



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            100259039-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Type of Application

What is this application for? Please select one of the following: \*

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

## Description of Proposal

Please describe the proposal including any change of use: \* (Max 500 characters)

Proposed erection of new dwelling house

Is this a temporary permission? \*

Yes  No

If a change of use is to be included in the proposal has it already taken place?

Yes  No

(Answer 'No' if there is no change of use.) \*

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

No  Yes – Started  Yes - Completed

## Applicant or Agent Details

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

Applicant  Agent

## Agent Details

Please enter Agent details

Company/Organisation:	Arthur Stone Planning & Architectural Design Limited		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	Alison	Building Name:	<input type="text"/>
Last Name: *	Arthur	Building Number:	85
Telephone Number: *	01337 840 088	Address 1 (Street): *	High Street
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	Newburgh
Fax Number:	<input type="text"/>	Country: *	United Kingdom
		Postcode: *	KY14 6DA
Email Address: *	info@arthurstoneplanning.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:	<input type="text"/>
First Name: *	Alastair	Building Number:	2
Last Name: *	Anderson	Address 1 (Street): *	Croft Terrace
Company/Organisation:	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	Errol
Extension Number:	<input type="text"/>	Country: *	Perthshire
Mobile Number:	<input type="text"/>	Postcode: *	PH2 7UE
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

## 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

853886

Easting

346438

## Pre-Application Discussion

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

Yes  No

## Site Area

Please state the site area:

1147.00

Please state the measurement type used:

Hectares (ha)  Square Metres (sq.m)

## Existing Use

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

Unused grass area/ plot

## 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

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

## 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: Alison Arthur

On behalf of: Mr Alastair Anderson

Date: 25/05/2020

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)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. \*

Yes  N/A

A Design Statement or Design and Access Statement. \*

Yes  N/A

A Flood Risk Assessment. \*

Yes  N/A

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

Yes  N/A

Drainage/SUDS layout. \*

Yes  N/A

A Transport Assessment or Travel Plan

Yes  N/A

Contaminated Land Assessment. \*

Yes  N/A

Habitat Survey. \*

Yes  N/A

A Processing Agreement. \*

Yes  N/A

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

## Declare – For Application to Planning Authority

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

Declaration Name: Mrs Alison Arthur

Declaration Date: 25/05/2020

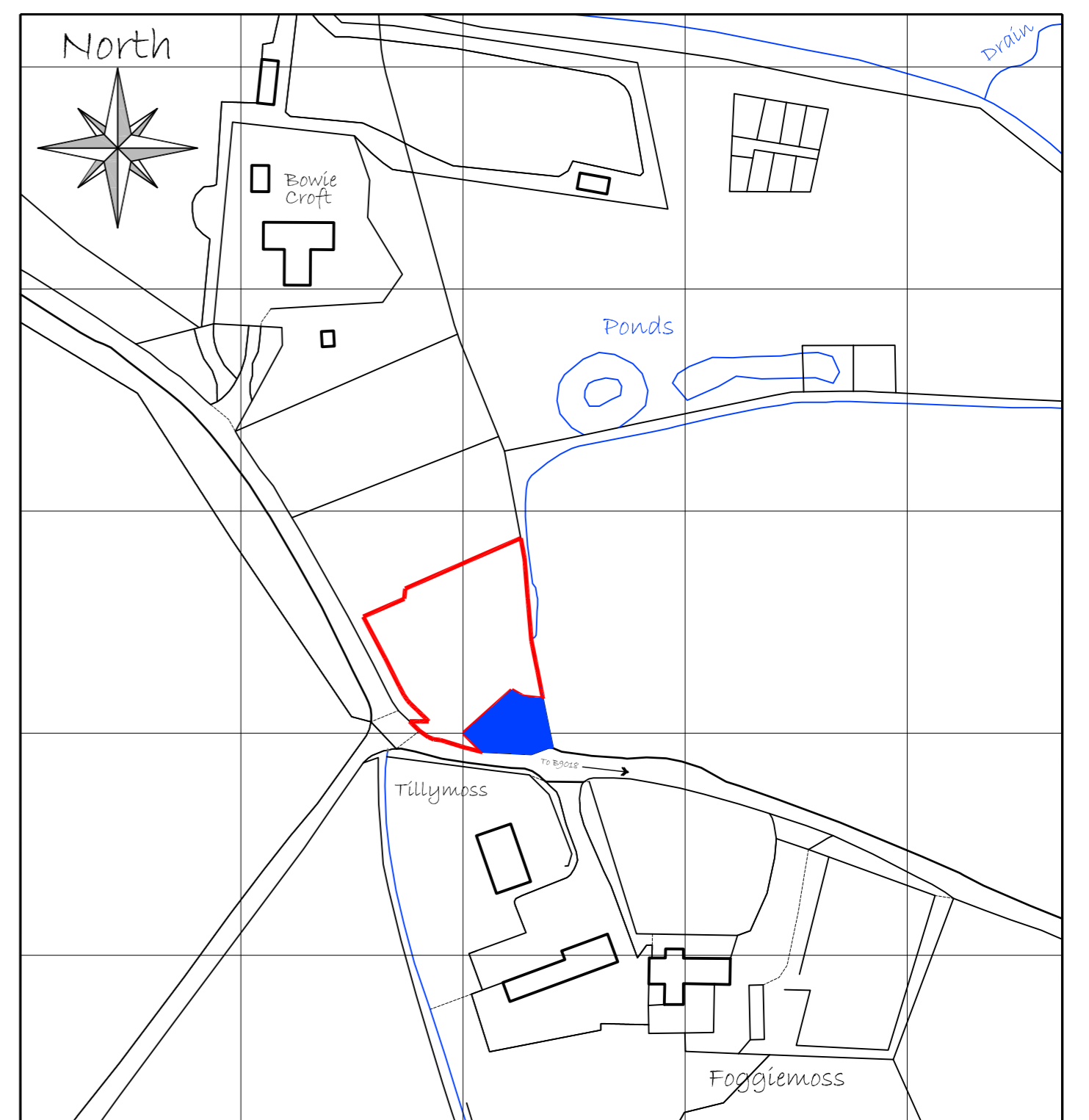
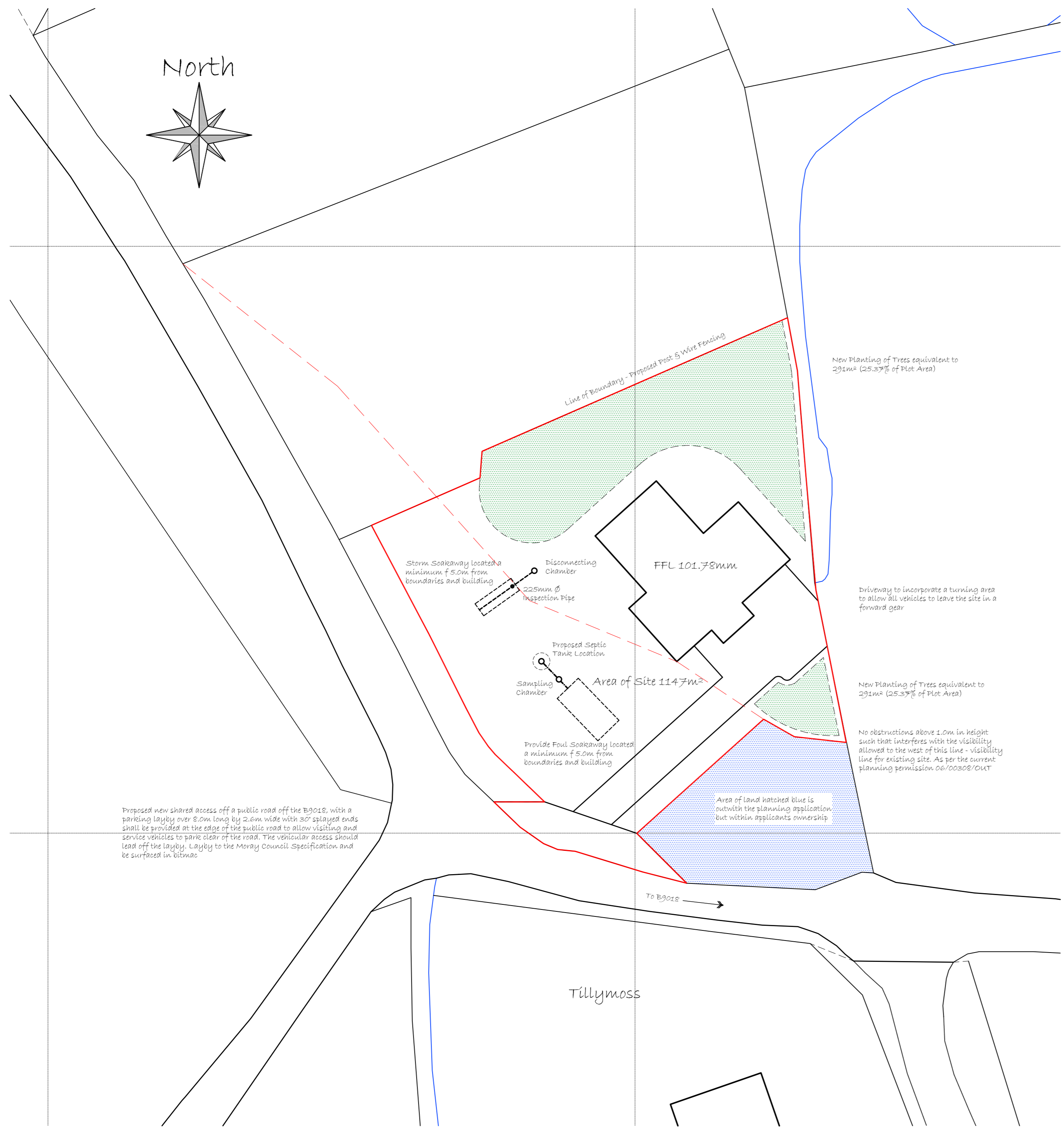
## Payment Details

Telephone Payment Reference: 8555

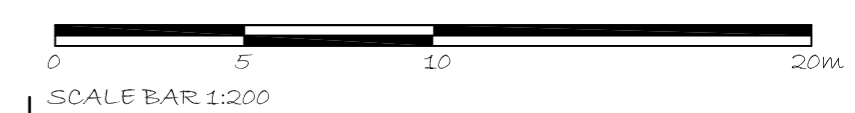
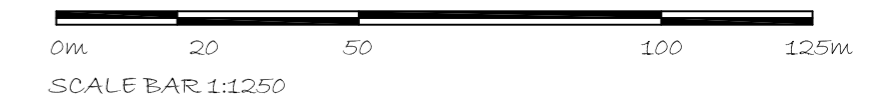
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Site Location Plan  
1:1250

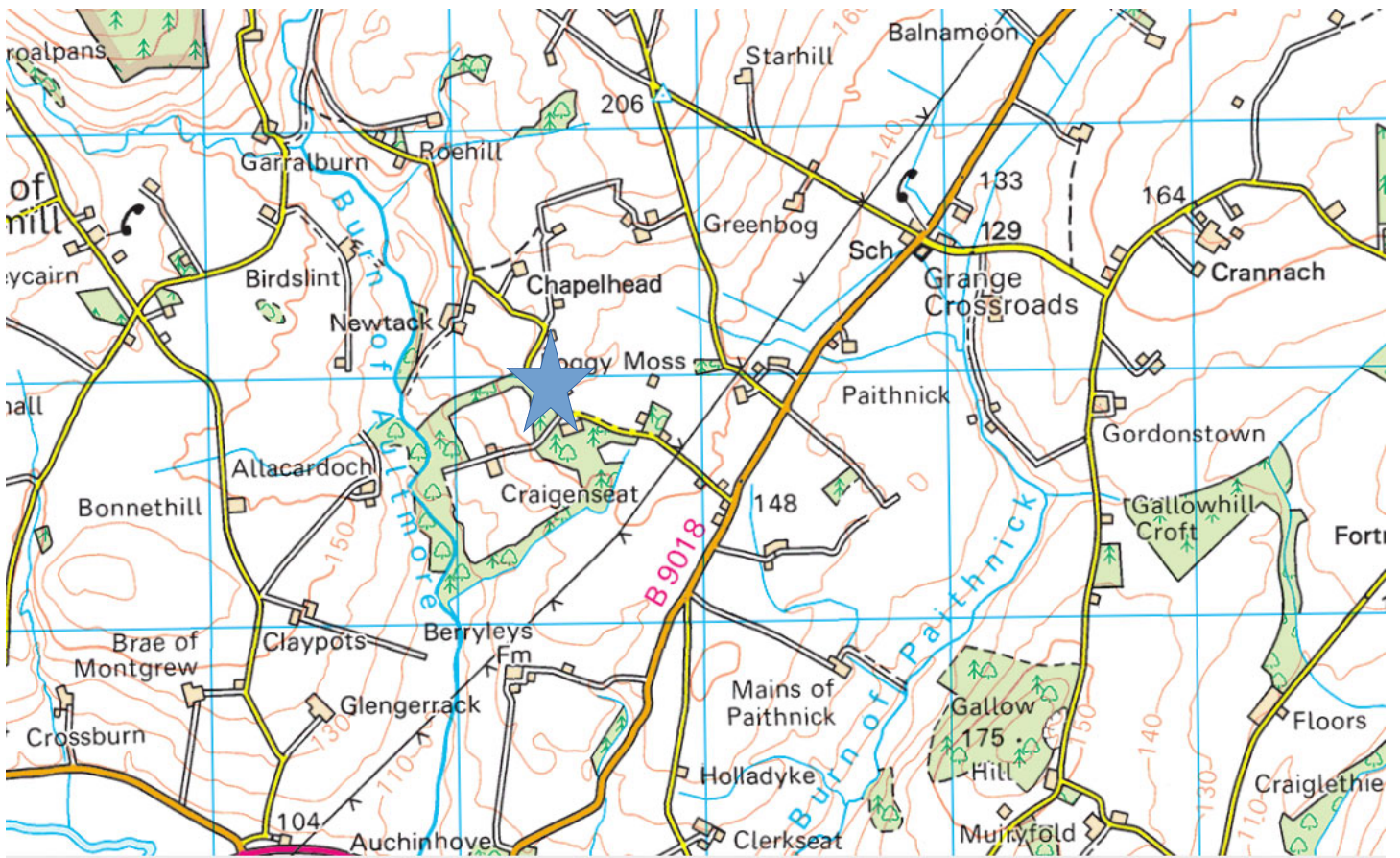


Arthur Stone Planning & Architectural Design

Project Proposed New Dwelling House at Plot 2, Bowie Croft, Keith, Moray.				
Title Site Location & Site Layout Plan				
Drawn D.McC	Date May 2020	Scale Noted@A2	Drawing No 3107-01	Rev



# Wider OS Site Location Plan



Site Location



# Ariel Site Location Plan



 **Site Location**

## *Supporting Statement*

Planning Permission in Principle for the  
erection of a dwellinghouse

Plot 2 at Bowie Croft, Keith, Moray



Mr & Mrs Anderson

April 2020



Arthur Stone Planning  
& Architectural Design

85 High Street  
Newburgh, KY14 6DA

**Tel: 01337 840088**



[www.arthurstoneplanning.co.uk](http://www.arthurstoneplanning.co.uk)  
[info@arthurstoneplanning.co.uk](mailto:info@arthurstoneplanning.co.uk)



## Contents

- 01 Introduction
- 02 Site Context
- 03 Planning History
- 04 Proposal
- 05 Relevant Local Development Plan
- 06 Principle of Development & Siting
- 07 Design
- 08 Flooding & Drainage
- 09 Residential Amenity
- 10 Landscape & Trees
- 11 Road Safety & Parking
- 12 Conclusion

Appendix 1 - 11/00011/APP, Approved Site Plan

## 01 Introduction

This statement has been prepared for our clients, Mr and Mrs Anderson, to support their proposal for planning permission in principle for a single dwellinghouse at Plot 2 Bowie Croft, Keith.

This statement provides supporting information which we trust will assist the Council in its decision-making process. The planning policies of the Adopted Moray Local Development Plan 2015 have been the basis for the justification of the proposal, along with current supplementary guidance.

We would be pleased to discuss any aspect of the proposal prior to a formal decision being made.





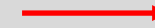
## 02 Site Context

This proposal relates to an of rough pastureland located to the south of a property named Bowie Croft and to the north of an area known as Foggie Moss. The site is accessed from a minor, single track road from the B9018 and is some distance to the north east of the town of Keith. The site is relatively flat, incorporates shrubs and individual trees and is bounded by the single track road to the south an west. Please see the preceding pages for site photographs.

There are a number of individual residential properties and farms in the close vicinity of this site, incorporating a mixture of modern and traditional single and one and a half storey designs.



View 1





There are several planning consents that are relevant to this site dating back to 2006. Planning application 06/00308/OUT established the principle of residential use on this site and was approved in April of 2006. A further application was made in 2011 under planning reference number 11/00011/APP following the expiration of the previous 2006 consent and was subsequently approved in October 2011. The approved site plan for this application is contained in Appendix 1 of this document.

In December 2014 the current owner received further planning consent (14/01967/APP) to extend the date of the consent notice for a further 3 years. The site was not developed at that time by the applicant and has therefore the planning consent subsequently lapsed at the end of 2017.

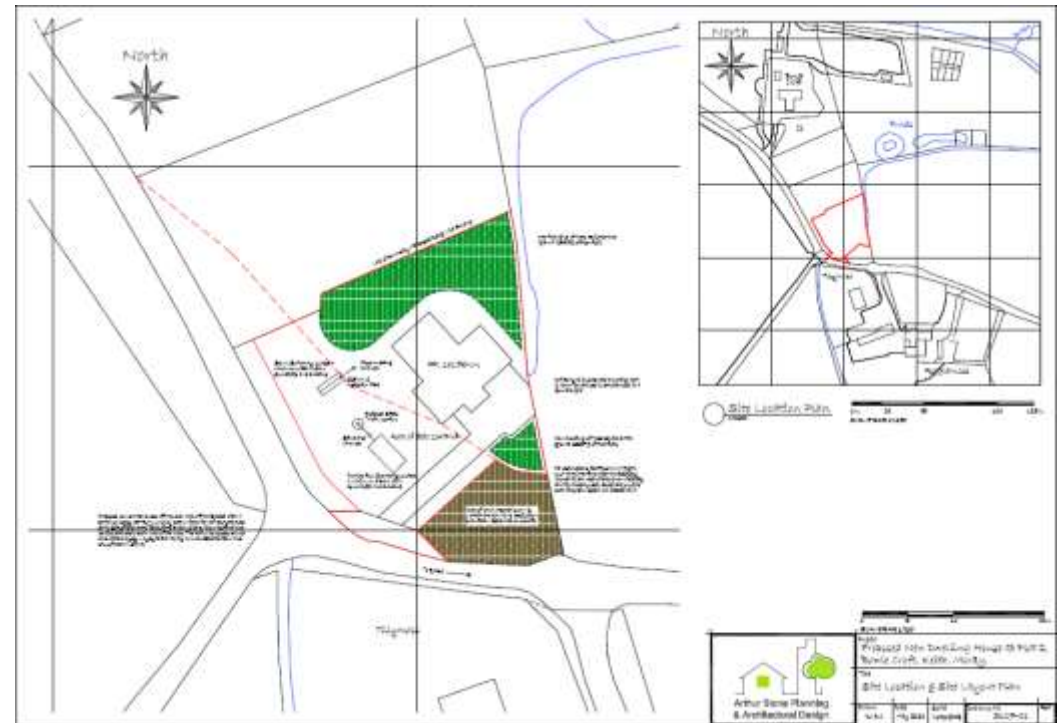
Land directly to the north of this site also gained full planning permission in 2008 for a single dwellinghouse, although this property has not been developed.

This planning application seeks permission in principle for a single dwellinghouse to be developed on the site. A similar site layout is proposed that which has previously been approved by the planning consents dating back to 2006 and a notional plan illustrating the location of a house, parking etc is submitted as part of this application.

As in the previous planning applications, it is proposed to set a house further to the rear of the site so as not to effect established visibility splay on the single track road. A private driveway is proposed onto the public road, incorporating a layby on the corner as approved in the previous applications.

It is proposed once again to plant additional native trees on the site so as to reflect the current requirement of local policy (that being H7 MLDP 2015); 25% of the plot area. The intention would be to submit a further, more detailed landscaping plan as part of a full planning application.

There is considered to be sufficient space for a minimum of 3 cars of the site, although we recognise that this would matter also be considered in more detail during the determination of a full planning application.



The Town and Country Planning (Scotland) 1997 Act requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

The current and adopted Local Plan for the Keith area is the Adopted Moray Local Development Plan, 2015 (MLDP). It is understood that the proposed Murray Local Development Plan 2020 is likely to be adopted some time later this year but until such time Moray Council advise that the weight to be attached to the policies contained within that Plan will be decided on a case by case basis.

Having taken note of recent decisions for single houses in similar rural locations in the Moray area, it is noted that the MLDP 2015 is still predominantly referred to as the principle plan at present.



*Policy H7: New Housing in the Open Countryside of the MLDP 2015 contains 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. New development should be of low impact and reflect the character of the surrounding area in terms of scale and design of housing.*

*Policy criteria requires new house sites to:*

- a) Reflect the traditional settlement pattern of the locality and integrate sensitively with the surrounding landform (i.e. not be obtrusive)*
- b) Not detract from the character or setting of existing buildings, or their surrounding area*
- c) **Not contribute to a 'build-up' of development which changes the character of the area***
- d) To have at least 50% established boundaries*

*Policy IMP1: Developer Requirements, seeks to ensure that new development proposals to be sensitively sited, designed and serviced appropriate to the amenity of the surrounding area. Amongst other criteria within this Policy new development is required to be of a scale and character appropriate to its setting and for development to integrate into the landscape.*

As noted in previous applications for this site, the settlement pattern for this area in Moray is characterised by single and small clusters of houses dispersed throughout the rural area. As such it was not considered that the proposed house would lead to an **unacceptable 'build up' of properties that would detract from the character of the area.** The existing tree line to the far north of the

site has further established itself over the preceding years forming a natural barrier to the edge of further residential development. The site is bounded to the south and east by the single-track road and incorporates a few individual trees and shrubs on the alter elevation.

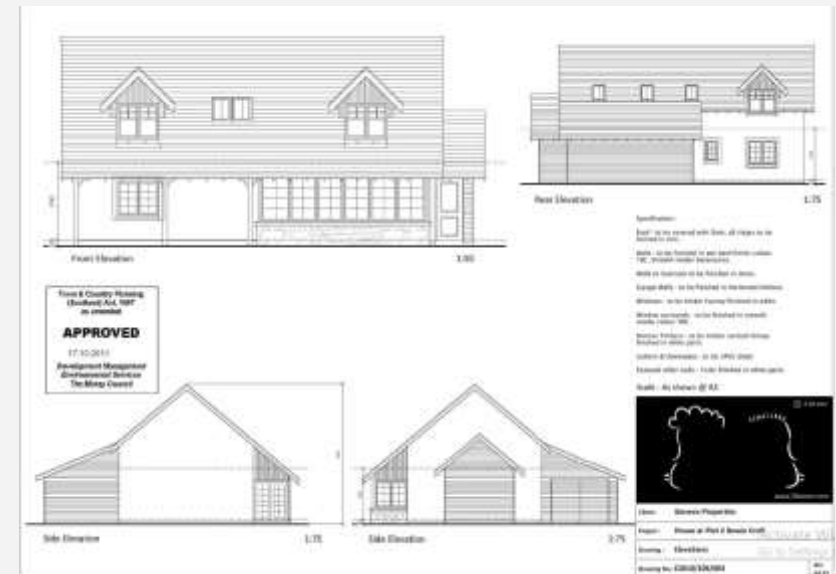
It is considered that neither the site nor the immediate local area have altered to any significant degree since the previous application was approved on this site in December 2014 (14/01967/APP). The existing planting has further established itself within the site and the boundaries of the site remain established and unchanged.

The proposed notional site layout is considered to continue to site a new house sensitively on the site to allow for further planting to be achieved. A house in this location would not adversely impact on the distinctiveness of the rural qualities of this area and does not **appear to be an area that has concerns with local 'build up' of new development.**

Given the above, it is considered that the principle of residential development would continue to be acceptable on this site in line with the criteria set out in Policy H7 and IMP1 of the MLDP.

*Policy H7: New Housing in the Open Countryside of the MLDP 2015 advises that the appearance of new housing should relate to its design, siting and location and should reflect the character of it's locality.*

In this case the proposal is only for a planning application in principle and therefore no design has yet been proposed. However, the applicant would intend to propose a traditional single or one-and-a-half storey property of well proportioned design in the future using materials such as natural stone, natural slate and traditional fenestration.



Detailed Design Approved for this site under Planning Ref: 11/00011/APP

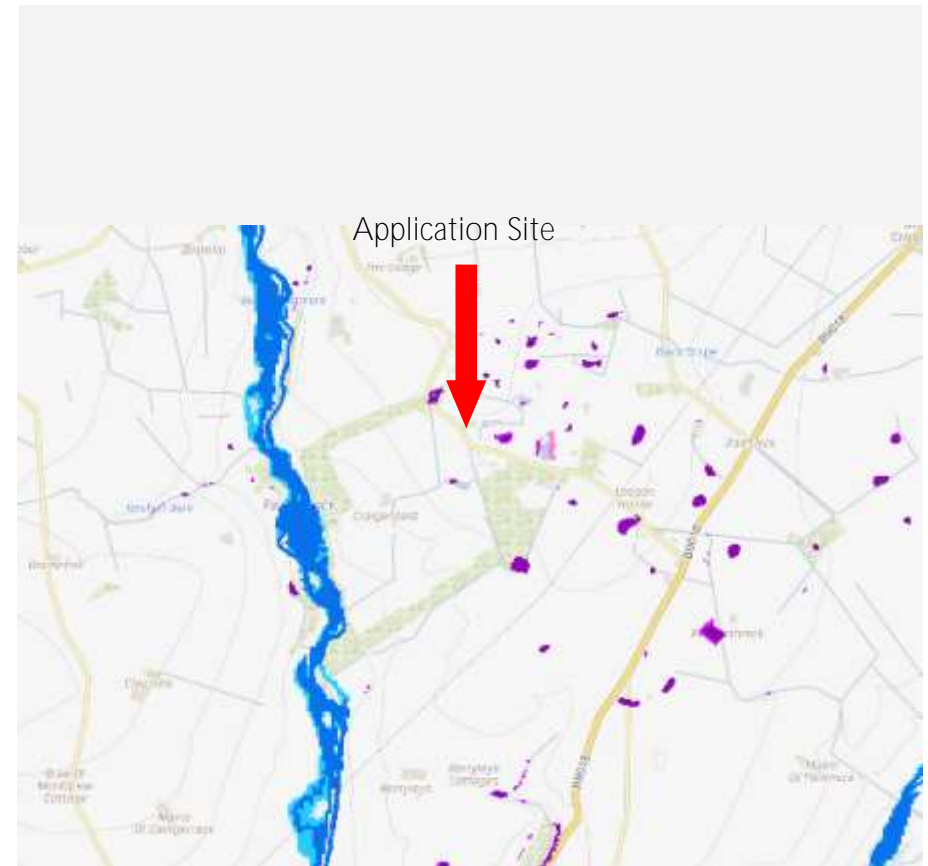
## 08 Flooding & Drainage

*Policy EP5: Surface Water Drainage, advises that surface water drainage should be dealt with in a sustainable manner and should have a neutral effect on the risk of flooding. Policy EP10 advises that foul drainage should be dealt with appropriately by a private system in small scale developments in rural locations. Policy IMP1 requires water and drainage provision must be made available on all sites.*

As this is an in principle application, it is intended that proposals for the treatment of foul and surface water would be dealt with as part of a further detailed planning application. However, it is expected that foul drainage would be disposed of via a treatment plant and soakaway and surface water would be dealt with by a separate soakaway on the site.

The SEPA Flood Maps show that the site is at no risk from any sort of flooding; whether that be from a running water source or surface water. Please see map obtained from the SEPA Website overleaf.

The proposed dwellinghouse will be served by appropriate waste and recycling facilities to ensure that the proposal fully complies **with the Council's requirements in terms of Waste Management for new development.**



SEPA Flooding Map

## 09 Residential Amenity

*Policy H7 advises that new proposals should be sensitively sited so as to meet the appropriate amenity requirements of the house and neighbouring properties.*

Whilst only a notional site layout is provided at this stage we would consider that this proposal raises no immediate amenity concerns in terms of the potential for overlooking or overshadowing. The residential property to the far north of the site (Bowie Croft) would not be affected given that a large shelter belt of high and established trees is located in the dividing elevation and the distance between the sites. Similarly the property to the south of the site (Tilliemoss) is on the opposite side of the road from the application site and is some distance away from the intended location of the house.



## 10 Landscape & Trees

*Policy H7 requires that a minimum of 25% of plot areas should incorporate new native tree species as part of their proposals so as to help new residential development integrate into the landscape of the sites.*

Whilst we realise that the planting of trees cannot be carried out on the more visible roadside boundaries of the site to the south and east (due to the requirement to retain visibility splays) the applicant is happy to provide additional planting in the area suggested and approved in the previous planning consents, as illustrated in the site layout plan accompanying this application. This would equate to approximately 290m<sup>2</sup> of native tree species being planted. However, the applicant is happy to take the **Case Officer's thoughts on an alternate location for planting.**

## 11 Road Safety & Parking

*Policy T2 and T5 advise that new development will be required to be designed to the highest level of access for the proposed end user and be appropriate to the type of development and location. Proposals must also conform with the Council's current policy on parking standards.*

The proposed layout requires to form a new access out onto the adjoining main public road (to also incorporate a layby) and off street private parking within the site itself to serve the new house. Provided that the property is sited in a similar position, to the rear of the site, as in the former planning applications we would hope that no concerns would be raised by Transportation in terms of access or visibility.

The applicant is in ownership of the full length of the site on the road edge and is aware of the restriction to ensure that any natural vegetation growth does not go above 1m in height.

Whilst this is an outline application and a notional layout at this stage, we would consider that there is sufficient space to provide a minimum of 3 off-street parking spaces in this case.

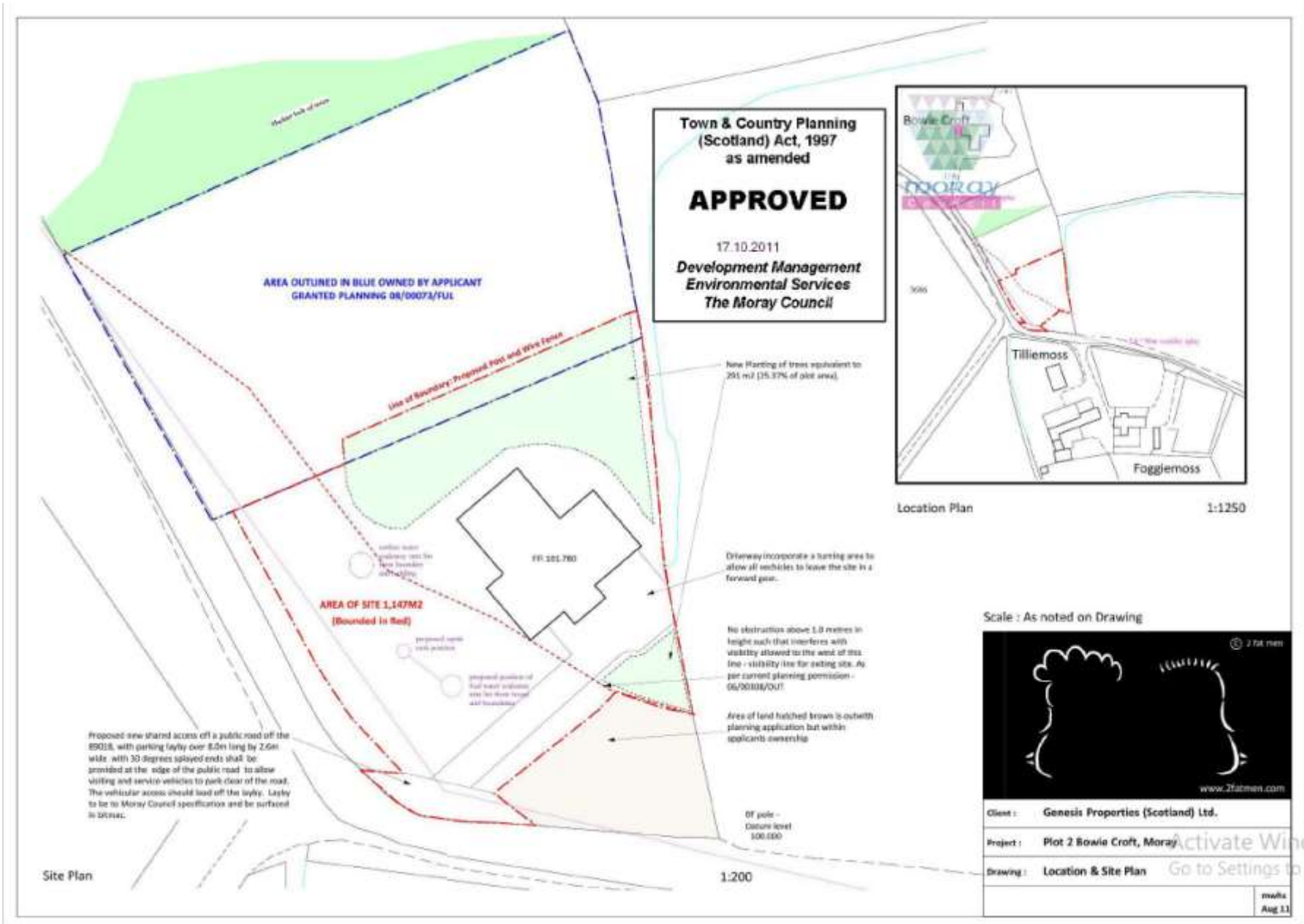
## 12 Conclusion

In conclusion we make the following points in support of this proposal:

- ◆ The proposal for new accommodation fully complies with the relevant policies of the Moray Local Development Plan
- ◆ The site has received various planning consents in recent years for a single house in terms of both outline and detailed planning permission
- ◆ There will be no conflict with surrounding land uses or the residential amenity of local area
- ◆ There will be no adverse impact on the landscape or environmental capacity of the site
- ◆ The site is not considered to be subject to flooding of any kind
- ◆ New native species of trees are intended to be planted as part of the proposal in line with Policy
- ◆ The proposal will generate a minimal amount of traffic and should have no impact on the road capacity or road safety
- ◆ Service infrastructure will be provided to meet the needs of the development

As previously noted, we would very much welcome the opportunity to discuss the proposal with the Planning Case Officer prior to any decision being made.







**From:** DeveloperObligations  
**Sent:** 30 Jun 2020 13:09:58 +0100  
**To:** Iain Drummond  
**Cc:** DC-General Enquiries  
**Subject:** 20/00647/PPP Erect dwellinghouse on Plot 2 Bowie Croft, Grange Crossroads, Keith  
**Attachments:** 20-00647-PPP Erect dwellinghouse on Plot 2 Bowie Croft, Grange Crossroads, Keith.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

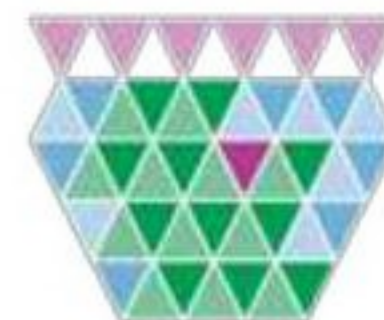
**Rebecca Morrison** | Infrastructure Growth/Obligations Officer (Strategic Planning and Development) | Economic Growth and Development  
[rebecca.morrison@moray.gov.uk](mailto:rebecca.morrison@moray.gov.uk) | [website](#) | [facebook](#) | [moray council planning facebook](#) | [twitter](#) | [newsdesk](#)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

**MORAY**  
council





# Developer Obligations & Affordable Housing: ASSESSMENT REPORT



**moray**  
council

**Date:** 30/06/2020

**Reference:** 20/00647/PPP

**Description:** Erect dwellinghouse on Plot 2  
Bowie Croft, Grange Crossroads, Keith

**Applicant:** Mr Alastair Anderson

**Agent:** Arthur Stone Planning & Architectural  
Design Limited

This assessment has been carried out by Moray Council. For Developer Obligations, the assessment is carried out in relation to policy IMP3 Developer Obligations of the Moray Local Development Plan 2015 (LDP2015) and associated Supplementary Guidance (SG) on Developer Obligations which was adopted on 1 March 2018.

The LDP2015 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).

For Affordable Housing the assessment is carried out in relation to policy DP2 Housing of the Modified Moray Local Development Plan 2020 (LDP2020) which became a material consideration in the determination of planning applications on 15 June 2020. The adoption of the LDP2020 is anticipated in July 2020. Affordable housing is a policy requirement not a developer obligation however, for ease of reference the Affordable Housing contribution is included within this document.

## Summary of Obligations

Primary Education	Nil
Secondary Education	Nil
Transport	Nil
Healthcare ( <i>Contribution towards New Build Health Centre in Keith</i> )	██████████
Sports and Recreation	Nil
<b>Total Developer Obligations</b>	██████████
	██████████
Affordable Housing	██████████
	██████████
<b>TOTAL</b>	██████████

## Breakdown of Calculation

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

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 developer obligation for single unit



Moray Council **DEVELOPER OBLIGATIONS**



developments to reflect their small scale nature.

## INFRASTRUCTURE

### Education

#### **Primary Education**

Pupils generated by this development are zoned to Crossroads Primary School. The school is currently operating at 34% functional capacity and the additional pupil as a result of this development can be accommodated. As a result, no mitigation is necessary.

**Contribution towards Primary Education = Nil**

#### **Secondary Education**

Pupils generated by this development are zoned to Keith Grammar. The school is currently operating at 73% 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).

Keith Medical Group is the nearest GP Practice within which healthcare facilities can be accessed by the proposed development. NHS Grampian has confirmed that Keith Medical Group is working well beyond design capacity with no room for expansion on existing site. Contributions will be sought towards a New Build Health Centre in Keith.

Contributions are calculated based on a proportional contribution of [REDACTED] per SRUE.

[REDACTED]

**Contribution towards Healthcare= [REDACTED]**

### Sports and Recreational Facilities

#### *Sports and Recreation Facilities*

Existing sports provision within Keith 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**



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## AFFORDABLE HOUSING

The benchmark cost of 1 unit of Affordable Housing is [REDACTED]. Contributions are based on 25% of the total number of units proposed in the application:

[REDACTED]

Therefore, the total contribution towards affordable housing is:

[REDACTED]

Affordable housing is a policy requirement not a developer obligation and will not be subject to negotiation.



## 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 20/00647/PPP

## Application Summary

Application Number: 20/00647/PPP

Address: Plot 2 Bowie Croft Grange Crossroads Keith Moray

Proposal: Erect dwellinghouse on

Case Officer: Iain T Drummond

## 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, PEHO



**MORAY COUNCIL**

**PLANNING CONSULTATION RESPONSE**

**From:** Moray Flood Risk Management

**Planning Application Ref. No:** 20/00647/PPP

**Erect dwellinghouse on Plot 2 Bowie Croft Grange Crossroads Keith Moray for Mr Alastair Anderson**

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

- |   | <b>Please</b>                                   |
|---|---|
| (a) I OBJECT to the application for the reason(s) as stated below   | <b>x</b><br><input checked="" type="checkbox"/> |
| (b) I have NO OBJECTIONS to the application and have no condition(s) and/or comment(s) to make on the proposal            | <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"/>                        |

**Reason(s) for objection**

Further information required to consider the application.

A drainage statement with a more detailed drainage solution is required to assess proposals for the site.

Further information on requirements for the DS can be found in “Moray Council Flood Risk Management Supplementary Guidance for Flood Risk and Drainage”:

[www.moray.gov.uk/downloads/file124411.PDF](http://www.moray.gov.uk/downloads/file124411.PDF)

Contact: Javier Cruz Date.....25/06/2020  
email address: Javier.Cruz@Moray.gov.uk Phone No .....  
Consultee: The Moray Council, Flood Risk Management



Friday, 08 January 2021



Local Planner  
High Street

Elgin  
IV30 1BX

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](mailto:DevelopmentOperations@scottishwater.co.uk)  
[www.scottishwater.co.uk](http://www.scottishwater.co.uk)

Dear Sir/Madam

**SITE: Plot 2 Bowie Croft Grange, Crossroads Keith, Keith, AB55 6LQ**  
**PLANNING REF: 20/00647/PPP**  
**OUR REF: DSCAS-0015865-3J2**  
**PROPOSAL: Erect dwellinghouse on**

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

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## **Audit of Proposal**

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 Capacity Assessment**

Scottish Water has carried out a Capacity review and we can confirm the following:

- ▶ This proposed development will be fed from TURRIFF Water Treatment Works. Unfortunately, Scottish Water is unable to confirm capacity currently so to allow us to fully appraise the proposals we suggest that the applicant completes a Pre-Development Enquiry (PDE) Form and submits it directly to Scottish Water via [our Customer Portal](#) or contact Development Operations.

## **Waste Water Capacity Assessment**

- ▶ 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.

---

**Please Note**

- ▶ The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.
- 

## **Surface Water**

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

### **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)
- ▶ Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Customer Connections department at the above address.
- ▶ If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
- ▶ Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.

- ▶ The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.
  - ▶ Please find information on how to submit application to Scottish Water at [our Customer Portal](#).
- 

## **Next Steps:**

### **▶ All Proposed Developments**

All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via [our Customer Portal](#) prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

### **▶ Non Domestic/Commercial Property:**

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at [www.scotlandontap.gov.uk](http://www.scotlandontap.gov.uk)

### **▶ Trade Effluent Discharge from Non Dom Property:**

- ▶ Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and laundrettes. Activities not covered include hotels, caravan sites or restaurants.
- ▶ If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email [TEQ@scottishwater.co.uk](mailto:TEQ@scottishwater.co.uk) using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found [here](#).
- ▶ Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.
- ▶ For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices

to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.

- ▶ The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at [www.resourceefficientscotland.com](http://www.resourceefficientscotland.com)

I trust the above is acceptable however if you require any further information regarding this matter please contact me on **0800 389 0379** or via the e-mail address below or at [planningconsultations@scottishwater.co.uk](mailto:planningconsultations@scottishwater.co.uk).

Yours sincerely,

**Planning Application Team**

Development Operations Analyst

[developmentoperations@scottishwater.co.uk](mailto:developmentoperations@scottishwater.co.uk)

**Scottish Water Disclaimer:**

*"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."*



# Consultee Comments for Planning Application 20/00647/PPP

## Application Summary

Application Number: 20/00647/PPP

Address: Plot 2 Bowie Croft Grange Crossroads Keith Moray

Proposal: Erect dwellinghouse on

Case Officer: Iain T Drummond

## 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, CLO



## Consultation Request Notification

<b>Planning Authority Name</b>	Moray Council
<b>Response Date</b>	23rd June 2020
<b>Planning Authority Reference</b>	20/00647/PPP
<b>Nature of Proposal (Description)</b>	Erect dwellinghouse on
<b>Site</b>	Plot 2 Bowie Croft Grange Crossroads Keith Moray
<b>Site Postcode</b>	N/A
<b>Site Gazetteer UPRN</b>	000133061939
<b>Proposal Location Easting</b>	346449
<b>Proposal Location Northing</b>	853866
<b>Area of application site (M<sup>2</sup>)</b>	1147
<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=QAXCYTBGKMU00">https://publicaccess.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&amp;keyVal=QAXCYTBGKMU00</a>
<b>Previous Application</b>	14/01967/APP 11/00011/APP
<b>Date of Consultation</b>	9th June 2020
<b>Is this a re-consultation of an existing application?</b>	No
<b>Applicant Name</b>	Mr Alastair Anderson
<b>Applicant Organisation Name</b>	
<b>Applicant Address</b>	2 Croft Terrace Errol Perthshire PH2 7UE
<b>Agent Name</b>	Arthur Stone Planning & Architectural Design Limited
<b>Agent Organisation Name</b>	
<b>Agent Address</b>	85 High Street Newburgh United Kingdom KY14 6DA
<b>Agent Phone Number</b>	
<b>Agent Email Address</b>	N/A
<b>Case Officer</b>	Iain T Drummond
<b>Case Officer Phone number</b>	01343 563607
<b>Case Officer email address</b>	iain.drummond@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: 20/00647/PPP**

**Erect dwellinghouse on Plot 2 Bowie Croft Grange Crossroads Keith Moray for Mr Alastair Anderson**

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. Notwithstanding the submitted details no development shall commence until:
  - i) a detailed drawing (scale 1:500 or 1:1000 which shall also include details to demonstrate control of the land) showing the visibility splay 2.4 metres by 90 metres in both directions, with all boundaries set back to a position behind the required visibility splay, including a forward visibility splay envelope of 90 metres around the bend on the adjacent public carriageway to the south and west of the site, and a schedule of maintenance for the splay area has been submitted to and approved by the Council, as Planning Authority in consultation with the Roads Authority; and,
  - ii) thereafter the visibility splay shall be provided in accordance with the approved drawing prior to any works commencing (except for those works associated with the provision of the visibility splay); and
  - iii) thereafter the visibility splay shall be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the carriageway in accordance with the agreed schedule of maintenance.

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 and to ensure acceptable development that does not create any hazard to road users in the interests of road safety.

2. Prior to the occupation of the dwelling house, the first 5m 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 minimum 3.5 metres, 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.

3. Prior to the occupation of the dwelling house, an access lay-by 8.0m 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.

4. 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.

5. 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 dwelling house, 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.

6. No water shall be permitted to drain or loose material be carried onto the public carriageway.

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

7. 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

8. Boundary walls/fences shall be set back from the edge of the public carriageway at a minimum distance of 2.0m and to a position behind the required visibility splays.

Reason: To ensure acceptable development in the interests of road safety.

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

The formation of the required visibility splays will involve the removal of gorse and vegetation and setting back of boundary fences. The visibility splays have not been shown

and should be detailed on any subsequently submitted drawings. Parking provision shall be located out with the required visibility splays.

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

Before starting any work on the existing public road the applicant is obliged to apply for a road opening permit in accordance with Section 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 17 June 2020**

<b>Return response to</b>	<b><a href="mailto:consultation.planning@moray.gov.uk">consultation.planning@moray.gov.uk</a></b>
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Please note that information about the application including consultation responses and representations (whether in support or objection) received on the proposal will be published on the Council's website at <http://public.moray.gov.uk/eplanning/> (You can also use this site to track progress of the application and view details of any consultation responses and representations (whether in support or objection) received on the proposal). In order to comply with the Data Protection Act, personal information including signatures, personal telephone and email details will be removed prior to publication using "redaction" software to avoid (or mask) the display of such information. Where appropriate other "sensitive" information within documents will also be removed prior to publication online.





# OFFICER REPORT ON APPLICATION

## *For Report of Handling*

<b>Ref No:</b>	20/00647/PPP	<b>Officer:</b>	Iain T Drummond
<b>Proposal Description/ Address</b>	Erect dwellinghouse on Plot 2 Bowie Croft Grange Crossroads Keith Moray		
<b>Date:</b>		<b>Typist Initials:</b>	

### **HISTORY**

<b>Reference No.</b>	<b>Description</b>		
14/01967/APP	Extend planning consent 11/00011/APP for erection of dwellinghouse on Plot 2 Bowie Croft Grange Crossroads Keith Moray		
	<b>Decision</b>	Permitted	<b>Date of Decision</b>
11/00011/APP	Erection of dwellinghouse on Plot 2 Bowie Croft Keith Moray		
	<b>Decision</b>	Permitted	<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>
Banffshire Advertiser and Herald	No Premises	06/07/20
PINS	No Premises	06/07/20

### **DEVELOPER CONTRIBUTIONS (PGU)**

<b>Status</b>	<b>Contribution sought</b>
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### **CONSULTATIONS**

<b>Consultee</b>	<b>Date Returned</b>	<b>Summary of Response</b>
Moray Flood Risk Management	25/06/20	Further information sought
Planning And Development Obligations	30/06/20	Contribution sought
Environmental Health Manager	09/06/20	No objections
Contaminated Land	10/06/20	No objections
Transportation Manager	17/06/20	No objections subject to conditions and informatives
Scottish Water	10/06/20	No objections

<b>DOCUMENTS, ASSESSMENTS etc. *</b>		
* 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:	Planning Statement	
Main Issues:	Identifies how the applicants feel the proposals comply with development plan policies	

<b>S.75 AGREEMENT</b>		
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</b> (under DMR2008 Regs)			
Section 30	Relating to EIA		NO
Section 31	Requiring planning authority to provide information and restrict grant of planning permission		NO
Section 32	Requiring planning authority to consider the imposition of planning conditions		NO
Summary of Direction(s)			

<b>DEVELOPMENT PLAN POLICY</b>		
<b>Policies</b>	<b>Dep</b>	<b>Any Comments (or refer to Observations below)</b>
PP3 Infrastructure and Services	N	
DP1 Development Principles	Y	
DP4 Rural Housing	Y	
EP13 Foul Drainage	N	
EP14 Pollution Contamination Hazards	N	

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

## OBSERVATIONS – ASSESSMENT OF PROPOSAL

### **The Proposal**

This application seeks planning permission in principle for the erection of a dwellinghouse on a site at Plot 2, Bowie Croft, Grange Crossroads, Keith.

An indicative site plan has been submitted in support of the proposal, which indicates an indicative house footprint within the site and access point onto the public road. Details of drainage, parking and landscaping are also shown.

### **The Site and Surroundings**

The site comprises a rough area of scrub ground, interspersed with bushes and small trees and is bounded to the north, east and west by further rough ground covered with trees and bushes. To the south the site is bounded by a single track public road, with a further existing house known as Tillymoss on the opposite side of the public road.

There are a number of previous planning applications relating to this site dating back to an original consent granted in 2006 (06/00308/OUT) for the erection of a dwellinghouse. This original consent was then extended/renewed in 2011 and then again in 2014, however, all of these consents have now lapsed without any works to commence the developments taking place on site and as such this application requires to be assessed afresh, without taking into account any previous consents on site.

The relatively short stretch of road leading to the site from the B9018 and leading on a short distance past the site approx. a total of 1.2km in length, has been the subject of 8 new approved and constructed house sites, of which the associated application numbers are listed below and a plan illustrating these approvals is appended to this report

- 11/01864/APP
- 07/01880/FUL
- 00/01252/FUL
- 12/01420/APP
- 05/01756/FUL
- 07/02492/FUL
- 07/02410/FUL
- 05/02665/FUL

### **Appraisal**

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 2020 (MLDP) unless material considerations indicate otherwise. The main planning issues are considered below:

### **Siting and Impact upon Landscape Character (MLDP 2020 Policies DP1 and DP4)**

Policy DP4: Rural Housing of the Moray Local Development Plan (MLDP) 2020 contains the necessary criteria for assessing new rural housing in the countryside. In this case the site lies within an area of Intermediate Pressure and as such proposals must first and foremost comply with the following siting criteria,

Proposals for single houses must be well-sited and designed to fit with the local landscape character and will be assessed on a case by case basis taking account of the following siting and design criteria;

1. There must be existing landform, mature trees, established woodland or buildings of a sufficient scale to provide acceptable enclosure, containment and backdrop for the proposed new house. These features must be immediately adjoining the site (i.e. on the boundary). Fields drains, ditches, burns, post and wire fencing, roads and tracks do not provide adequate enclosure or containment.
2. The new house must not create ribbon development, contribute to an unacceptable build-up of housing or detrimentally alter the rural character of an area due to its prominent or roadside location.
3. Artificial mounding, cut and fill and/or clear felling woodland to create plots will not be permitted.
4. 15% of the plot must be landscaped with native tree species (whips and feathered trees at least 1.5 metres in height, planted at a density of 1 per 4 sqm) to assist the development to integrate sensitively. Landscaping must be set back from the public road to ensure sightlines are safeguarded, a safe distance from buildings and positioned to maximise solar gain.

Policy DP1: Development Requirements seeks compatibility in terms of scale, density and character and requires new development to integrate into the surrounding landscape and ensure no adverse privacy, amenity or overbearing impacts on neighbouring property.

The MLDP 2020 contains a further guidance note on Cumulative Build-up of housing in the countryside which details siting and design indicators to aid the assessment of cumulative build-up of housing

The proposed site does not lie within any specific build up hot spot, however, whilst visiting the area and based on the number of house consents in recent years within a kilometre of the site it is clear that the build up of new housing in this area is eroding the character of the countryside in this locality.

There are 5 cumulative build-up indicators in relation to the siting of new houses identified within the guidance which should be used when sites do not lie within the pressurised and sensitive areas. These are as follows,

#### **siting indicators**

- The number of new houses overwhelms the presence of older buildings, such that the new houses are the predominant components of the landscape and the traditional settlement pattern is not easy to perceive.
- The incidence and inter-visibility of new houses result in these being a major characteristic of the landscape.
- There is a prominence of new houses from key viewpoints such as roads, adopted core paths or long distance paths and existing settlements.
- There are sequential visual effects of cumulative build-up of new housing experienced when travelling along roads in the vicinity of the site.

- The proposal contributes to ribbon development between existing/consented houses contrary to the traditional dispersed settlement pattern.

In this case, the number of new houses on this short stretch of road has overwhelmed the presence of older buildings, such that the new houses are the predominant components of the landscape and the traditional settlement pattern is not easy to perceive. There are sequential visual effects of cumulative build-up of new housing experienced when travelling along road leading to and past the site and this incidence and inter-visibility of new houses result in these being a major characteristic of the landscape.

Given these impacts, the proposal is considered to constitute an inappropriately located site which fails to satisfy the siting criteria of policies DP1 and DP4 and associated Guidance Note on Cumulative Build-up of housing.

Although the proposal is potentially capable of satisfying policy criteria in relation to boundary treatment, 15% tree planting and house design, these aspects do not override the main policy objection concerning an unacceptable build-up of housing and its associated impact upon the rural character of this particular location.

For the avoidance of doubt, whilst planning permission has been granted for a dwellinghouse on this site on 3 previous occasions, these previous consents have now lapsed and hold no material planning weight in the determination of this application. In addition a new Local Development Plan policy has been adopted in the intervening period, which is considerably more restrictive in terms of achieving acceptable new house site in the countryside, when compared to preceding local development plans.

#### **Access/Parking (DP1)**

Following consultation the Transportation Section has raised no objection to the proposal subject to conditions and informatives.

#### **Water Supply and Drainage (EP12)**

Whilst Moray Flood Risk Management requested that additional information be provided in support of this application, if the applications were being approved, a condition could have been attached to any consent to ensure the provision of any relevant drainage information at the approval of matters specified in condition stage and as such this lack of detailed information at this stage is not sufficient to justify a recommendation of refusal on this basis.

Scottish water has no objection to the use of the proposed water supply.

#### **Developer obligations and affordable housing (PP3 and DP2)**

An assessment has been carried out and a contribution has been identified towards healthcare and affordable housing, which the applicant has agreed to pay in the event of approval being given.

#### **Recommendation**

The proposed development is unacceptable in this location, fails to comply with development plan policy and is recommended for refusal.

<b>OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT</b>
---

<b>APPLICATION TYPE AND DECISION LEVEL</b>	
<b>Application type (as per hierarchy)</b>	LOCAL
<b>Decision Level</b>	Delegated

<b>RECOMMENDATION</b>		
<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>

**CONDITIONS AND REASONS FOR APPROVAL (if applicable)**

Conditions (including standard conditions)

N/A

**REASON(S) FOR REFUSAL (if applicable)**

The proposal would be contrary to policies DP1 and DP4 of the Moray Local Development Plan 2020 and associated guidance on build up of housing in the countryside for the following reasons:

The traditional rural settlement pattern in this area is characterised by single house plots, farmsteads and small clusters of housing dispersed across the countryside, with ample separation between them. In this case the significant build-up of new housing along this short stretch of road within the last 15 years, has led to an erosion of the traditional character of the landscape in this locality. The approval of a further house plot in this locality would exacerbate this issue. Given these impacts, the proposal is considered to constitute an inappropriately located site which fails to satisfy the siting criteria of Local Development Plan policy.

**INFORMATIVES – NOTES FOR APPLICANT**

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

Reference No.	Version No.	Title/Description
3017-01		Site and location plan
		Location plan

**DETAILS OF MATTERS SPECIFIED IN CONDITIONS (AMC PROPOSALS ONLY)**

Details of matters in respect of which approval, consent or agreement which have been granted or refused.

Reference number of application for planning permission (PPP) in respect of which the condition(s) was imposed.

--

<b>DETAILS OF ANY VARIATION MADE TO ORIGINAL PROPOSAL, AGREED WITH APPLICANT (S. 32A REFERS)</b>
--

Any variation made/agreed with applicant?		NO
Description of variation:		

<b>DURATION OF PERMISSION – DIRECTION BY LOCAL AUTHORITY TO USE DIFFERENT TIME PERIOD(S) (SECTION 58 AND 59 OF 1997 ACT REFERS)</b>
---

Change in time-period(s) from that specified in S.58 and S.59 (standard time conditions)?		NO
Details of change and effect of Direction		
Duration of Consent – <b>(Admin to update Decision screen – Date Temporary Consent Expires)</b>		



*Information to Admin*

<b>NOTIFICATION TO SCOTTISH MINISTERS (UNDER CIRCULAR 3/2009)</b>		
Covering letter details provided		NO
Checklist identifying information completed and saved (NOTSCO)		NO

<b>NOTIFICATION TO HISTORIC SCOTLAND</b>		
Non-standard covering letter required		NO
Checklist identifying information completed and saved (LBCNHS)		NO

<b>DOCUMENTS TO BE STAMPED APPROVED/REFUSED</b>	
Full set of plans (see list above)	Y
Drainage Impact Assessment	
Method statements	
Maintenance scheme	
Other (please list below)	

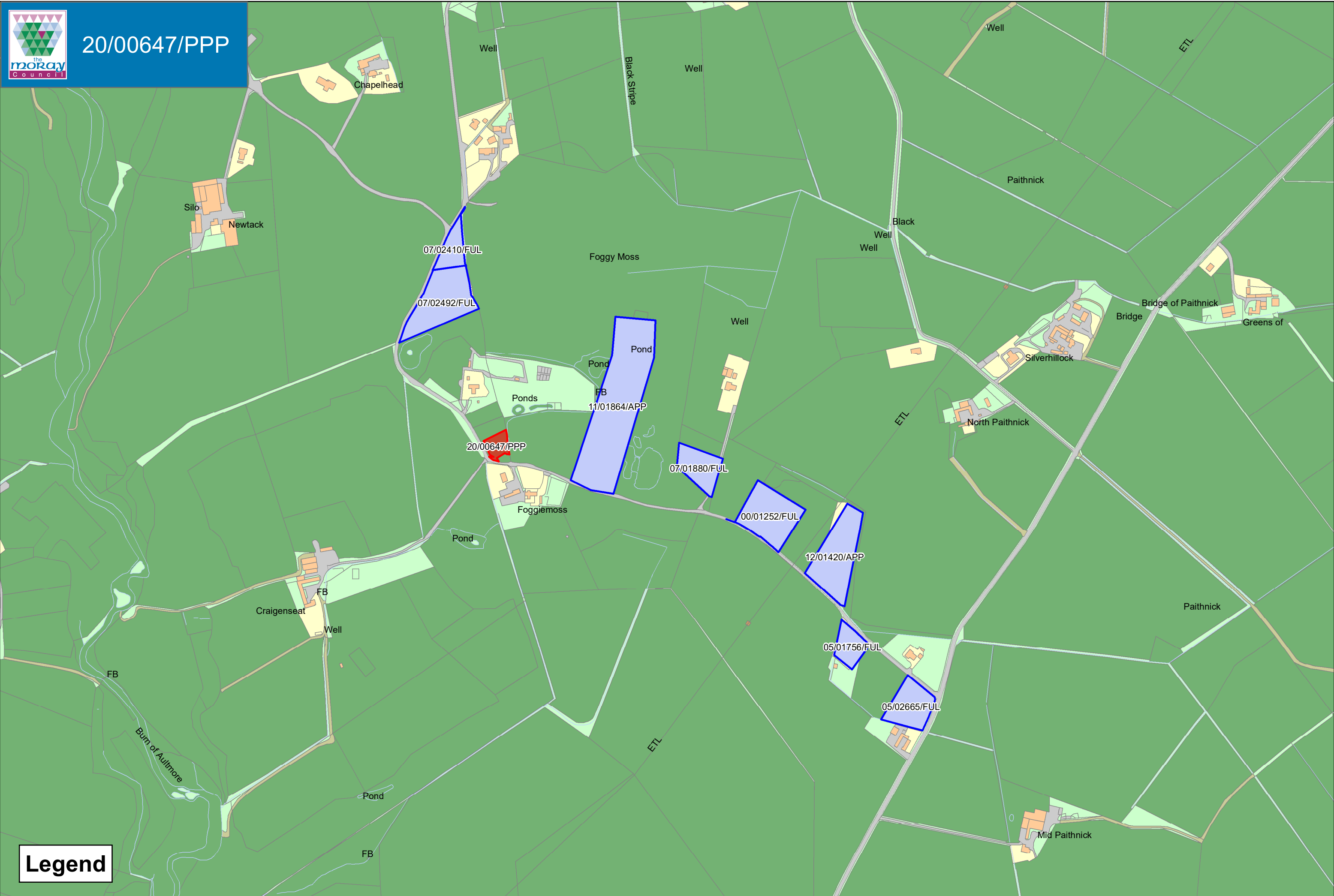
1.

<b>INFORMATION TO ACCOMPANY DECISION NOTICE</b>	
Consultation responses	
Other (please state below)	

1.

**Planning Officer Signature** ..... **Date:** .....





**Legend**





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

**REFUSAL OF PLANNING PERMISSION**

**[Keith And Cullen]  
Planning Permission in Principle**

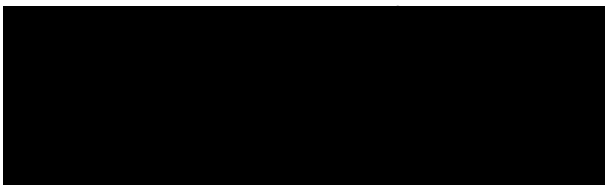
TO Mr Alastair Anderson  
c/o Arthur Stone Planning & Architectural Design Limited  
85 High Street  
Newburgh  
United Kingdom  
KY14 6DA

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

**Erect dwellinghouse on Plot 2 Bowie Croft Grange Crossroads Keith Moray**

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

Date of Notice: **10 September 2020**



**HEAD OF ECONOMIC GROWTH AND DEVELOPMENT**  
Economy, Environment and Finance  
Moray Council  
PO Box 6760  
ELGIN  
Moray  
IV30 1BX

**IMPORTANT**  
**YOUR ATTENTION IS DRAWN TO THE REASONS and NOTES BELOW**

**SCHEDULE OF REASON(S) FOR REFUSAL**

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

The proposal would be contrary to policies DP1 and DP4 of the Moray Local Development Plan 2020 and associated guidance on build up of housing in the countryside for the following reasons:

The traditional rural settlement pattern in this area is characterised by single house plots, farmsteads and small clusters of housing dispersed across the countryside, with ample separation between them. In this case the significant build-up of new housing along this short stretch of road within the last 15 years, has led to an erosion of the traditional character of the landscape in this locality. The approval of a further house plot in this locality would exacerbate this issue. Given these impacts, the proposal is considered to constitute an inappropriately located site which fails to satisfy the siting criteria of Local Development Plan policy.

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

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

Reference	Version	Title
3017-01		Site and location plan
		Location plan

**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.scot/eplanningClient](http://www.eplanning.scot/eplanningClient)

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

