

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 AND MRS	Ref No.	
Forename		Forename	ALEX
Surname	ASHER	Surname	SANDERSON
Company Name		Company Name	TULLOCH OF CUMMINGSTON
Building No./Name	ROSEMOUNT	Building No./Name	TULLOCH HOUSE
Address Line 1	5	Address Line 1	FORSYTH STREET
Address Line 2	MAYNE ROAD	Address Line 2	
Town/City	ELGIN	Town/City	HOPEMAN
Postcode	IV30 1NY	Postcode	IV30 5ST
Telephone		Telephone	01343 835600
Mobile		Mobile	/
Fax		Fax	01343 835700
Email		Email	ALEX@TULLOCHOF CUMMINGSTON.CO.UK

3. Postal Address or Location of Proposed Development (please include postcode)

"ROSEMOUNT", 5 MAYNE ROAD, ELGIN, IV30 1NY

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 ☒

Planning Permission in Principle ☐

Further Application* ☐

Application for Approval of Matters Specified in Conditions* ☐

Application for Mineral Works** ☐

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:

SUB DIVISION OF GARDEN GROUND AND ERECTION
OF 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.)

(1266) TOTAL

8. Existing Use

Please describe the current or most recent use:

DWELLING HOUSE AND GARDEN GROUND

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?

0

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)

2

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

☐

N/A.

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:

FACILITIES FOR WASTE AND RECYCLING WILL
BE PROVIDED ON COMPLETION

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:

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:

Date:

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.

REPORT OF HANDLING

Ref No:	17/00590/APP	Officer:	Maurice Booth
Proposal Description/ Address	Erect dwellinghouse within Garden Ground Of Rosemount 5 Mayne Road Elgin Moray		
Date:	15/06/17	Typist Initials:	FJA

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
Planning And Development Obligations	05/05/17	Contribution required for healthcare – not pursued owing to the application being refused.
Aberdeenshire Council Archaeology Service	08/05/17	No objection
Environmental Health Manager	02/05/17	No objection
Contaminated Land	02/05/17	No objection
Transportation Manager	04/05/17	Refusal recommended – see ‘Observations’
Scottish Water		No response

DEVELOPMENT PLAN POLICY

Policies	Dep	Any Comments (or refer to Observations below)
IMP3: Developer Obligations		
BE1: Sch Monuments and Nat Designations		
H1: Housing Land		
T2: Provision of Access		
T5: Parking Standards		
H3: Sub division for House Plots		
EP10: Foul Drainage		
EP2: Recycling Facilities		
PP3: Placemaking		

IMP1: Developer Requirements		
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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 approved Moray Structure Plan 2007 and the adopted Moray Local Plan 2008 unless material considerations indicated otherwise. In this case the main planning issues are considered below.

The Site

The proposal site is currently the garden ground of 'Rosemount'. It measures 412 sq m and is defined on the South Street frontage by a very high stone wall, and a continuation of this wall on the western boundary. The other boundaries would be formed within the subdivided garden area.

The Proposal

A small 2 bedroomed bungalow with an integral garage accessed from South Street. The walls would be roughcast, and the roofing finished in slate type tiles

The rear garden area would be 6.8m long. The distance to the west boundary (defined by the very high stone wall) would be 2m to the blank gable of the bungalow. On the other side the distance to the boundary with the existing garden would be 3 m., and on this elevation there is a small garage window and a side door to a utility room.

To create the vehicular access to the site a large opening in the high stone wall fronting the site, with a consequent loss of on-street vehicular parking (see objection by transportation, considered below)

Principle of Proposal and Residential Amenity (IMP1, PP3, H3, H1)

In relation to house plot subdivision, policy H3 specifically states:

"Proposals for the subdivision for housing plots in those settlements and rural groupings where there is no specific embargo will be acceptable if the plot subdivision is less than 50% of the original plot, if the site provided is at least 400 square metres excluding access, if the house style complements the character of the area and the scale and architecture of the parent and neighbouring properties. The built up area of the application site should avoid overlooking and maintain the amenity of the parent and surrounding properties".

The proposal meets the specific criteria of this policy. In relation to style the bungalow is of a standard contemporary form, and whilst the houses in the immediate vicinity are traditional the bungalow proposed is small, would be well screened by the remaining wall to the west and nearby there are a range of large modern commercial buildings.

To the west of the house there is a large (listed) building which would have been a house but is now a solicitor's office, and in a shared curtilage the very large modern premises of an accountancy business. There would be no amenity or visual impact in relation to those buildings.

The new bungalow would have an impact on the parent property (owned by the applicant), but taking into account the character of the area, varied size of plots in the area and the specific relationship to that property in terms of windows, distances and scale it is not considered that there would be a material amenity impact.

Although the very high stone wall fronting the site is a long established feature, there are no objections on visual grounds to the removal of a section of this wall to create the new site access proposed.

Developer Contributions (H3)

A requirement for a developer contribution towards healthcare has been identified in relation to the proposals.

This matter has not been pursued owing to the decision to refuse the application, but the applicant has confirmed that he would be willing to make the payment sought. This payment could be made prior to any consent being granted.

Access (T2)

Transportation advises that the location of the proposed access would directly result in a reduction of available on-street parking spaces. The proposed vehicular access is via South Street. This section of South Street is subject to a high volume of passing vehicles throughout the day, and particularly during weekday peak periods. There are limited parking opportunities within this section of South Street, and demand for on-street parking is high due to nearby residential properties with no off-street parking, and nearby offices and business premises.

The proposal, if permitted, would result in the loss of existing formal on-street parking facilities (due to the new access being formed) which would lead to an undesirable increase in indiscriminate parking behaviour giving rise to conditions detrimental to the road safety of road users.

Transportation note that if the access to the proposed new dwelling were to be via the existing access to 'Rosemount' (off Mayne Road), Transportation would not object to the proposal. This has been discussed with the agent, but the applicant wishes the application to be considered as submitted.

Conclusion

Based on the recommendation of Transportation it is considered that for the reason stated (see recommendation) the application should be refused.

OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT

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

HISTORY

Reference No.	Description			
	Decision		Date Of Decision	

ADVERT		
Advert Fee paid?	N/A	
Local Newspaper	Reason for Advert	Date of expiry

DEVELOPER CONTRIBUTIONS (PGU)	
Status	Required – not sought due to application being refused

DOCUMENTS, ASSESSMENTS etc. * <i>* Includes Environmental Statement, Appropriate Assessment, Design Statement, Design and Access Statement, RIA, TA, NIA, FRA etc</i>		
Supporting information submitted with application?		NO
Summary of main issues raised in each statement/assessment/report		
Document Name:		
Main Issues:		

S.75 AGREEMENT		
Application subject to S.75 Agreement		NO
Summary of terms of agreement:		
Location where terms or summary of terms can be inspected:		

DIRECTION(S) MADE BY SCOTTISH MINISTERS (under DMR2008 Regs)			
Section 30	Relating to EIA		NO
Section 31	Requiring planning authority to provide information and restrict grant of planning permission		NO
Section 32	Requiring planning authority to consider the imposition of planning conditions		NO
Summary of Direction(s)			

Consultation Request Notification

Planning Authority Name	The Moray Council
Response Date	10th May 2017
Planning Authority Reference	17/00590/APP
Nature of Proposal (Description)	Erect dwellinghouse within
Site	Garden Ground Of Rosemount 5 Mayne Road Elgin Moray IV30 1NY
Site Postcode	N/A
Site Gazetteer UPRN	000133016437
Proposal Location Easting	321251
Proposal Location Northing	862574
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=OPC4JBG0D700
Previous Application	
Date of Consultation	26th April 2017
Is this a re-consultation of an existing application?	No
Applicant Name	Mr And Mrs Asher
Applicant Organisation Name	
Applicant Address	Rosemount 5 Mayne Road Elgin Moray IV30 1NY
Agent Name	Tulloch Of Cummingston Ltd
Agent Organisation Name	
Agent Address	Tulloch House Forsyth Street Hopeman Moray IV30 5ST
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Maurice Booth
Case Officer Phone number	01343 563274
Case Officer email address	maurice.booth@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: Aberdeenshire Council Archaeology Service

Planning Application Ref. No: 17/00590/APP

Erect dwellinghouse within Garden Ground Of Rosemount 5 Mayne Road Elgin Moray for Mr And Mrs Asher

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

None

Condition(s)

None

Further comment(s) to be passed to applicant

Further information required to consider the application

Contact: Claire Herbert
email address:
archaeology@aberdeenshire.gov.uk
Consultee: Archaeology Service`

Date...08/05/2017.....
Phone No ...07825356913.

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	10th May 2017
Planning Authority Reference	17/00590/APP
Nature of Proposal (Description)	Erect dwellinghouse within
Site	Garden Ground Of Rosemount 5 Mayne Road Elgin Moray IV30 1NY
Site Postcode	N/A
Site Gazetteer UPRN	000133016437
Proposal Location Easting	321251
Proposal Location Northing	862574
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=OPC4JBG0D700
Previous Application	
Date of Consultation	26th April 2017
Is this a re-consultation of an existing application?	No
Applicant Name	Mr And Mrs Asher
Applicant Organisation Name	
Applicant Address	Rosemount 5 Mayne Road Elgin Moray IV30 1NY
Agent Name	Tulloch Of Cummingston Ltd
Agent Organisation Name	
Agent Address	Tulloch House Forsyth Street Hopeman Moray IV30 5ST
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Maurice Booth
Case Officer Phone number	01343 563274
Case Officer email address	maurice.booth@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

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Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Contaminated Land

Planning Application Ref. No: 17/00590/APP

Erect dwellinghouse within Garden Ground Of Rosemount 5 Mayne Road Elgin Moray for Mr And Mrs Asher

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: 2 May 2017
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: DeveloperObligations
Sent: 4 May 2017 14:20:07 +0100
To: DC-General Enquiries
Cc: Maurice Booth
Subject: 17/00590/APP Erect dwellinghouse within Garden Ground of Rosemount, 5 Mayne Road, Elgin
Attachments: 17-00590-APP Erect dwellinghouse within Garden Ground of Rosemount, 5 Mayne Road, Elgin.docx

Hi

Please find attached the developer obligation assessment that has been undertaken for the above planning application. A copy of the report has been sent to the agent.

Regards,
Hilda

Find us on 
[Moray Council Planning](#)

Hilda Puskas
Developer Obligations Officer
Development Plans
hilda.puskas@moray.gov.uk
01343 563265

The logo for Moray Council, featuring the word 'moray' in a stylized, lowercase, serif font with a pinkish-red color. Below it, the word 'council' is written in a smaller, lowercase, sans-serif font, also in the same color.

DEVELOPER OBLIGATIONS: ASSESSMENT REPORT

Date: 04/05/2017

Reference: 17/00590/APP

Description: Erect dwellinghouse within Garden Ground of Rosemount, 5 Mayne Road, Elgin

Applicant: Mr and Mrs Asher

Agent: Tulloch of Cummingston Ltd

This assessment has been carried out by Moray Council. This assessment is carried out in relation to policy IMP3 Developer Obligations of the Moray Local Development Plan 2015 (LDP) and associated Supplementary Guidance (SG) on Developer Obligations which was adopted on 14 October 2016. The LDP and SG can be found at www.moray.gov.uk/planning.

Summary of Obligations

Primary Education	Nil
Secondary Education	Nil
Transport	Nil
Healthcare (Contribution towards the extension of Elgin Community Surgery and 5 Additional Dental Chairs)	
Community Facilities	Nil
Sports and Recreation	Nil
Waste	Nil
Total Developer Obligations	

Breakdown of Calculation

Proposals are assessed on the basis of Standard Residential Unit Equivalents (SRUE) which is a 3-bedroomed residential unit. This application is considered to comprise of the following:

2 bed = 0.8 SRUE

This assessment is therefore based on 0.8 SRUE.

Developer Obligations Discount for Small Scale Development

A discount of 80% will be applied to the contribution for single unit developments to reflect their small scale nature.

INFRASTRUCTURE

Education

Primary Education

The pupils generated by this development are zoned to West End Primary School. The school is currently operating at 91% functional capacity. Contributions are sought to mitigate the impact of a development when the functional capacity is at, and above 90%. However, given that West End Primary School roll is expected to fall from 2019 onwards and the low development rate within the catchment area, Education Services has confirmed that no contribution towards mitigation is necessary in this instance.

Contribution towards Primary Education = Nil

Secondary Education

The pupils generated by this development are zoned to Elgin Academy. The school is currently operating at 80% functional capacity and the additional pupil as a result of the development can be accommodated. As a result no mitigation is necessary.

Contribution towards Secondary Education = Nil

Transport

The Moray Council Transportation Services has confirmed that no developer obligations will be sought for this proposal.

Contributions towards Transport = Nil

Healthcare

Healthcare Facilities include General Medical Services (GMS), community pharmacies and dental practices. Scottish Health Planning Notes provide national guidance on standards and specification for healthcare facilities. The recommended number of patients is 1500 per General Practitioner (GP) and floorspace requirement per GP is 271m².

Healthcare infrastructure requirements have been calculated with NHS Grampian on the basis of national standards and specifications for healthcare facilities and estimating the likely number of new patients generated by the development (based on the average household size of 2.24 persons*).

Elgin Community Surgery is the nearest settlement within which healthcare facilities can be assessed by the proposed development. NHS Grampian has confirmed that Elgin Community Surgery is working beyond design capacity and existing space will be required to be extended and 5 Additional Dental Chairs are required to support the potential increase in population.

Contributions are calculated based on a proportional contribution of [REDACTED] per SRUE for the extension of Health Centre and Additional Dental Chairs each.

[REDACTED]

[REDACTED]

Contribution towards Healthcare= [REDACTED]

Community, Sports and Recreational Facilities

Community Facilities

There are no proposals being progressed for additional community hall provision in the immediate vicinity; therefore, in this instance, no contribution will be required.

Contribution for Community Facilities = Nil

Sports and Recreation Facilities

Existing sports provision within Elgin is considered to be adequate to serve the needs of the residents anticipated to be generated by this development. Therefore, in this instance, no contribution will be required.

Contribution for Sports and Recreation Facilities = Nil

Waste

Moray Waste Services have advised that the household and recycling facilities that would serve this development are operating within 90% capacity. Therefore, in this instance, no contribution is required.

Contribution for Waste = Nil

TERMS OF ASSESSMENT

This assessment report is valid for a period of 6 months from the date of issue.

Please note that any subsequent planning applications for this site may require a re-assessment to be undertaken on the basis of the policies and rates pertaining at that time.

PAYMENT OF CONTRIBUTIONS

Remittance of financial obligations can be undertaken either through the provision of an upfront payment or by entering into a Section 75 agreement. The provision of an upfront payment will allow a planning consent to be issued promptly. However, where the amount of developer contributions are such that an upfront payment may be considered prohibitive a Section 75 will likely be required. The payment of contributions may be tied into the completion of houses through a Section 75 Agreement or equivalent, to facilitate the delivery of development. Please note that Applicants are liable for both the legal costs of their own Legal Agent fees and Council's legal fees and outlays in the preparation of the document. These costs should be taken into account when considering the options.

INDEXATION

Developer obligations are index linked to the General Building Cost Price Index (BCPI) as published by the Building Cost Information Service (BCIS) of the Royal Institute of Chartered Surveyors (RICS) from Q3, 2016.

Consultation Request Notification

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Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Transportation Manager

Planning Application Ref. No: 17/00590/APP

Erect dwellinghouse within Garden Ground Of Rosemount 5 Mayne Road Elgin Moray for Mr And Mrs Asher

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

Note: This proposal is for a new dwelling within the garden ground of 'Rosemount'. The location of the proposed access would directly result in a reduction of available on-street parking spaces.

The proposed vehicular access is via South Street. This section of South Street is subject to a high volume of passing vehicles throughout the day, and particularly during weekday peak periods. There are limited parking opportunities within this section of South Street, and demand for on-street parking is high due to nearby residential properties with no off-street parking, and nearby offices and business premises.

Reason(s) for objection

The proposal, if permitted, would result in the loss of existing formal on-street parking facilities which would lead to an undesirable increase in indiscriminate parking behaviour giving rise to conditions detrimental to the road safety of road users.

Further comment(s) to be passed to applicant

It should be noted that if the access to the proposed new dwelling were to be via the existing access to 'Rosemount' (off Mayne Road), Transportation would not object to the proposal.

Contact: DA/AG

email address: transport.develop@moray.gov.uk

Consultee: TRANSPORTATION

Date 04 May 2017

Return response to

consultation.planning@moray.gov.uk

Consultation Request Notification

Planning Authority Name	The Moray Council
Response Date	10th May 2017
Planning Authority Reference	17/00590/APP
Nature of Proposal (Description)	Erect dwellinghouse within
Site	Garden Ground Of Rosemount 5 Mayne Road Elgin Moray IV30 1NY
Site Postcode	N/A
Site Gazetteer UPRN	000133016437
Proposal Location Easting	321251
Proposal Location Northing	862574
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=OPC4JBG0D700
Previous Application	
Date of Consultation	26th April 2017
Is this a re-consultation of an existing application?	No
Applicant Name	Mr And Mrs Asher
Applicant Organisation Name	
Applicant Address	Rosemount 5 Mayne Road Elgin Moray IV30 1NY
Agent Name	Tulloch Of Cummingston Ltd
Agent Organisation Name	
Agent Address	Tulloch House Forsyth Street Hopeman Moray IV30 5ST
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Maurice Booth
Case Officer Phone number	01343 563274
Case Officer email address	maurice.booth@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: 17/00590/APP

Erect dwellinghouse within Garden Ground Of Rosemount 5 Mayne Road Elgin Moray for Mr And Mrs Asher

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: Kevin Boyle
email address:
Consultee:

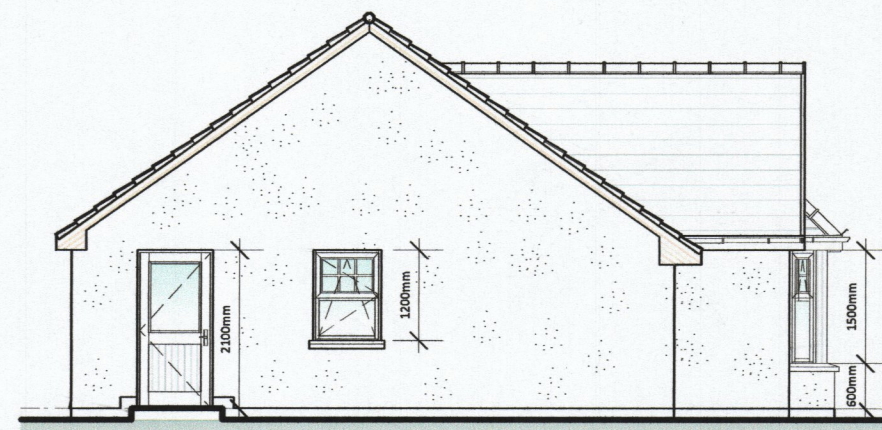
Date: 2 May 2017
Phone No

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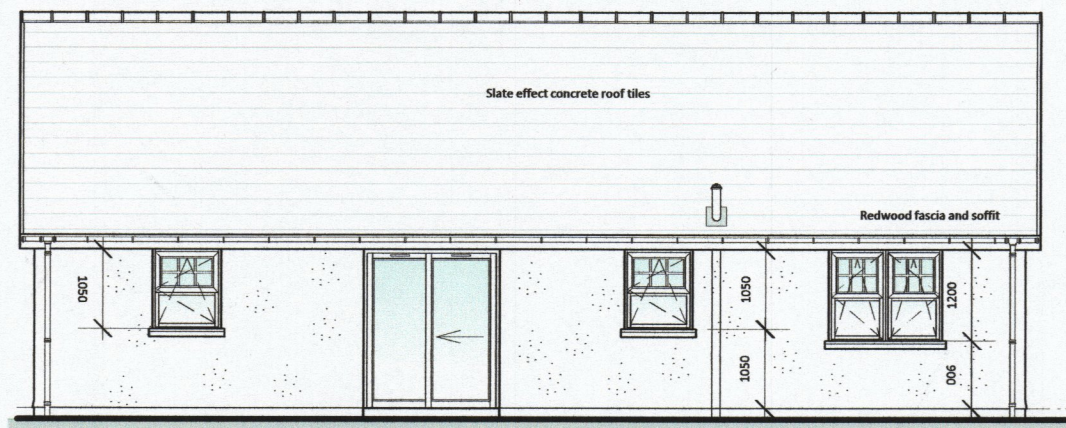
Please note that information about the application including consultation responses and representations (whether in support or objection) received on the proposal will be published on the Council's website at <http://public.moray.gov.uk/eplanning/> (You can also use this site to track progress of the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



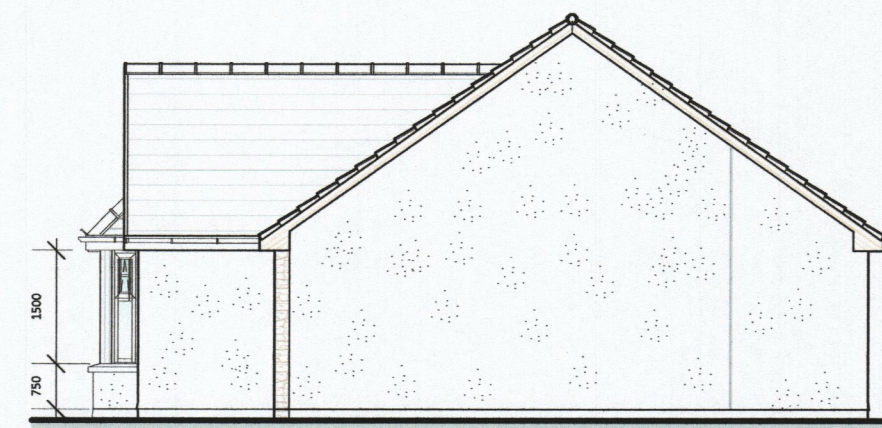
APPROACH ELEVATION 1:100



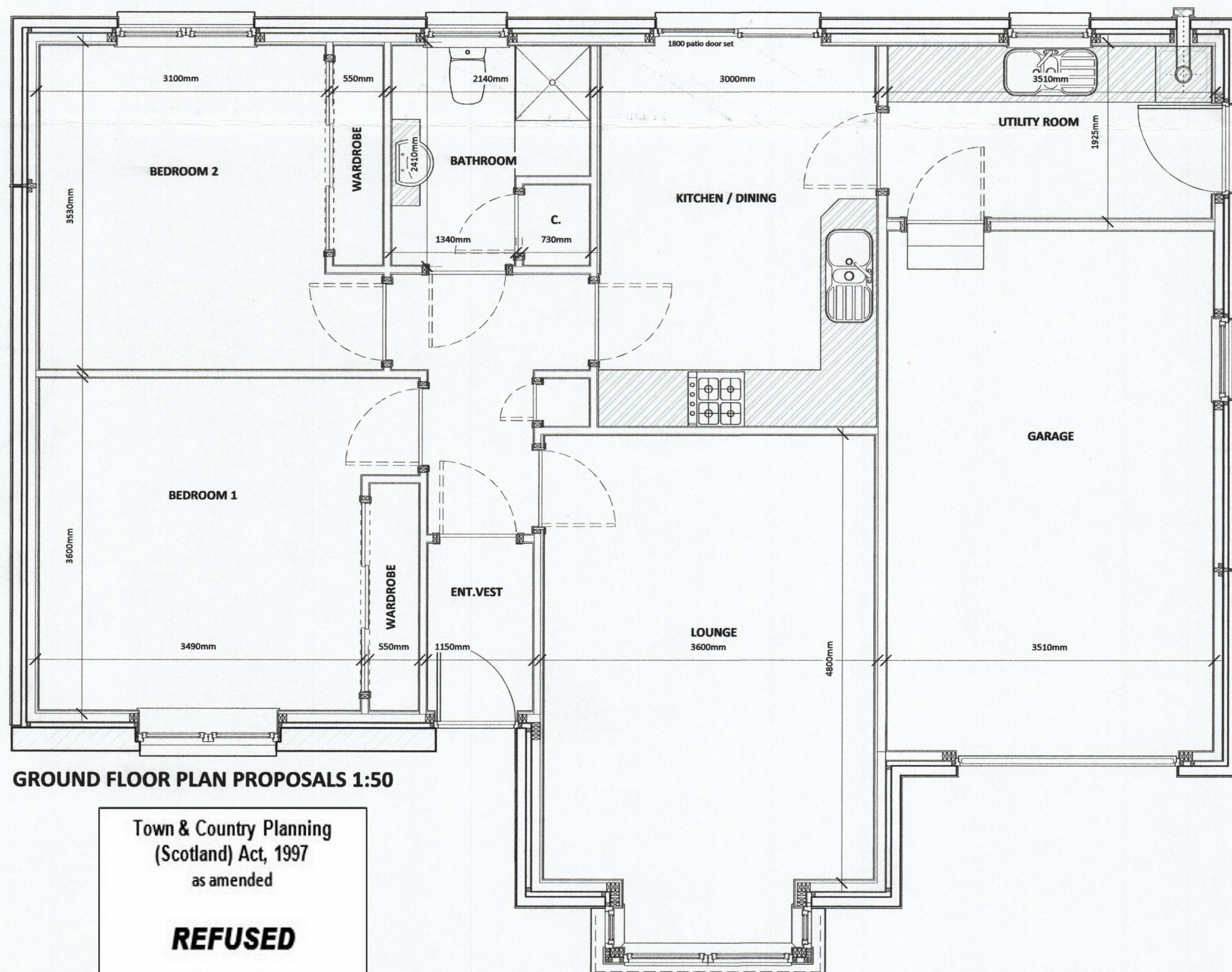
SIDE ELEVATION 1:100



REAR ELEVATION 1:100



SIDE ELEVATION 1:100



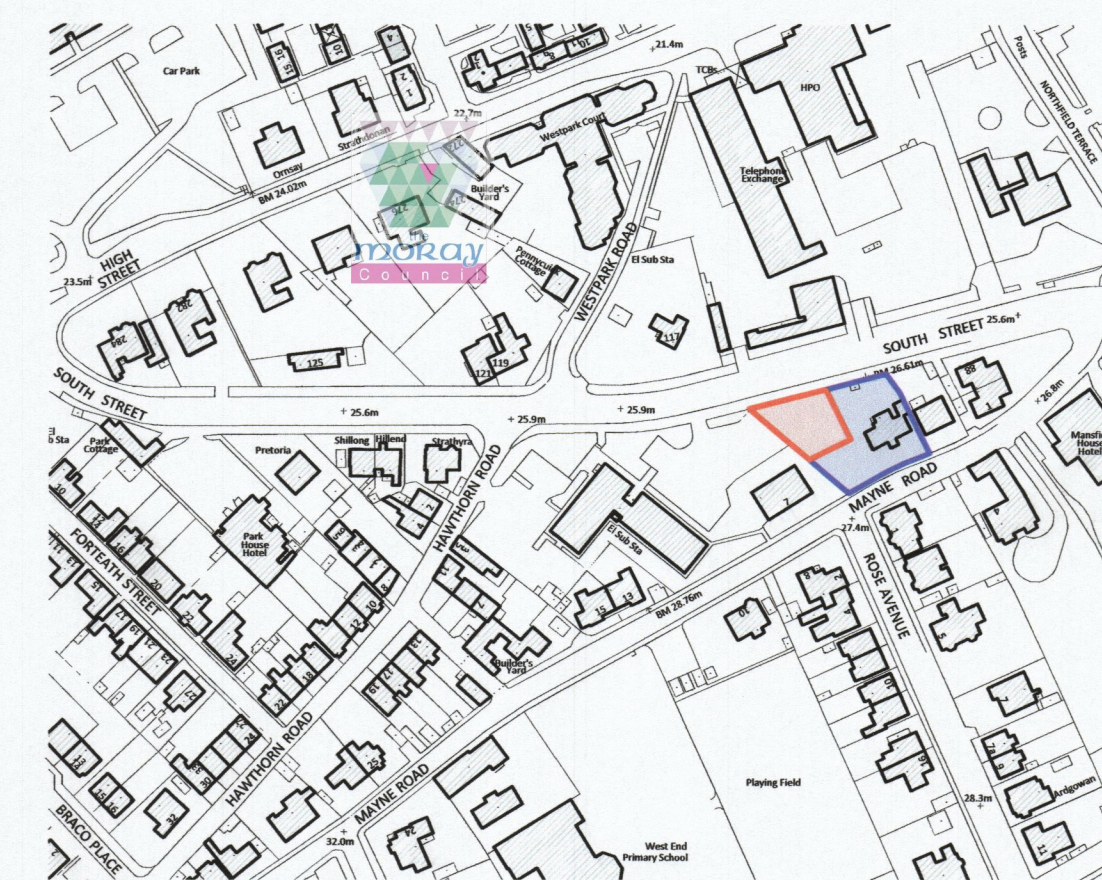
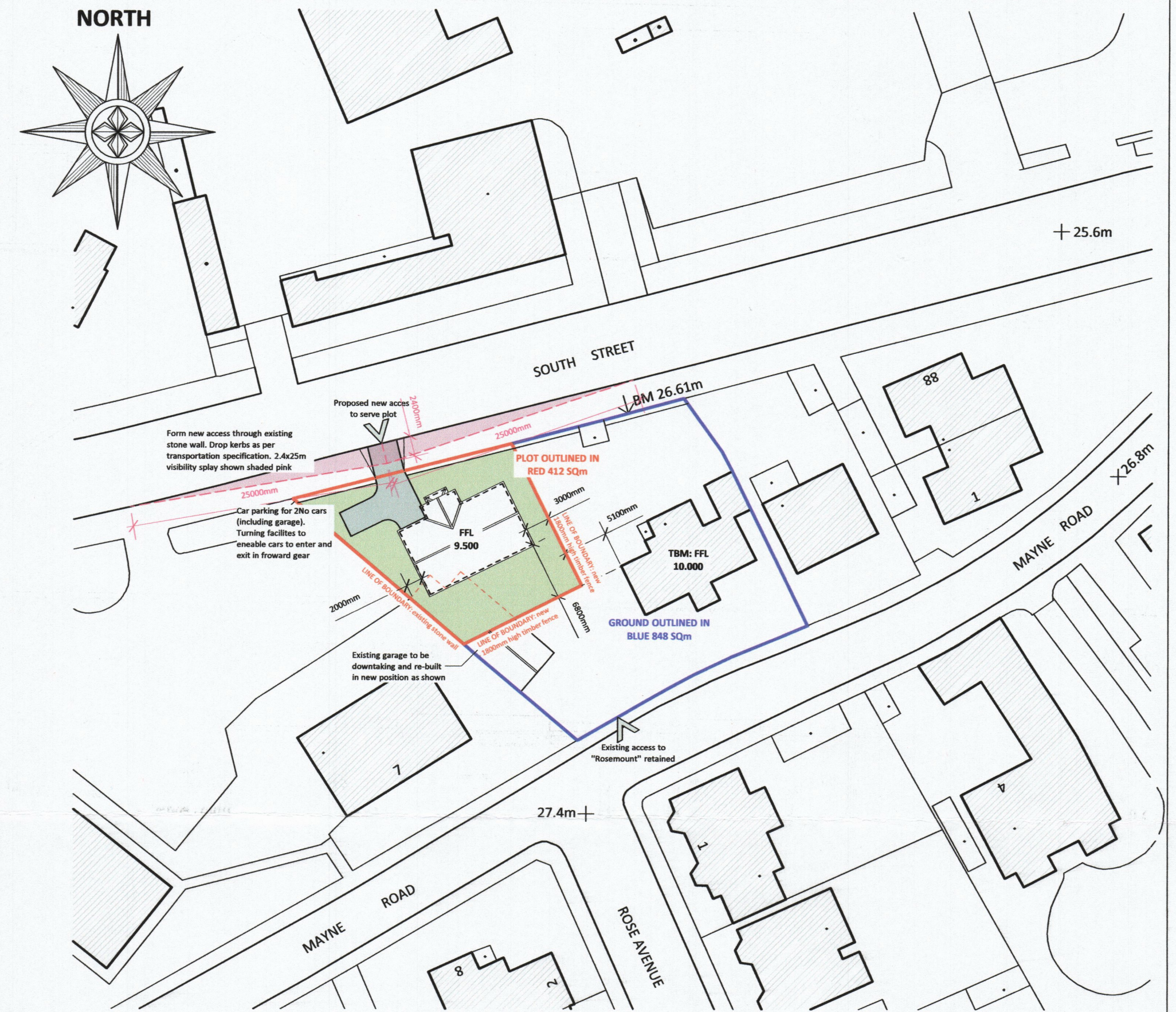
GROUND FLOOR PLAN PROPOSALS 1:50

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

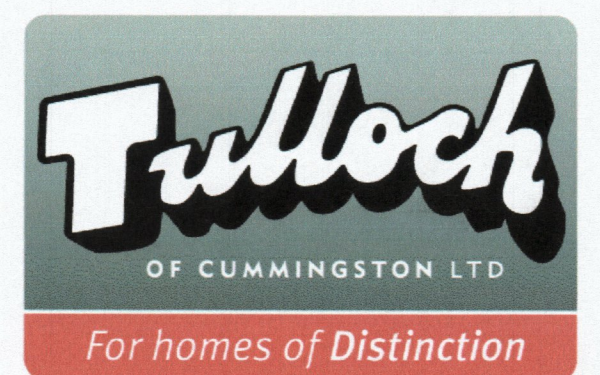
REFUSED

15 June 2017

Development Management
Environmental Services
The Moray Council



LOCATION PLAN 1:2500



Tulloch House, Forsyth Street, Hopeman, IV30 5ST
Tel - (01343) 835600
Web - www.tullochofcummingston.co.uk

Project / job description

SUB DIVISION OF GARDEN GROUND AND ERECTION
OF DWELLINGHOUSE WITHIN GROUNDS OF
"ROSEMOUNT", 5 MAYNE ROAD, ELGIN, IV30 1NY.
FOR MR & MRS ASHER

plot no.	drg. no.	scales
17/ASH/PP01	AS SHOWN	

drg. description

GENERAL ARRANGEMENT

drawn by	date
A.J.Sanderson	April 2017

20 APR 2017

17/00590/APP