



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 100025509-001

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)

Proposed erection of dwelling-house with detached garage

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:	Strathdee Properties Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Strathdee	Building Name:	Viewfield Farm
Last Name: *	Properties Ltd	Building Number:	
Telephone Number: *	01340 881784	Address 1 (Street): *	Craigellachie
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Aberlour
Fax Number:		Country: *	Scotland, UK
		Postcode: *	AB38 9QT
Email Address: *	info@strathdeeproperties.com		
Is the applicant an individual or an organisation/corporate entity? *			
<input checked="" type="checkbox"/> Individual <input type="checkbox"/> Organisation/Corporate entity			

## Applicant Details

Please enter Applicant details

Title:	Mrs	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Diane	Building Number:	
Last Name: *	McConachie	Address 1 (Street): *	
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	
Extension Number:		Country: *	
Mobile Number:		Postcode: *	
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

West Troves, Troves, near Elgin, Moray

Northing

859671

Easting

325333

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

☐ Yes ☒ No

## Site Area

Please state the site area:

4320.00

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)

Travelling peoples site

## 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="5"/>
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: *	
Foul water will be taken to a suitable septic tank and then onto an appropriately designed soakaway. Surface water will be taken to an appropriately designed soakaway.	
Do your proposals make provision for sustainable drainage of surface water?? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (e.g. SUDS arrangements) *	
Note:-  Please include details of SUDS arrangements on your plans  Selecting 'No' to the above question means that you could be in breach of Environmental legislation.	

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

- ☒ Yes  
☐ No, using a private water supply  
☐ No connection required

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

## Assessment of Flood Risk

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

☐ Yes ☒ No ☐ Don't Know

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

Do you think your proposal may increase the flood risk elsewhere? \*

☐ Yes ☒ No ☐ Don't Know

## Trees

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

☒ Yes ☐ No

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

## 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)

Recycled material and general refuse will be collected from the site entrance by the local authority collection units.

## 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? \*

1

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

Are you able to identify and give appropriate notice to ALL the other owners? \* ☒ Yes ☐ No

## Certificate Required

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

Certificate B

## Land Ownership Certificate

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

I hereby certify that

(1) - No person other than myself/the applicant was an owner [Note 4] of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application;

or –

(1) - I have/The Applicant has served notice on every person other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application was owner [Note 4] of any part of the land to which the application relates.

Name:

Address:

Date of Service of Notice: \*

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

or –

(2) - The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have/the applicant has served notice on every person other than myself/himself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant. These persons are:

Name:

Address:

Date of Service of Notice: \*

Signed: Strathdee Properties Ltd

On behalf of: Mrs Diane McConachie

Date: 19/09/2016

☒ 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 principal where there is a crown interest in the land, have you provided a statement to that effect? \*

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

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

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☒ Site Layout Plan or Block plan.

☒ Elevations.

☒ Floor plans.

☒ Cross sections.

☒ Roof plan.

☐ Master Plan/Framework Plan.

☒ Landscape plan.

☒ Photographs and/or photomontages.

☐ Other.

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

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. \*

☐ Yes ☒ N/A

A Design Statement or Design and Access Statement. \*

☐ Yes ☒ N/A

A Flood Risk Assessment. \*

☐ Yes ☒ N/A

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

☐ Yes ☒ N/A

Drainage/SUDS layout. \*

☒ Yes ☐ N/A

A Transport Assessment or Travel Plan

☐ Yes ☒ N/A

Contaminated Land Assessment. \*

☐ Yes ☒ N/A

Habitat Survey. \*

☐ Yes ☒ N/A

A Processing Agreement. \*

☐ Yes ☒ N/A

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



## Declare – For Application to Planning Authority

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

Declaration Name: Mr Stewart Reid

Declaration Date: 19/09/2016

## Payment Details



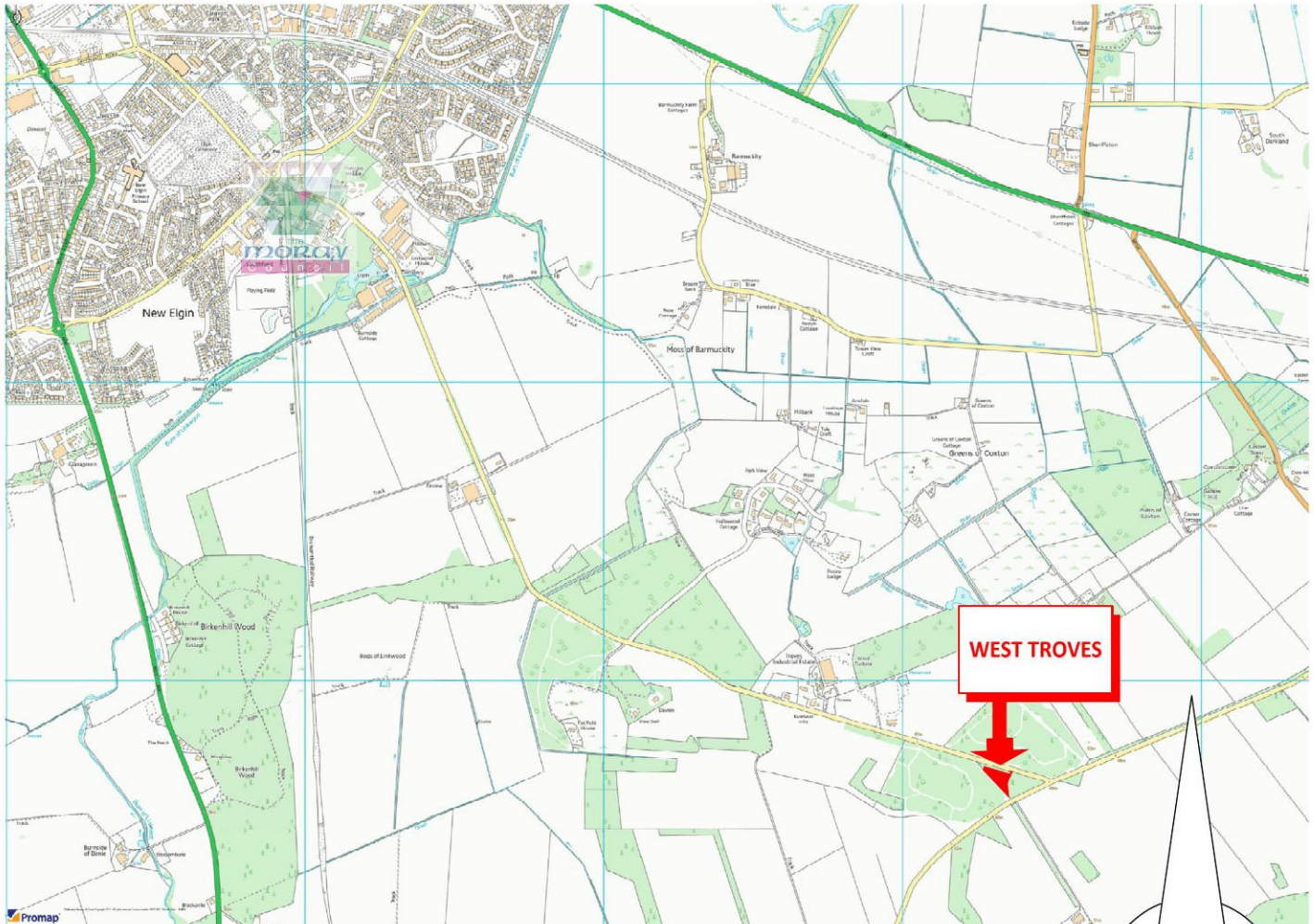
Created: 20/09/2016 09:50

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

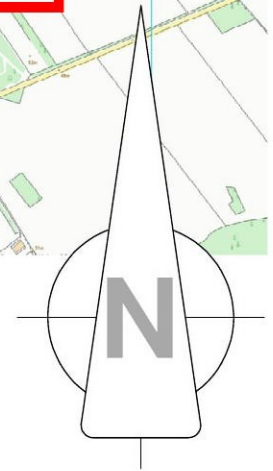
**REFUSED**

10 November 2016

Development Management  
Environmental Services  
The Moray Council



OS LOCATION PLAN (NOT TO SCALE)



Proposed erection of dwelling-house with detached  
garage At West Troves, Troves, near Elgin, Moray  
For Mrs Diane McConachie

SEP 2016

NOT TO SCALE

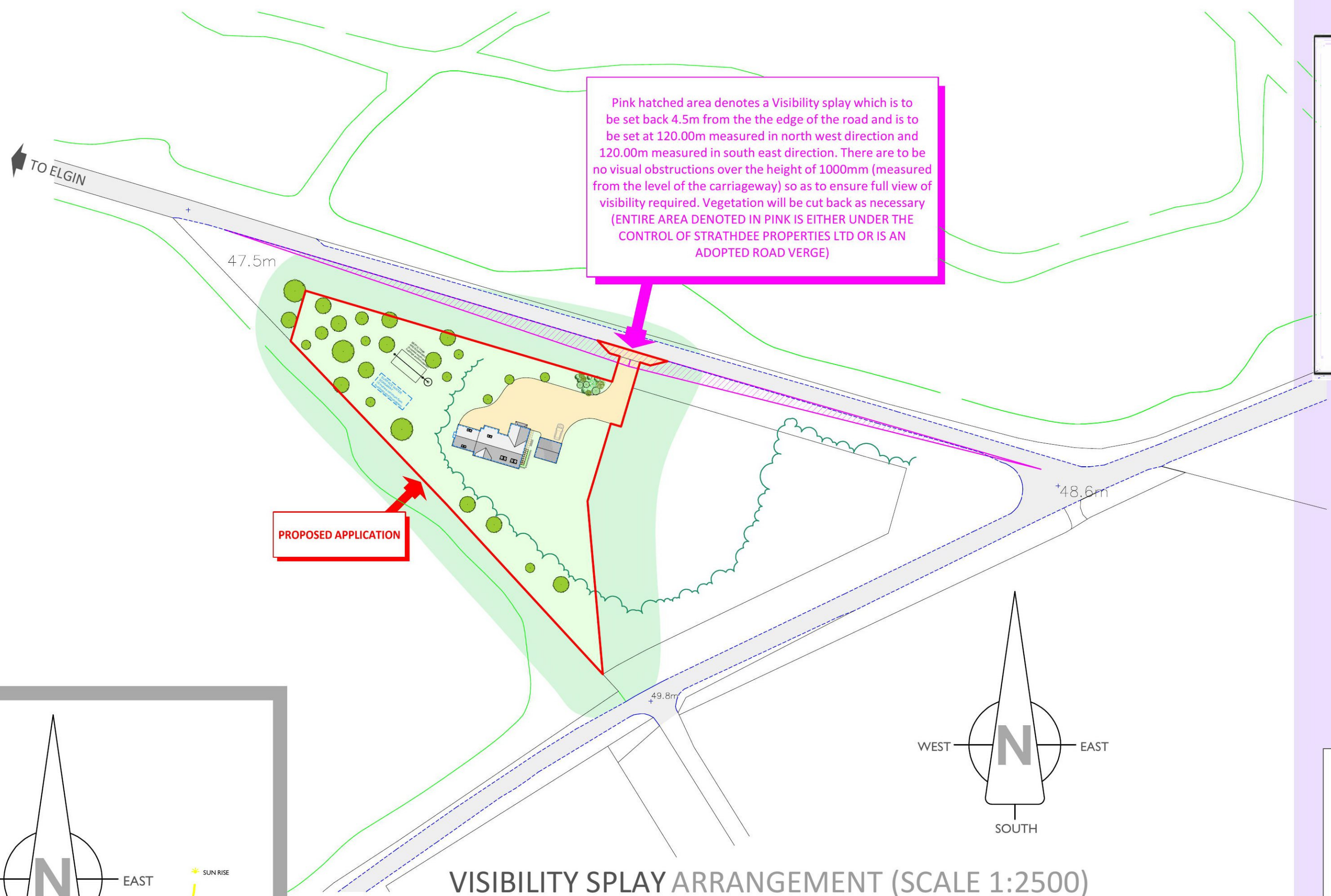
WEST-TROVES / PLANNING / LP





Proposed erection of dwelling-house with detached garage  
At West Troves, Troves, near Elgin, Moray For Mrs Diane McConachie

planning drawing - site information



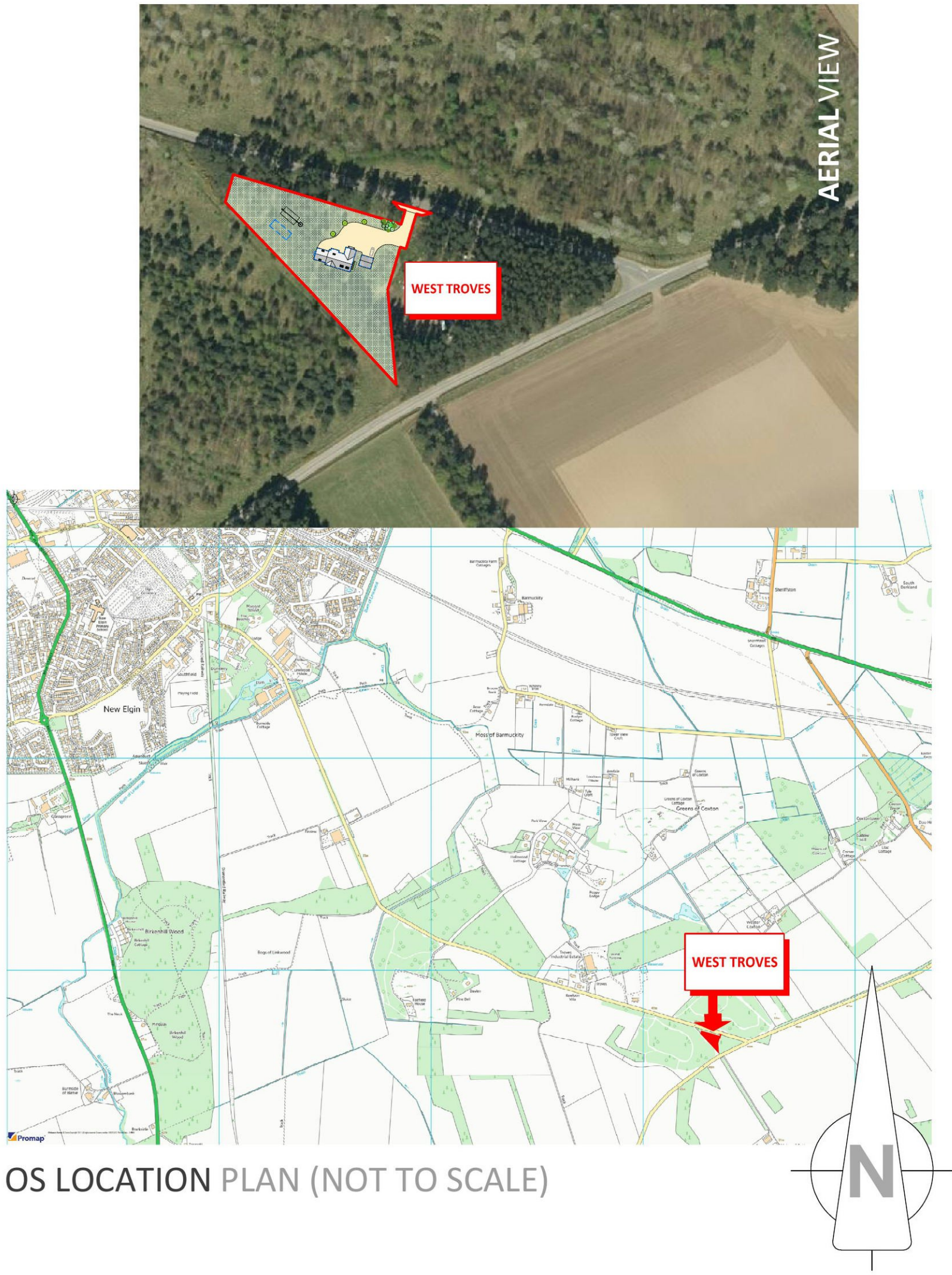
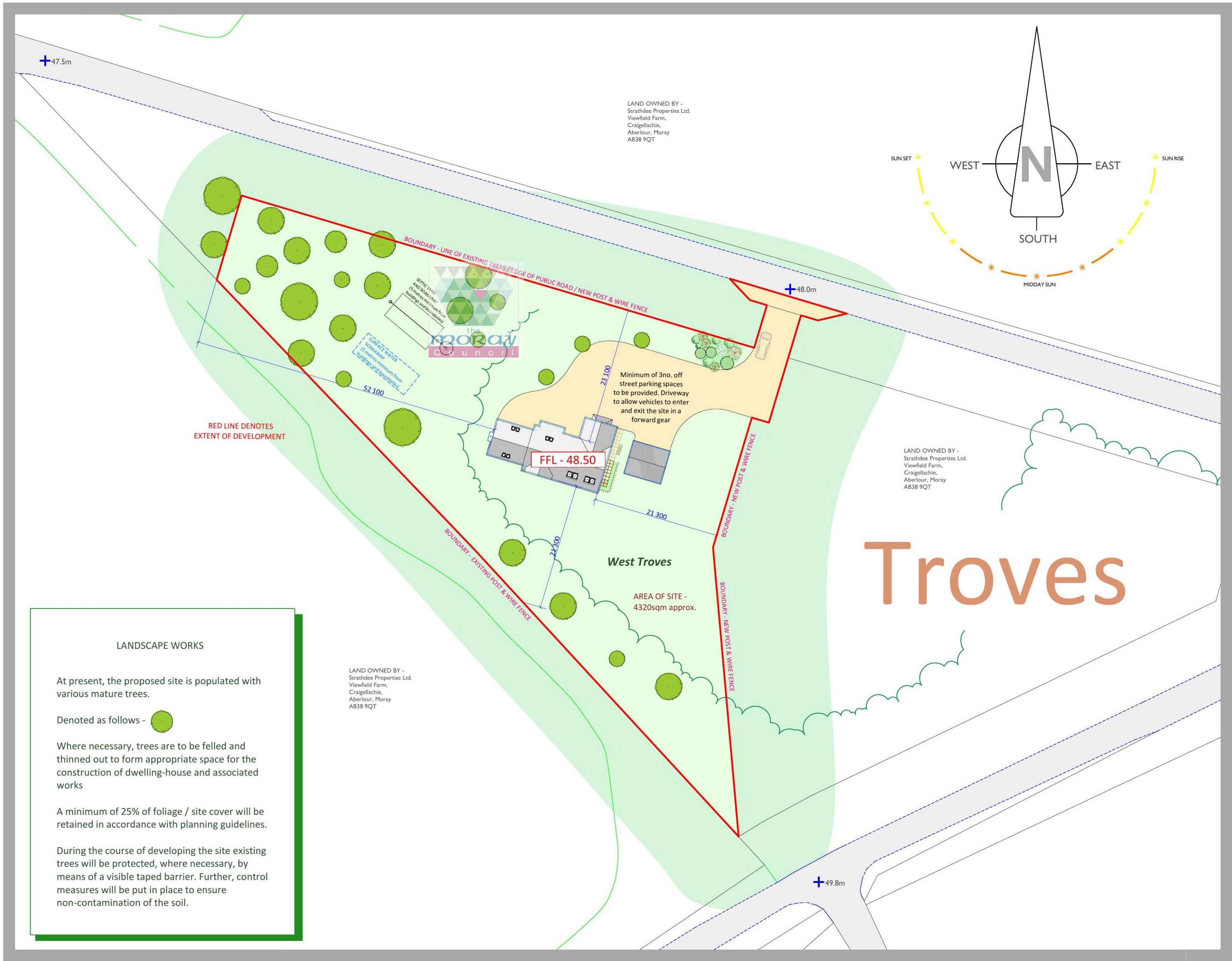
Town & Country Planning  
(Scotland) Act, 1997  
as amended

**REFUSED**

10 November 2016

Development Management  
Environmental Services  
The Moray Council

SPECIFICATION
DRAINAGE Foul water taken to septic tank. Surface water taken to soakaway
EXTERNAL WALLS 20mm white / cream roughcast. Natural stone. Grey timber cladding.
ROOF Grey, concrete, interlocking roof tiles or natural slate finish. Profiled sheeting to garage roof
WINDOWS / DOORS Grey Upvc / timber windows





Strathdee Properties Ltd.

VIEWFIELD FARM, CRAIGELLACHIE,  
ABERLOUR, MORAY, AB38 9QT

T - (01340) 881784  
E - info@strathdeeproperties.com



PROJECT

Proposed erection of dwelling-house with detached garage At West Troves, Troves, near Elgin, Moray For Mrs Diane McConachie

DRAWING DESCRIPTION

PLANNING DRAWING - SITE INFORMATION

DRAWING no.  
WEST-TROVES / PLANNING / 01

SCALE  
1:500 & AS  
STATED (A1)

DATE  
SEP 2016



Proposed erection of dwelling-house with detached garage  
At West Troves, Troves, near Elgin, Moray For Mrs Diane McConachie

planning drawing - general arrangement

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

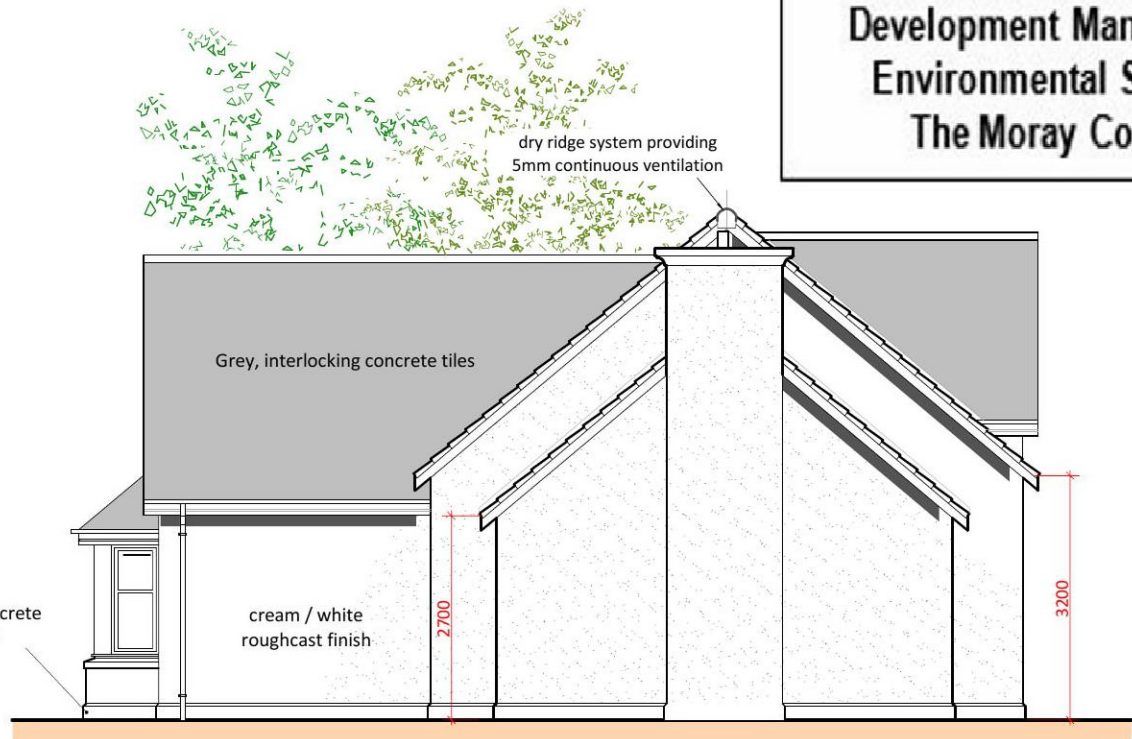
**REFUSED**

10 November 2016

Development Management  
Environmental Services  
The Moray Council



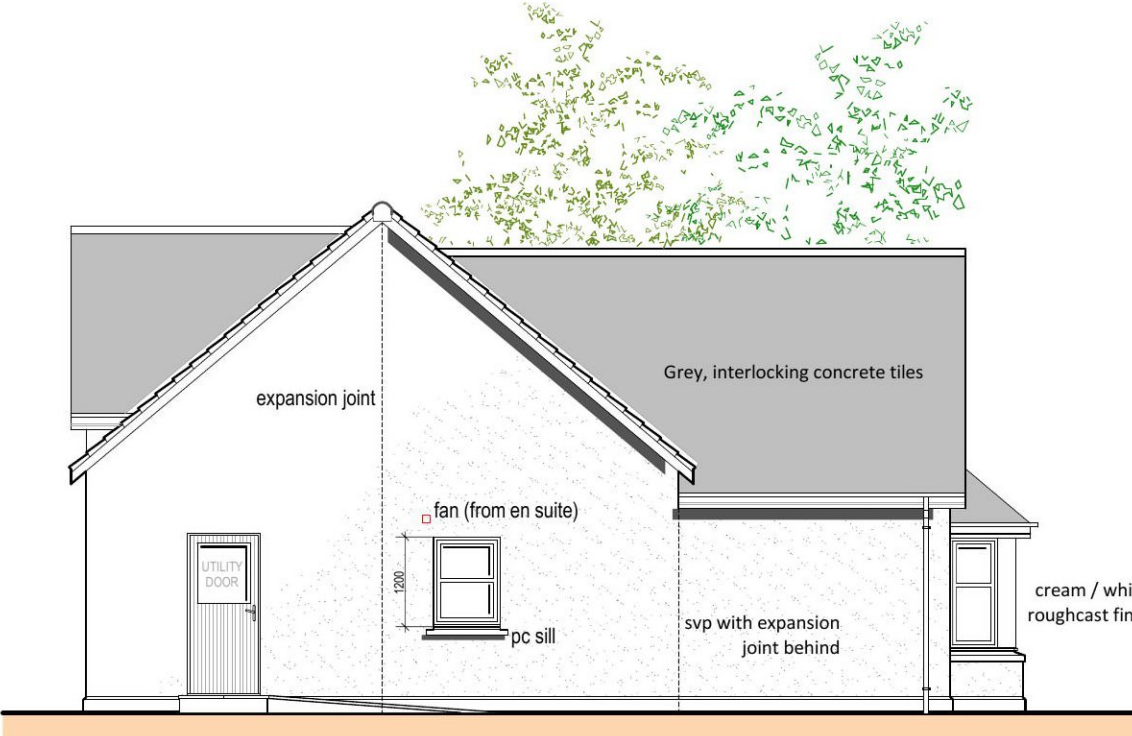
FRONT ELEVATION



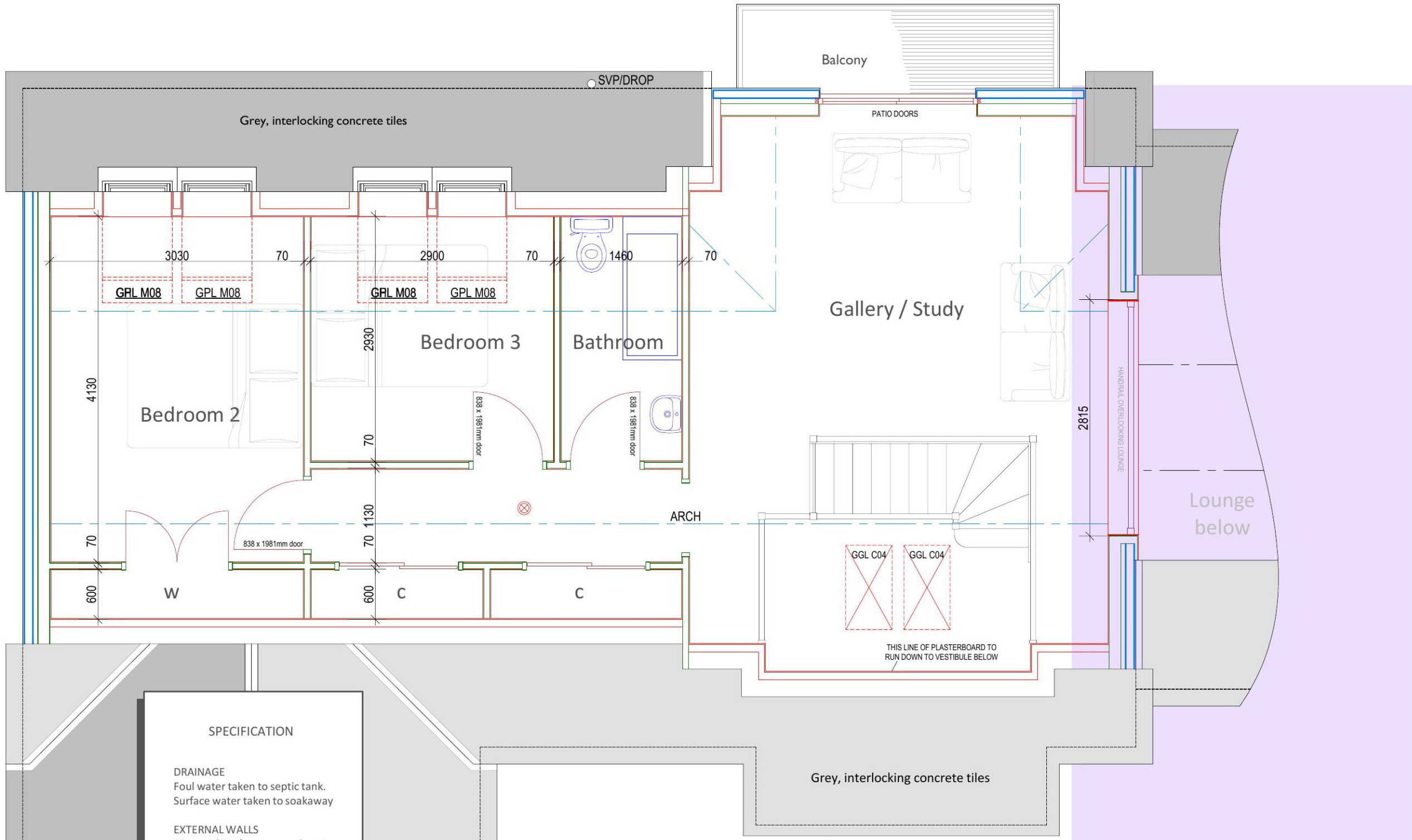
SIDE ELEVATION



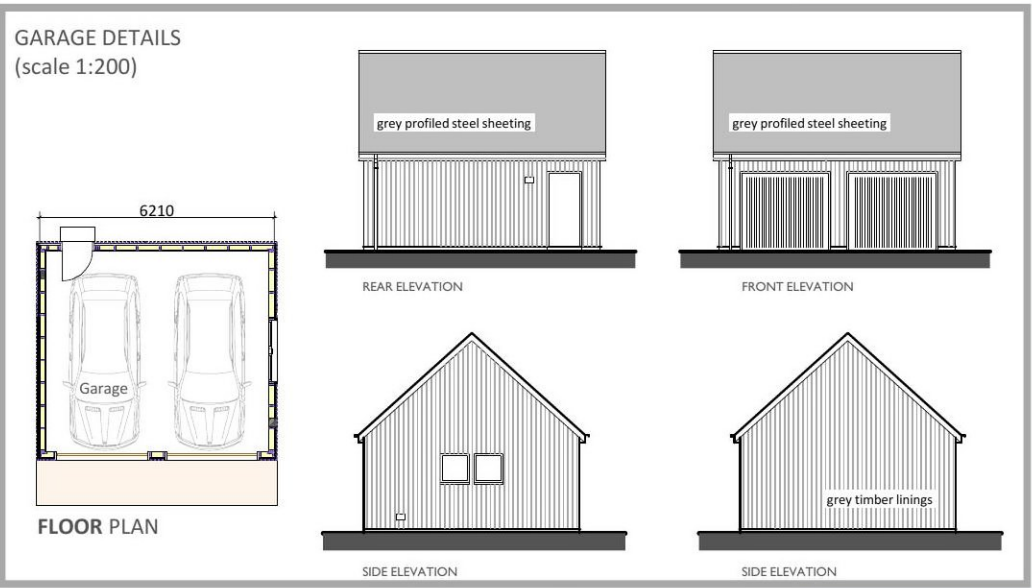
REAR ELEVATION



SIDE ELEVATION



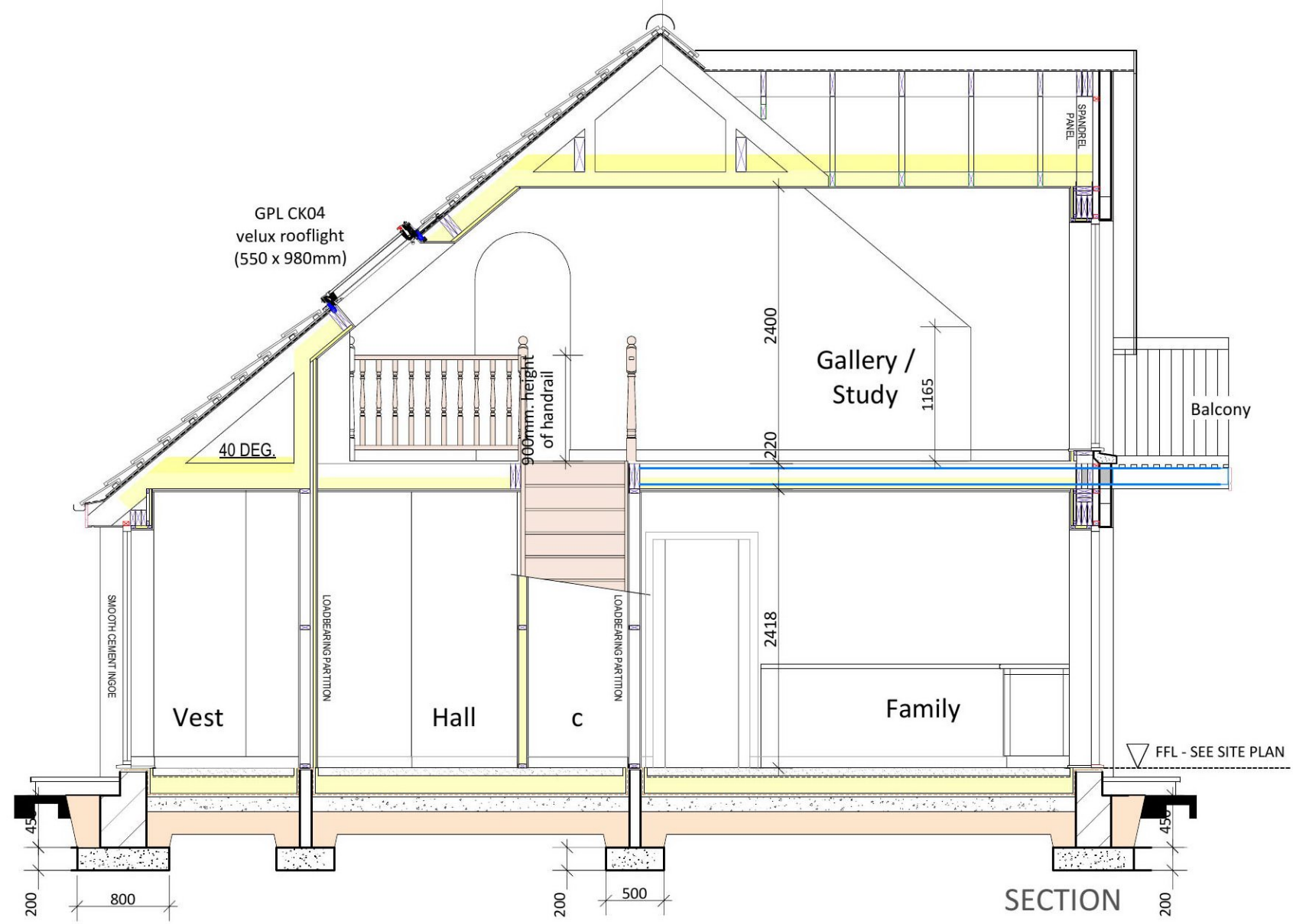
FIRST FLOOR PLAN



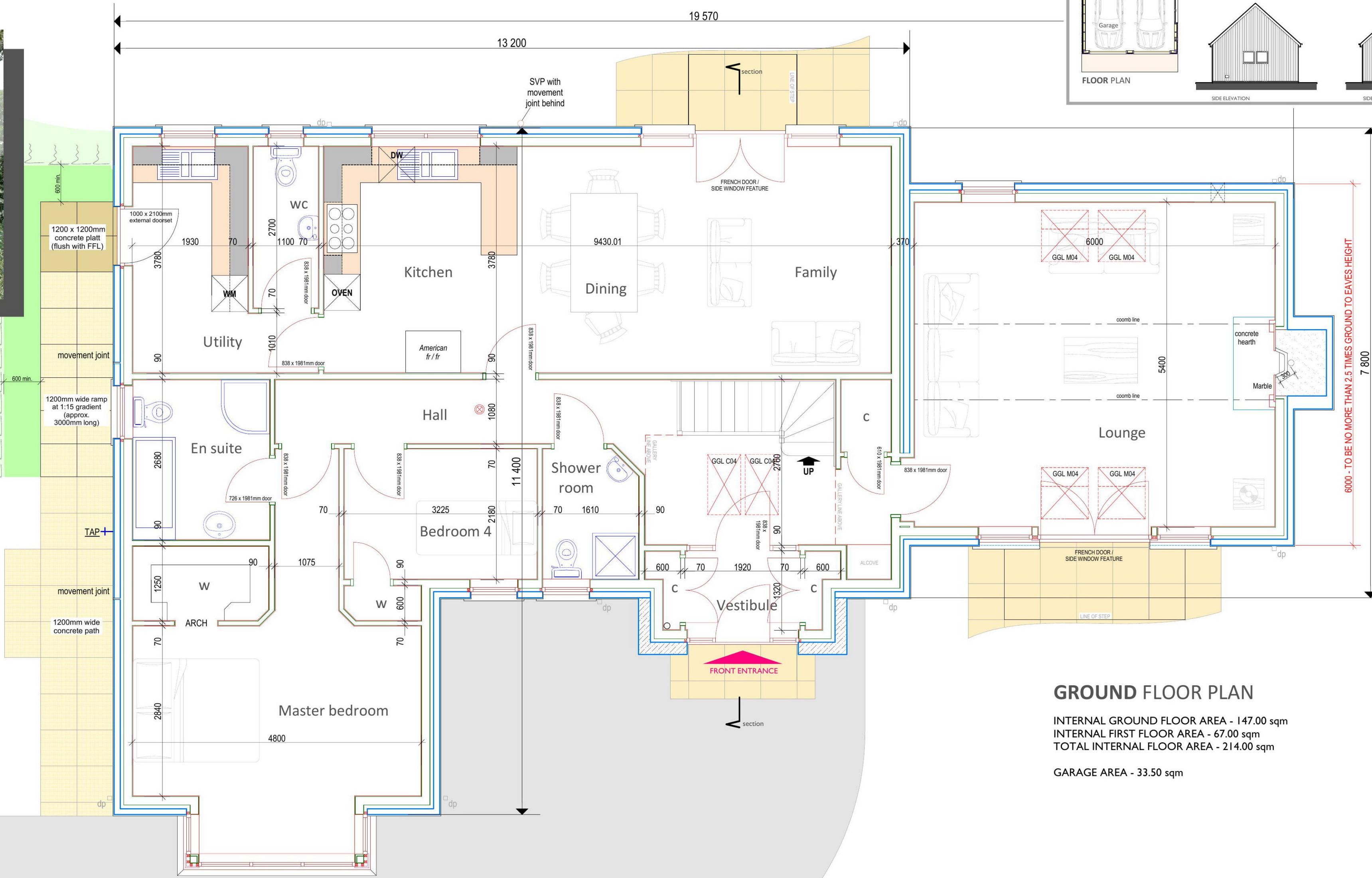
GROUND FLOOR PLAN

INTERNAL GROUND FLOOR AREA - 147.00 sqm  
INTERNAL FIRST FLOOR AREA - 67.00 sqm  
TOTAL INTERNAL FLOOR AREA - 214.00 sqm

GARAGE AREA - 33.50 sqm



SECTION



**Strathdee Properties Ltd.**

VIEWFIELD FARM, CRAIGELLACHIE,  
ABERLOUR, MORAY, AB38 9QT

T - (01340) 881784  
E - info@strathdeeproperties.com



PROJECT  
Proposed erection of dwelling-house with detached garage At West Troves, Troves, near Elgin, Moray For Mrs Diane McConachie

DRAWING DESCRIPTION  
PLANNING DRAWING - GENERAL ARRANGEMENT

DRAWING no.  
WEST-TROVES / PLANNING / 02

SCALE  
1:50 / 1:100 (A1)

DATE  
SEP 2016



# Consultation Request Notification

Planning Authority Name	<b>The Moray Council</b>
Response Date	<b>10th October 2016</b>
Planning Authority Reference	<b>16/01469/APP</b>
Nature of Proposal (Description)	<b>Erect dwellinghouse with detached garage at</b>
Site	<b>West Troves Troves Elgin Moray</b>
Site Postcode	<b>N/A</b>
Site Gazetteer UPRN	<b>999999999999</b>
Proposal Location Easting	<b>325314</b>
Proposal Location Northing	<b>859688</b>
Area of application site (Ha)	<b>4320 m<sup>2</sup></b>
Additional Comment	
Development Hierarchy Level	<b>LOCAL</b>
Supporting Documentation URL	<a href="http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&amp;keyVal=O DUBGKBGH1500">http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&amp;keyVal=O DUBGKBGH1500</a>
Previous Application	<b>16/01468/APP</b>
Date of Consultation	<b>26th September 2016</b>
Is this a re-consultation of an existing application?	<b>No</b>
Applicant Name	<b>Mrs Diane McConachie</b>
Applicant Organisation Name	
Applicant Address	<b>[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]</b>
Agent Name	<b>Strathdee Properties Limited</b>
Agent Organisation Name	
Agent Address	<b>Viewfield Farm Craigellachie Aberlour Moray AB38 9QT</b>
Agent Phone Number	
Agent Email Address	<b>N/A</b>
Case Officer	<b>Maurice Booth</b>
Case Officer Phone number	<b>01343 563274</b>
Case Officer email address	<b>maurice.booth@moray.gov.uk</b>
PA Response To	<b>consultation.planning@moray.gov.uk</b>

## 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:** 16/01469/APP

**Erect dwellinghouse with detached garage at West Troves Troves Elgin Moray for Mrs Diane McConachie**

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

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

**Contact:** Adrian Muscutt

**email address:** Adrian.muscutt@moray.gov.uk

**Consultee:** Contaminated Land

**Date** 27/9/16

**Phone No** (01343) 563496

<b>Return response to</b>	<b>consultation.planning@moray.gov.uk</b>
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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:** DeveloperObligations  
**Sent:** 24 Oct 2016 09:28:47 +0100  
**To:** DC-General Enquiries  
**Cc:** Maurice Booth  
**Subject:** 16/01469/APP Erect dwellinghouse with detached garage at West Troves,  
Troves, Elgin

Hi,

A Developer Obligations Assessment has been undertaken in relation to the above planning application. It is confirmed that the proposed development is not considered to have a detrimental impact on local infrastructure that will require mitigation through developer obligations, and therefore, no contributions are necessary. For the avoidance of doubt, the Moray Council Transportation Service are seeking no developer obligations for this application.

Kind regards,  
Eily

Eily Webster  
Senior Planning Officer  
Development Planning & Facilitation  
(01343) 563287

Find us on   
[Moray Council Planning](#)



# Consultation Request Notification

Planning Authority Name	<b>The Moray Council</b>
Response Date	<b>10th October 2016</b>
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Applicant Name	<b>Mrs Diane McConachie</b>
Applicant Organisation Name	
Applicant Address	<b>[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]</b>
Agent Name	<b>Strathdee Properties Limited</b>
Agent Organisation Name	
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Agent Phone Number	
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Case Officer	<b>Maurice Booth</b>
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Please respond using the attached form:-

## MORAY COUNCIL

### PLANNING CONSULTATION RESPONSE

**From:** Transportation Manager

**Planning Application Ref. No: 16/01469/APP**

**Erect dwellinghouse with detached garage at West Troves Troves Elgin Moray for Mrs Diane McConachie**

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. Notwithstanding the submitted details prior to any development works commencing:
  - a. 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 160 metres to the north-west and 4.5 metres by 120 metres to the south east (to the C1E Lhanbryde-Fogwatt Road/C20E Linkwood-Troves Road junction), 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
  - b. 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
  - c. thereafter the visibility splay shall be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the carriageway in accordance with the agreed schedule of maintenance.
2. 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.
3. The width of the vehicular access shall be 5.5m, and have a maximum gradient of 1:20 measured for the first 5.0m from the edge of the public carriageway. The first 10m 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.

4. An access lay-by 12.0m long by 2.5m wide with 30 degrees splayed ends shall be provided at the edge of the public road to allow visiting service vehicles to park clear of the public road. The vehicular access should lead off the lay-by. The lay-by must be constructed in accordance with The Moray Council specification and surfaced with bituminous macadam.
5. Any existing ditch, watercourse or drain under the site access shall be piped using a suitable diameter of pipe, agreed with the Roads Maintenance Manager (300mm minimum). The pipe shall be laid to a self-cleansing gradient and connected to an outfall.
6. Three car parking spaces shall be provided within the site prior to the occupation or completion of the dwellinghouse, whichever is the sooner. The parking spaces shall thereafter be retained throughout the lifetime of the development, unless otherwise agreed in writing with the Council as Planning Authority.
7. 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 enable drivers of 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.
2. To ensure the safety and free flow of traffic on the public road and access to the site by minimising the road safety impact from extraneous material and surface water in the vicinity of the new access.
3. To ensure acceptable infrastructure at the development access.
4. To enable visiting service vehicles to park clear of the public road in the interests of road safety.
5. To ensure acceptable infrastructure at the development access.
6. 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.
7. 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**

The formation of the required visibility splay will involve the removal of trees and vegetation.

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

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](mailto: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 applicant shall be responsible for ensuring that surface/ground water does not run from the public road into their property.

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

**Contact: DA**  
**email address: [transport.develop@moray.gov.uk](mailto:transport.develop@moray.gov.uk)**  
**Consultee: TRANSPORTATION**

**Date 10 October 2016**

**Return response to**

**[consultation.planning@moray.gov.uk](mailto: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	<b>The Moray Council</b>
Response Date	<b>10th October 2016</b>
Planning Authority Reference	<b>16/01469/APP</b>
Nature of Proposal (Description)	<b>Erect dwellinghouse with detached garage at</b>
Site	<b>West Troves Troves Elgin Moray</b>
Site Postcode	<b>N/A</b>
Site Gazetteer UPRN	<b>999999999999</b>
Proposal Location Easting	<b>325314</b>
Proposal Location Northing	<b>859688</b>
Area of application site (Ha)	<b>4320 m<sup>2</sup></b>
Additional Comment	
Development Hierarchy Level	<b>LOCAL</b>
Supporting Documentation URL	<a href="http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&amp;keyVal=O_DUBGKBGH1500">http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&amp;keyVal=O_DUBGKBGH1500</a>
Previous Application	<b>16/01468/APP</b>
Date of Consultation	<b>26th September 2016</b>
Is this a re-consultation of an existing application?	<b>No</b>
Applicant Name	<b>Mrs Diane McConachie</b>
Applicant Organisation Name	
Applicant Address	<b>[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]</b>
Agent Name	<b>Strathdee Properties Limited</b>
Agent Organisation Name	
Agent Address	<b>Viewfield Farm Craigellachie Aberlour Moray AB38 9QT</b>
Agent Phone Number	
Agent Email Address	<b>N/A</b>
Case Officer	<b>Maurice Booth</b>
Case Officer Phone number	<b>01343 563274</b>
Case Officer email address	<b>maurice.booth@moray.gov.uk</b>
PA Response To	<b>consultation.planning@moray.gov.uk</b>

## 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:** 16/01469/APP

**Erect dwellinghouse with detached garage at West Troves Troves Elgin Moray for Mrs Diane McConachie**

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

- |   | <b>Please</b>                        |
|---|--------------------------------------|
| (a) I OBJECT to the application for the reason(s) as stated below   | <b>x</b><br><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            | <b>X</b>                             |
| (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:** Kevin Boyle  
**email address:** kevin.boyle@moray.gov.uk  
**Consultee:** Environmental Health

**Date** 27/9/16  
**Phone No** (01343) 563354

<b>Return response to</b>	<b>consultation.planning@moray.gov.uk</b>
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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.



**MORAY COUNCIL  
PLANNING CONSULTATION RESPONSE**

**From:** The Moray Council, Flood Risk Management

**Planning Application Ref. No:** 16/01469/APP

Erect dwellinghouse with detached garage at West Troves Troves Elgin Moray for Mrs Diane McConachie

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

- |   | <b>Please<br/>x</b>                 |
|---|-------------------------------------|
| (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: Graham Dunlop Date 05 October 2016

email address: [graham.dunlop@moray.gov.uk](mailto:graham.dunlop@moray.gov.uk) Phone No 01343 563 773

**Consultee:** The Moray Council, Flood Risk Management

## **REPORT OF HANDLING**

<b>Ref No:</b>	16/01469/APP	<b>Officer:</b>	Maurice Booth
<b>Proposal Description/ Address</b>	Erect dwellinghouse with detached garage at West Troves Troves Elgin Moray		
<b>Date:</b>	10/11/16	<b>Typist Initials:</b>	FJA

### **RECOMMENDATION**

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

### **CONSULTATIONS**

<b>Consultee</b>	<b>Date Returned</b>	<b>Summary of Response</b>
Developer Obligations Unit	24/10/16	None required
Contaminated Land	27/09/16	No objection
Transportation Manager	10/10/16	No objection – subject to standard conditions, including a ‘suspensive’ condition on visibility provision
Scottish Water		No response
Moray Flood Risk Management	05/10/16	No objection
Environmental Health Manager	27/09/16	No objection

### **DEVELOPMENT PLAN POLICY**

<b>Policies</b>	<b>Dep</b>	<b>Any Comments (or refer to Observations below)</b>
EP9: Contaminated Land		
H7: New Housing in the Open Countryside	Y	
IMP1: Developer Requirements	Y	
EP10: Foul Drainage		
T2: Provision of Access		
T5: Parking Standards		
EP2: Recycling Facilities		
E10: Countryside Around Towns	Y	
EP5: Sustainable Urban Drainage Systems		

E4: Trees and Development		
ER2: Development in Woodlands		

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

### History

There is no relevant recent history on the site.

### The Site

One of two sites in an area of open mature Scots Pine woodland. The sites are a large triangular area on the southern side of the Troves/Clackmarras road junctions about a mile south of Elgin. Both the roads the site fronts are 'unclassified'. The western side of the sites is defined by a further area of woodland and scrub.

The sites are in natural clearing areas, with 16/01468/APP to the east and 16/01469/APP to the west.

The site areas are currently occupied by a travellers encampment.

### The Proposal

Both of the proposed houses are of a traditionally sympathetic form, situated centrally in the respective site areas.

The accesses would be taken onto the Troves road. Septic tank drainage is proposed.

The finishes proposed are roughcast with some stone detailing to the porches, and slate/slate type tiles to the roof.

### Principle of New Residential Development in the Countryside (E10, H7, IMP1)

With both applications involving (handed) versions of the same house design and being within the same area, the planning issues are considered identical for both.

Although within a defined woodland area the site is attractively rural and considerably contributes to the general rural character of the overall area.

The proposal site is within the Countryside Around Town (CAT, E10) area, and the Housing in the Countryside (H7) and Developer Requirements (IMP1) policies also apply. Of these policies E10 and H7 are considered the most significant in assessing the proposals.

The 'CAT' area has been defined around Elgin as this is considered as being one of the five towns

subject to the highest development pressures. The designation is to prevent development sprawl into the surrounding countryside area. New-build housing development is specifically excluded from the types of acceptable contrary to policy H7 (c) since the proposals would contribute to a build-up of development (in this case new development) with the development having the effect of changing the rural character of the area. On this basis the proposals are also considered specifically contrary to policy H7 (c) since the proposals would contribute to a build-up of development (in this case new development) with the development having the effect of changing the rural character of the area.

None of the exceptions provided for in policy E10 can be applied to the sites - the proposals are not rehabilitation etc., are not necessary for the purposes of agriculture and are not in long term housing designations.

### Conclusion

On the basis of these considerations it is considered that the proposal should be refused.

### Other Considerations - Drainage and Access

There are not considered any material drainage issues with the proposals, and subject to the conditions recommended Transportation have no objection to the proposal.

### OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT

There are no other material considerations that would alter this assessment.

### HISTORY

Reference No.	Description			
16/01468/APP	Proposed erection of dwelling-house with detached garage East Troves Trove Elgin Moray			
	Decision	Refuse	Date Of Decision	09/11/16

### ADVERT

Advert Fee paid?	Yes		
Local Newspaper	Reason for Advert	Date of expiry	
Northern Scot	Departure from development planNo Premises	27/10/16	
PINS	Departure from development planNo Premises	27/10/16	

### DEVELOPER CONTRIBUTIONS (PGU)

Status	NONE SOUGHT
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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
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Document Name:
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Main Issues:
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**S.75 AGREEMENT**

Application subject to S.75 Agreement		NO
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Summary of terms of agreement:
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Location where terms or summary of terms can be inspected:
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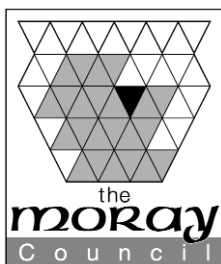
**DIRECTION(S) MADE BY SCOTTISH MINISTERS (under DMR2008 Regs)**

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

**REFUSAL OF PLANNING PERMISSION**

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

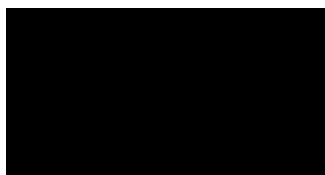
TO Mrs Diane McConachie  
c/o Strathdee Properties Limited  
Viewfield Farm  
Craigellachie  
Aberlour  
Moray  
AB38 9QT

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 with detached garage at West Troves Troves Elgin Moray**

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

Date of Notice: **10 November 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 be contrary to policies E10, H7 (c) and IMP1 in the Moray Local Development Plan 2015 for the following reasons :

- (i) Although within a defined woodland area the site is attractively rural and considerably contributes to the general rural character of the overall area.
- (ii) the proposals would contribute to a build-up of development (in this case new development), with the development having the effect of changing the rural character of the area (H7).
- (iii) None of the exceptions provided for under policy E10 (Countryside Around Towns) apply to the site, and the proposals would erode the distinction with the built-up area.

**LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT**

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

Reference	Version	Title
WEST-TROVES/PLANNING/LP		Location plan - NTS
WEST-TROVES/PLANNING/02		Elevations and floor plans
WEST-TROVES/PLANNING/01		Site and location plan

**NOTICE OF APPEAL**  
**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**

If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to The Clerk, The Moray Council Local Review Body, Legal and Committee Services, Council Offices, High Street, Elgin IV30 1BX. This form is also available and can be submitted online or downloaded from [www.eplanning.scot/eplanningClient](http://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.