT and 96/02003/OUT – houses and garages - refused.

00/01630/FUL - 2 (no) farm workers' cottages (advertised as at Plewlands Farm although on this site east of Covesea Village) – refused after a Public Hearing.

On land immediately south of Covesea Village:

92/0292-301 – 10 houses - refused and appeal dismissed in 1993; associated applications for 2 houses, 92/1131 and 92/1132, also refused.

Plan of road splays on the B9040 provided by the applicant - what is proposed for the existing layby and our communal rubbish bin? The layby currently provides an amenity as parking for access to the Moray Coast Trail, for lorries and a viewpoint for aircraft enthusiasts. Please be aware of the stand of **Burnett roses** beside the south east end of the track: a plant uncommon in Moray and with a beautiful cream flower with deep purplish hips.

The applicant has submitted a **"Supporting Statement"**. My comments in response to this Statement also comprise the reasons to support my objection, and so I will lay them out in relation to the Statement, referenced by page.

p.4 The Site: Views of the site – they may be restricted to the South, but critically, not to the North and East, that is from the beach and seaward. If the occupants are there to enjoy the view, then they necessarily will be visible from that view by other and existing users of the amenity, to the detraction of their enjoyment. At the moment, the cliff top sight of housing from the beach and coastal path is an incomplete view of the roofs of the compact row of mainly 19th century cottages to the west.

The site may not form “part of a larger agricultural operation to the South” in the sense that it is not currently used for agriculture – but this is only since the artificial partition created by a new fence erected in the context of a previous and unsuccessful planning application.

p. 4 Development Plan Context:

re Para 77 of SPP - Covesea is not a Rural Community and has no infrastructure such as bus service or mains drainage. Covesea is an undefined scattering of small hamlets, individual houses and farms and a former lighthouse.

ED8 (Tourism Facilities and Accommodation) specifically says that for caravans or chalets in countryside areas, visual impact will be an important consideration, and that proposals will require to demonstrate a locational need for a specific site.

Neither of these conditions is met for this particular site.

The applicants refer to the text of ED8, and that the policy “seeks to ensure that tourism development should not have a detrimental impact on the environment, which is the main attraction of the area as a tourist attraction” – exactly, and my contention is that because of the importance of tourism within the local economy, this application is inappropriate because of its detrimental impact on the environment: three (with projected occupancy of 2 out of 3) holiday chalets as against the very real amenity for education and leisure currently provided by the undeveloped site.

p. 5 ED7 Rural business proposals – there is no “serviced industrial land in a nearby settlement”

- there is limited capacity in the local infrastructure - no mains drainage (and septic tanks now shown draining down a slope prone to slumping), limited broadband, no gas, and low water pressure.

E8 Coastal Protection Zone (CPZ) - none of the criteria applies and 3 chalets and parking for 6 cars on 3827 sq m is not low intensity and would adversely affect the landscape importance of the area.

p. 6 Locational need: I agree for Moray but not for Covesea at this prominent and, by the applicant’s acknowledgement, unique site.

para 3 – No-one who knows the cliff top at Covesea Village could call it sheltered! Also, the emphasis on the unique qualities of the location fails to acknowledge that by altering the situation, with 3 holiday cottages and their associated signs of occupation, car usage, etc, this would negate these very attributes and detract from the wider public amenity.

para 4 – Please note that access during construction would be needed to the

existing houses for emergency services and for a doctor resident on a 24hr on call rota.

para 5 - the natural resources are already exploited by individuals and educational organisations without requiring a residential component at Covesea.

Heritage resources: Proposed educational courses – will premises be required and if so, where is the proposed location for this? Is this application the forerunner of further development on the fields to the south? The risk of cumulative development should be considered, if, as suggested in the application there is a broader context to the chalets to be fulfilled.

[p. 7 An educational point: the sandstone here is New Red Sandstone or Permian ie formed some 100 million years later from reworked Old Red Sandstone.]

p. 8 Neighbouring amenity: para 5 – I note the introduction of the expression "camping area". Is this just the chalets or will there be a camp site requiring further parking and sanitation blocks, etc?

Minimising energy use: High levels of air tightness and solid fuel heating – not to be recommended! And where does the solid fuel come from? There is no mention of electricity, whether mains or solar and how it is to be provided? "Sustainability" sounds more of an aspiration than a reality.

p. 9 Waste and recycling again - where is it to be stored for collection? We take our residual rubbish to the main road at the end of the track to a single commercial bin, and our recycling to Lossie or Elgin as and when convenient. It would be a further intrusion into the countryside to have multi-coloured bins strung along the main road, or are the holidaymakers to trundle the bins 0.5km to and from the road? Despite the applicant's assertion, there is no public transport, not even a cycle path on the B9040. The nearest bus stops (and shops) are at Lossiemouth, Hopeman and Duffus, reached via the pathless B9040. (ref. also IMP1).

I am very aware of Moray's need to promote itself as a tourism destination with the provision of supporting resources – I am involved with Elgin's Castle to Cathedral to Cashmere, the Covesea Lighthouse and Elgin Museum, to that end. But the value of the Moray coast as a tourism resource and for the amenity of the local community is for its natural attractions, and the development proposed at Covesea would significantly detract from this existing asset for Moray.

Yours sincerely



Janet Trythall

Manager (Development Management)
Development Services
PO Box 6760
Elgin
IV30 9BX

Comments for Planning Application 16/00513/APP

Application Summary

Application Number: 16/00513/APP

Address: Land At North Covesea Village Duffus Moray

Proposal: Erect 3(no) holiday chalets on

Case Officer: Derek Wilson

Customer Details

Name: Mr John Trythall

Address: [REDACTED]

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Affecting natural environment
- Contrary to Local Plan
- Drainage
- Height of proposed development
- Lack of landscaping
- Noise
- Over-development of site
- Parking
- Precedent
- Traffic

Comment: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Dear Manager (Development Management)

Re 16/00513/APP Erect 3 (no) holiday chalets on land at North Covesea Village

I am writing to object to this planning application. It was advertised as contravening several of the Council's Planning Policies (ED7, ED8, E8 and IMP1), and having read the criteria and justification for these policies, I can see no reason why this development should be permitted.

Anyone who knows Covesea, and it has been our home since 1990, is aware of its special character, and this is obviously not lost on the applicant. However, that character depends on the relatively undeveloped nature of this stretch of coast, and it is for this reason it is resorted to by a wide range of users, local and tourists, who come to enjoy the open views, the birds, the butterflies, the wildflowers, to swim, cycle and walk. The presence of chalets, with their surrounding 24 hour presence, cars and blot on the landscape would destroy the special character the applicant seeks to exploit. This is what the Coastal Protection Zone is intended to protect. The development would be visible from the beach and sea, and dominate that glorious approach from the south, over the brow of the ridge: the sea, sky and Sutherland hills, and the cottage roofs to the west.

There are a number of claims made in the supporting statements, suggesting the development's sustainability and a concern for the environment. There is no getting away from the fact that not to build here would be 100% more environmentally friendly. A point of fact - there is no bus service. There is not even a cycle path along the B9040, a very unpleasant road to cycle at present. The amended site plan shows septic tanks draining down a slope prone to slumping. Also, it is unclear whether further activity is intended in association with the chalets, with mention of camping and educational facilities.

I agree that tourism is a realistic and key aspect of Moray to be promoted, but it will be counterproductive to build here and thereby detract from Moray's natural assets. It is clear from the planning history since the late 1980s that both the Council and the Reporters on Appeal have recognised the damage to be caused by development here, and I hope that the current Council will also refuse this application.

Yours sincerely

John Trythall

REPORT OF HANDLING

Ref No:	16/00513/APP	Officer:	Derek Wilson
Proposal Description/ Address	Erect 3(no) holiday chalets on Land At North Covesea Village Duffus Moray		
Date:	09/06/2016	Typist Initials:	RS

RECOMMENDATION

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

CONSULTATIONS

Consultee	Date Returned	Summary of Response
Developer Obligations Unit	13/05/16	No obligation required.
Environmental Health Manager	03/05/16	No objections with informative.
Contaminated Land	03/05/16	No objections.
Transportation Manager	13/05/16	No objections with conditions and informatives.
Scottish Water		No response at time of report.

DEVELOPMENT PLAN POLICY

Policies	Dep	Any Comments (or refer to Observations below)
PP1: Sustainable Economic Growth	N	
PP2: Climate Change	N	
PP3: Placemaking	N	
ED7: Rural Business Proposals	Y	Refer to observations below
ED8: Tourism Facilities and Accommodation	Y	Refer to observations below
E8: Coastal Protection Zone	Y	Refer to observations below
EP5: Sustainable Urban Drainage Systems	N	
EP8: Pollution	N	
EP9: Contaminated Land	N	
EP10: Foul Drainage	N	
T5: Parking Standards	N	

IMP1: Developer Requirements	Y	Refer to observations below
IMP3: Developer Obligations	N	
T2: Provision of Access	N	
E7: Areas of Great Landscape Value (AGLV) and impacts upon the wider landscape.	N	

REPRESENTATIONS

Representations Received

YES

Total number of representations received: SIX

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

1) Issues

- Affecting natural environment.
- Contrary to a number of policies in the Local Plan.
- Inadequate plans which do not show a "low intensity" usage. Do not show utilities provision or recycling and waste proposals.
- Design and materials are not in character with the area and would be intrusive on the skyline and to the CPZ.
- Over-development of site with up to 18 guests at a time.
- Inadequate public transport or cycling provision resulting in increased car use.
- Precedent being set would be detrimental to the area as a whole.

2) Issues

- Affecting natural environment as building must interfere with the local ecology and the supporting statement contains contradictions and suggestions of further supporting developments as a requirement of the business plan.
- Contrary to a number of policies in the Local Plan.
- Height of proposed development.
- Noise as a pollutant as a consequence of over-development of site.
- Precedent being set would be detrimental to the area as a whole.

3) Issues

- Affecting natural environment occupying a conspicuous and prominent skyline.
- Contrary to Local Plan and specifically the CPZ and neighbouring AGLV.
- Lack of landscaping proposed at the site contrary to policy.
- Concern that this is not a low intensity use as required by policy.

4) Issues

- The development has been advertised as a departure from various Local Plan policies, which the respondent agrees with especially in regard to other tourism and the CPZ.
- The site should remain agricultural despite being enclosed in relation to previous applications.
- Visibility from the surroundings will detract from amenity.
- A local need for this specific site has not been established and the site is not suitable for this use from an infrastructure point of view.

5) Issues

- The development has been advertised as a departure from various Local Plan policies, which the respondent agrees with especially in regard to other tourism and the CPZ.
- Affecting natural environment occupying a conspicuous and prominent skyline.
- Inadequate public transport or cycling provision resulting in increased car use.
- Precedent being set would be detrimental to the area as a whole.
- Activity at unsociable hours/behaviour and attendant issues of noise pollution and possible further development in and around the site.
- The site plan shows septic tanks draining down a slope prone to slumping.
- Visibility from the surroundings will detract from amenity due to lack of landscaping.

6) Issues

- The development has been advertised as a departure from various Local Plan policies, which the respondent agrees with especially in regard to other tourism and the CPZ.
- Visibility from the surroundings will detract from amenity.
- A local need for this specific site has not been established and the site is not suitable for this use from an infrastructure point of view especially the road system.

Comments (PO):

The variety of issues are noted and are appraised in the observations section. Many of the concerns raised in the representations are reflected in the reasons for refusal, which is focussed upon the visual impact of the development.

The siting being over prominent within the landscape and the relationship with the CPZ and AGLV are covered under Policies E7, ED7 and E8 in the observations section. The site is limited in its capacity, however, the year round use is not low intensity and any development would be appraised against the same policies.

The Design, height and materials would be assessed against policy IMP1 and ED7.

Noise pollution is covered in the analysis of EP8. It is not considered that the chalet use would constitute an unacceptable noise source to dwelling in the locality.

The justification for the business proposal and its suitability with current infrastructure is appraised under Policy ED7. Increased car use is inevitable with such a proposal and parking and access facilities have been assessed against policies T2 and T5. The proposal does not include development for alternatives to car use as required by Policy IMP1. It should be noted however that the Transportation Manager has not objected to the proposals on infrastructure grounds (subject to the conditions and informatives recommended).

Drainage matters would be covered by a building warrant and are addressed under Policies IMP1 and EP5. The geology of the site and its appropriateness to host septic tanks and soakaways would be assessed under any application for Building Warrant.

Approval of this site would not set a precedent as all future developments require assessment against policy on their individual and unique merits.

The Proposal

Description

- The proposal is for three holiday chalets with formal parking and access on non-prime agricultural land 60m east of Covesea Village.
- The site is a 3827sqm plot with the chalets each around 100sqm spaced 11m-12m in a line along the north west to south east diagonal of the site. Public parking and the access and turning will be at the west of the site and will occupy approximately one third of the site area.
- The access and parking will form the entire westerly boundary with the unclassified access track and existing post and wire fencing on the other three sides. A further two spaces per chalet will be provided beside the rear elevations.
- The proposal has limited landscape screening of about one eighth of the site concentrated to the west behind the public parking. The northerly and easterly screening proposals are sparse. These boundaries will be the most visible from the Coastal Protection Zone and the neighbouring Area of Great Landscape Value.
- The chalets will be identical rectangular single storey units with flat sloping but not ridged roofs. 1.7m wide decking will be provided to the north and west of each chalet.
- The roof will be of recycled metal sheeting and the walls with scotch larch linings. No information has been supplied regarding the materials to form the windows, doors and rainwater goods.
- The windows are concentrated on the westerly and easterly main elevations and may therefore result in a loss of amenity by overlooking, especially the middle chalet.
- The house would connect to the public water supply and a surface drainage system will be installed beside the chalets beneath the parking. The two foul drainage systems are to the north east, only 3m from the middle chalet in one instance.

Appraisal

Section 25 of the Town and Country Planning (Scotland) Act 1997 requires applications to be determined in accordance with the current Moray Local Development Plan 2015 unless material considerations indicate otherwise. The planning issues for this proposal are the following:

Analysis

Under Policy E7 the chalet positions occupying an exposed and prominent position are not sensitively sited resulting in a significant effect on the landscape character of the area. This site is bounded on two sides by the Area of Great Landscape Value (AGLV) though does not lie within it. The details covering site layout, landscaping and boundary treatment detract from the landscape character, and do not enhance the adjoining AGLV. Whilst relevant, as the site lies out-with the AGLV it is not a competent reason for refusal.

The site lies completely within the Coastal Protection Zone (CPZ) designated in the Moray Local Development Plan 2015. The proposed use is for tourist use which is specified as an acceptable use within the CPZ. However, the intent is for year round activity and on-site occupation and permanent structures on site would not constitute a low intensity activity and would prejudice the objectives of the CPZ to protect and enhance the Moray coast for its landscape.

Policy E8 requires an existing use for development proposals to be considered. The site is not in economic use and is grassland which is used as informal car parking. The proposed and current land-uses are not directly related, nor are they related to agriculture and the proposal is unacceptable under Policy E8.

Policy ED7 Rural Business Proposals generally supports new development in the countryside where it meets with various criteria one of which is to take into account environmental considerations

including siting, design, landscape and visual impact. As mentioned above the open and prominent position of the site fails to meet this criteria also. This is exacerbated by the site's presence within and adjacent to landscape protection designations discussed above.

For chalets in countryside areas Policy ED8 Tourism Facilities and Accommodation whilst again generally supportive does require chalets in countryside areas to integrate into a rural setting. Even with the landscaping proposed to assist integration the prominence of the site on this coastal position will fail to prevent it from having an unacceptable visual impact.

The development would not integrate into the surrounding landscape nor be of a character appropriate to the surrounding area and is unacceptable under Policy IMP1. Its location demonstrates no sensitivity of siting to ensure integration with the surrounding landscape.

Access/Parking

Policy T2 requires the highest level of access for end users including visitors, servicing and deliveries. This should be safe entry and exit including appropriate visibility for vehicles at junctions. In addition the development must provide adequate parking spaces based on the number of bedrooms proposed in any application to comply with the Council's current policy on parking standards, Policy T5. The Transport Manager has not objected to the proposal and it is recommended that conditions regarding vehicle safety accessing, proceeding, manoeuvring and parking are attached to any approval to ensure the development complies with Policies T2 and T5.

Drainage and Water Supply

Policy IMP1 requires new development to make acceptable water, drainage and waste management provision including the use of sustainable urban drainage systems for dealing with surface drainage.

Policy EP5 requires a method of dealing with surface water which should avoid pollution and promote amenity. The chalets will be connected to the public water supply and Scottish Water has not responded within the statutory consultation period raising objections. The detailed drainage arrangements would be addressed separately through submission of a Building Warrant.

In so far as Policies PP1 and PP3 are relevant, apply and are met, the proposal is not supported in terms of its location seeking to safeguard and improve the quality of the surrounding natural and built environment. As the departure issues are covered and addressed under the other more specific landscape related policies and designation discussed above, the primary policies have not been identified as a further departure issue in this instance.

Conclusion

Policy IMP1 requires new development to be sensitively sited, designed and serviced appropriate to the amenity of the area. The proposals, in light of the above comments, are not considered to satisfy the requirements of this policy (and other related policies) and will have an adverse impact upon the overall amenity of the surrounding area including any nearby property and sites designated for protection in the Moray Local Development Plan 2015.

While the economic benefit of rural tourist related development should not be underestimated, it must be sensitively located, especially if present within the Coastal Protection Zone.

OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT

None.

HISTORY

Reference No.	Description		
96/02002/OUT	Outline planning application to erect single storey country cottage on Plot CH1 North Covesea Village Duffus Elgin Moray		
	Decision	Refuse	Date Of Decision 25/03/97

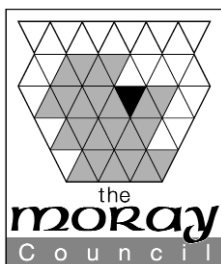
ADVERT		
Advert Fee paid?	Yes	
Local Newspaper	Reason for Advert	Date of expiry
Northern Scot	Departure from development planNo Premises	26/05/16
PINS	Departure from development planNo Premises	26/05/16

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?	YES	
Summary of main issues raised in each statement/assessment/report		
Document Name:	Supporting Statement and Business plan for the Erection of 3 Holiday Chalets and Associated Works on Site at Covesea, Moray.	
Main Issues:	An 11 page document covering the vision, the site, policy context, locational need, natural and built heritage resources, layout and design, environmental; impact, amenity, energy use, water conservation and waste and sewage treatment. A business plan and indicative 10 year balance sheet are appended.	

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

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

TO Mr D Anderson
c/o Grant And Geoghegan
Unit 4
Westerton Road Business Centre
4 Westerton Road South
Keith
AB55 5FH

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 3(no) holiday chalets on Land At North Covesea Village Duffus Moray

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

Date of Notice: **10th June 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 would constitute an unacceptable form of development which fails to comply with the Moray Local Development Plan (2015) Policies ED7, ED8, E8 and IMP1 and is refused for the following reasons:

- 1) The proposal would occupy a conspicuous and prominent, skyline location which lacks existing mature boundaries to provide a suitable degree of enclosure. It would therefore fail to integrate sensitively into the surrounding landscape as required by IMP1.
- 2) In terms of Policy ED7 Rural Business Proposals and ED8 Tourism Facilities and Accommodation the proposed site by virtue of its prominence and lack of enclosure would fail to take account of the environmental considerations and appropriate siting required by these policies.
- 3) The proposal does not protect or enhance the undeveloped coastline by virtue of its built form and prominence within the coastal landscape (thereby compromising the objective of the Coastal Protection Zone in policy E8).

LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT

The following plans and drawings form part of the decision:

Reference	Version	Title
13/0375/04		Elevations and floor plans
13/0375/01		Site plan
13/0375/02		Block plan
13/0375/05		Section A
13/0375/07		Visibility sections
13/0375/06		Visibility splay and maintenance
13/0375/03		Location plan

**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.scot/eplanningClient

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.