

14 JUL 2016

APPLICATION FOR PLANNING PERMISSION

Town and Country Planning (Scotland) Act 1997
The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please refer to the accompanying **Guidance Notes** when completing this application
PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://www.eplanning.scot>

1. Applicant's Details		2. Agent's Details (if any)	
Title	MR & MRS	Ref No.	16/20
Forename	MARK	Forename	COLIN
Surname	DAVIES.	Surname	KEIR
Company Name		Company Name	PLANS PLUS
Building No./Name		Building No./Name	MAIN STREET
Address Line 1		Address Line 1	OFFICES
Address Line 2		Address Line 2	URQUHART
Town/City		Town/City	BY ELGIN
Postcode		Postcode	IV30 8LG
Telephone		Telephone	01343 842635
Mobile	-	Mobile	07766 315501
Fax	-	Fax	-
Email	-	Email	ctkplans@aol.com
3. Postal Address or Location of Proposed Development (please include postcode)			
PLOT ADJACENT TO EASTWOOD CALCOTS, BY ELGIN IV30 8NQ.			
NB. If you do not have a full site address please identify the location of the site(s) in your accompanying documentation.			
4. Type of Application			
What is the application for? Please select one of the following:			
Planning Permission		<input checked="" type="checkbox"/>	
Planning Permission in Principle		<input type="checkbox"/>	
Further Application*		<input type="checkbox"/>	
Application for Approval of Matters Specified in Conditions*		<input type="checkbox"/>	
Application for Mineral Works**		<input type="checkbox"/>	
NB. A 'further application' may be e.g. development that has not yet commenced and where a time limit has been imposed a renewal of planning permission or a modification, variation or removal of a planning condition.			
*Please provide a reference number of the previous application and date when permission was granted:			
Reference No:	-	Date:	-
**Please note that if you are applying for planning permission for mineral works your planning authority may have a separate form or require additional information.			

5. Description of the Proposal

Please describe the proposal including any change of use:

ERECT NEW DWELLING HOUSE

Is this a temporary permission?

Yes No

If yes, please state how long permission is required for and why:

—

Have the works already been started or completed?

Yes No

If yes, please state date of completion, or if not completed, the start date:

Date started:

Date completed:

If yes, please explain why work has already taken place in advance of making this application

—

6. Pre-Application Discussion

Have you received any advice from the planning authority in relation to this proposal?

Yes No

If yes, please provide details about the advice below:

In what format was the advice given?

Meeting Telephone call Letter Email

Have you agreed or are you discussing a Processing Agreement with the planning authority? Yes No

Please provide a description of the advice you were given and who you received the advice from:

Name:

Date:

Ref No.:

7. Site Area

Please state the site area in either hectares or square metres:

Hectares (ha):

Square Metre (sq.m.)

8. Existing Use

Please describe the current or most recent use:

PART OF LARGE GARDEN GROUND
OF EXISTING PROPERTY.

9. Access and Parking

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

Yes No

If yes, please show in your drawings the position of any existing, altered or new access and explain 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 changes to public paths, public rights of way or affecting any public rights of access?

Yes No

If yes, please show on your drawings the position of any affected areas and explain 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?

4

How many vehicle parking spaces (garaging and open parking) do you propose on the site? (i.e. the total number of existing spaces plus any new spaces)

ADDITIONAL 3.

Please show on your drawings the position of existing and proposed parking spaces and specify if these are to be allocated for particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, etc.)

10. Water Supply and Drainage Arrangements

Will your proposals require new or altered water supply or drainage arrangements?

Yes No

Are you proposing to connect to the public drainage network (e.g. to an existing sewer?)

Yes, connecting to a public drainage network

No, proposing to make private drainage arrangements

Not applicable – only arrangement for water supply required

What private arrangements are you proposing for the new/altered septic tank?

Discharge to land via soakaway

Discharge to watercourse(s) (including partial soakaway)

Discharge to coastal waters

Please show more details on your plans and supporting information

What private arrangements are you proposing?

Treatment/Additional treatment (relates to package sewer treatment plants, or passive sewage treatment such as a reed bed)

Other private drainage arrangement (such as a chemical toilets or composting toilets)

Please show more details on your plans and supporting information.

Do your proposals make provision for sustainable drainage of surface water?

Yes No

Note:- Please include details of SUDS arrangements on your plans

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

Yes No

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

11. Assessment of Flood Risk

Is the site within an area of known risk of flooding?

Yes No

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

If yes, briefly describe how the risk of flooding might be increased elsewhere.

12. Trees

Are there any trees on or adjacent to the application site?

Yes No

If yes, please show on drawings any trees (including known protected trees) and their canopy spread as they relate to the proposed site and indicate if any are to be cut back or felled.

13. Waste Storage and Collection

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

Yes No

If yes, please provide details and illustrate on plans.

If no, please provide details as to why no provision for refuse/recycling storage is being made:

14. Residential Units Including Conversion

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

Yes No

If yes how many units do you propose in total?

1

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

15. For all types of non housing development – new floorspace proposed

Does your proposal alter or create non-residential floorspace?

Yes No

If yes, please provide details below:

Use type:

If you are extending a building, please provide details of existing gross floorspace (sq.m):

Proposed gross floorspace (sq.m.):

Please provide details of internal floorspace(sq.m)

Net trading space:

Non-trading space:

Total net floorspace:

16. Schedule 3 Development

Does the proposal involve a class of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008?

Yes No Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in your area. Your planning authority will do this on your behalf but may charge a fee. Please contact your planning authority for advice on planning fees.

17. Planning Service Employee/Elected Member Interest

Are you / the applicant / the applicant's spouse or partner, a member of staff within the planning service or an elected member of the planning authority?

Yes No

Or, are you / the applicant / the applicant's spouse or partner a close relative of a member of staff in the planning service or elected member of the planning authority?

Yes No

If you have answered yes please provide details:

COUNCILLOR PAUL RELATED TO AGENT

DECLARATION

I, the applicant/agent certify that this is an application for planning permission. The accompanying plans/drawings and additional information are provided as part of this application. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

I, the applicant/agent hereby certify that the attached Land Ownership Certificate has been completed

I, the applicant/agent hereby certify that requisite notice has been given to other land owners and /or agricultural tenants

Yes No N/A

Signature:



Name:

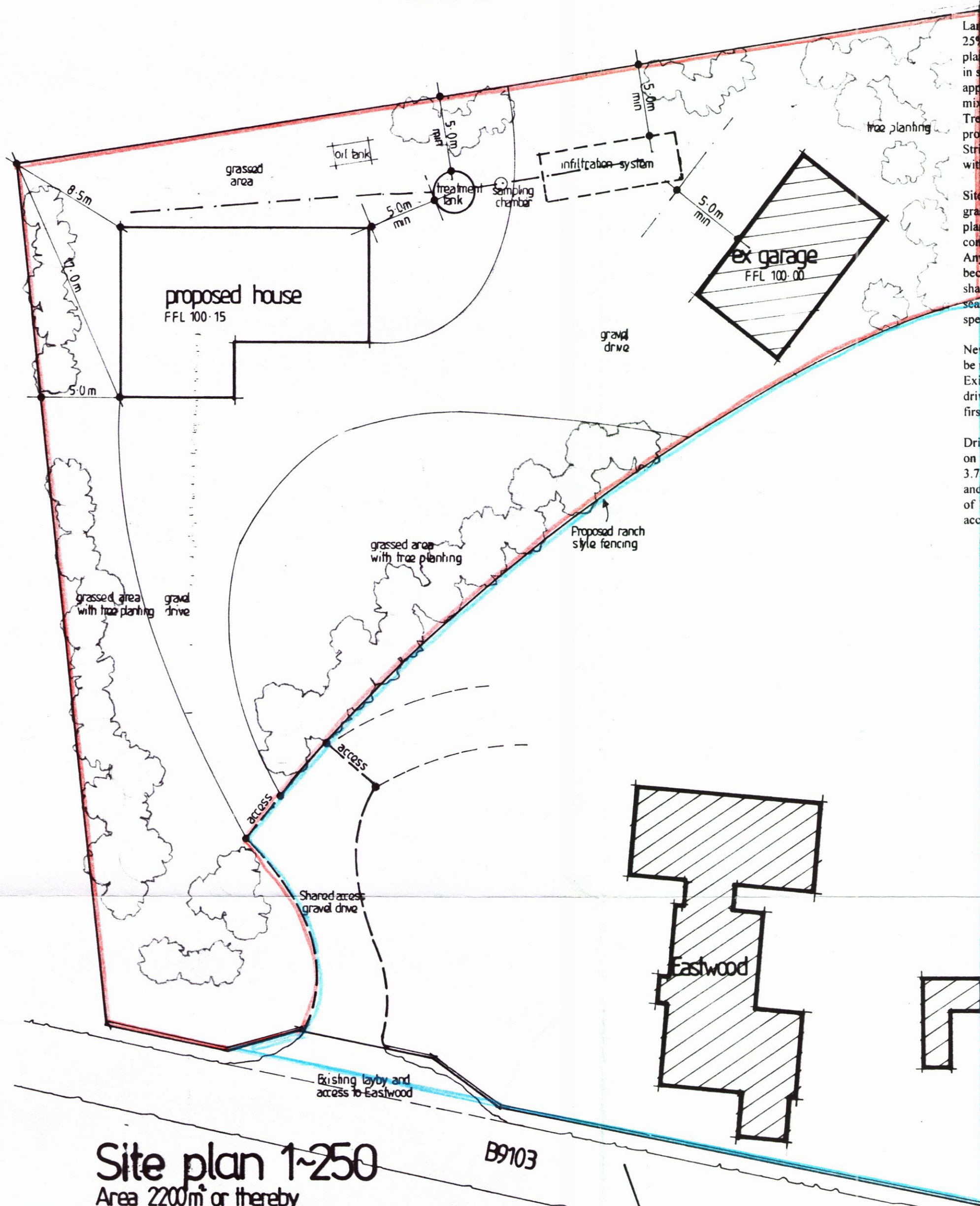
MR COLIN T KYLE

Date:

12/7/16

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.

EX WOODLAND AREA



Landscaping proposals
25% of proposed new dwelling house site to be planted with native trees. Trees to be planted in species groups in random patterns at approximately 2.5m spacing. Sizes to be a mixture of standard, Half standard and Whips. Trees will be staked, tied and the smaller plants protected in growing shelters. Rabbit and Strimmer/vole guards will be fitted to all trees without shelters.

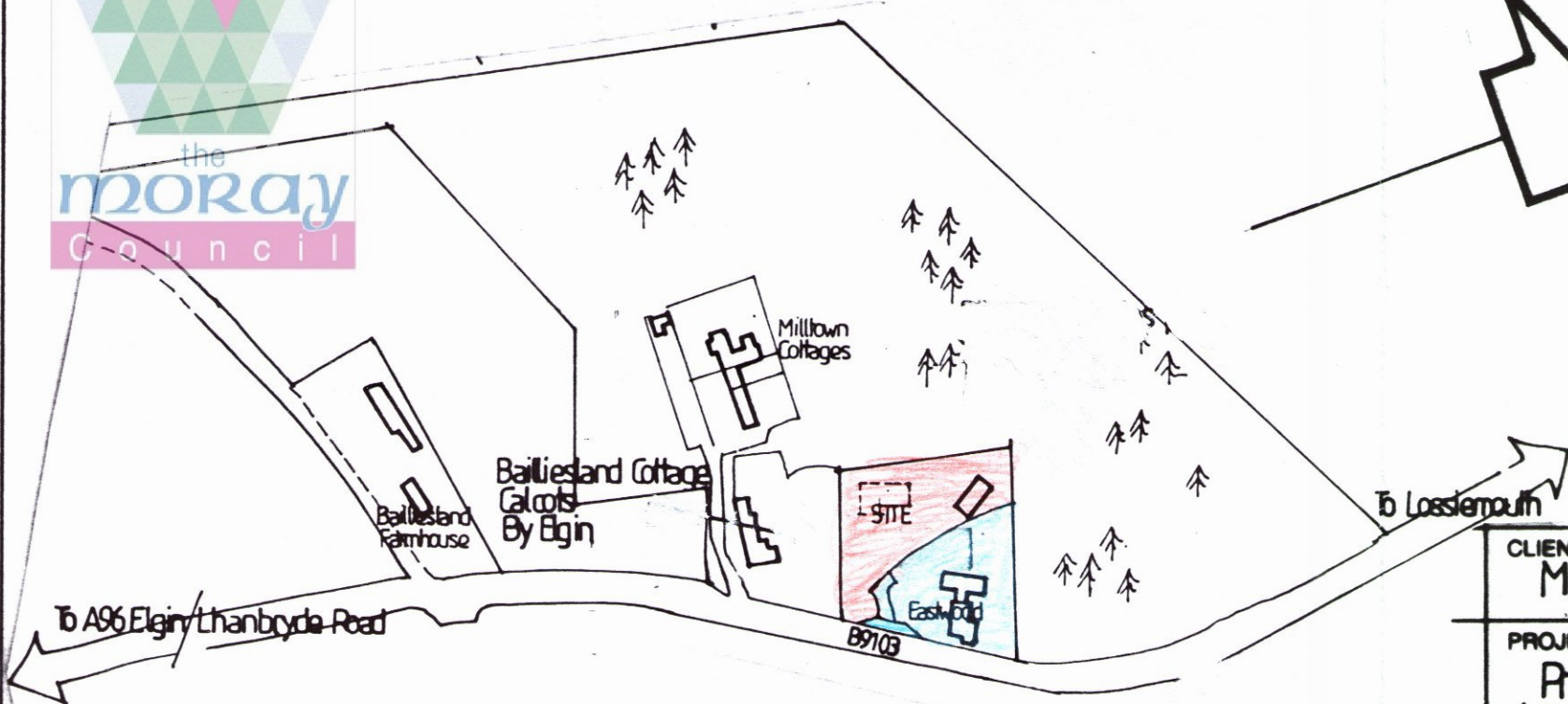
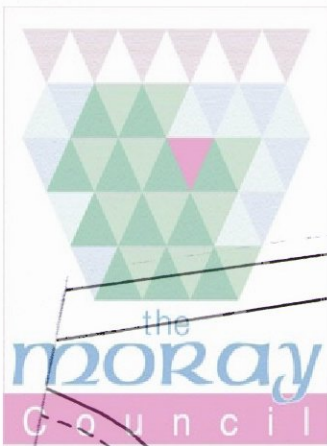
Site to be weeded, cultivated and prepared for grass seeding and tree planting within first planting season following occupation or completion of dwelling, whichever is sooner. Any trees or plants which die, are removed or become diseased within 5 years of planting shall be replaced in the following planting season with others of similar size, number and species

New internal boundary between properties to be ranch style fencing to match existing. Existing access layby retained and existing drive off layby shared between properties for first section as indicated.

Drive within garden to be finished with gravel on 150mm well compacted hardcore base min 3.7m wide, with a min 3.7m clear headroom, and capable of supporting a vehicle axle load of 4 tonnes, to allow for fuel deliveries and access for fire appliance

Site plan 1:250
Area 2200m² or thereby

B9103



Location plan 1:2500
OS Grid Ref NJ 257 656

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

REFUSED

08 September 2016

Development Management
Environmental Services
The Moray Council

NO WORKS TO COMMENCE ON SITE UNTIL THE RELEVANT PLANNING, BUILDING WARRANT OR GRANT APPROVAL HAS BEEN OBTAINED.

CONTRACTORS WILL HAVE DEEMED TO HAVE VISITED THE SITE TO FAMILIARIZE THEMSELVES WITH THE PROJECT PRIOR TO SUBMITTING ANY ESTIMATE FOR BUILDING WORKS.

CROWN COPYRIGHT. ALL RIGHTS RESERVED.
LICENSE NUMBER 100041148

ANY DEVIATIONS TO THE APPROVED PLANS TO BE REPORTED TO THIS OFFICE.
CONTRACTORS TO CHECK ALL DIMENSIONS ON SITE PRIOR TO COMMENCING BUILDING WORKS GIVEN DIMENSIONS ONLY TO BE USED.
DO NOT SCALE PLANS.

ANY ROOF TRUSS TYING INTO AN EXISTING ROOF TO BE CHECKED ON SITE BY CONTRACTOR TO ENSURE HEIGHTS MEET CORRECTLY.

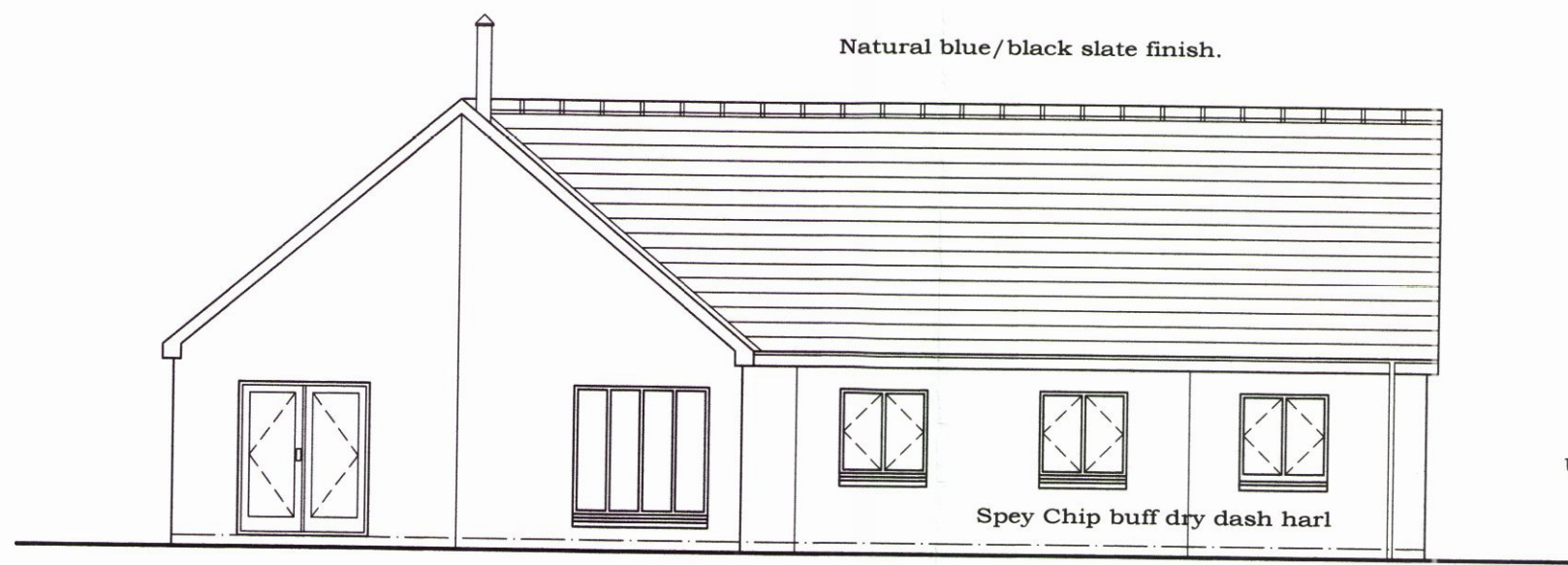
CLIENT Mr & Mrs M Davies	SCALE indicated	DRAWN BY IR	DATE July 2016
PROJECT Proposed dwelling within grounds of 'Eastwood', Calcoats, By Elgin, IV30 8NQ			PROJECT No. 16-20



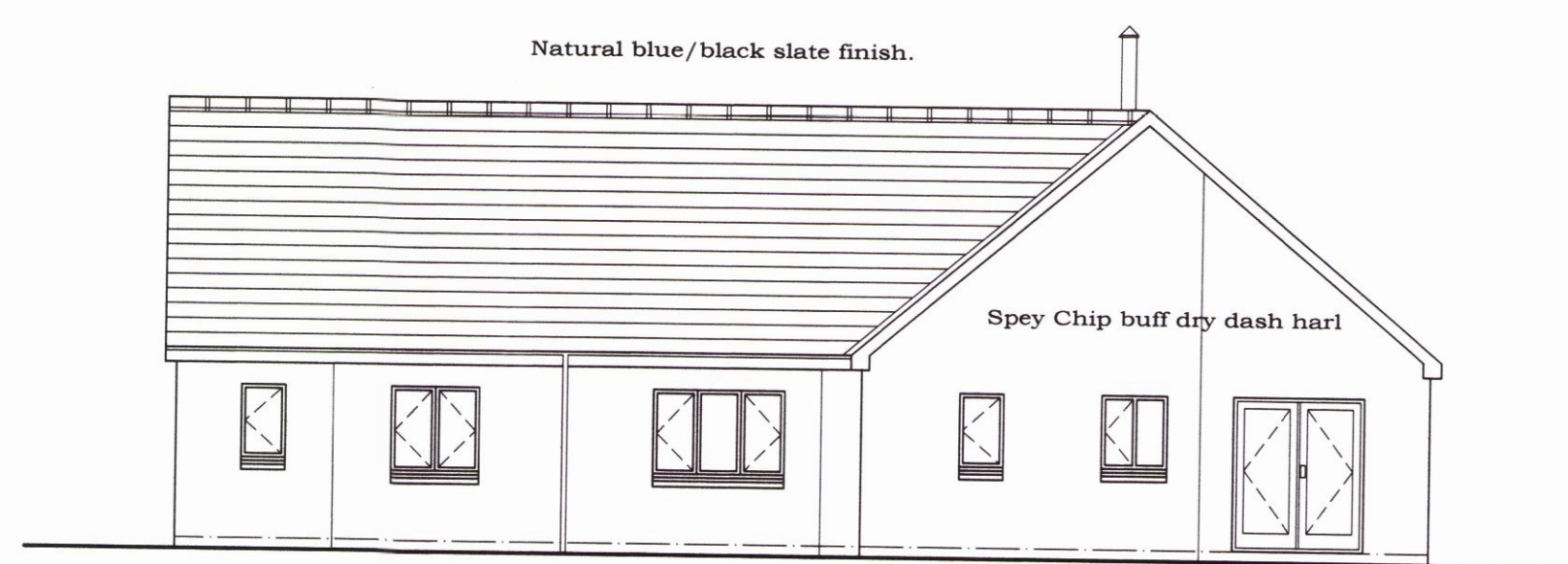
**ARCHITECTURAL
DESIGN CONSULTANTS**

TELEPHONE No. 01343 842635
MOBILE No. 07786 315501
EMAIL: ctkplans@aol.com
WEB: www.plans-plus.co.uk
PARTNERS: COLIN & CATRIONA KEIR

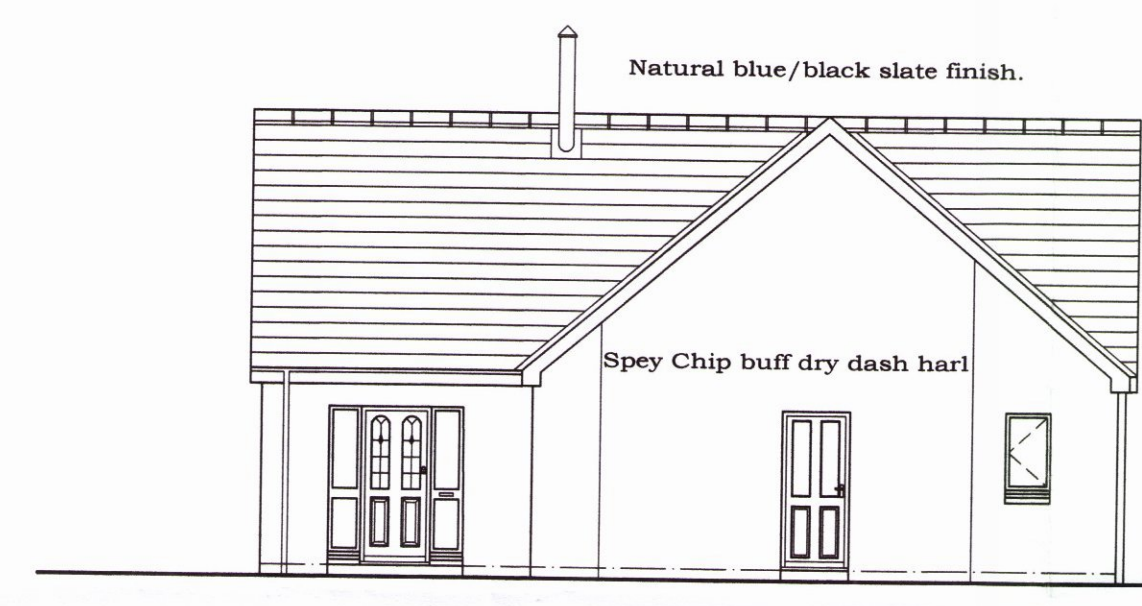
MAIN STREET OFFICES: URQUHART, BY ELGIN, IV30 8LG



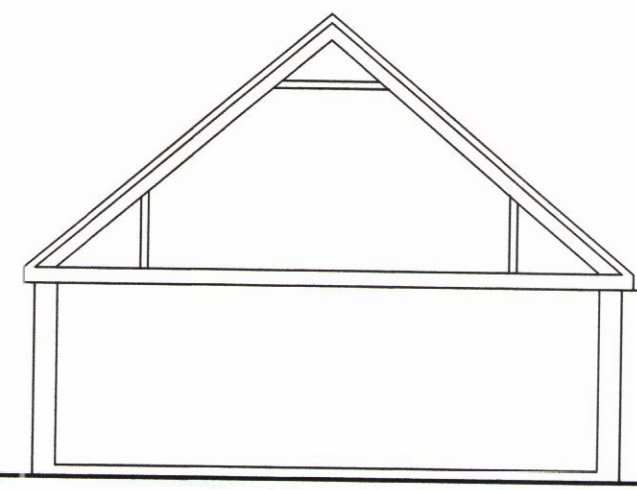
FRONT ELEVATION SCALE 1-100.



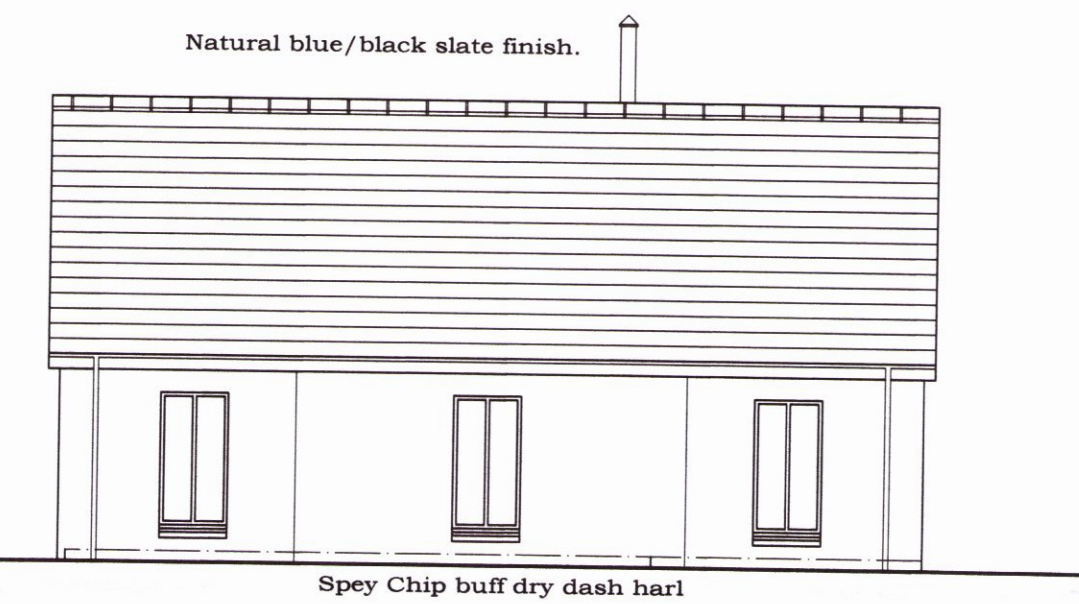
REAR ELEVATION SCALE 1-100.



SIDE ELEVATION SCALE 1-100.



CROSS SECTION SCALE 1-100.



SIDE ELEVATION SCALE 1-100.

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

REFUSED

08 September 2016

Development Management
Environmental Services
The Moray Council

Planning Ref No.		
Building Warrant Ref No.		
Structural Engineer Ref No.		
Revisions and Distributions.		
Date	Revision.	Amended by.

Crown copyright all rights reserved License No. 100041145.

No works to commence on site until all relevant Local Authority consents have been obtained. No responsibility taken for work commenced before all Local Authority consents have been issued.

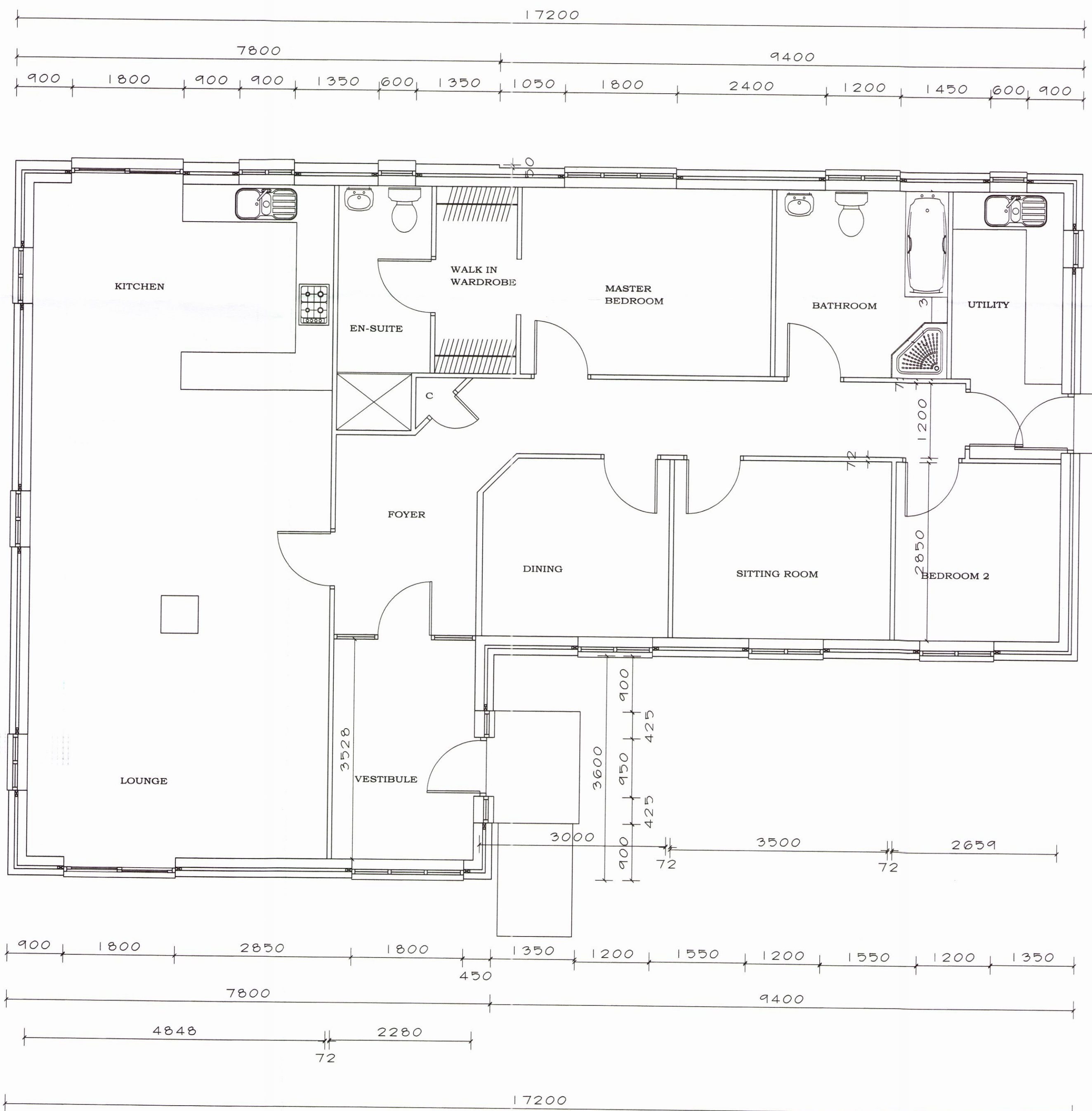
Contractors will have deemed to have visited the site to familiarise themselves with all aspects of the project prior to submitting any quotation for the building operations.

Any deviation to the approved plans to be reported to this office. Contractors to check all dimensions on site prior to commencement of any building operations.

Given dimensions only to be used. DO NOT SCALE DRAWINGS.

Any roof truss or timbers tying into an existing roof to be checked on site by the contractor to ensure heights and ridges meet correctly.

PLANS PLUS (URQUHART) ARCHITECTURAL DESIGN CONSULTANTS Main Street Offices, Urquhart, By Elgin IV30 8LG. Tel No 01343 842635 / 07766 315501 ctkplans.aol.com		
Project	ERECT NEW DWELLING HOUSE AT PLOT AT EASTWOOD, CALCOTS, BY ELGIN, MORAY.	Project No. 16-20-D-2
Client	MR AND MRS M DAVIES.	Drawn By COLIN T KEIR
		Scale 1-50



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

REFUSED

08 September 2016

Development Management
Environmental Services
The Moray Council

Planning Ref No.		
Building Warrant Ref No.		
Structural Engineer Ref No.		
Revisions and Distributions.		
Date	Revision.	Amended by.

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Contractors will have deemed to have visited the site to familiarise themselves with all aspects of the project prior to submitting any quotation for the building operations.

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Given dimensions only to be used. DO NOT SCALE DRAWINGS.

Any roof truss or timbers tying into an existing roof to be checked on site by the contractor to ensure heights and ridges meet correctly.

PLANS PLUS (URQUHART)
ARCHITECTURAL
DESIGN CONSULTANTS
Main Street Offices, Urquhart, By Elgin IV30 8LG.
Tel No 01343 842635 / 07766 315501 ctkplans aol.com

Project	ERECT NEW DWELLING HOUSE AT PLOT AT EASTWOOD, CALCOTS, BY ELGIN, MORAY.	Project No.	16-20-D-1
Client	MR AND MRS M DAVIES.	Drawn By	COLIN T KEIR
		Scale	1-50

Consultation Request Notification

Planning Authority Name	The Moray Council
Response Date	9th August 2016
Planning Authority Reference	16/01139/APP
Nature of Proposal (Description)	Erect dwellinghouse on
Site	Plot Adjacent To Eastwood Calcots Elgin Moray
Site Postcode	N/A
Site Gazetteer UPRN	000133058280
Proposal Location Easting	325763
Proposal Location Northing	865603
Area of application site (Ha)	m²
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=OAB4IEBG0D700
Previous Application	16/01080/PE 08/00252/OUT
Date of Consultation	26th July 2016
Is this a re-consultation of an existing application?	No
Applicant Name	Mr And Mrs Mark Davies
Applicant Organisation Name	
Applicant Address	██████████ ██████ ██████ ██████████
Agent Name	Plans Plus
Agent Organisation Name	Plans Plus
Agent Address	Main Street URQUHART By Elgin Moray IV30 8LG
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Shona Strachan
Case Officer Phone number	01343 563303
Case Officer email address	shona.strachan@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: 16/01139/APP

Erect dwellinghouse on Plot Adjacent To Eastwood Calcots Elgin Moray for Mr And Mrs Mark Davies

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"/> |

Reason(s) for objection

Condition(s)

Further comment(s) to be passed to applicant

This property has been identified from a 1946 aerial photograph as being 10 metres west of RAF Milltown airfield, and specifically an area of disturbed ground in the southwest of the airfield, the former use of which is unrecorded. The area was subject to limited site investigation as part of a wider Land Quality Assessment of the airfield commissioned by the Ministry of Defence in 2004. The assessment concluded that there was no evidence of risk to health from ground contamination in this area but full groundwater contamination assessment was not carried out. Groundwater flow from this part of the airfield is likely to be westwards, i.e. towards the proposed development. Safe development is the responsibility of the developer. You should consider investigating this matter further prior to proceeding with the proposed works. For further information, you can contact the Environmental Health section (email contaminated.land@moray.gov.uk, tel 01343 563345).

~~Further information required to consider the application~~

Contact: Adrian Muscutt
email address: adrian.muscutt@moray.gov.uk
Consultee:

Date...27/7/2016.....
Phone No ...01343 563496

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	9th August 2016
Planning Authority Reference	16/01139/APP
Nature of Proposal (Description)	Erect dwellinghouse on
Site	Plot Adjacent To Eastwood Calcots Elgin Moray
Site Postcode	N/A
Site Gazetteer UPRN	000133058280
Proposal Location Easting	325763
Proposal Location Northing	865603
Area of application site (Ha)	m²
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=OAB4IEBG0D700
Previous Application	16/01080/PE 08/00252/OUT
Date of Consultation	26th July 2016
Is this a re-consultation of an existing application?	No
Applicant Name	Mr And Mrs Mark Davies
Applicant Organisation Name	
Applicant Address	██████████ ██████ ██████ ██████████
Agent Name	Plans Plus
Agent Organisation Name	Plans Plus
Agent Address	Main Street URQUHART By Elgin Moray IV30 8LG
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Shona Strachan
Case Officer Phone number	01343 563303
Case Officer email address	shona.strachan@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: Environmental Health Manager

Planning Application Ref. No: 16/01139/APP

Erect dwellinghouse on Plot Adjacent To Eastwood Calcots Elgin Moray for Mr And Mrs Mark Davies

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"/> |

Contact: Allan Park
email address: allan.park@moray.gov.uk
Consultee:

Date 29.7/16
Phone No 01343 563486

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.

**MORAY COUNCIL
PLANNING CONSULTATION RESPONSE**

From: The Moray Council, Flood Risk Management

Planning Application Ref. No: 16-01139-APP Erect house on plot adjacent to Eastwood, Calcots, Elgin

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

- | | Please
x |
|---|-------------------------------------|
| (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 checked="" 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 type="checkbox"/> |
| (d) Further information is required in order to consider the application as set out below | <input type="checkbox"/> |

Reason(s) for objection

Conditions(s)

Further comments(s) to be passed to applicant

Further information required to consider the application

Contact: James Ross Date 27/7/2016
email address: James.ross@moray.gov.uk Phone No 01343 563771

Consultee: The Moray Council, Flood Risk Management

REPORT OF HANDLING

Ref No:	16/01139/APP	Officer:	Shona Strachan
Proposal Description/ Address	Erect dwellinghouse on Plot Adjacent To Eastwood Calcots Elgin Moray		
Date:	07.09.2016	Typist Initials:	LMC

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

CONSULTATIONS		
Consultee	Date Returned	Summary of Response
Moray Flood Risk Management	03/08/16	No objections
Environmental Health Manager	29/07/16	No objections
Contaminated Land	28/07/16	No objections, subject to an informative about the potential need for ground investigation.
Transportation Manager	09/08/16	Object to the proposal on road safety grounds in line with Policy T2 and IMP1.
Scottish Water		No response at time of report

DEVELOPMENT PLAN POLICY		
Policies	Dep	Any Comments (or refer to Observations below)
EP9: Contaminated Land		
EP10: Foul Drainage		
T2: Provision of Access	Y	
T5: Parking Standards		
IMP1: Developer Requirements		
PP1: Sustainable Economic Growth		
PP3: Placemaking		
H7: New Housing in the Open Countryside	Y	
ER5: Agriculture		
EP5: Sustainable Urban Drainage Systems		

REPRESENTATIONS		
Representations Received		NO
Total number of representations received		
Names/Addresses of parties submitting representations		
Summary and Assessment of main issues raised by representations		
Issue:		
Comments (PO):		

OBSERVATIONS – ASSESSMENT OF PROPOSAL

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

Proposal

Planning permission is sought for the erection of a dwellinghouse on a plot adjacent to Eastwood Calcots Elgin

The proposed house is single storey and has an L-shaped plan form which accommodates two bedrooms and has a ridge height of approximately 6.1m. The material finishes include: 'Spey Chip Buff Dry Dash Harl' and natural blue/black slate finished roof tiles. The drainage and water supply arrangements include an on-site septic tank with outflow to a soakaway and a connection to the public water supply. The proposed site is to make use of the existing access from the public road (B9013) which serves Eastwood thereafter the access would branch off from the shared access into the site.

Site Characteristics

The site is located within the large garden ground area of Eastwood (which is to the north east of the site) and covers an area of approximately 2200 sqm. An existing garage occupies the site with the land around the garage used for storage. Much of the site is laid to gravel and grass with a small portion of the land having been used as a vegetable patch. Whilst the site is designated as prime agricultural land, the site itself is located within the large garden ground area associated with Eastwood. There are mature trees located to the west of the site. Beyond the parent property there are residential properties to the south and south west of the site. Ministry of Defence owned land is located to the east of the site beyond the public road.

Policy Assessment

Siting and Character (H7 and IMP1)

Policy H7 contains the location/siting and design criteria for assessing the acceptability of applications for new build houses in the open countryside. It terms of location/siting, this policy requires proposals to reflect the existing traditional pattern of settlement in the locality, be sensitively integrated and not obtrusive in the landscape, not detract from the character or setting of existing development, and not to contribute to a build-up of development that detracts from the rural character of the area. The development plan notes that particular attention will be given to proposals in the open countryside where there has been a significant growth in the number of new house applications. Policy H7 also requires that at least 50% of the boundaries are long established and capable of distinguishing the site from the surrounding landscape. Thereafter, the policy requires any

development to be acceptable in design terms including: requirements for a roof pitch of between 40-55 degrees; a gable width of no more than 2.5 times the height of the wall from ground to eaves level; uniform external finishes and materials including slate or dark 'slate effect' roof tiles; and a vertical emphasis and uniformity to all windows and doors as well as provision for landscape planting to be provided within the site.

Policy IMP1 seeks compatibility in terms of scale, density and character, requiring new development to integrate into the surrounding landscape and be sensitively sited, designed and serviced appropriate to the amenity and character of the area.

The rural settlement pattern of this part of Moray is characterised by single and small clusters of houses dispersed within the countryside. The addition of the proposed house at this location would be absorbed into the site and integrate with the existing cluster without significantly altering the character and appearance of the overall setting of the locality. The plot itself which is set back from the public road and from the adjacent property Eastwood is afforded a soft backdrop of trees along its western boundary and as such would not be an overtly prominent or obtrusive feature in the wider landscape setting. Furthermore, given the separation distances to the closest residential neighbours the proposal will not give rise to any significant amenity concerns. On this basis, the proposal would normally satisfy the siting and character requirements of the above policies. However, in this case and notwithstanding the above, the proposal does not meet the all of the design criteria as defined by Policy H7 and would be served by inadequate infrastructure in terms of road safety as per policy T2 and IMP1 requirements. These matters are discussed below:

Design (H7 and IMP1)

The proposed house design satisfies a number of the design criteria set out in Policy H7 including: incorporating a roof pitch of between 40-55 degrees, uniformity to its external finishes in the form of dry dash harl and dark slate/slate effect roof tiles and a vertical emphasis and uniformity to all windows and doors and there would also be sufficient space within the site for 25% landscape planting (and this could be ensured by condition). However, the proposal fails to comply with the gable eaves formula of Policy H7 based on a ground to eaves height of 2.85m which would allow a gable width of 7.12m whereas the design proposes a gable width of 7.8m and therefore the proposal fails to meet with all of the prescribed design criteria of policy H7. This matter was raised with the agent however amended plans were not submitted and therefore this matter represents a further reason for refusal but it is one which could be overcome.

Access and Parking (T2, IMP1 and T5)

Policies T2 and IMP1 require the provision of a safe and suitable road access from the public highway to serve new development proposals which includes a requirement to provide safe entry and exit from the development for all road users including ensuring appropriate visibility for vehicles at junctions and bends. In this regard it has been advised by the Transportation Manager that for this proposal a visibility splay of 4.5m by 215m in both directions would be required at the access onto the public road. This visibility splay is restricted by the existing dwelling Eastwood along with existing fences and trees.

Following consultation, the Transportation Section has recommended that the current application be refused on the following grounds:

"The proposed development would result in an intensification of use an existing access with where the visibility is restricted by the adjacent building, fences and trees, and would be likely to give rise to conditions detrimental to the road safety of road users contrary to Moray Local Development Plan policies T2 Provision of Access and IMP1 Development Requirements".

These concerns shall form the basis of a refusal reason.

Water and Drainage (EP5 and EP10)

Scottish Water was consulted, although at the time of assessment no response has been received. Consideration about the capacity available within the supply network and the proposed/required connection arrangements for the public water supply will require separate liaison between the applicant and Scottish Water directly.

The acceptability of proposed onsite drainage arrangement comprising of a septic tank and soakaway will be determined as part of Building Standards requirements but, in principle, these proposals are in line with policy EP10 and EP5.

No representations were received on the proposal.

Recommendation and Conclusion

In light of the above the proposal fails to comply with the relevant provisions of the development plan and is recommended for refusal.

OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT

None

HISTORY

Reference No.	Description			
16/01080/PE	Proposed dwellinghouse on Site At Eastwood Calcots Elgin Moray			
	Decision	Withdrawn	Date Of Decision	11/07/16
08/00252/OUT	Outline for 4 house plots on Site At Eastwood Calcots Elgin Moray			
	Decision	Withdrawn	Date Of Decision	09/07/08

ADVERT

Advert Fee paid?	Yes		
Local Newspaper	Reason for Advert	Date of expiry	
Northern Scot	Departure from development plan No Premises	25/08/16	
PINS	Departure from development plan No Premises	25/08/16	

DEVELOPER CONTRIBUTIONS (PGU)

Status	N/A
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DOCUMENTS, ASSESSMENTS etc. *

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

Supporting information submitted with application?		NO
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Summary of main issues raised in each statement/assessment/report

Document Name:

Main Issues:

S.75 AGREEMENT

Application subject to S.75 Agreement		NO
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Summary of terms of agreement:

Location where terms or summary of terms can be inspected:

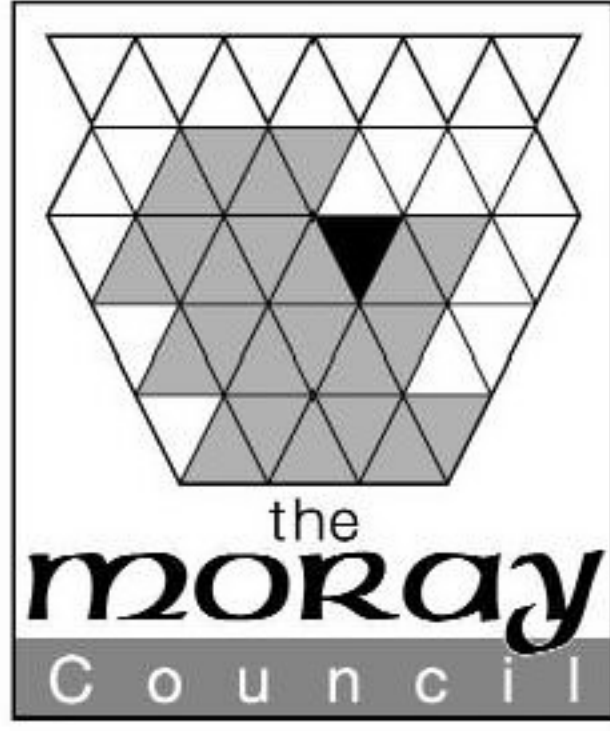
DIRECTION(S) MADE BY SCOTTISH MINISTERS (under DMR2008 Regs)

Section 30	Relating to EIA		NO
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Section 31	Requiring planning authority to provide information and restrict grant of planning permission		NO
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Section 32	Requiring planning authority to consider the imposition of planning conditions		NO
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Summary of Direction(s)



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

REFUSAL OF PLANNING PERMISSION

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

TO

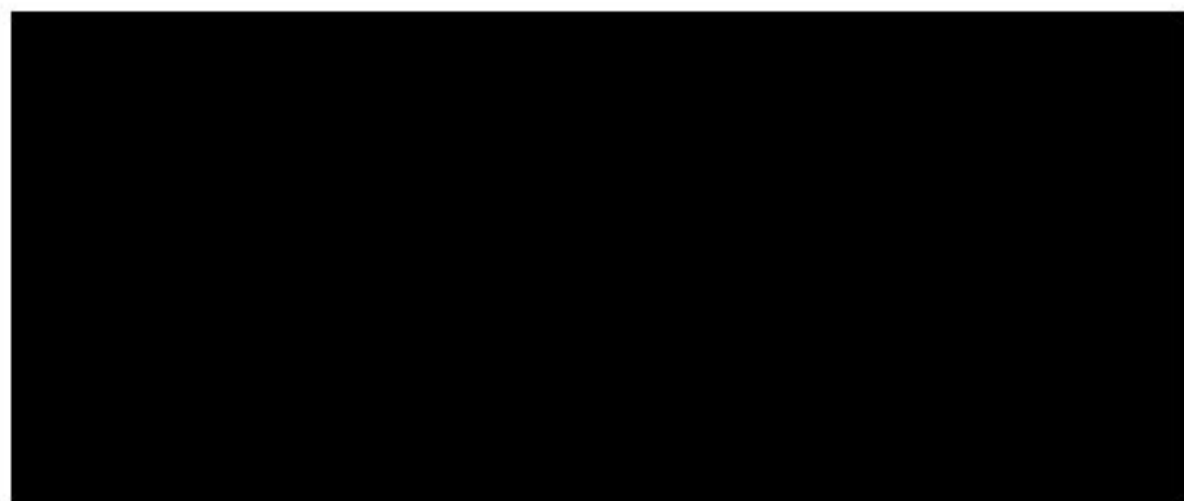


With reference to your application for planning permission under the above mentioned Act, the Council in exercise of their powers under the said Act, have decided to **REFUSE** your application for the following development:-

Erect dwellinghouse on Plot Adjacent To Eastwood Calcots Elgin Moray

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

Date of Notice: **8 September 2016**



HEAD OF DEVELOPMENT SERVICES
Environmental Services Department
The Moray Council
Council Office
High Street
ELGIN
Moray
IV30 1BX

IMPORTANT
YOUR ATTENTION IS DRAWN TO THE REASONS and NOTES BELOW

SCHEDULE OF REASON(S) FOR REFUSAL

By this Notice, the Moray Council has REFUSED this proposal. The Council's reason(s) for this decision are as follows: -

The proposal is contrary to the provisions of the Moray Local Development Plan 2015 (Policies H7, T2 and IMP1) where because;-

1. The proposed development would result in an intensification of use an existing access where the visibility is restricted by the adjacent building, fences and trees, and would be likely to give rise to conditions detrimental to the road safety of road users contrary to the provisions of policies T2 Provision of Access and IMP1 Development Requirements.
2. The proposed design incorporates a gable design which does not comply with the gable eaves formula required by Policy H7 New Housing in the Open Countryside and therefore represents an inappropriate form of development in the countryside.

LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT

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

Reference	Version	Title
16-20		Site and location plan
16-20-D-1		Floor plans
16-20-D-2		Elevations

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.