



**REPORT TO SUPPORT NOTICE OF REVIEW  
APPLICATION FOR  
19 REIDHAVEN STREET, BUCKIE, MORAY, AB56 4LS  
PLANNING APPLICATION REFERENCE – 19/01018/APP**

## 1. Introduction

This report is submitted as part of the Notice of Review Request relating to the Planning Refusal dated 9<sup>th</sup> October 2019, application reference 19/01018 for 19 Reidhaven Street, Buckie, Moray, AB56 4LY

See Appendix 1 and 2 for Planning Application and Planning Refusal documentation.

The reasons provided by Moray Council for the refusal of the planning application are:

- *“The proposal is contrary to the provisions of the adopted Moray Local Development Plan 2015 (Policies BE3, H4 and IMP1) and should be refused for the following reasons:*

*The proposal is contrary to Policy BE3 as the use of modern UPVC units would fail to preserve or enhance the character of the building or conservation area.*

*The proposed replacement windows would introduce a visually intrusive feature into the historic streetscape. The design and material finish of the proposed replacement windows and door is unsympathetic and by being prominent would fail to preserve or enhance conservation area.”*

We do not agree with the reasons provided for the refusal and as such are seeking a review on the application, please find below the reasons for our notice of review and would request the following be taken into account in determining the review:

- Due to the structural failure of the timber lintels above the windows and door to the front elevation of the property and the windows to the gable dormers at first floor, the windows had to be removed to facilitate urgent, structural repairs.

The windows and doors removed were UPVC, rosewood in colour and were replaced with UPVC, white.

Policy BE3 Conservation Areas Windows states “UPVC or metal framed windows will not normally be considered acceptable”.

Our proposed new windows and door we believe are not contrary to the above Policy as this Policy does not outright reject UPVC windows and doors and as such provides an opportunity, where necessary/extenuating circumstance for the provision of UPVC windows.

As stated above, the windows and door had to be removed to facilitate the necessary, urgent repairs.

The applicant, Mr Crawford has financially spent considerably more than initially planned for the redevelopment of this property. This is due the need for carrying out urgent, remedial works which were only discovered after “opening up” the house and only at that point we uncovered the poor condition, bad workmanship and unsafe condition which the house had been left in by previous occupants. For the safety of both the current residents and pedestrians, these works had to be carried out which has provided for the preservation of the building for future generations.

- We believe that the replacement windows and door is not “unsympathetic and prominent” and does not “introduce a visually intrusive feature into the historic streetscape”, as part of the reason given for refusal.

The existing windows and door were UPVC and we replaced them with UPVC, this was not an introduction of new, it was a direct replacement of the windows and door which already existed within the building.

Furthermore, many of the homes in and surrounding Reidhaven Street have UPVC windows and doors of varying colour and style. Therefore we believe there is currently no vernacular as such for the design of the windows and doors. We strongly believe that the windows and door which have recently been installed at 19 Reidhaven Street do not fail to preserve or enhance the conservation area as stated above.

The redevelopment work carried out by the applicant has ensured the long term maintenance and preservation of this property is paramount, for many years to come, enhancing the conservation area through the preservation of this building.

Please refer to the rest of this report for further information regarding the above.

## **2. The Site: 19 Reidhaven Street, Buckie, Moray, AB56 4LY**

The property is located on Reidhaven Street, between Patrol Road and Commercial Street, Porknockie. (Refer to Location Plan in the Appendix 4.) The property is situated within the Portnockie Conservation area. The property is a typical traditional 1 ½ storey residential house. The front elevation has a front entrance door and two single windows, either side of the door, and above the windows are traditional gable dormers.

The property was granted planning permission in March 2018, to demolish a modern single storey conservatory at the rear elevation, and replace it with a new single storey extension. Internally the rooms at ground floor and at first floor were re-organised to form a more modern layout.

The new extension incorporates a new kitchen, extending into the new open plan family area and new stairs leading to the first floor. A ground floor bedroom was retained, albeit, it is now being used as a reception room. A small bedroom / study has been formed between the new family room and the reception room.

At first floor a re-organisation of the rooms was carried out to form two bedrooms, both with en-suites. A new seating area on the landing between the two bedrooms and a new staircase. Daylight is provided to the landing area by two new conservation style rooflights.

Granite, wet dash and natural slate are traditional materials within the local area. The windows prior to re-development were Rosewood UPVC double glazed windows and they have been replaced with UPVC white window frames. Refer to Appendix 5 for Existing and Proposed Front and Rear elevations.

## **3. Planning Policy**

**Planning Policy BE3 – Conservation Areas – for full text refer to Appendix 3**

Planning Policy BE3 States the following:

Paragraph 1: *“Development proposals within Conservation will be refused if they adversely affect the character and appearance of the conservation area...”*

Windows

*“Replacement windows should match the original windows in proportions and appearance and shall open in a traditional sash manner”, “ or be in the form of casement whichever is appropriate. UPVC or metal framed windows will not normally be considered acceptable.”*

The existing house prior to redevelopment was fitted with UPVC Rosewood double windows. The windows were not traditional in their form, character or material. During the redevelopment the internal plasterboard finishes were removed from the external wall on the ground floor. When the internal timber lintels were inspected, they failed and this has led to the windows and door warping severely. It was not only necessary to remove the lintels, but also the windows and door. Lintels are a structural support, and as such an Amendment to Warrant was applied for and attained. Additional structural information was also required at the time of Amendment to Warrant due to the nature of the repairs undertaken. Once the lintels were replaced, new UPVC windows and a new UPVC front door were installed. The windows and door replaced those that were removed.

Part of the works included the installation of new conservation rooflights to the front elevation. Whilst the works were being carried, the roofer noticed that the masonry walls of the gable dormers were unstable and in imminent state of collapse. With the dormer windows removed, the masonry sub-contractor was able to stabilise the walls. However, new dormer windows were required to replace the windows that were removed. Again, the existing windows were UPVC and they were replaced with new UPVC windows.

**Planning Policy H4 – House Alterations and Extensions - for full text refer to Appendix 3**

Planning Policy H4 States the following:

*“House alterations and extensions will normally be approved if the appearance of the house and the surrounding area is not adversely effected in terms of style, scale, proportions or materials.”*

The new UPVC replacement ground floor windows and first floor dormer windows and front door, do not adversely affect the style, scale, proportions or materials due to the fact that they are of the same material, UPVC, as those windows and door that they directly replaced. The UPVC Rosewood windows and door, were a 1980/1990's addition. The newly installed UPVC windows are a more traditional white colour, and are more in keeping with the house.

**Planning Policy IMP1 – Developer requirement - for full text refer to Appendix 3**

This policy is aimed at the new or replacement houses, and therefore appears not to apply to this application.

Additional information.

The applicant, Mr Crawford, has spent a significant amount of money upgrading and redeveloping the property into a modern home fit for purpose. As is often the case with older properties, as the development progressed, many serious problems were encountered that had to be resolved to ensure that the longevity of the property could be achieved.

Additional works that had to be carried out due to structural failure and poor maintenance by previous owners included:

All structural lintels to the front of the property were replaced. Amendment to Warrant reference – 19/00164/AOW. Refer to Appendix 4.

When the internal partitions were removed to form the new open plan living space, it was discovered that the slab had not be laid level, in fact, it sloped in the direction of the road outside and had been installed un-evenly throughout the property. The slab had been laid very poorly and there were several areas of damp penetration. It was determined after inspection that the existing slab should be lifted and a new insulated slab with full damp proof membrane installed. Refer to Amendment to Warrant - 19/00164/AOW. Refer to Appendix 4.

The plasterboard was removed from the rear wall of the property to allow installation of the new structural supports. After the plasterboard was removed, upon inspection a previously formed window opening was inspected and it was found that the lintels to the opening had insufficient end bearing. The masonry wall had to be partially re-constructed to provide sufficient bearing for the lintels.

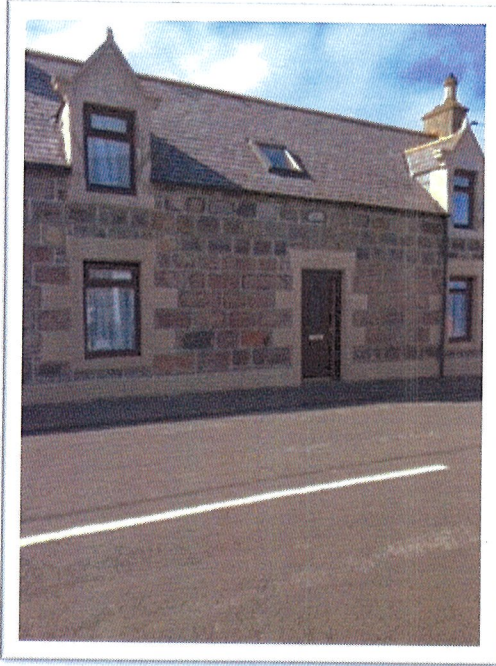
The walls to the gable dormers were found to be unstable and close to collapse. The walls required new structural supports.

Internal timbers to one of the dormers were rotten and replacement timbers were required to repair the roof.

The leadwork to the roof had allowed water penetration and had to be re-laid to prevent further damage.

All the above items added considerable cost to the project however, Mr Crawford instructed the additional works to be carried out in order to enhance and preserve the property.

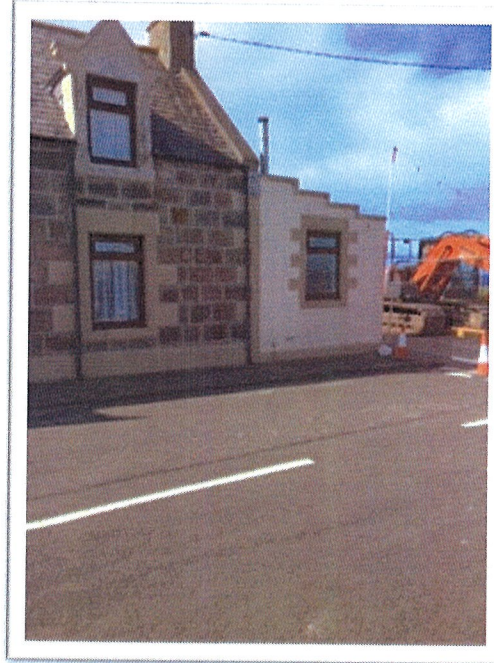
**4. Photographs of local properties with non – compliant windows and doors.**



Photograph Number 1

21 Reidhaven Street.

UPVC windows, non -conservation roof light, wooden door. Gable end UPVC window.



Photograph Number 2



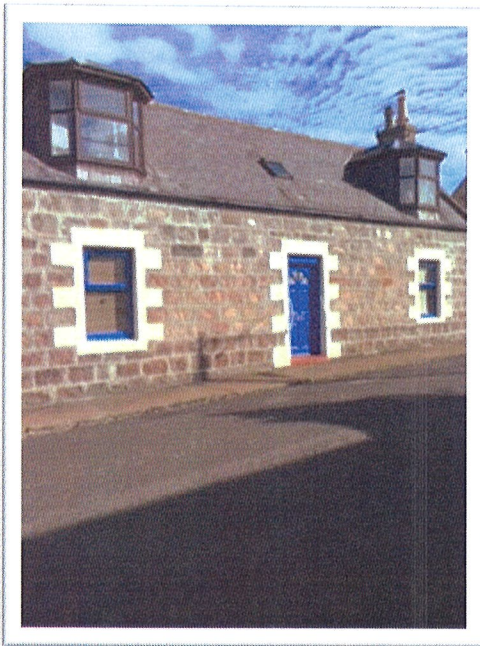
Photograph Number 3

20 Reidhaven Street. UPVC windows and UPVC Door. Gable end with UPVC windows.



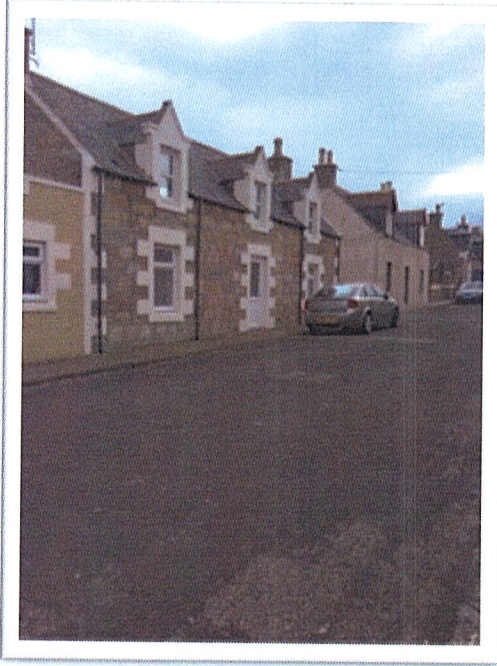
**Photograph Number 4**

**20 Reidhaven Street. UPVC windows and UPVC doors. Gable end with UPVC windows.**



**Photograph Number 5**

**18 Reihaven Street. Wooden window frames and wooden front door. Non compliant conservation rooflight.**



Photograph Number 6

16 Reidhaven Street. UPVC windows and UPVC front door.



Photograph Number 7

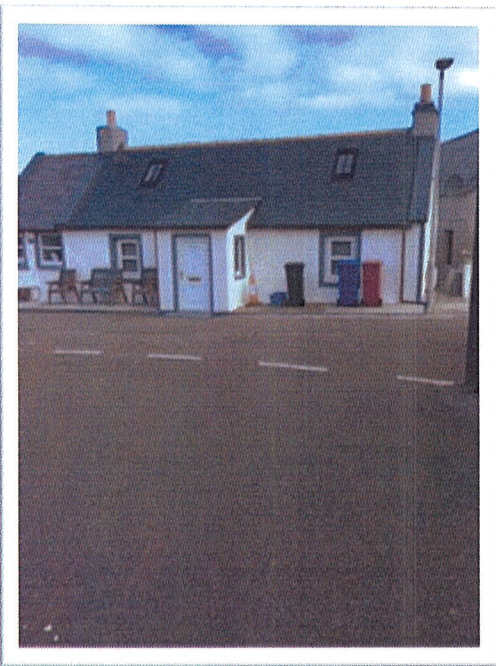
17 Reidhaven Street. UPVC window and wooden front door. Non compliant conservation roof light.





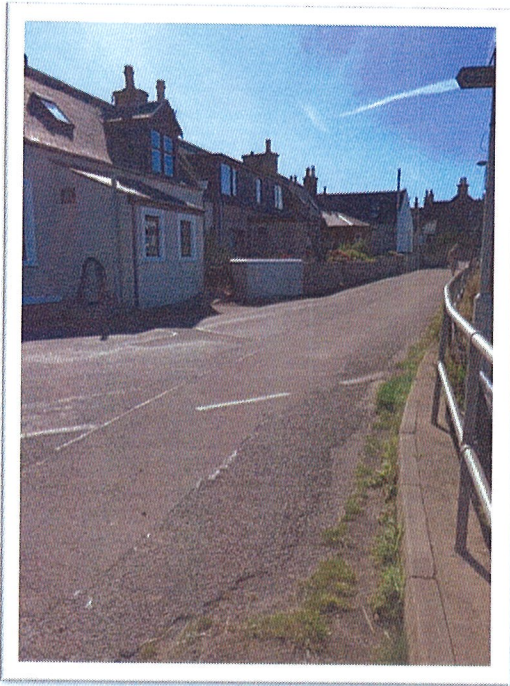
**Photograph Number 8**

5 Reidhaven Street. Wooden window frames, wooden front door. Non compliant conservation roof lights.



**Photograph Number 9**

Dover Street. UPVC window and UPVC door. Conservation rooflights.



Harbour Terrace (all houses have UPVC windows and doors)

During the application period, the planners stated that several of the houses in Reidhaven Street, and the surrounding roads, have traditional wooden framed windows and wooden doors. It is certainly true that several houses do have wooden window frames and doors however, the majority of properties have been installed with UPVC windows and doors. A substantial number of these windows and doors were installed after the formation of the conservation area. The houses with wooden framed windows and wooden doors are generally those that have not been upgraded or renovated. Some of these houses have a mixture of UPVC doors or non-compliant conservation roof light windows.

All the properties along Harbour Terrace, the area most visible to visitors have UPVC windows and UPVC doors installed. The majority of the properties inside the perimeter defined by - Hill Street, Dover Street, and Victoria Street, have been installed with UPVC windows and UPVC doors.

Along Reidhaven Street, 6 out of the 8 properties are fitted with UPVC windows. One house which does have wooden frame windows, has a UPVC door installed and the other house has a non-compliant conservation roof light.

## 5. Summary

The application for the replacement of the windows and door was refused on the grounds that the replacement UPVC windows and door are not acceptable within the Portnockie conservation area. However, the replacement windows and door, installed are UPVC windows replacing existing UPVC windows and door. The only difference between the existing and the new, is that the original windows were rosewood in colour, whilst the new ones are white. The white being a more traditional colour than the more modern rosewood.

## Appendices

Appendix 1 – Planning Application dated 28/06/2019

Appendix 2 – Planning Refusal notice reference and date – 19/01018/APP, 9<sup>th</sup> October 2019.

Appendix 3 – Moray Planning Policy documents H4, BE3 and IMP1.

Appendix 4 – Amendment to Warrant reference and date – 19/00164/AOW, 1<sup>st</sup> October 2019.

Appendix 5 – Location and Block Plan – AD 1146 / PA01

Existing Front and side Elevations – AD 1146 / PA02

Proposed Front and Side Elevations – AD 1146 / PA03

## Appendix 1



The Moray Council Council Office High Street Elgin IV30 1BX Tel: 0300 1234561 Email: [development.control@moray.gov.uk](mailto: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 100176936-001

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.

## Description of Proposal

Please describe accurately the work proposed: \* (Max 500 characters)

Replacement windows to front and side elevation

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

No  Yes - Started  Yes - Completed

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

28/06/2019

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

Client was unaware that a planning application was required.

## 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:	All Design (Scotland) Limited		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	PAUL	Building Name:	James Gregory Centre,
Last Name: *	WALBER	Building Number:	
Telephone Number: *	01224 701576	Address 1 (Street): *	Campus 2
Extension Number:		Address 2:	Bridge of Don
Mobile Number:		Town/City: *	Aberdeen
Fax Number:		Country: *	United Kingdom
		Postcode: *	AB22 8GU
Email Address: *	paul@all-design.co.uk		

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

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Michael	Building Number:	19
Last Name: *	Crawford	Address 1 (Street): *	Reidhaven Street
Company/Organisation:		Address 2:	
Telephone Number: *		Town/City: *	Portnockie
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	AB56 4LS
Fax Number:			
Email Address: *			

## Site Address Details

Planning Authority:

Moray Council

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

Address 1:

19 REIDHAVEN STREET

Address 2:

PORTKNOCKIE

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

BUCKIE

Post Code:

AB56 4LS

Please identify/describe the location of the site or sites

Northing

868593

Easting

348974

## Pre-Application Discussion

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

Yes  No

## 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.

## Access and Parking

Are you proposing a new or 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 proposed to make. You should also show existing footpaths and note if there will be any impact on these.

## Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? \*

Yes  No

## Certificates and Notices

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

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

Are you/the applicant the sole owner of ALL the land? \*

Yes  No

Is any of the land part of an agricultural holding? \*

Yes  No

## Certificate Required

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

Certificate A

## Land Ownership Certificate

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

Certificate A

I hereby certify that –

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

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

Signed: PAUL WALBER

On behalf of: Mr Michael Crawford

Date: 15/08/2019

Please tick here to certify this Certificate. \*



## Checklist – Application for Householder Application

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) Have you provided a written description of the development to which it relates? \*  Yes  No
- b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? \*  Yes  No
- c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent? \*  Yes  No
- d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? \*. This should have a north point and be drawn to an identified scale.  Yes  No
- e) Have you provided a certificate of ownership? \*  Yes  No
- f) Have you provided the fee payable under the Fees Regulations? \*  Yes  No
- g) Have you provided any other plans as necessary? \*  Yes  No

Continued on the next page

A copy of the other plans and drawings or information necessary to describe the proposals (two must be selected). \*

You can attach these electronic documents later in the process.

- Existing and Proposed elevations.
- Existing and proposed floor plans.
- Cross sections.
- Site layout plan/Block plans (including access).
- Roof plan.
- Photographs and/or photomontages.

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding.  Yes  No

A Supporting Statement – you may wish to provide additional background information or justification for your Proposal. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. \*  Yes  No

You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been Received by the planning authority.

## Declare – For Householder Application

I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying Plans/drawings and additional information.

Declaration Name: Mr PAUL WALBER

Declaration Date: 15/08/2019

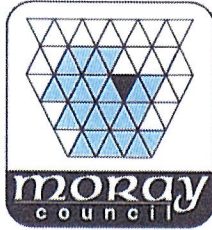
## Payment Details

Online payment: 092339

Payment date: 15/08/2019 16:36:40

Created: 15/08/2019 16:36

## Appendix 2



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

**REFUSAL OF PLANNING PERMISSION**

**[Keith And Cullen]  
Application for Planning Permission**

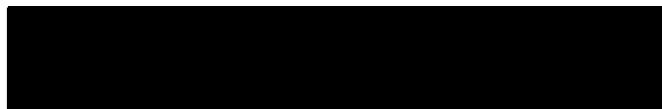
TO Mr Michael Crawford  
c/o All Design (Scotland) Limited  
James Gregory Centre,  
Campus 2  
Bridge of Don  
Aberdeen  
United Kingdom  
AB22 8GU

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:-

**Replacement windows to front and side elevation 19 Reidhaven Street  
Portknockie Buckie Moray**

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

Date of Notice: **9 October 2019**



Pp

**HEAD OF DEVELOPMENT SERVICES**  
Environmental Services Department  
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, 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 adopted Moray Local Development Plan 2015 (Policies BE3, H4 & IMP1) and should be refused for the following reasons:

- The proposal is contrary to Policy BE3 as the use of modern UPVC units would fail to preserve or enhance the character of the building or conservation area.
- The proposed replacement windows would introduce a visually intrusive feature into the historic streetscape. The design and material finish of the proposed replacement windows and door is unsympathetic and by being prominent would fail to preserve or enhance conservation area.

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

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

Reference	Version	Title
AD 1146/200	A	Site and location plan
AD 1146/202	B	Proposed elevations

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

N/A

**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, Moray Council Local Review Body, Legal and Committee Services, Council Offices, High Street, Elgin IV30 1BX. This form is also available and can be submitted online or downloaded from [www.eplanning.scotland.gov.uk](http://www.eplanning.scotland.gov.uk)

If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

## Appendix 3

#### Policy H4 House Alterations and Extensions

House alterations and extensions will normally be approved if the appearance of the house and the surrounding area is not adversely affected in terms of style, scale, proportions or materials.

Pitched roofs will be preferred to flat roofs, pitched dormers to box dormers. Existing stone walls should be retained as far as possible.

##### Justification:

The policy discourages badly designed extensions and alterations. This is intended to safeguard the character and amenity of established residential areas.

#### Policy H5 Development Within Rural Groupings

This policy will apply to all groupings identified and contained in the Rural Groupings Supplementary Guidance.

New Housing within designated Rural Groupings will be acceptable in principle, provided standard technical and infrastructure requirements have been met (road access; drainage etc). The scale and design of proposals must fit the character of the area, and should not adversely impact on environmental amenity.

Potential sites have been identified in some locations. Areas of land which contribute to the environmental setting and character (eg trees; woodland; area of open space) have been identified as "amenity land", and proposals which adversely affect the amenity value of such sites, will not be approved.

During the currency of the Local Development Plan, the Council will carry out a full Review of these designations and produce Supplementary Planning Guidance that will consider matters such as revised boundaries; sites with development potential; removal of existing designations or the addition of new groupings. This will be subject of consultation, and on completion, will be adopted as a formal part of the Plan.

##### Justification

The Plan seeks to maintain and encourage the growth of population levels within rural areas, with a preference for expanding/building alongside existing groupings as a means of reducing the pressure for housing in open countryside. The identification of sites with potential for development will also help in the provision of a generous supply of housing land, as required by Scottish Planning Policy.



Development proposals within Conservation Areas will be refused if they adversely affect the character and appearance of the Conservation Area in terms of scale, height, colour, detailed design, use and siting.

All development within the Conservation Area should preserve or enhance the established traditional character and appearance of the area. Given the importance of assessing design matters, applications for planning permission in principle must be accompanied by sufficient information to allow an appraisal of the potential impact on the Conservation Area.

Development proposals involving the demolition of buildings within a Conservation Area will be refused unless the building is of little townscape value, if its structural condition rules out retention at a reasonable cost, or its form or location make its re-use extremely difficult. Where redevelopment is proposed, consent to demolish will only be granted where there are acceptable proposals for the new building.

Minor works in Conservation Areas including boundary walls, fences, external fixtures and advertisements can adversely affect its character. Proposals of this nature will be assessed in line with Managing Change in the Historic Environment Guidance Notes.

#### Windows

Replacement windows shall match the original windows in proportions and appearance and shall open in a traditional sash manner (or by means of an approved sliding and tilting mechanism) or be in the form of casements whichever is appropriate. UPVC or metal framed windows will not normally be considered acceptable.

#### Signage

Signage obscuring architectural details will not be permitted. Signage should be timber or etched glass; synthetic materials are not considered appropriate. Signage should also harmonise with the colour of the shop front and lettering should be individual and hand painted. Projecting signage shall be traditional timber design. Illumination of signage shall be by discreet trough lighting, internal illumination is not considered to be acceptable.

#### Justification

Conservation Areas are areas of special architectural or historic interest where it is desirable to preserve or enhance the character or appearance of the area. The aim of this policy is to preserve and enhance Moray's Conservation Areas. There are Conservation Areas in Archiestown, Berryhillock, Burghead, Buckie, Cullen, Elgin, Findochty, Fochabers, Forres, Garmouth, Keith, Kingston, Portknockie and Whitemire.

The demolition of a single building and construction of new building in its place could result in the character and appearance of a Conservation Area being affected. If a building in a Conservation Area has fallen into a state of disrepair then a positive attempt should be made to retain, restore or convert the building before proposals to demolish are seriously investigated.

**Policy IMP1 Developer Requirements**

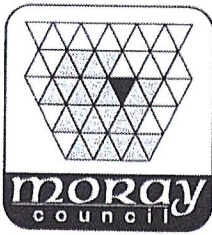
New development will require to be sensitively sited, designed and serviced appropriate to the amenity of the surrounding area. It should comply with the following criteria

- a) The scale, density and character must be appropriate to the surrounding area.
- b) The development must be integrated into the surrounding landscape
- c) Road, cycling, footpath and public transport must be provided at a level appropriate to the development. Core paths; long distance footpaths; national cycle routes must not be adversely affected.
- d) Acceptable water and drainage provision must be made, including the use of sustainable urban drainage systems (SUDS) for dealing with surface water.
- e) Where of an appropriate scale, developments should demonstrate how they will incorporate renewable energy systems, and sustainable design and construction. Supplementary Guidance will be produced to expand upon some of these criteria.
- f) Make provision for additional areas of open space within developments.
- g) Details of arrangements for the long term maintenance of landscape areas and amenity open spaces must be provided along with Planning applications.
- h) Conservation and where possible enhancement of natural and built environmental resources must be achieved, including details of any impacts arising from the disturbance of carbon rich soil.
- i) Avoid areas at risk of flooding, and where necessary carry out flood management measures.
- j) Address any potential risk of pollution including ground water contamination in accordance with recognised pollution prevention and control measures.
- k) Address and sufficiently mitigate any contaminated land issues
- l) Does not sterilise significant workable reserves of minerals or prime quality agricultural land.
- m) Make acceptable arrangements for waste management.

**Justification**

The quality of development in terms of its siting, design and servicing is a priority consideration within the Plan. In the first instance, development needs to be suitable to the surrounding built and natural environment. Development should be adequately serviced in terms of transport, water, drainage, with particular emphasis on providing pedestrian and cycle access, and any necessary public transport facilities/connections. The use of SUDS and incorporation of renewable energy techniques and sustainable design and construction methods will all help promote sustainability in Moray. Most of the serious flood risks have been addressed by flood alleviation schemes, but there are still areas that are susceptible and these should be avoided. Similarly, pollution issues in relation to air, noise, groundwater and ground contamination, must be adequately addressed to provide proper development standards.

## Appendix 4



## DEVELOPMENT SERVICES

Callum Ord  
Building Standards Officer  
Moray Council  
PO Box 6760 Elgin Moray IV30 1BX  
Telephone: 01343 563037 Fax: 01343 563990

Mr Michael Crawford  
c/o All Design (Scotland) Limited  
James Gregory Centre,  
Campus 2  
Bridge of Don  
Aberdeen  
AB22 8GU

E-mail: [callum.ord@moray.gov.uk](mailto:callum.ord@moray.gov.uk)  
Website: [www.moray.gov.uk](http://www.moray.gov.uk)

Your reference:  
Our reference: 19/00164/AOW

*1 October 2019*

Dear Sir(s)/Madam

**Building (Scotland) Act 2003**  
**Building (Scotland) Regulations 2004**  
**Amendment of Warrant: 19 Reidhaven Street Portknockie Buckie Moray AB56 4LS**

I refer to your application for Amendment of Building Warrant received on 21 February 2019 and now have pleasure in enclosing your Amendment of Building Warrant together with one copy of the docquetted plan(s).

This Building Warrant is issued on condition that all operations are carried out strictly in accordance with the approved plans. Deviation from these plans, no matter how trivial, without prior approval of this Authority, may result in non-compliance with Building Regulations and consequently lead to difficulty in having a Completion Certificate accepted, without which the building may not be occupied or used. It should also be noted that applicants are strongly advised to engage their own professional advisers at all stages of construction. The acceptance of a Completion Certificate by the Buildings authority is no guarantee of standard of workmanship, particularly with regard to cosmetic finishes.

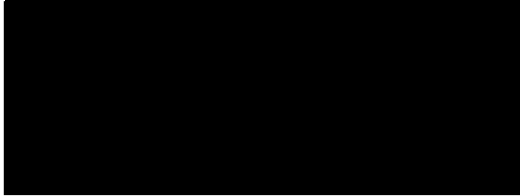
The Building Warrant is also granted on the basis of the information and detail presented in the accompanying plan(s). The building designer must however ensure that the design submitted, including connections and compatibility with all other elements of the structure, and with adjacent structures, is satisfactory in terms of the overall stability of the entire building.

It is also the building owner's responsibility to ensure that any changes incorporated into the proposals arising from conditions found to be more onerous than envisaged at design stage should be brought to the attention of the relevant authority.

Where/

Where Building Warrants are issued to an Agent, this letter should be forwarded to the applicant.

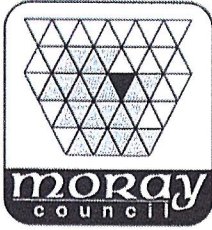
Yours faithfully



**Callum Ord**  
**Building Standards Officer**

*Enc*

Comments about our service? Please complete our brief online customer survey.  
[www.surveymonkey.com/s/MorayBuildingStandards](http://www.surveymonkey.com/s/MorayBuildingStandards)



**BUILDING (SCOTLAND) ACT 2003  
AMENDMENT TO BUILDING WARRANT**  
Amendment under section 9 of a building warrant

This amendment of building warrant detailed below is granted by Moray Council in connection with the application for amendment by Mr Michael Crawford.

**Reference Number**

The reference number of this amendment is 19/00164/AOW

**Details of original building warrant**

Date of building warrant 18 June 2018

Reference number of building warrant 18/00318/BW

**Address of building or site to which the warrant applies:**

19 Reidhaven Street

Portknockie

Buckie

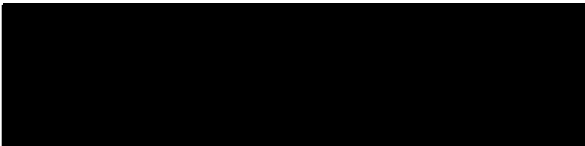
Moray

AB56 4LS

**Amendment(s) to building warrant**

Amendment of Warrant: Timber lintels to windows and door head replaced with concrete lintels and existing floor slab removed and replaced with new

A copy of the plans showing this amendment are enclosed



.....(Signed) for Moray Council

1 October 2019

<p style="text-align: center;"><b>WARNING</b></p> <p><b>PLEASE NOTE THAT APPROVAL OF AMENDMENT OF BUILDING WARRANT DOES NOT</b></p> <ul style="list-style-type: none"><li>• REMOVE THE NEED TO OBTAIN AMENDED PLANNING PERMISSION IF THAT IS REQUIRED (CONSULT THE PLANNING AUTHORITY IF IN DOUBT).</li><li>• EXTEND THE PERIOD OF VALIDITY OF THE BUILDING WARRANT.</li></ul>
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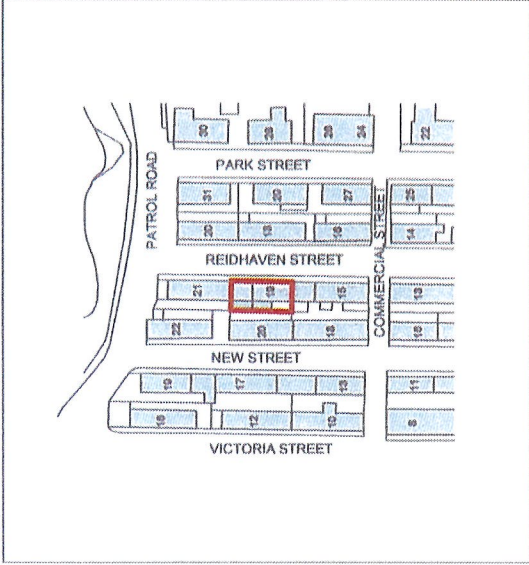
## Appendix 5

These drawings are to be read in conjunction with:  
AD 1146 / PA02, and PA05.

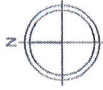
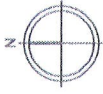
Copyright: All rights reserved. This drawing must not be reproduced without permission. This drawing must not be scaled. Main contractor to check all dimensions. Construction or manufacturer of components not to be carried out if Main contractor has doubt regarding dimension. Contact designer immediately. Dimensions are in millimetres unless otherwise specified. These drawings are for Planning and Building Warrant Submissions only.



Block Plan  
Scale 1:200



Location Plan  
Scale 1:1250



Aberdeen Innovation Centre, Campus 2, James Gregory  
Centre, Bridge of Don, Aberdeen, AB23 8GU  
Telephone Number - 01224 701576  
Website : [www.aii-design.co.uk](http://www.aii-design.co.uk)

Project Residential Development at 19 Reidhaven  
Street, Portnockie, AB56 4LS. - Appeal

Drawing Title Location and Block Plan

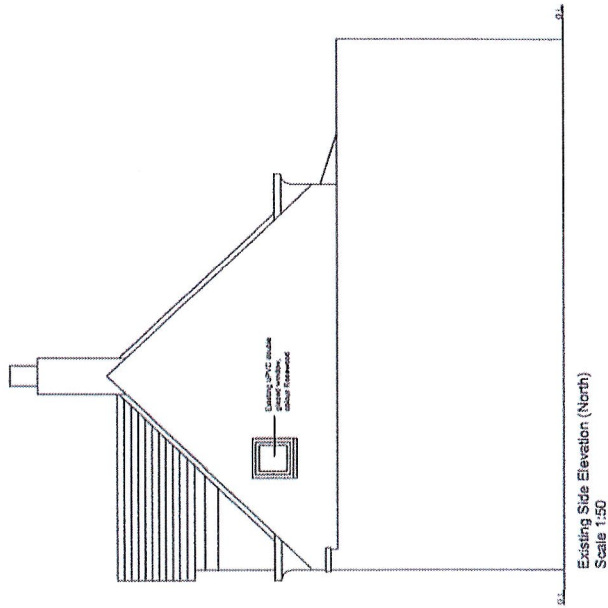
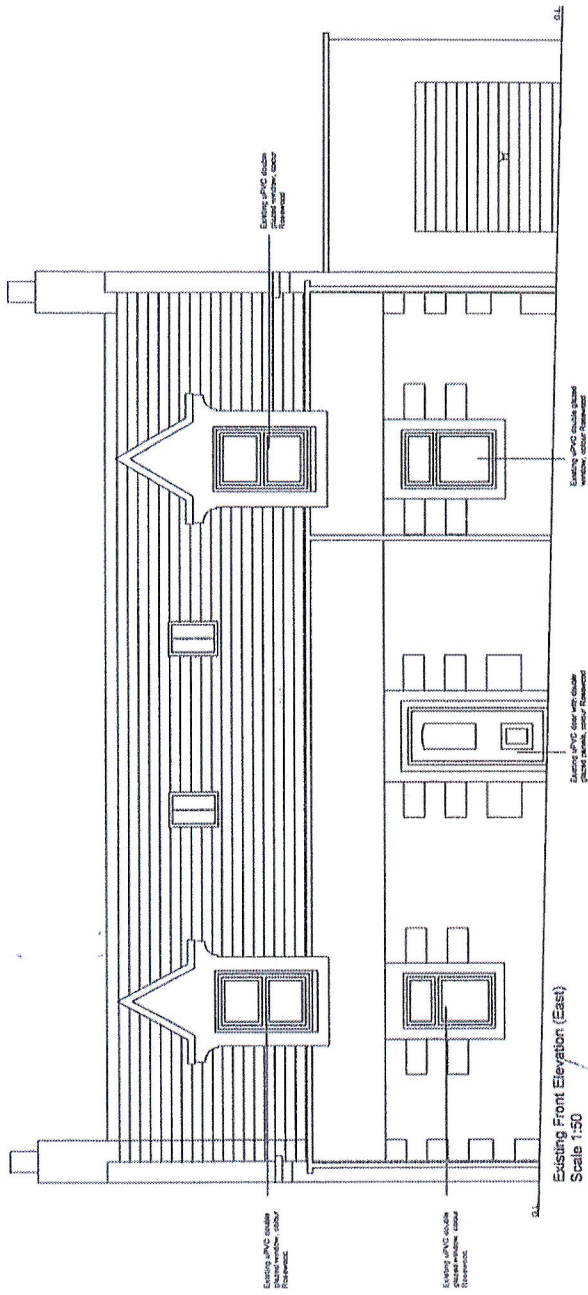
Drawing Number AD 1146 / PA01

Scale 1:1250, 1:200 @ A3 Date : 6th January 2020  
Drawn : PW



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These drawings are to be read in conjunction with:  
AD 1146 / PA02, and PA03.



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Project Residential Development at 19 Reidhaven  
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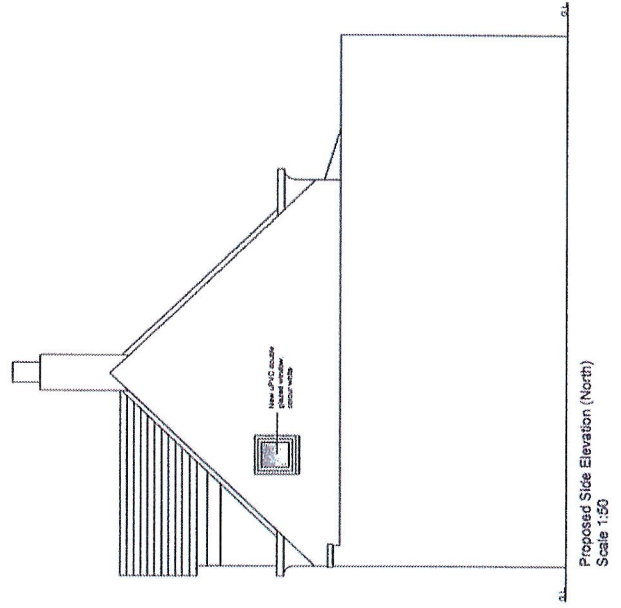
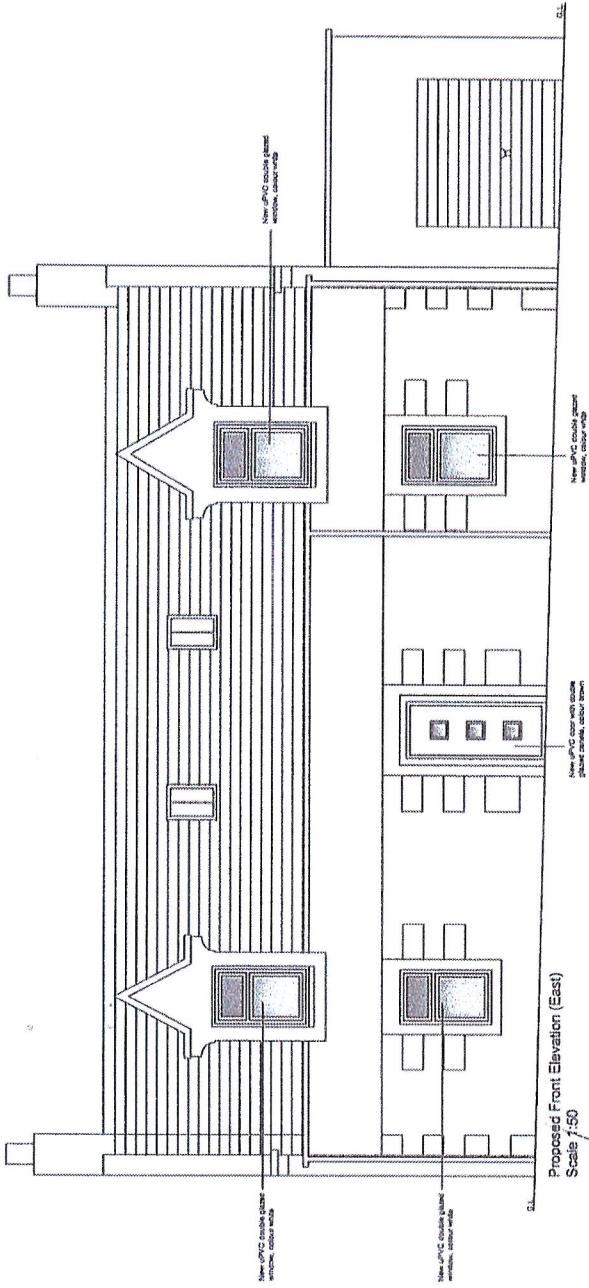
Drawing Title Existing Front and Side Elevation.

Drawing Number AD 1146 / PA02

Scale 1:50 @ A2 Date : 6th January 2020  
Drawn : PK

These drawings are to be read in conjunction with AD 1146 / PA03 and PA02.

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Telephone Number - 01224 701576  
Website : www.aii-design.co.uk

Project: Residential Development at 19 Rathhaven Street, Portnockie, AB56 4LS. - Appeal

Drawing Title: Proposed Front and Side Elevations.

Drawing Number: AD 1146 / PA03

Scale: 1:50 @ A2  
Date: 6th January 2020  
Drawn: PW