



The Moray Council Council Office High Street Elgin IV30 1BX Tel: 0300 1234561 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 100235301-001

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)

Planning Permission in Principle to erect dwellinghouse on Site 500M South East Of Wester Hillside, Mosstowie, Elgin

Is this a temporary permission? \*  Yes  No

If a change of use is to be included in the proposal has it already taken place?  
(Answer 'No' if there is no change of use.) \*  Yes  No

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

No  Yes – Started  Yes - Completed

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant  Agent

## Agent Details

Please enter Agent details

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

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

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	per grant and geoghegan
First Name: *	Niall	Building Number:	<input type="text"/>
Last Name: *	Mustard	Address 1 (Street): *	Unit 4 Westerton Road Business
Company/Organisation	<input type="text"/>	Address 2:	4 Westerton Road South
Telephone Number: *	<input type="text"/>	Town/City: *	KEITH
Extension Number:	<input type="text"/>	Country: *	Moray
Mobile Number:	<input type="text"/>	Postcode: *	AB55 5FH
Fax Number:	<input type="text"/>		
Email Address: *	neil@ggmail.co.uk		

## 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

Northing

859887

Easting

315693

## Pre-Application Discussion

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

Yes  No

## Site Area

Please state the site area:

0.67

Please state the measurement type used:

Hectares (ha)  Square Metres (sq.m)

## Existing Use

Please describe the current or most recent use: \* (Max 500 characters)

Undeveloped land

## Access and Parking

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

Yes  No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? \*  Yes  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.

## Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? \*  Yes  No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? \*

- Yes – connecting to public drainage network  
 No – proposing to make private drainage arrangements  
 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? \*

- New/Altered septic tank.  
 Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed).  
 Other private drainage arrangement (such as chemical toilets or composting toilets).

Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: \*

Treatment plant to soakaway to ditch.

Do your proposals make provision for sustainable drainage of surface water?? \*  Yes  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.

## All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? \*

Yes  No

## Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) \*

Yes  No  Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

## Planning Service Employee/Elected Member Interest

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

Yes  No

## Certificates and Notices

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

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

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

Yes  No

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

Yes  No

Do you have any agricultural tenants? \*

Yes  No

## Certificate Required

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

Certificate E

# Land Ownership Certificate

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

Certificate E

I hereby certify that –

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

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

Or

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

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

Name:

Address:

Date of Service of Notice: \*

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

Signed: Neil Grant

On behalf of: Mr Niall Mustard

Date: 17/02/2020

Please tick here to certify this Certificate. \*

## Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

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

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? \*

Yes  No  Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? \*

Yes  No  Not applicable to this application

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

Yes  No  Not applicable to this application

Town and Country Planning (Scotland) Act 1997

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

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

Yes  No  Not applicable to this application

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

Yes  No  Not applicable to this application

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

Yes  No  Not applicable to this application

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

Site Layout Plan or Block plan.

Elevations.

Floor plans.

Cross sections.

Roof plan.

Master Plan/Framework Plan.

Landscape plan.

Photographs and/or photomontages.

Other.

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

Visibility splay

Provide copies of the following documents if applicable:

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

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

Site Investigation & Drainage Assessment

## Declare – For Application to Planning Authority

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

Declaration Name: Mr Neil Grant

Declaration Date: 17/02/2020

## Payment Details

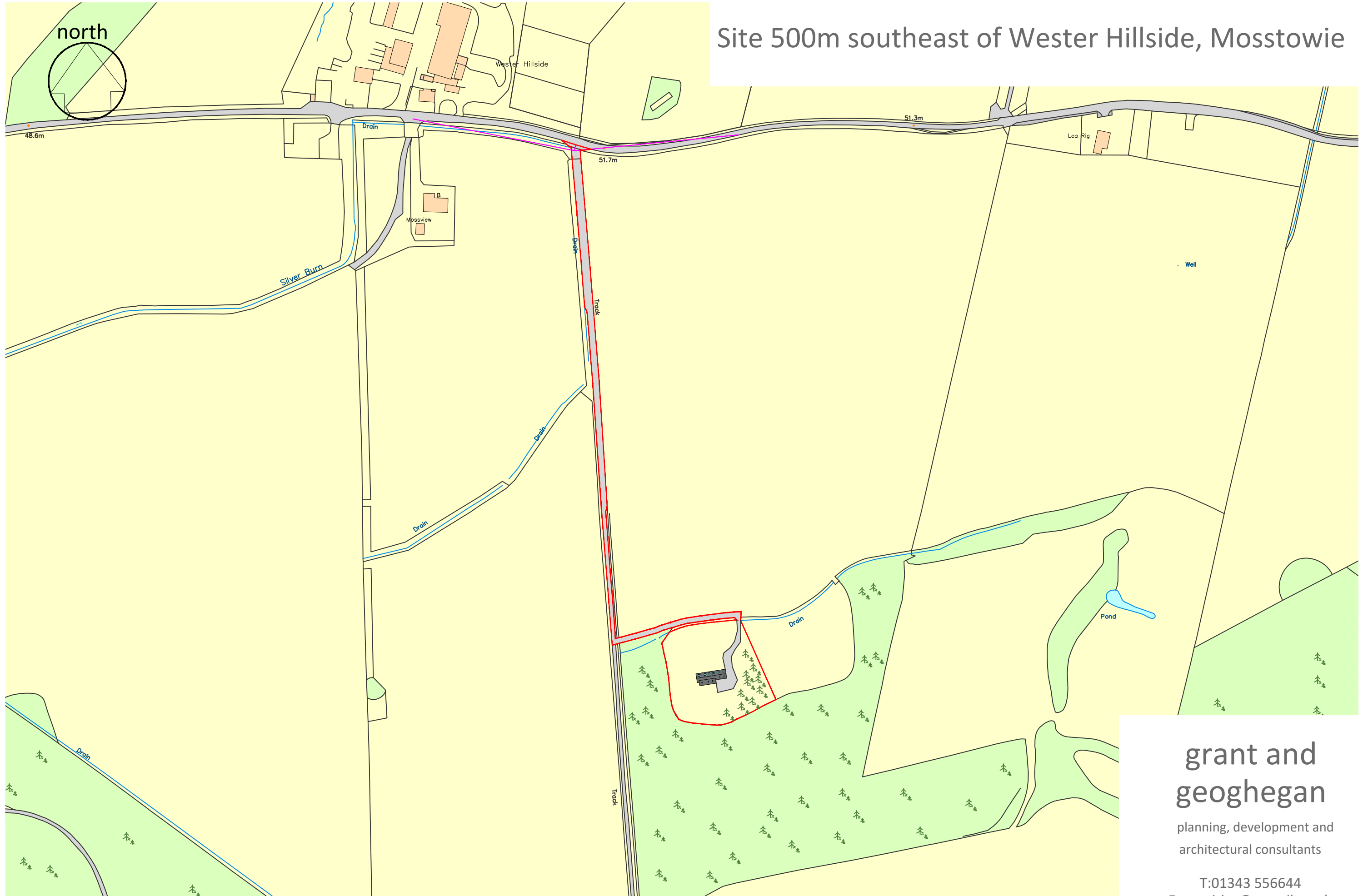
Online payment: 088713

Payment date: 17/02/2020 10:56:02

Created: 17/02/2020 10:56



Site 500m southeast of Wester Hillside, Mosstowie



grant and  
geoghegan

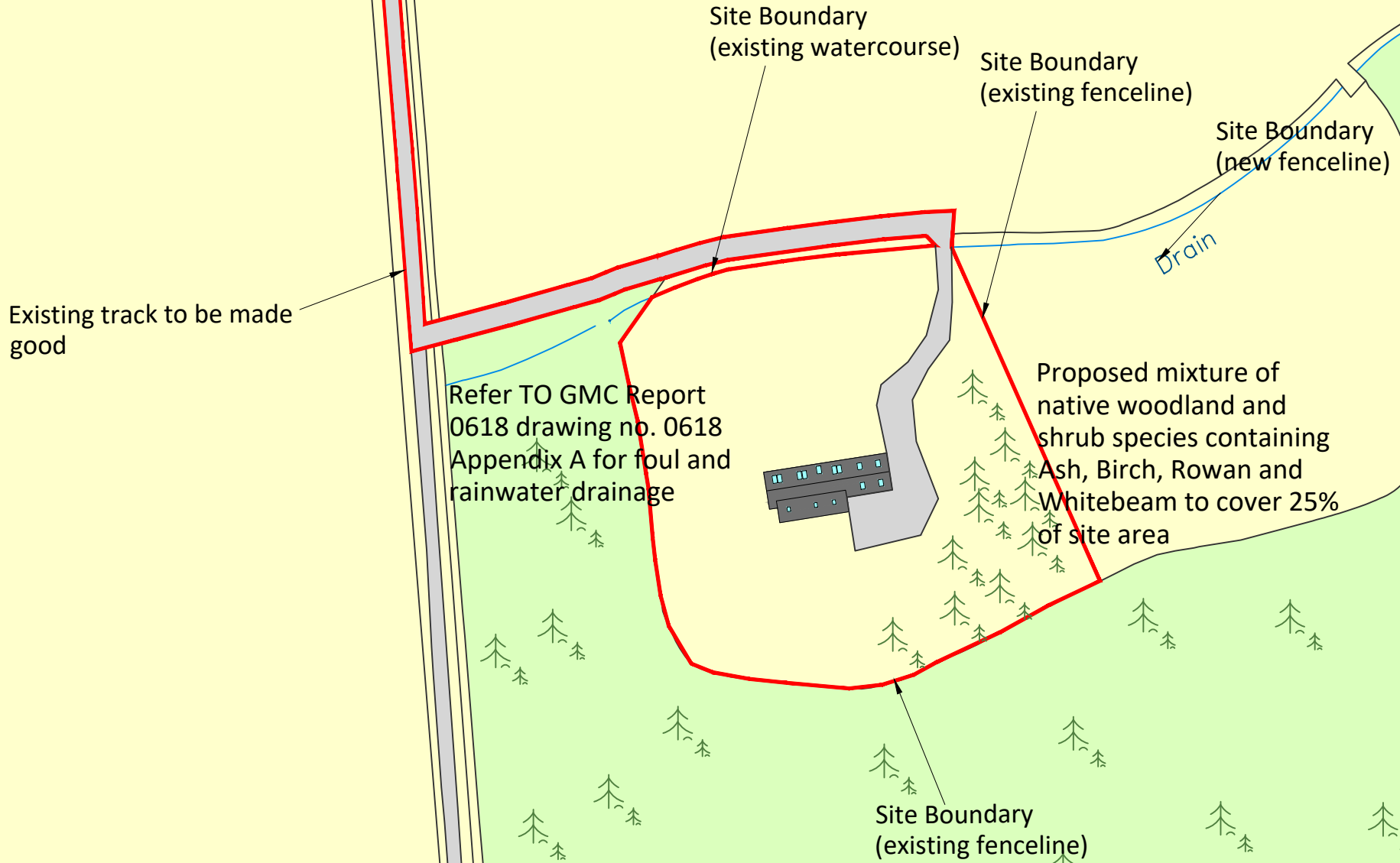
planning, development and  
architectural consultants

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



Site 500m southeast of Wester Hillside, Mosstowie

north



Refer TO GMC Report 0618 drawing no. 0618 Appendix A for foul and rainwater drainage

Proposed mixture of native woodland and shrub species containing Ash, Birch, Rowan and Whitebeam to cover 25% of site area

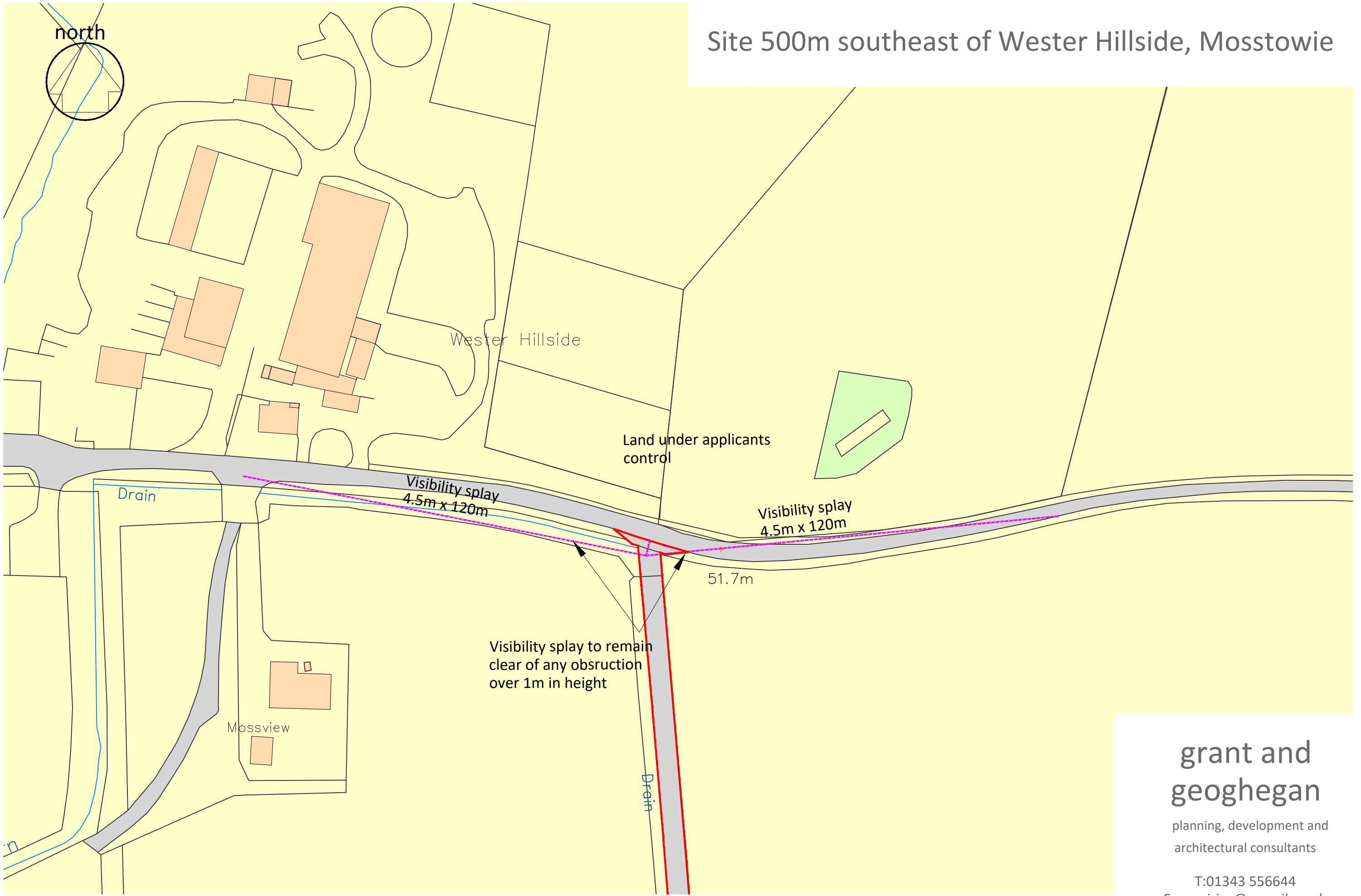
grant and geoghegan

planning, development and architectural consultants

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E:enquiries@ggmail.co.uk



Site 500m southeast of Wester Hillside, Mosstowie



Wester Hillside

Land under applicants control

Drain

Visibility splay  
4.5m x 120m

Visibility splay  
4.5m x 120m

51.7m

Visibility splay to remain clear of any obstruction over 1m in height

Mossvie

Drain

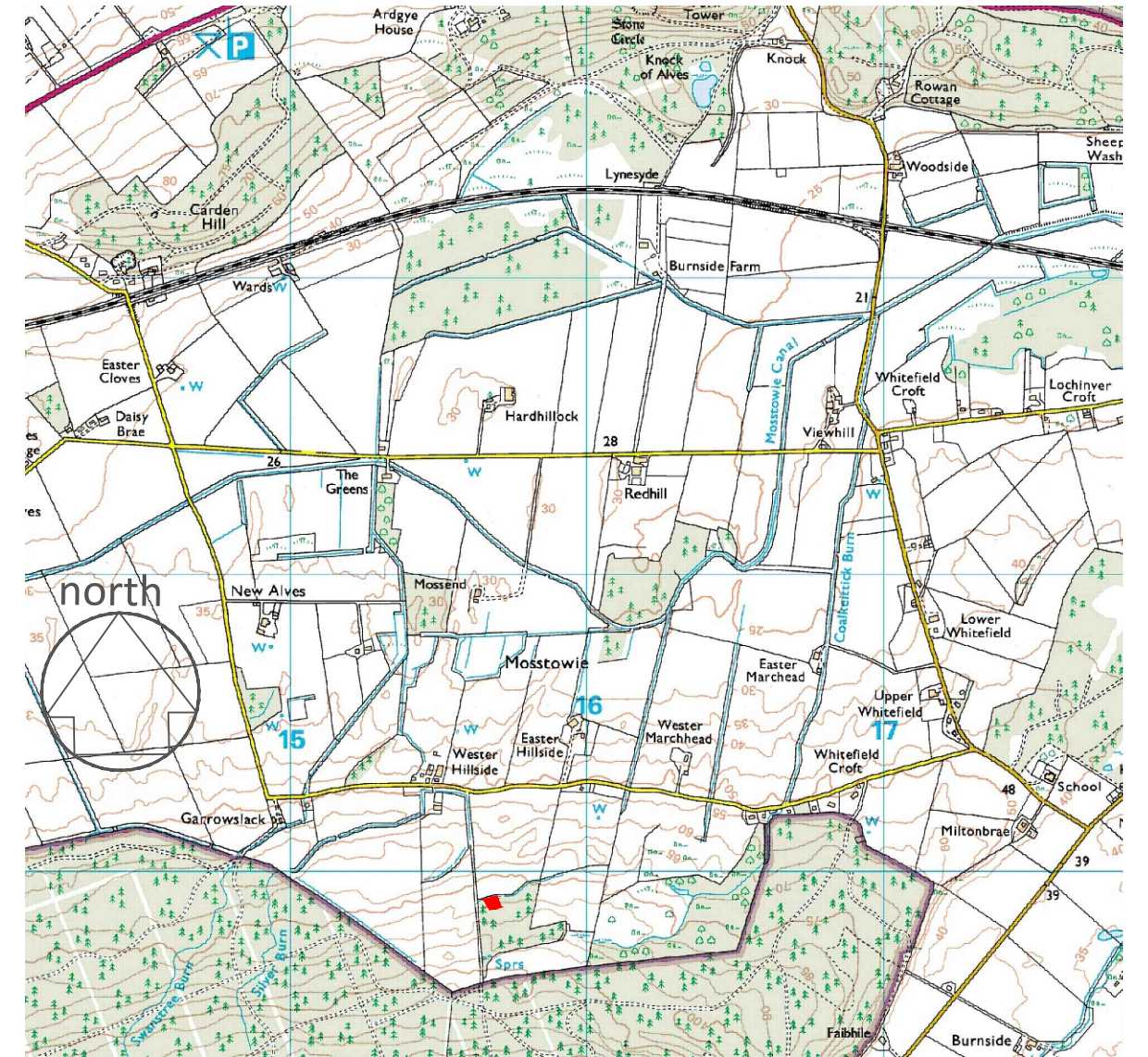
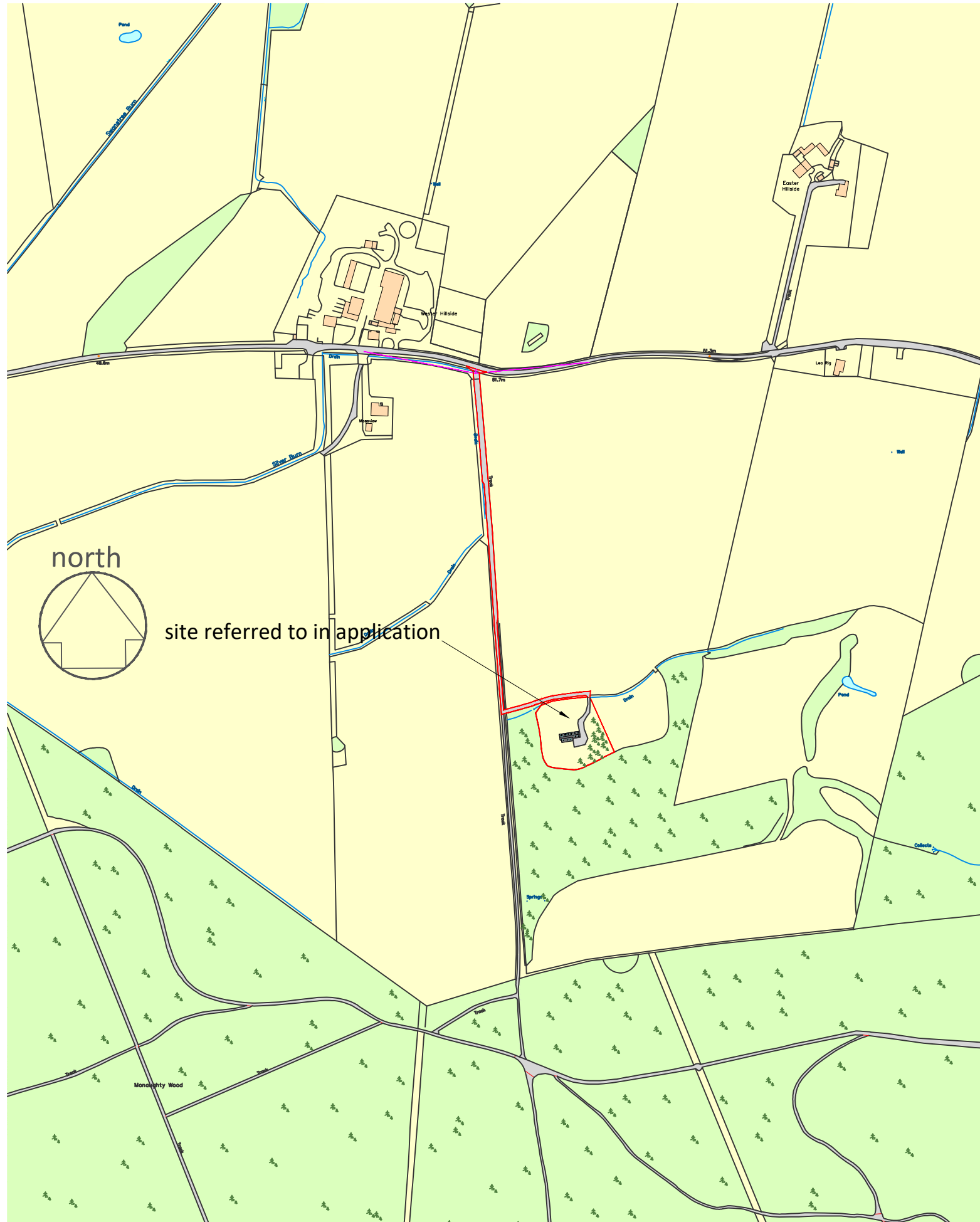
grant and geoghegan

planning, development and architectural consultants

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# Site 500m southeast of Wester Hillside, Mosstowie



os map

grant and  
geoghegan

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Gary Mackintosh  
Email: [gmsurveys@gmail.com](mailto:gmsurveys@gmail.com)  
Tel: 07557431702

# gmsurveys

Surveys, Setting-Out Civil Engineering Design

## Site Investigation & Drainage Assessment

SITE TO SOUTH EAST OF HILLSIDE, MOSSTOWIE

Gary Mackintosh Bsc  
[gmsurveys@gmail.com](mailto:gmsurveys@gmail.com)

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***Client:***

Mr N Mustard

***Site Address:***

Site Approximately 500m South East of Hillside

Mosstowie

By Elgin

***Planning Reference:***

TBC

***Date:***

3<sup>rd</sup> February 2020

***Job Number:***

0618

***Company Information:***

Assessment completed by:

Gary Mackintosh Bsc

**GMCSurveys**

34 Castle Street

Forres

Moray

IV36 1PW

Email: gmcsurveys@gmail.com

Telephone: 07557431702

***Site Description:***

The site is located approximately 500m south east of Hillside, Mosstowie, by Elgin. The proposals are to erect a new private dwelling and associated infrastructure.

The SEPA Flood maps have been consulted which indicate that the site lies out with any areas of fluvial flood risk. There are isolated areas highlighted to be at risk of pluvial flooding during a 1:200year event. These areas relate to low points within the site within which, drainage ditches are located which channel excess surface water flows to the north and east of the site therefore it is considered that the site area itself is not at risk of surface water flooding during a 1:200year event. The location of the existing drainage ditches also ensure that the proposals do not pose a risk to the areas north/downstream of the plot.

GMC Surveys have been asked to carry out a Drainage Assessment to establish ground conditions and provide a drainage solution for the site.

***Soil Conditions:***

Excavations were carried out using a mechanical digger on 16<sup>th</sup> January 2020 to assess the existing ground conditions and carry out infiltration and percolation testing for the dispersal of foul and surface waters via soakaways.

The trial pits were excavated to depths of 1.8m.

The excavations provided existing ground conditions of 300 – 300mm Topsoil with some fibrous rootlets overlying light brown, turning brown medium to dense, coarse gravelly Sands to a depth of 1mbgl and brown/red, firm to stiff, slightly sandy Clays to the depth of the excavations.

There was no evidence of fill material, contamination or water table present within the test holes.

***Percolation/Soakaway Testing:***

Percolation testing was carried out in full accordance with BS6297: 2007 + A1: 2008 and as described in Section 3.9 of the Scottish Building Standards Technical Handbook (Domestic). There was no change in the water level for the duration of the site visit.

Infiltration testing was carried out in full accordance with BRE digest 365. The results can be found in the table below. There was no change in the water level for the duration of the site visit.

### ***Conclusion and Recommendations:***

Based on the onsite investigations it can be confirmed that the underlying soils are not suitable for the use of standard stonefilled soakaways as a drainage solution for both foul and surface waters.

### ***Foul Water Discharge:***

As the use of sub surface soakaway is deemed unsuitable within the site it is proposed that the foul water drainage from the property is to discharge to an existing drainage ditch located within the northern boundary of the plot. The ditch flows north and east joining the wider network of drainage ditches in the area. Secondary treatment will be required by means of a 'packaged sewage treatment plant'. The treatment plant is to discharge to a soakpit to provide an additional level of treatment and storage prior to discharge to the ditch located to the west of the site.

SEPA require that the soakpit have a minimum base area of 25m<sup>2</sup>, the proposed dimensions are therefore to be 5.0m x 5.0m with 1.0m below the invert of the inlet. The 100mm outlet is to be set 300mm below the invert of the incoming pipe.

It is therefore proposed to install a treatment plant and soakpit prior to discharging to the existing drainage ditch.

The treatment plant will be required to meet the minimum SEPA requirements for discharge of B.O.D – 20mg/l and Ammonia Nitrogen level of 5mg/l.

It is recommended to install a Graff One2Clean packed sewage treatment plant which produces a effluent quality of: B.O.D – 7.0mg/l and Ammonia Nitrogen of 0.5mg/l.

***Surface Water Dispersal:***

As infiltration is not available within the site, it is proposed that the surface water will also discharge to the existing drainage ditch to the north of the site. In order to do so, any surface water discharge will need to be attenuated to the pre-development runoff rate. Storage will be required to ensure that the surface waters can be attenuated and stored up to and including a 1:200year event.

It is proposed therefore proposed to install a small surface water detention basin to manage, store and discharge surface waters at 0.5l/s being a percentage of the overall greenfield runoff rate.

The detention basin is to be sized to and attenuate the surface water flows up to and including a 1:200year event with 35% allowance for climate change.

The proposed indicative drainage layout can be found within Appendix A and the supporting calculations in Appendix B.

The design of the drainage features can be found in Appendix C.

## References

1. Scottish Planning Policy 7: Planning and Flooding. Scottish Executive, Feb 2004.
2. Planning Advice Note 61: Planning and Sustainable Drainage Systems. Scottish Executive, July 2001.
3. CIRIA C521 Sustainable Urban Drainage Systems, Design Manual for Scotland and Northern Ireland, 2000.
4. CIRIA C697 Sustainable Urban Drainage Systems, Design Manual for Scotland and Northern Ireland 2007.
5. CIRIA C753 – The Suds Manual
6. Building Research Establishment. BRE Digest 365 – Soakaway Design, 1991.
7. CIRIA, Report 156, Infiltration Drainage – Manual of Good Practice, 1996.
8. Sewers for Scotland 3<sup>rd</sup> Edition
9. Water Assessment and Drainage Assessment Guide (WADAG) January 2016
10. Suds for Roads

**APPENDIX A**

Site and Drainage Layout/Test Hole Locations





REV.	DESCRIPTION:	BY:	DATE:
STATUS: ISSUE			

**gmcsurveys**  
 Surveys, Setting Out, Civil Engineering Design  
 T: 07557 431 702  
 E: gmcsurveys@gmail.com

CLIENT: Mr N Mustard

SITE: Site To SE of Hillside Mosstowie, Elgin			
TITLE: Test Hole Location/ Site Plan/Indicative Layout			
SCALE AT A4: NTS	DATE: FEB20	DRAWN: GM	CHECKED:
PROJECT NO: 0618	DRAWING NO: Appendix A	REVISION: -	



**APPENDIX B**

Storage Requirements/Basin Sizing

## **Drainage Sizing**

### **Storage Calculations**

Existing Greenfield Runoff Rate	= 1.85l/s
Proposed Discharge Rate	= 0.50l/s
Impermeable Area (Roof and hard standings)	= 150m <sup>2</sup>
Total Storage Required	= <b><u>8.5m<sup>3</sup> (1:200year)</u></b>

### **Proposed Basin Sizing**

The detention basin as shown within the appendix has a base area of 5.0m<sup>2</sup> with a plan area of 30m<sup>2</sup> and a depth of 750mm with 1:3 side slopes. The storage volume within the basin is therefore **8.75m<sup>3</sup>** with 250mm freeboard.

There is sufficient volume within the proposed basin to provide adequate storage up to and including a 1:200 year event.

The storage calculation sheets are shown below.



MasterDrain  
SW 11.0

**gmcsurveys**  
Surveys, Setting Out Civil Engineering Design

Shireen Villa, 34 Castle Street  
Forres IV36 1FN  
email: gmcsurveys@gmail.com  
Mobile: 07557 431 702

Job No. <b>0618</b>		
Sheet no. <b>1</b>		
Date <b>03/02/20</b>		
By <b>GM</b>	Checked	Approved

Project <b>Site 500m SE of Hillside, Mosstowie</b>
Title <b>Greenfield Runoff Estimation</b>

**Hydrological Data:-**

**FSR Hydrology:-**

Location = ELGIN	Grid reference = NJ2162
M5-60 (mm) = 14	r = 0.24
Soil runoff = 0.40	SAAR (mm/yr) = 800
WRAP = 3	Area = Scotland & N. Ireland
Hydrological area = 1	Hydrological zone = 1

Soil classification for WRAP type 3

- i) Relatively impermeable soils in boulder and sedimentary clays, and in alluvium, especially in eastern England;
- ii) Permeable soils with shallow ground water in low-lying areas;
- iii) Mixed areas of permeable and impermeable soils, in approximately equal proportions.

**Design data:-**

Area = 0.00466 Km<sup>2</sup> - 0.466 Ha - 4660 m<sup>2</sup>

**Calculation method:-**

Runoff is calculated from:-

$$Q_{BAR(rural)} = 0.00108 \text{ AREA}^{0.89} \cdot \text{SAAR}^{1.17} \cdot \text{SOIL}^{2.17}$$

where

- AREA = Site area in Km<sup>2</sup>
- SAAR = Standard Average Annual Rainfall (mm/yr)
- SOIL = Soil value derived from Winter Rainfall Acceptance Potential
- Q<sub>BAR(rural)</sub> = Runoff (cumecs)

Q<sub>BAR(rural)</sub> is then multiplied by a growth factor - GC(T) - for different storm return periods derived from EA publication W5-074/A.

**Calculated data:-**

For areas less than 50Ha, a modified calculation which multiplies the 50Ha runoff value by the ratio of the site area to 50Ha is used  
Reducing factor used for these calculations is 0.009

Mean Annual Peak Flow  $Q_{BAR(rural)} = 1.85 \text{ l/s}$



MasterDrain  
SW 11.0

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Forres IV36 1FN  
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Mobile: 07557 431 702

Job No. <b>0618</b>		
Sheet no. <b>2</b>		
Date <b>03/02/20</b>		
By <b>GM</b>	Checked	Approved

Project **Site 500m SE of Hillside, Mosstowie**

Title **Greenfield Runoff Estimation**

Values for  $Q_{BAR(rural)}$

Ret. per.	m <sup>3</sup> /hr	l/s	l/s/ha	Ret. per.	m <sup>3</sup> /hr	l/s	l/s/ha
1yr	5.672	1.576	3.381	100yr+20%	20.019	5.561	11.933
2yr	6.006	1.668	3.580	100yr+30%	21.687	6.024	12.927
5yr	8.208	2.280	4.892	100yr+40%	23.355	6.487	13.922
10yr	9.676	2.688	5.768	200yr	18.684	5.190	11.137
30yr	12.211	3.392	7.279	200yr + 30%	24.289	6.747	14.479
50yr	14.146	3.930	8.433	500yr	21.687	6.024	12.927
100yr	16.682	4.634	9.944	1000yr	24.222	6.728	14.439

Growth factors -

1yr	2yr	5yr	10yr	30yr	50yr	100yr	200yr	500yr	1000yr
0.85	0.90	1.23	1.45	1.83	2.12	2.50	2.80	3.25	3.63

The above is based on the Institute of Hydrology Report 124 to which you are referred for further details (see Sect 7).  
Note that the 200 and above year growth curves were taken from W5-074.



MasterDrain  
SW

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Forres IV36 1FN  
email: gmcsurveys@gmail.com  
Mobile: 07557 431 702

Job No. <b>0618</b>		
Sheet no. <b>1</b>		
Date <b>03/02/20</b>		
By <b>GM</b>	Checked	Approved

Project <b>Site 500m SE of Hillside, Mosstowie</b>
Title <b>Surface Water Storage Requirements</b>

**Data:-**

Location = ELGIN	Grid reference = NJ2162
M5-60 (mm) = 14	r = 0.24
Soil index = 0.40	SAAR (mm/yr) = 800
Return period = 200	WRAP = 3
UCWI = 0.0	Climate change = +35%

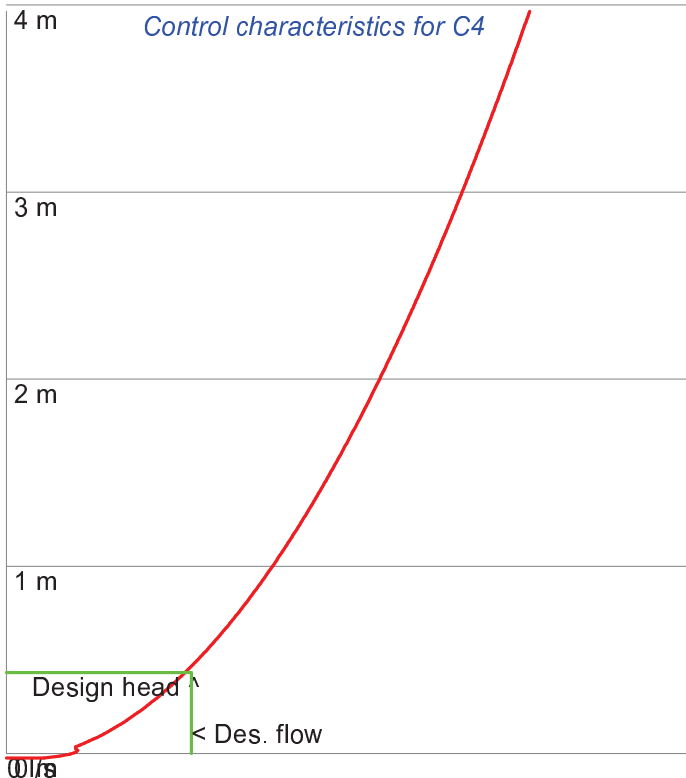
- i) Relatively impermeable soils in boulder and sedimentary clays, and in alluvium, especially in eastern England;
- ii) Permeable soils with shallow ground water in low-lying areas;
- iii) Mixed areas of permeable and impermeable soils, in approximately equal proportions.

Percentage runoff = 95.0% (manual setting)

Imperv. area = 180 m <sup>2</sup>	Pervious area = 0 m <sup>2</sup>
Total area = 180 m <sup>2</sup>	Equiv area = 171 m <sup>2</sup> (Tot. area x % runoff).
Total runoff = 16.4 m <sup>3</sup>	Discharge rate = 0.500 l/s

Design Head = 0.5m	Peak flow = 0.49 l/s
Control device = C4	Orifice diam = 25.2 mm
Max. calc. depth = 0.48 m	Available depth = 0.0 m <sup>3</sup>

Pipeline storage = 0.0 m <sup>3</sup>	Available MH storage = 0.0 m <sup>3</sup>
Offline storage = 0.0 m <sup>3</sup>	Peak input flow = 1.14 l/s
Total storage = 8.5 m <sup>3</sup>	



Head (m)	Flow (l/s)	Head (m)	Flow (l/s)
0.01	0.10	2.01	1.00
0.05	0.19	2.05	1.01
0.10	0.22	2.10	1.02
0.15	0.27	2.15	1.04
0.20	0.32	2.20	1.05
0.25	0.35	2.25	1.06
0.30	0.39	2.30	1.07
0.35	0.42	2.35	1.08
0.40	0.45	2.40	1.10
0.45	0.47	2.45	1.11
0.50	0.50	2.50	1.12
0.55	0.52	2.55	1.13
0.60	0.55	2.60	1.14
0.65	0.57	2.65	1.15
0.70	0.59	2.70	1.16
0.75	0.61	2.75	1.17
0.80	0.63	2.80	1.18
0.85	0.65	2.85	1.19
0.90	0.67	2.90	1.20
0.95	0.69	2.95	1.21
1.00	0.71	3.00	1.22
1.05	0.72	3.05	1.23
1.10	0.74	3.10	1.24
1.15	0.76	3.15	1.25
1.20	0.77	3.20	1.26
1.25	0.79	3.25	1.27
1.30	0.81	3.30	1.28
1.35	0.82	3.35	1.29
1.40	0.84	3.40	1.30
1.45	0.85	3.45	1.31
1.50	0.87	3.50	1.32
1.55	0.88	3.55	1.33
1.60	0.89	3.60	1.34
1.65	0.91	3.65	1.35
1.70	0.92	3.70	1.36
1.75	0.94	3.75	1.37
1.80	0.95	3.80	1.38
1.85	0.96	3.85	1.39
1.90	0.97	3.90	1.40
1.95	0.99	3.95	1.41
2.00	1.00	4.00	1.41



MasterDrain  
SW

**gmcsurveys**  
Surveys, Setting Out Civil Engineering Design

Shireen Villa, 34 Castle Street  
Forres IV36 1FN  
email: gmcsurveys@gmail.com  
Mobile: 07557 431 702

Job No. <b>0618</b>		
Sheet no. <b>2</b>		
Date <b>03/02/20</b>		
By <b>GM</b>	Checked	Approved

Project **Site 500m SE of Hillside, Mosstowie**

Title **Surface Water Storage Requirements**

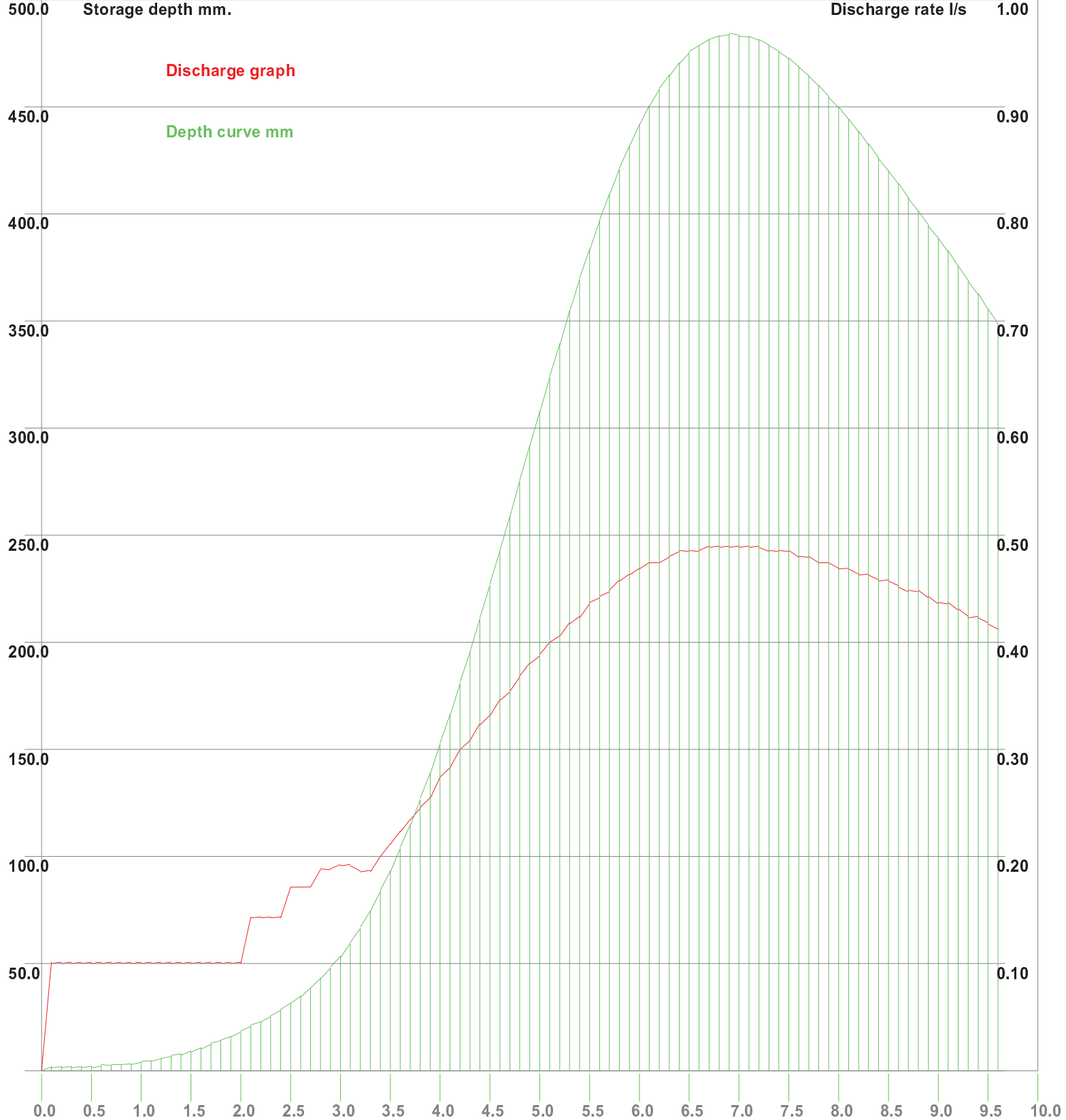
Storage curves for a 10 hours storm.

Storage depth mm.

Discharge rate l/s 1.00

Discharge graph

Depth curve mm







Job No.	0618	
Sheet no.	3	
Date	03/02/20	
By	Checked	Approved
GM		

MasterDrain  
SW

Project **Site 500m SE of Hillside, Mosstowie**  
Title **Surface Water Storage Requirements**

**Incremental rainfall figures.**

Storm Mins	Storage Depth mm	Control Flow l/s	Storm Mins	Storage Depth mm	Control Flow l/s
6.0	1.9	0.10	306.0	323.7	0.40
12.0	1.9	0.10	312.0	339.3	0.41
18.0	2.0	0.10	318.0	354.6	0.42
24.0	2.0	0.10	324.0	369.4	0.42
30.0	2.1	0.10	330.0	383.5	0.44
36.0	2.2	0.10	336.0	396.8	0.44
42.0	2.4	0.10	342.0	409.2	0.45
48.0	2.8	0.10	348.0	420.9	0.46
54.0	3.2	0.10	354.0	431.7	0.46
60.0	3.9	0.10	360.0	441.6	0.47
66.0	4.7	0.10	366.0	450.4	0.47
72.0	5.7	0.10	372.0	458.1	0.47
78.0	6.7	0.10	378.0	464.8	0.48
84.0	7.9	0.10	384.0	470.4	0.48
90.0	9.2	0.10	390.0	475.1	0.48
96.0	10.7	0.10	396.0	478.6	0.48
102.0	12.3	0.10	402.0	481.4	0.49
108.0	14.1	0.10	408.0	483.1	0.49
114.0	16.0	0.10	414.0	483.7	0.49
120.0	18.2	0.10	420.0	483.5	0.49
126.0	20.8	0.14	426.0	482.6	0.49
132.0	22.8	0.14	432.0	481.0	0.49
138.0	25.3	0.14	438.0	478.8	0.48
144.0	28.2	0.14	444.0	476.0	0.48
150.0	31.6	0.17	450.0	472.6	0.48
156.0	34.8	0.17	456.0	468.7	0.48
162.0	38.6	0.17	462.0	464.5	0.48
168.0	43.1	0.19	468.0	459.9	0.47
174.0	47.9	0.19	474.0	454.9	0.47
180.0	53.4	0.19	480.0	449.6	0.47
186.0	59.5	0.19	486.0	444.0	0.47
192.0	66.4	0.19	492.0	438.2	0.46
198.0	74.6	0.19	498.0	432.2	0.46
204.0	83.6	0.20	504.0	426.2	0.46
210.0	93.2	0.21	510.0	420.1	0.46
216.0	103.6	0.22	516.0	413.9	0.45
222.0	114.7	0.23	522.0	407.6	0.45
228.0	126.5	0.24	528.0	401.3	0.45
234.0	139.0	0.25	534.0	394.9	0.44
240.0	152.3	0.27	540.0	388.6	0.44
246.0	166.3	0.28	546.0	382.2	0.44
252.0	180.8	0.30	552.0	375.5	0.43
258.0	195.6	0.31	558.0	368.9	0.42
264.0	210.9	0.32	564.0	362.3	0.42
270.0	226.5	0.33	570.0	355.5	0.42
276.0	242.6	0.35	576.0	348.8	0.41
282.0	258.9	0.35	582.0	342.1	0.41
288.0	275.3	0.37	588.0	335.4	0.41
294.0	291.6	0.38	594.0	328.7	0.40
300.0	307.7	0.39	600.0	322.2	0.40

Using the Get Max button causes the program to step through a series of storm durations until a maximum volume is obtained.

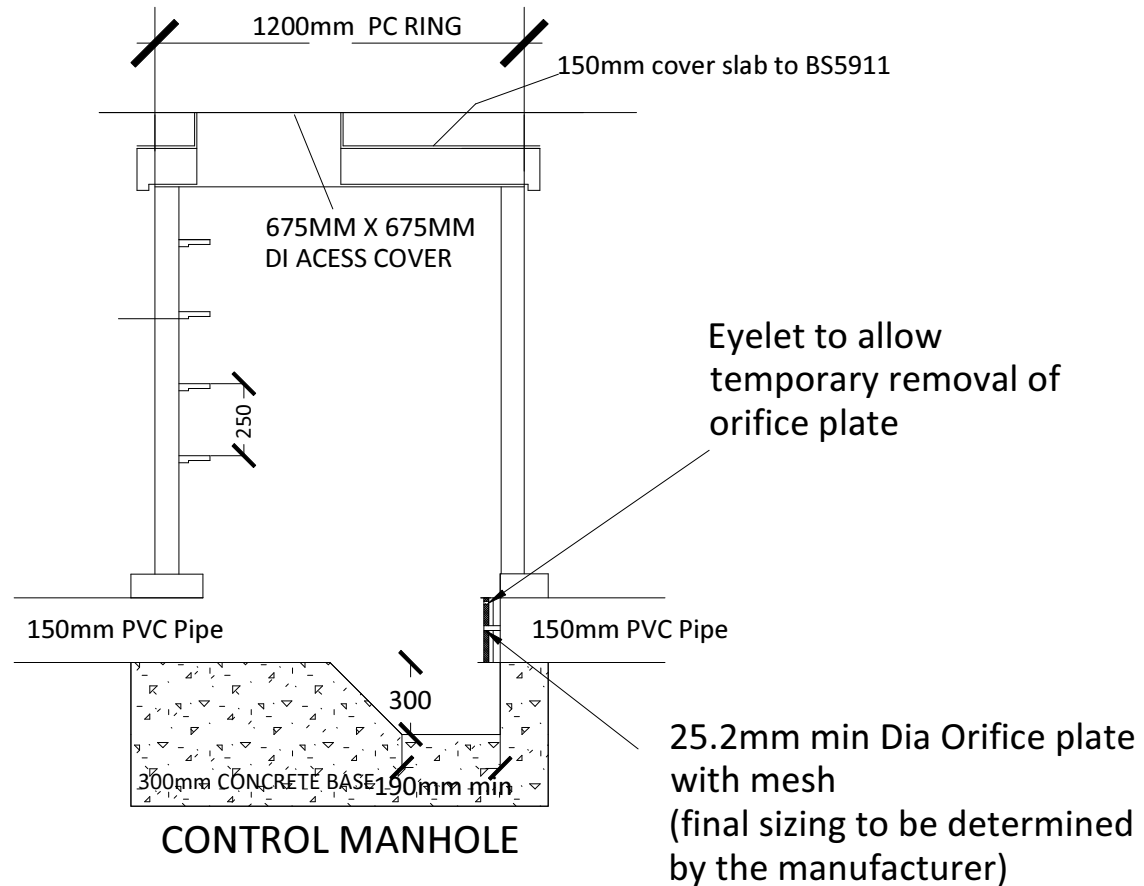
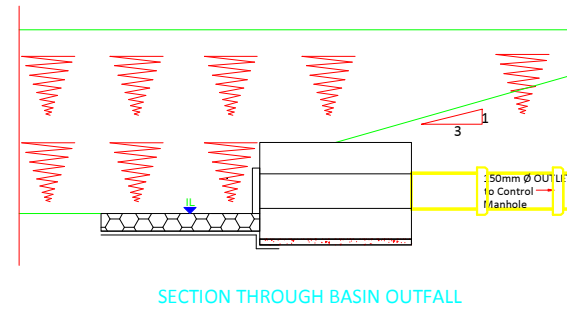
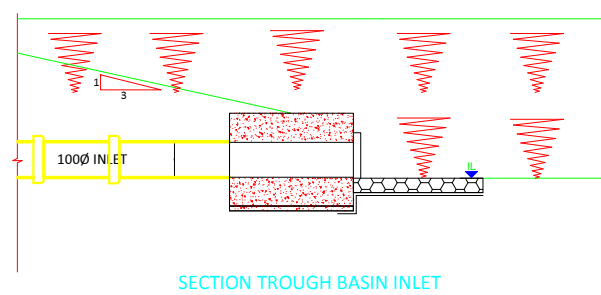
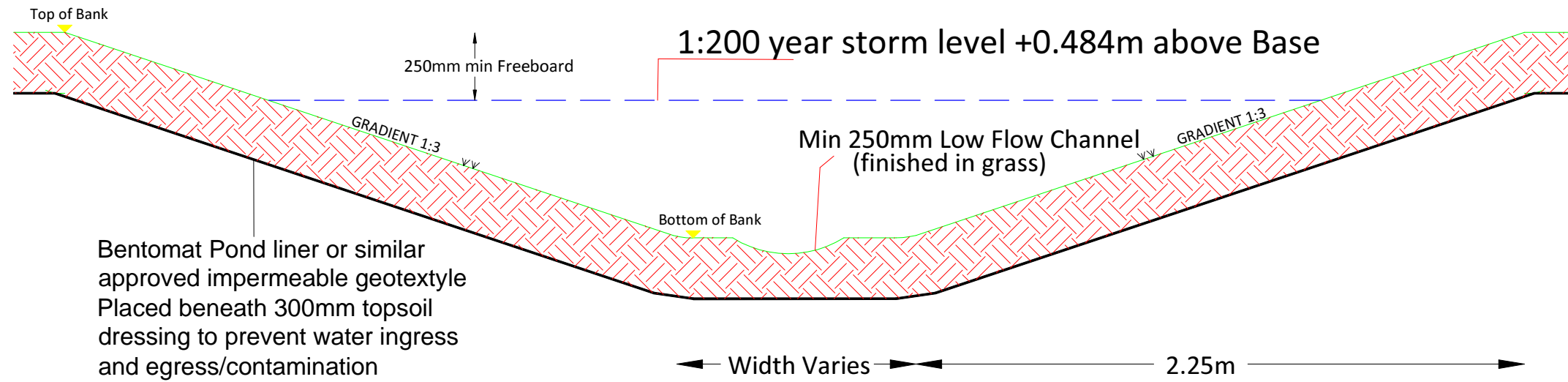
Each duration is sampled 600 times and the results recorded. The storm durations (hrs) are:-

0.25, 0.5, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 15, 18, 20, 24, 30, 36, 42, 48, 54, 60, 66, 72, 84, 96, 120, 150, 175, 200, 250, 300, 375, 500, 750, 1000, 1250, 1500, 1570, 2000, 2500, 3000, 3500, 4000

It should be noted that the six hour storm frequently requested rarely demonstrates the worst case for storage.

**APPENDIX C**

Drainage Details



REV:	DESCRIPTION:	BY:	DATE:
STATUS: ISSUE			

**gmcsurveys**  
 Surveys, Setting Out, Civil Engineering Design  
 T: 07557 431 702  
 E: gmcsurveys@gmail.com

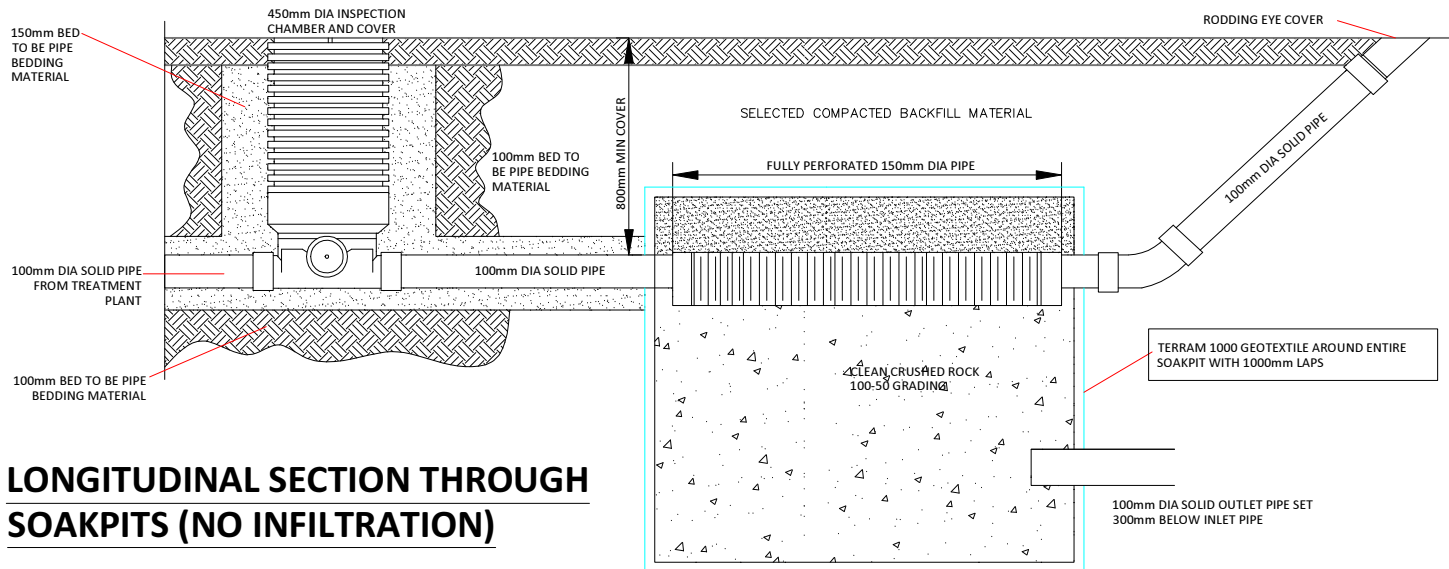
CLIENT: Mr N Mustard

SITE: Site to SE of Hillside Mosstowie, Elgin

TITLE: Drainage Details

SCALE AT A4: NTS	DATE: FEB20	DRAWN: GM	CHECKED:
PROJECT NO: 0618	DRAWING NO: Appendix C1	REVISION:	-





**LONGITUDINAL SECTION THROUGH SOAKPITS (NO INFILTRATION)**

REV:	DESCRIPTION:	BY:	DATE:
STATUS: <b>ISSUE</b>			

**gmcsurveys**  
 Surveys, Setting Out, Civil Engineering Design  
 T: 07557 431 702  
 E: gmcsurveys@gmail.com

CLIENT: **Mr N Mustard**

SITE: <b>Site to SE of Hillside Mostowrie, Elgin</b>			
TITLE: <b>Foul Soakpit</b>			
SCALE AT A4: <b>NTS</b>	DATE: <b>FEB20</b>	DRAWN: <b>GM</b>	CHECKED:
PROJECT NO: <b>0618</b>	DRAWING NO: <b>Appendix C2</b>	REVISION:	<b>-</b>



**From:** DeveloperObligations  
**Sent:** Thu, 20 Feb 2020 14:30:37 +0000  
**To:** Emma Mitchell  
**Cc:** DC-General Enquiries  
**Subject:** 20/00195/PPP Erect dwellinghouse on Site 500M South East Of Wester Hillside, Mosstowie, Elgin  
**Attachments:** 20-00195-PPP Erect dwellinghouse on Site 500M South East Of Wester Hillside, Mosstowie, Elgin.pdf

Hi

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

Thanks,  
Rebecca

**Rebecca Morrison** | Infrastructure Growth/Obligations Officer (Strategic Planning and Development) | Economic Growth and Development  
[rebecca.morrison@moray.gov.uk](mailto:rebecca.morrison@moray.gov.uk) | [website](#) | [facebook](#) | [moray council planning facebook](#) | [twitter](#) | [newsdesk](#)  
01343 563583

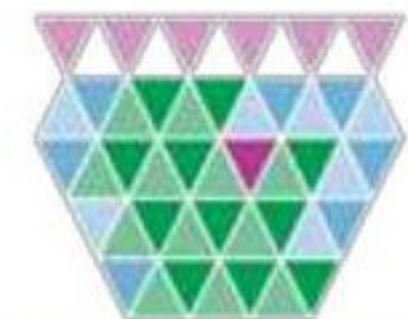
**MORAY**  
council







# Developer Obligations: ASSESSMENT REPORT



**moray**  
council

**Date:** 20/02/2020

**Reference:** 20/00195/PPP

**Description:** Erect dwellinghouse on Site 500M South East Of Wester Hillside, Mosstowie, Elgin

**Applicant:** Mr Niall Mustard

**Agent:** Grant And Geoghegan Limited

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 1 March 2018.

The LDP and SG can be found at [http://www.moray.gov.uk/moray\\_standard/page\\_100443.html](http://www.moray.gov.uk/moray_standard/page_100443.html)

## Summary of Obligations

Primary Education	Nil
Secondary Education	Nil
Transport	Nil
Healthcare ( <i>Contribution towards extension of Maryhill Medical Practice and 5 Additional Dental Chairs</i> )	
Sports and Recreation	Nil
<b>Total Developer Obligations</b>	

## Breakdown of Calculation

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

3 bed = 1 SRUE

This assessment is therefore based on 1 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.



Moray Council **DEVELOPER OBLIGATIONS**

# INFRASTRUCTURE

## Education

### Primary Education

Pupils generated by this development are zoned to Mosstowie Primary School. The school is currently operating at 97% functional capacity. Contributions are sought to mitigate the impact of a development when the functional capacity of a school is at, or above 90%. However, given that Mosstowie Primary School roll is expected to fall from 2021 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

Pupils generated by this development are zoned to Elgin High School. The school is currently operating at 79% capacity and the additional pupil as a result of this 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 271m<sup>2</sup>.

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 2.17 persons -Census 2011).

Maryhill Medical Practice is the nearest GP Practice within which healthcare facilities can be accessed by the proposed development. NHS Grampian has confirmed that Maryhill Medical Practice is currently working beyond design capacity and existing space will be required to be extended and that 5 Additional Dental Chairs will be required.

Contributions are calculated based on a proportional contribution of [REDACTED] per SRUE for the health centre and additional dental chairs each.

[REDACTED]

[REDACTED]

**Contribution towards Healthcare= [REDACTED]**

## Sports and Recreational Facilities

### Sports and Recreation Facilities

Existing sports provision within Mosstowie 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**



## 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 towards Moray Council infrastructure 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, 2017 and obligations towards NHS Grampian infrastructure are index linked to All in Tender

Price Index (TPI) as published by the Royal Institute of Chartered Surveyors (RICS) from Q2, 2017.



# Consultee Comments for Planning Application 20/00195/PPP

## Application Summary

Application Number: 20/00195/PPP

Address: Site 500M South East Of Wester Hillside Mosstowie Elgin Moray

Proposal: Erect dwellinghouse on

Case Officer: Emma Mitchell

## Consultee Details

Name: Mr CL Consultations

Address: Environmental Health, Council Offices, High Street Elgin, Moray IV30 1BX

Email: clconsultations@moray.gov.uk

On Behalf Of: Contaminated Land

## Comments

Approved Unconditionally - Adrian Muscutt



# **Consultee Comments for Planning Application 20/00195/PPP**

## **Application Summary**

Application Number: 20/00195/PPP

Address: Site 500M South East Of Wester Hillside Mosstowie Elgin Moray

Proposal: Erect dwellinghouse on

Case Officer: Emma Mitchell

## **Consultee Details**

Name: Mr EH Consultations

Address: Environmental Health, Council Offices, High Street Elgin, Moray IV30 1BX

Email: ehplanning.consultations@moray.gov.uk

On Behalf Of: Environmental Health C12

## **Comments**

Approved Unconditionally - Andy Stewart





**MORAY COUNCIL  
PLANNING CONSULTATION RESPONSE**

**From:** The Moray Council, Flood Risk Management  
**Planning Application Ref. No:** 20/00195/PPP

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            | <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"/>             |

Contact: Leigh Moreton Date 20/02/2020  
email address: [Leigh.moreton@moray.gov.uk](mailto:Leigh.moreton@moray.gov.uk) Phone No 01343 563773

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





21<sup>st</sup> February 2020

Moray Council  
Council Office High Street  
Elgin  
IV30 9BX

Development Operations  
The Bridge  
Buchanan Gate Business Park  
Cumbernauld Road  
Steps  
Glasgow  
G33 6FB

Development Operations  
Freephone Number - 0800 3890379  
E-Mail - DevelopmentOperations@scottishwater.co.uk  
www.scottishwater.co.uk

Dear Local Planner

**IV30 Elgin Wester Hillside Site 500M South East Of  
PLANNING APPLICATION NUMBER: 20/00195/PPP  
OUR REFERENCE: 789072  
PROPOSAL: Erect dwellinghouse**

**Please quote our reference in all future correspondence**

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

#### **Water**

- Unfortunately, according to our records there is no public Scottish Water, Water infrastructure within the vicinity of this proposed development therefore we would advise applicant to investigate private options.

#### **Foul**

- Unfortunately, according to our records there is no public Scottish Water, Waste Water infrastructure within the vicinity of this proposed development therefore we would advise applicant to investigate private treatment options.

#### **General notes:**

- **Scottish Water asset plans can be obtained from our appointed asset plan providers:**

**Site Investigation Services (UK) Ltd  
Tel: 0333 123 1223  
Email: [sw@sisplan.co.uk](mailto:sw@sisplan.co.uk)  
[www.sisplan.co.uk](http://www.sisplan.co.uk)**

If the applicant requires any further assistance or information, please contact our Development Operations Central Support Team on 0800 389 0379 or at [planningconsultations@scottishwater.co.uk](mailto:planningconsultations@scottishwater.co.uk).

Yours sincerely

**Erin Drummond**

Erin.Drummond@scottishwater.co.uk

## Consultation Request Notification

<b>Planning Authority Name</b>	Moray Council
<b>Response Date</b>	4th March 2020
<b>Planning Authority Reference</b>	20/00195/PPP
<b>Nature of Proposal (Description)</b>	Erect dwellinghouse on
<b>Site</b>	Site 500M South East Of Wester Hillside Mosstowie Elgin Moray
<b>Site Postcode</b>	N/A
<b>Site Gazetteer UPRN</b>	000133073024
<b>Proposal Location Easting</b>	315708
<b>Proposal Location Northing</b>	859887
<b>Area of application site (M<sup>2</sup>)</b>	6700
<b>Additional Comment</b>	
<b>Development Hierarchy Level</b>	LOCAL
<b>Supporting Documentation URL</b>	<a href="https://publicaccess.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&amp;keyVal=Q5VY8IBGIAM00">https://publicaccess.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&amp;keyVal=Q5VY8IBGIAM00</a>
<b>Previous Application</b>	
<b>Date of Consultation</b>	19th February 2020
<b>Is this a re-consultation of an existing application?</b>	No
<b>Applicant Name</b>	Mr Niall Mustard
<b>Applicant Organisation Name</b>	
<b>Applicant Address</b>	Per Agent
<b>Agent Name</b>	Grant And Geoghegan Limited
<b>Agent Organisation Name</b>	
<b>Agent Address</b>	Unit 4 Westerton Road Business Centre 4 Westerton Road South Keith AB55 5FH
<b>Agent Phone Number</b>	
<b>Agent Email Address</b>	N/A
<b>Case Officer</b>	Emma Mitchell
<b>Case Officer Phone number</b>	01343 563326
<b>Case Officer email address</b>	emma.mitchell@moray.gov.uk
<b>PA Response To</b>	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.

Data Protection - Moray Council is the data controller for this process. Information collected about you on this form will be used to process your Planning Application, and the Council has a duty to process your information fairly. Information we hold must be accurate, up to date, is kept only for as long as is necessary and is otherwise shared only where we are legally obliged to do so. You have a legal right to obtain details of the information that we hold about you.

For full terms please visit [http://www.moray.gov.uk/moray\\_standard/page\\_121513.html](http://www.moray.gov.uk/moray_standard/page_121513.html)

For full Data Protection policy, information and rights please see [http://www.moray.gov.uk/moray\\_standard/page\\_119859.html](http://www.moray.gov.uk/moray_standard/page_119859.html)

You can contact our Data Protection Officer at [info@moray.gov.uk](mailto:info@moray.gov.uk) or 01343 562633 for more information.

Please respond using the attached form:-

## MORAY COUNCIL

### PLANNING CONSULTATION RESPONSE

**From:** Transportation Manager

**Planning Application Ref. No:** 20/00195/PPP

**Erect dwellinghouse on Site 500M South East Of Wester Hillside Mosstowie Elgin Moray for Mr Niall Mustard**

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                                                         | <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. No development shall commence until a visibility splay 4.5 metres by 120 metres in both directions, has been provided at the access onto the public road, and maintained at all times thereafter free from any obstruction exceeding 0.26 metres above the level of the carriageway to the east, and free from any obstruction exceeding 0.60 metres above the level of the carriageway to the west.

Reason: 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. No development shall commence until a detailed drawing (scale 1:500) showing the location and design of a passing place on the section of the U105E Garrowslack Road between the C26E Miltonduff – Lochside Road and the C4E Brodieshill – Cloves Road (to the Moray Council standards and specification), has been submitted to and approved in writing by the Council, as Planning Authority in consultation with the Roads Authority; and thereafter the passing place shall be constructed in accordance with the approved drawing prior to any development works commencing (except for those works associated with the provision of the passing place).

Reason: To enable drivers of vehicles to have adequate forward visibility to see approaching traffic and for two vehicles to safely pass each other ensuring the safety and free flow of traffic on the public road.

3. No development shall commence until details have been 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.

Reason: 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.

4. Notwithstanding the submitted details prior to the occupation of the dwelling house, the first 10m of the access track, measured from the edge of the public carriageway, shall be constructed to the Moray Council specification and surfaced with bituminous macadam. The width of the vehicular access shall be 5.0 metres for a minimum of the first 10m measured from the edge of the carriageway, and have a maximum gradient of 1:20 measured for the first 5.0m from the edge of the public carriageway.

Reason: To ensure acceptable infrastructure at the development access.

5. Prior to the occupation of the dwelling house, 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. 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.

Reason: To enable visiting service vehicles to park clear of the public road in the interests of road safety.

6. 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.

Reason: To ensure the construction of an acceptable access in the interests of road safety and effective drainage infrastructure.

7. Parking provision shall be as follows:

- 2 spaces for a dwelling with three bedrooms or less; or
- 3 spaces for a dwelling with four bedrooms or more.

The 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.

Reason: 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.

8. A turning area shall be provided within the curtilage of the site to enable vehicles to enter and exit in a forward gear.

Reason: To ensure the provision for vehicles to enter/exit in a forward gear in the interests of the safety and free flow of traffic on the public road

### **Further comment(s) to be passed to applicant**

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



boundary.

Note: The provision of the visibility splays shall include the removal of gorse and vegetation, the removal/lowering of boundary fences/ walls within the splay and re-grading of an embankment within the road verge and of land to the north-east of the development access on the opposite side of the carriageway.

Before commencing development the applicant is obliged to apply for Construction Consent in accordance with Section 21 of the Roads (Scotland) Act 1984 for new roads. The applicant will be required to provide technical information, including drawings and drainage calculations. Advice on this matter can be obtained from the Moray Council web site or by emailing [constructionconsent@moray.gov.uk](mailto:constructionconsent@moray.gov.uk)

Before starting any work on the existing public road the applicant is obliged to apply for a road opening permit in accordance with Section 56 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 free and relieve the Roads Authority from any claims arising out of their operations on the road or extension to the road.

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

**Date 21 April 2020**

**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://publicaccess.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

<b>Planning Authority Name</b>	Moray Council
<b>Response Date</b>	4th March 2020
<b>Planning Authority Reference</b>	20/00195/PPP
<b>Nature of Proposal (Description)</b>	Erect dwellinghouse on
<b>Site</b>	Site 500M South East Of Wester Hillside Mosstowie Elgin Moray
<b>Site Postcode</b>	N/A
<b>Site Gazetteer UPRN</b>	000133073024
<b>Proposal Location Easting</b>	315708
<b>Proposal Location Northing</b>	859887
<b>Area of application site (M<sup>2</sup>)</b>	6700
<b>Additional Comment</b>	
<b>Development Hierarchy Level</b>	LOCAL
<b>Supporting Documentation URL</b>	<a href="https://publicaccess.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&amp;keyVal=Q5VY8IBGIAM00">https://publicaccess.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&amp;keyVal=Q5VY8IBGIAM00</a>
<b>Previous Application</b>	
<b>Date of Consultation</b>	19th February 2020
<b>Is this a re-consultation of an existing application?</b>	No
<b>Applicant Name</b>	Mr Niall Mustard
<b>Applicant Organisation Name</b>	
<b>Applicant Address</b>	Per Agent
<b>Agent Name</b>	Grant And Geoghegan Limited
<b>Agent Organisation Name</b>	
<b>Agent Address</b>	Unit 4 Westerton Road Business Centre 4 Westerton Road South Keith AB55 5FH
<b>Agent Phone Number</b>	
<b>Agent Email Address</b>	N/A
<b>Case Officer</b>	Emma Mitchell
<b>Case Officer Phone number</b>	01343 563326
<b>Case Officer email address</b>	emma.mitchell@moray.gov.uk
<b>PA Response To</b>	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.

Data Protection - Moray Council is the data controller for this process. Information collected about you on this form will be used to process your Planning Application, and the Council has a duty to process your information fairly. Information we hold must be accurate, up to date, is kept only for as long as is necessary and is otherwise shared only where we are legally obliged to do so. You have a legal right to obtain details of the information that we hold about you.

For full terms please visit [http://www.moray.gov.uk/moray\\_standard/page\\_121513.html](http://www.moray.gov.uk/moray_standard/page_121513.html)

For full Data Protection policy, information and rights please see [http://www.moray.gov.uk/moray\\_standard/page\\_119859.html](http://www.moray.gov.uk/moray_standard/page_119859.html)

You can contact our Data Protection Officer at [info@moray.gov.uk](mailto:info@moray.gov.uk) or 01343 562633 for more information.

Please respond using the attached form:-

## MORAY COUNCIL

### PLANNING CONSULTATION RESPONSE

**From:** Transportation Manager

**Planning Application Ref. No:** 20/00195/PPP

**Erect dwellinghouse on Site 500M South East Of Wester Hillside Mosstowie Elgin Moray for Mr Niall Mustard**

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                                                         | 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 - A visibility splay 4.5 metres by 120 metres would be required in both directions, maintained at all times free from any obstruction exceeding 0.26 metres above the level of the carriageway to the east, and maintained at all times free from any obstruction exceeding 0.6 metres above the level of the carriageway to the west.*

*The visibility splay to the west passes over land which would be considered to be out with the public verge (over a private ditch) and it is not clear as to whether the applicant has control of the land required to provide and maintain the visibility splays.*

*The applicant to date has not provided any evidence of their ability to provide and maintain the required visibility splays.*

### **Reason(s) for objection**

The existing access serving the site is considered to be inadequate to serve the proposed development, by reason of its restricted visibility. There is no evidence at this time that the applicant has control of the land required to provide and maintain the required visibility splays. Transportation therefore considers that the proposal, if permitted, would result in an intensification of use of the access and be likely to give rise to conditions detrimental to the road safety of road users contrary to Moray Local Development Plan policies T2 Provision of Access and IMP1 Development Requirements

**Contact:** AG

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

**Consultee:** TRANSPORTATION

**Date** 07 April 2020

**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://publicaccess.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.

MANAGERS

(DEVELOPMENT MANAGEMENT  
& BUILDING STANDARDS)

02/03/2020

Devs/Presidents

PLANNING

APPLICATIONS

20/00193/PPP+  
20/00195/PPP+ 20/00076/PPP

IN EACH CASE FULL POSSIBLE  
PROTECTION OF ALL WILDLIFE  
FLORA & FAUNA IN SITU

AWAREING MOLES POLE  
LEGAL PROTECTION IS STILL  
IN PROCESS BUT YOU ARE  
REQUESTED TO ENSURE THAT  
ALL POSSIBLE IS GIVEN BY  
YOURSELVES AND APPLICANTS

06 MAR 2020

## II

IN THE CASE OF 90/00076/  
APP IT IS ESSENTIAL THAT  
THOSE SHARES AND DIVIDENDS  
BE RESTORED WHERE EVER  
POSSIBLE THIS AN ESSENTIAL  
IN THIS ERA OF CLIMATE  
CHANGE OF FEAR OF EXTINCTION  
OF MANY SPECIES AMONG SO  
MANY BUTTERFLIES AND MOTHS

Yours faithfully

[REDACTED]



## **REPORT OF HANDLING**

<b>Ref No:</b>	20/00195/PPP	<b>Officer:</b>	Emma Mitchell
<b>Proposal Description/ Address</b>	Erect dwellinghouse on Site 500M South East Of Wester Hillside Mosstowie Elgin Moray		
<b>Date:</b>	05.05.2020	<b>Typist Initials:</b>	DM

### **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>
Development Plans (Environment)	26/03/20	Object
Planning And Development Obligations	20/02/20	Developer Obligation sought
Moray Flood Risk Management	20/02/20	No objection
Environmental Health Manager	24/02/20	No objection
Contaminated Land	24/02/20	No objection
Transportation Manager	07/04/20	No objection subject to conditions and informatives
Scottish Water	21/02/20	No objection

### **DEVELOPMENT PLAN POLICY**

<b>Policies</b>	<b>Dep</b>	<b>Any Comments (or refer to Observations below)</b>
Moray Local Development Plan 2015	N	<b>MLDP 2015</b>
PP3: Placemaking	N	<b>MLDP 2015</b>
H7: New Housing in the Open Countryside	Y	<b>MLDP 2015</b>
E4: Trees and Development	N	<b>MLDP 2015</b>
EP7: Control of Develop in FloodRiskArea	N	<b>MLDP 2015</b>
EP5: Sustainable Urban Drainage Systems	N	<b>MLDP 2015</b>
EP9: Contaminated Land	N	<b>MLDP 2015</b>
EP10: Foul Drainage	N	<b>MLDP 2015</b>
IMP1: Developer Requirements	Y	<b>MLDP 2015</b>

2020 Proposed Local Development Plan		<b>PROPOSED MLDP 2020</b>
PP3 Infrastructure & Services		<b>PROPOSED MLDP 2020</b>
DP1 Development Principles		<b>PROPOSED MLDP 2020</b>
DP4 Rural Housing		<b>PROPOSED MLDP 2020</b>
EP7 Forestry, Woodlands and Trees		<b>PROPOSED MLDP 2020</b>
EP12 Management and Enhancement of the		<b>PROPOSED MLDP 2020</b>
EP13 Foul Drainage		<b>PROPOSED MLDP 2020</b>
EP14 Pollution, Contamination & Hazards.		<b>PROPOSED MLDP 2020</b>

<b>REPRESENTATIONS</b>		
Representations Received	YES	
Total number of representations received		
Names/Addresses of parties submitting representations		
Name and address details of parties submitting representations withheld in accordance with the General Data Protection Regulations.		
Summary and Assessment of main issues raised by representations		
Issue:		
<b>Environment</b> <ul style="list-style-type: none"> <li>Concerns raised regarding the potential impact of the development on flora and fauna, especially in relation to impact on hedgehogs and moles. Hedges and landscaping should be provided where possible to encourage butterflies and moths.</li> </ul>		
<b>Listed Buildings / Conservation Areas</b> <ul style="list-style-type: none"> <li>Any work relative to Listed Building/Conservation Areas must be strictly carried out to the required standard.</li> </ul>		
Comments (PO):		
<b>Environment</b> <ul style="list-style-type: none"> <li>The wider development has a high percentage of open space, landscaping and tree planting which may encourage all of the species mentioned within the representation if the proposal were to be permitted.</li> </ul>		
<b>Listed Buildings / Conservation Areas</b> <ul style="list-style-type: none"> <li>There are no Listed Buildings / Conservation near the proposal.</li> </ul>		

## **OBSERVATIONS – ASSESSMENT OF PROPOSAL**

### **Proposal**

- o Planning permission in principle is sought for the erection of a dwelling on a site 500m East of Wester Hillside, Mosstowie.
- o Access to the site is via a new track that leads of an existing track from the public road.
- o The application contains confirmation of intentions to install private foul drainage arrangements i.e. a new treatment system. A connection to the public water supply is proposed.

## Site Characteristics

- o The almost square site is 6700 sqm in size and is surrounded by mature forestry to the south east and west. An agricultural site is located to the north of the site. The site itself is rough ground with some trees.
- o The site is located approx. 1.5 miles from Mosstowie.

## Policy

Section 25 of the 1997 Act as amended requires applications to be determined in accordance with the Development Plan i.e. the adopted Moray Local Development Plan 2015 (MLDP) unless material considerations indicate otherwise. On 18 December 2018, at a special meeting of the Planning and Regulatory Services Committee, the Proposed Moray Local Development Plan 2020 was approved as the "settled view" of the Council and minimal weight will be given to it, with the 2015 MLDP being the primary consideration.

Further consideration of the weight to be attached to the Proposed Plan was considered and agreed at the Planning and Regulatory Services Committee on 29th January 2019, with the Committee agreeing that between June/ August 2019 and adoption of the new LDP in mid-2020, the weight to be given to matters set out in the Proposed Plan will vary;

- Where matters set out in the Proposed Plan are subject to unresolved objections which will be considered through Examination, then those matters will continue to be given minimal weight as a material consideration in the development management process.
- Where matters set out in the Proposed Plan are not subject to unresolved objections, they will be given greater weight as a material consideration in the development management process.

The weight to be given will be considered on a case by case basis and will be agreed by the Development Management Manager and Development Plans Principal Planning Officer.

On 25 June 2019 the Planning & Regulatory Services Committee agreed to give greater weight to sites within the proposed Plan which are not subject to the Examination process from 1 August 2019.

In this case the proposal is not subject to a designated site.

The main issues are considered below.

## **Siting (H7, IMP1, Housing in the Countryside Supplementary Guidance, Guidance Note on Landscape and Visual Impacts of Cumulative Build Up of Housing in the Countryside)**

Policy H7: New Housing in the Open Countryside of the Moray Local Development Plan 2015 contains the necessary siting and design criteria for assessing new housing proposals in the countryside. This aims to allow new housing in the open countryside provided it can be easily absorbed into the landscape, and for new development to be low impact and to reflect the character of the surrounding area. Policy IMP1 Developer Requirements requires new development proposals to be sensitively sited, designed and serviced appropriate to the amenity of the surrounding area and to be comply with set criterion (detailed within policy). These include amongst others the requirement for new development to be of a scale and character appropriate to its setting and for development to integrate into the landscape.

Given the in principle nature of this application and subsequent lack of detail of the proposed house, consideration will be limited to the suitability of the site in terms of the policies requirements.

Mosstowie which is located less than 1.5 miles away from the site is identified as a cumulative build up hotspot in the Guidance Note on the Landscape and Visual Impacts of Cumulative Build Up of Houses in the Countryside. Despite the site not being located within Area A, B or C, the guidance makes clear that the hotspot boundaries are indicative and do not represent the extent of cumulative build up but instead provide a visual aid to identify areas where undesirable build-up is prevalent. The

location of the site is on the periphery of an identified hot spot where the sequential impact of new housing has been identified as having a negative landscape and visual impact. In any case it is legitimate to apply the cumulative build up indicators set out on page 3 of the guidance to any proposal. It is important to note the guidance is a snap shot in time and any assessment must also be informed by conditions presenting themselves on site and within the surrounding area.

Along the stretch of public road the proposal site is located off within the last 10 years there are numerous consents for dwellings where works have either started or the dwellings are complete, these include 18/00378/APP, 15/00659/APP, 15/00465/APP and 11/00827/APP.

There are also two further proposals for new dwellings (20/00196/PPP, located approx. 1/2 km to the west (refusal) and 20/00193/PPP, located behind woodland approx. 250m (approval)) that were submitted at the same time as this one.

Taking account of the landscape and visual impact advice for the Mosstowie hotspot and the site conditions, it is considered the proposal will further exacerbate already identified sequential visual effects of cumulative build up experienced when travelling along the minor roads in this location. It is accepted there is limited inter-visibility between houses in this area however a new house in this location will contribute to further eroding the rural character of the area by adding to the prevalence of new housing and undermining the traditional settlement pattern. In addition to this the impact of new access roads, visibility splays and bin storage associated with new development will also further diminish the rural character of this area.

On the basis of the above the proposal is considered contrary to H7, IMP1, the Housing in the Countryside SG and the Guidance Note on Cumulative Build Up of New Houses in the Countryside.

### **Access and Parking (T2 and T5)**

Policy T2 requires that new development proposals are designed to provide the highest level of access and for end users. Under policy T5 proposals must conform with the Council's current policy on Parking Standards.

Transportation were consulted on the proposal and they have not objected to it subject to conditions and informatives being attached to the planning consent (if permitted).

### **Drainage (EP10)**

In relation to EP10: Foul Drainage, and in the absence of any public foul drainage system being available, a septic tank and soakaway arrangement is proposed within the site. The acceptability of this non-mains drainage arrangement will be assessed further as part of Building Standards requirements.

A Drainage Statement was submitted with the proposal which was assessed by Moray Flood Risk Management and deemed acceptable therefore the proposal complies with the requirements of policy EP10.

### **Developer Obligations**

As from 14 October 2016, the Council has adopted Supplementary Guidance on developer obligations as a material consideration in the determination of planning applications. The proposal has been subject to an assessment for developer obligations.

A contribution towards Healthcare (contribution towards extension at Maryhill Medical Practice and 5 additional dental chairs) is sought if the proposal was permitted.

### **Recommendation**

Refuse.

## REASON(S) FOR DECISION

The Council's reason(s) for making this decision are:-

The proposal is contrary to policies H7 and IMP1 of the Moray Local Plan 2015, the Housing in the Countryside Supplementary Guidance and the Guidance Note on Cumulative Build Up of New Houses in the Countryside

## OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT

None.

## HISTORY

Reference No.	Description		
	<b>Decision</b>		<b>Date Of Decision</b>

## ADVERT

<b>Advert Fee paid?</b>	<b>Yes</b>		
<b>Local Newspaper</b>	<b>Reason for Advert</b>	<b>Date of expiry</b>	
Northern Scot	Departure from development plan No Premises	19/03/20	
PINS	Departure from development plan No Premises	19/03/20	

## DEVELOPER CONTRIBUTIONS (PGU)

<b>Status</b>	<b>CONT SOUGHT</b>
---------------	--------------------

## DOCUMENTS, ASSESSMENTS etc. \*

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

Supporting information submitted with application?	YES	
Summary of main issues raised in each statement/assessment/report		
Document Name:	Site Investigation and Drainage Assessment	
Main Issues:	Information on the sites drainage	

## S.75 AGREEMENT

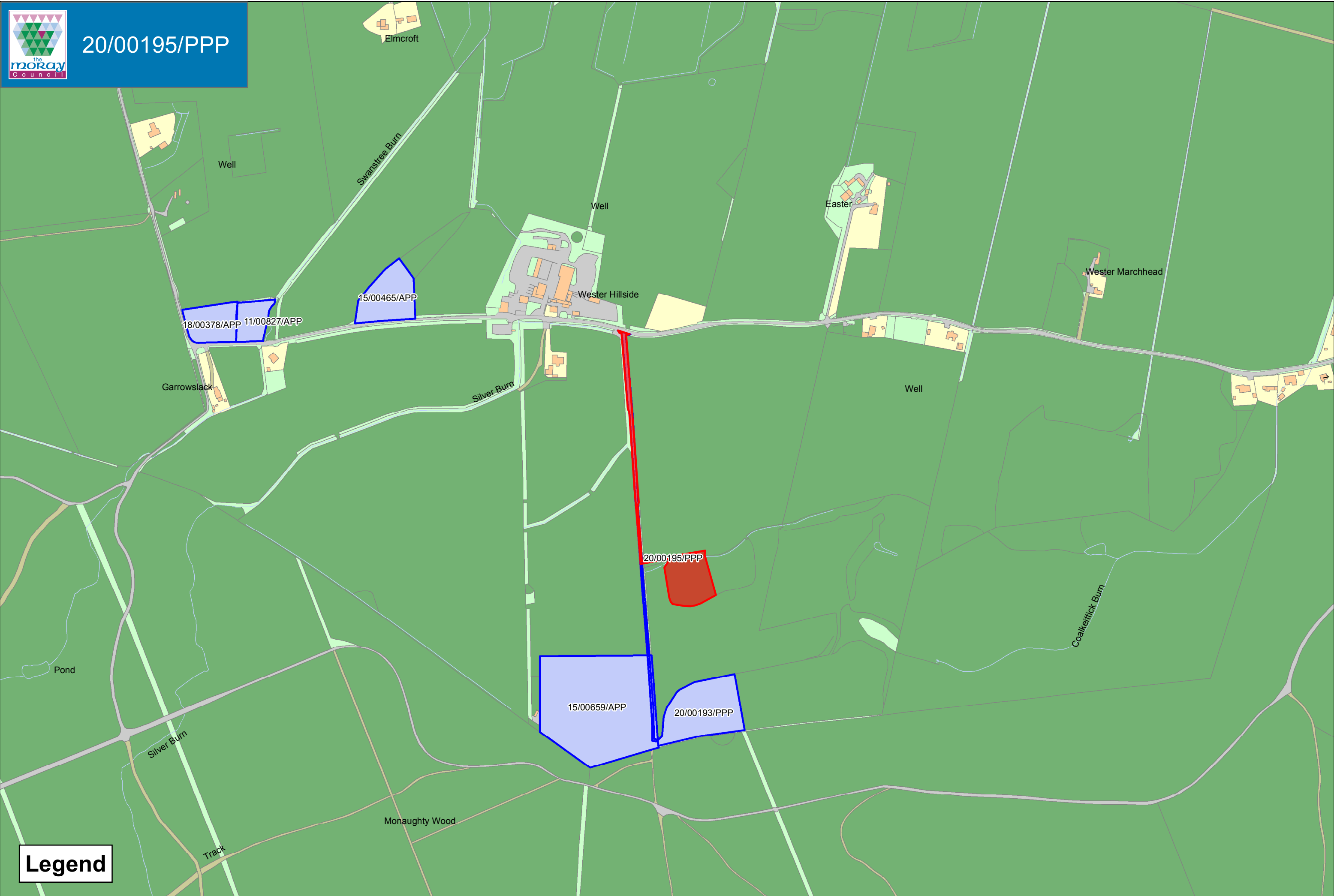
Application subject to S.75 Agreement		NO
Summary of terms of agreement:		

Location where terms or summary of terms can be inspected:

<b>DIRECTION(S) MADE BY SCOTTISH MINISTERS (under DMR2008 Regs)</b>			
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)			



20/00195/PPP



**Legend**





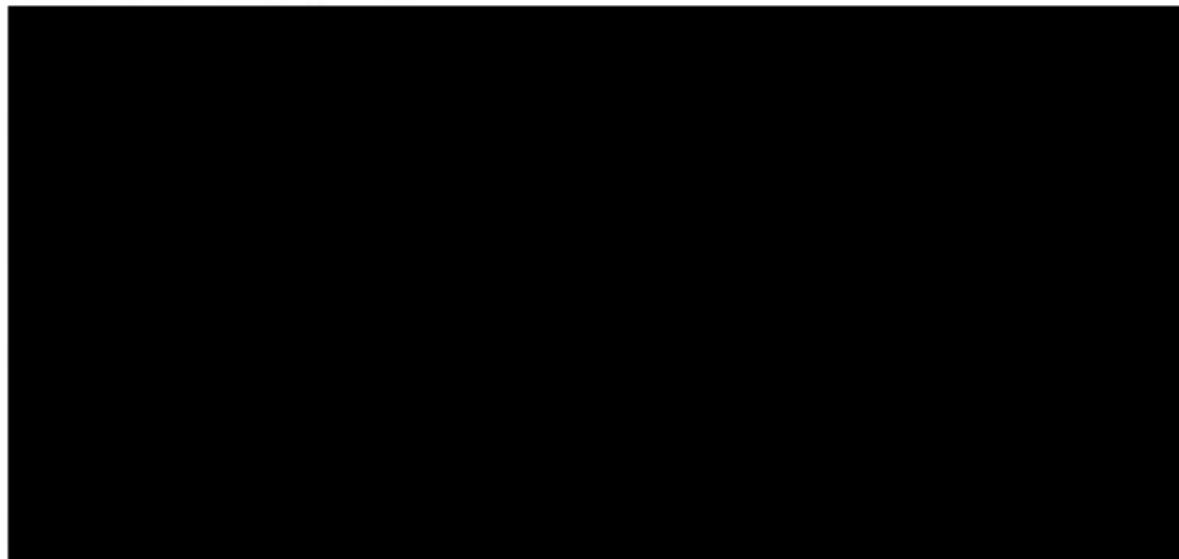


MORAY COUNCIL  
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997,  
as amended

REFUSAL OF PLANNING PERMISSION

[Heldon And Laich]  
Planning Permission in Principle

TO

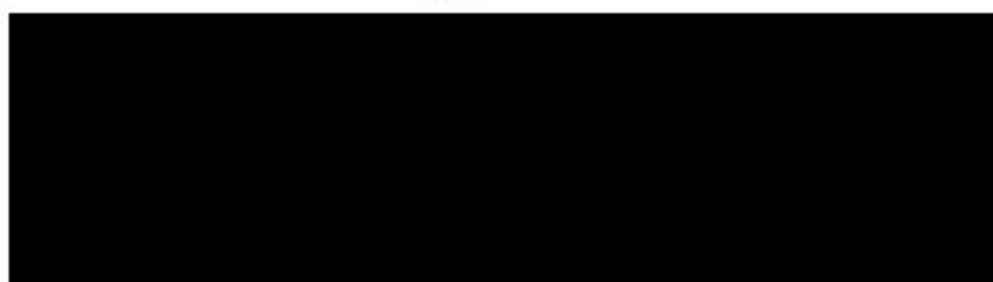


With reference to your application for planning permission under the above mentioned Act, the Council in exercise of their powers under the said Act, have decided to **REFUSE** your application for the following development:-

**Erect dwellinghouse on Site 500M South East Of Wester Hillside Mosstowie Elgin Moray**

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

Date of Notice: **05 May 2020**



**HEAD OF ECONOMIC GROWTH AND DEVELOPMENT**  
Economy, Environment and Fincance  
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 policies H7 and IMP1 of the Moray Local Plan 2015, the Housing in the Countryside Supplementary Guidance and the Guidance Note on Cumulative Build Up of New Houses in the Countryside for the following reasons:

- 1) The proposal will further exacerbate already identified sequential visual effects of cumulative build up experienced when travelling along the minor roads in this location.
- 2) A new house in this location will contribute to further eroding the rural character of the area by adding to the prevalence of new housing and undermining the traditional settlement pattern.
- 3) The impact of new access roads, visibility splays and bin storage associated with new development will also further diminish the rural character of this area.

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

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

Reference	Version	Title
020/132/02		Block plan
020/132/01		Site plan
020/132/04		Visibility splay
020/132/03		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, 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.

