



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 100251076-001

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)

Erect 7 detached dwellings

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

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Christopher"/>	Building Number:	<input type="text" value="119"/>
Last Name: *	<input type="text" value="Bremner"/>	Address 1 (Street): *	<input type="text" value="High Street"/>
Company/Organisation	<input type="text" value="Morlich Homes Ltd"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text" value="01542 836510"/>	Town/City: *	<input type="text" value="Buckie"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="AB56 4DX"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="chris@morlich.co.uk"/>		

## Site Address Details

Planning Authority:

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

Address 1:	<input type="text"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text"/>
Post Code:	<input type="text"/>

Please identify/describe the location of the site or sites

Northing

Easting

## Pre-Application Discussion

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

Yes  No

## Site Area

Please state the site area:

6226.00

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)

Scrub 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.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

0

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? \*

21

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

## 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?? \*  
(e.g. SUDS arrangements) \*

Yes  No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

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

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

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

## Assessment of Flood Risk

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

Yes  No  Don't Know

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

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

Yes  No  Don't Know

## Trees

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

Yes  No

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

## Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? \*

Yes  No

If Yes or No, please provide further details: \* (Max 500 characters)

Kerbside recycling

## Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? \*

Yes  No

How many units do you propose in total? \*

7

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

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

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

Yes  No

## Schedule 3 Development

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

Yes  No  Don't Know

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

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

## Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? \*  Yes  No

### Certificates and Notices

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

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

Are you/the applicant the sole owner of ALL the land? \*  Yes  No

Is any of the land part of an agricultural holding? \*  Yes  No

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

### Certificate Required

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

Certificate B

### Land Ownership Certificate

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

I hereby certify that

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

or –

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

Name:

The Estates Department

Address:

Moray Council Moray Council, High Street, Elgin, Scotland, IV30 1BX

Date of Service of Notice: \*

28/04/2020

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

or –

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

Name:

Address:

Date of Service of Notice: \*

Signed: Mr Christopher Bremner

On behalf of:

Date: 27/04/2020

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

Yes  No  Not applicable to this application

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

Yes  No  Not applicable to this application

Town and Country Planning (Scotland) Act 1997

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

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

Yes  No  Not applicable to this application

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

Yes  No  Not applicable to this application

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

Yes  No  Not applicable to this application

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

Site Layout Plan or Block plan.

Elevations.

Floor plans.

Cross sections.

Roof plan.

Master Plan/Framework Plan.

Landscape plan.

Photographs and/or photomontages.

Other.

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

Computer generated images

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. \*

Yes  N/A

A Design Statement or Design and Access Statement. \*

Yes  N/A

A Flood Risk Assessment. \*

Yes  N/A

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

Yes  N/A

Drainage/SUDS layout. \*

Yes  N/A

A Transport Assessment or Travel Plan

Yes  N/A

Contaminated Land Assessment. \*

Yes  N/A

Habitat Survey. \*

Yes  N/A

A Processing Agreement. \*

Yes  N/A

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

## **Declare – For Application to Planning Authority**

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

Declaration Name: Mr Christopher Bremner

Declaration Date: 27/04/2020

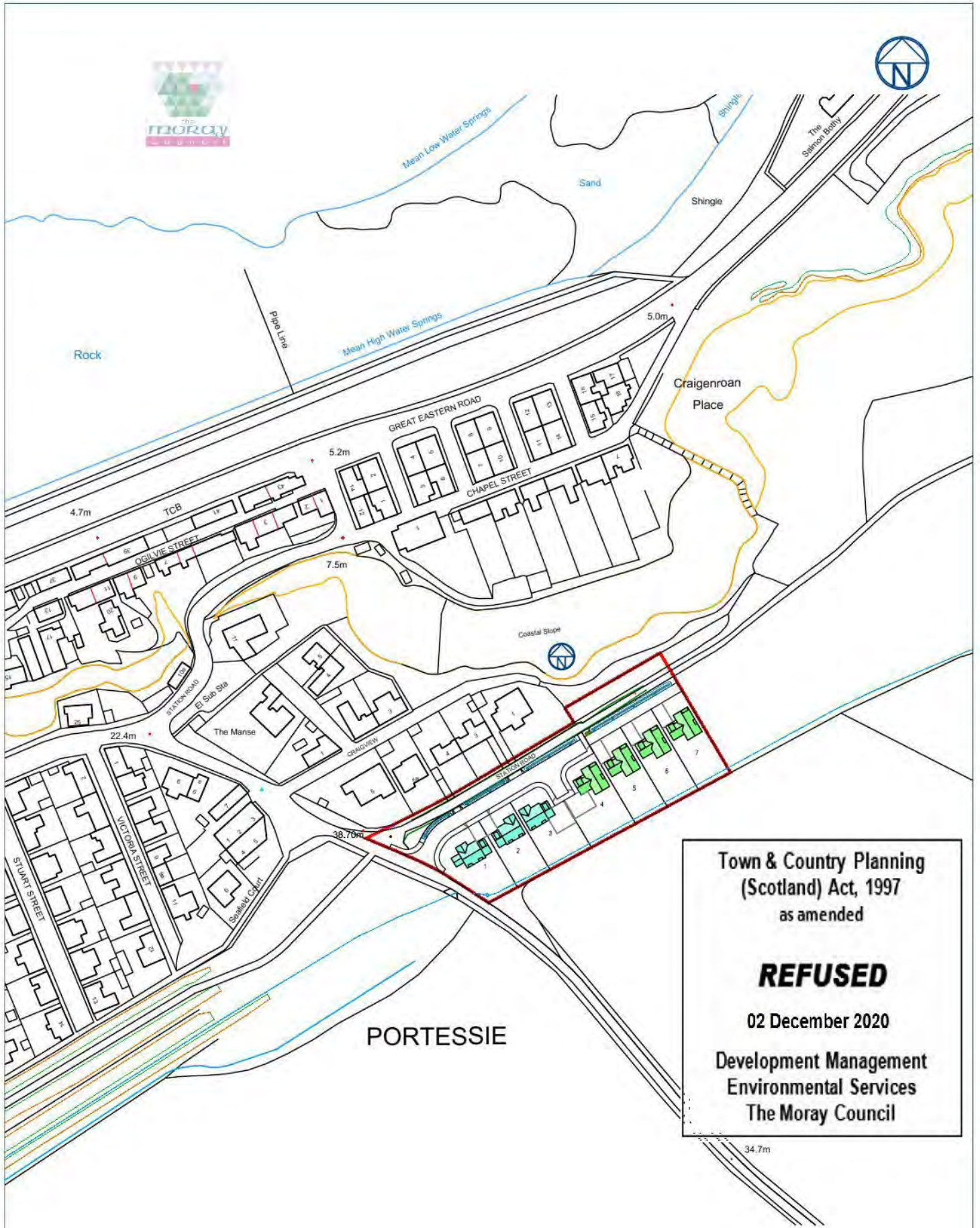
## **Payment Details**

Online payment: 082675

Payment date: 27/04/2020 16:48:37

Created: 27/04/2020 16:48





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

**REFUSED**

02 December 2020

Development Management  
Environmental Services  
The Moray Council



**MorlichHomes**  
119 High Street, Buckie, Moray AB56 4DX  
Telephone (01542) 836510 Fax (01542) 832225

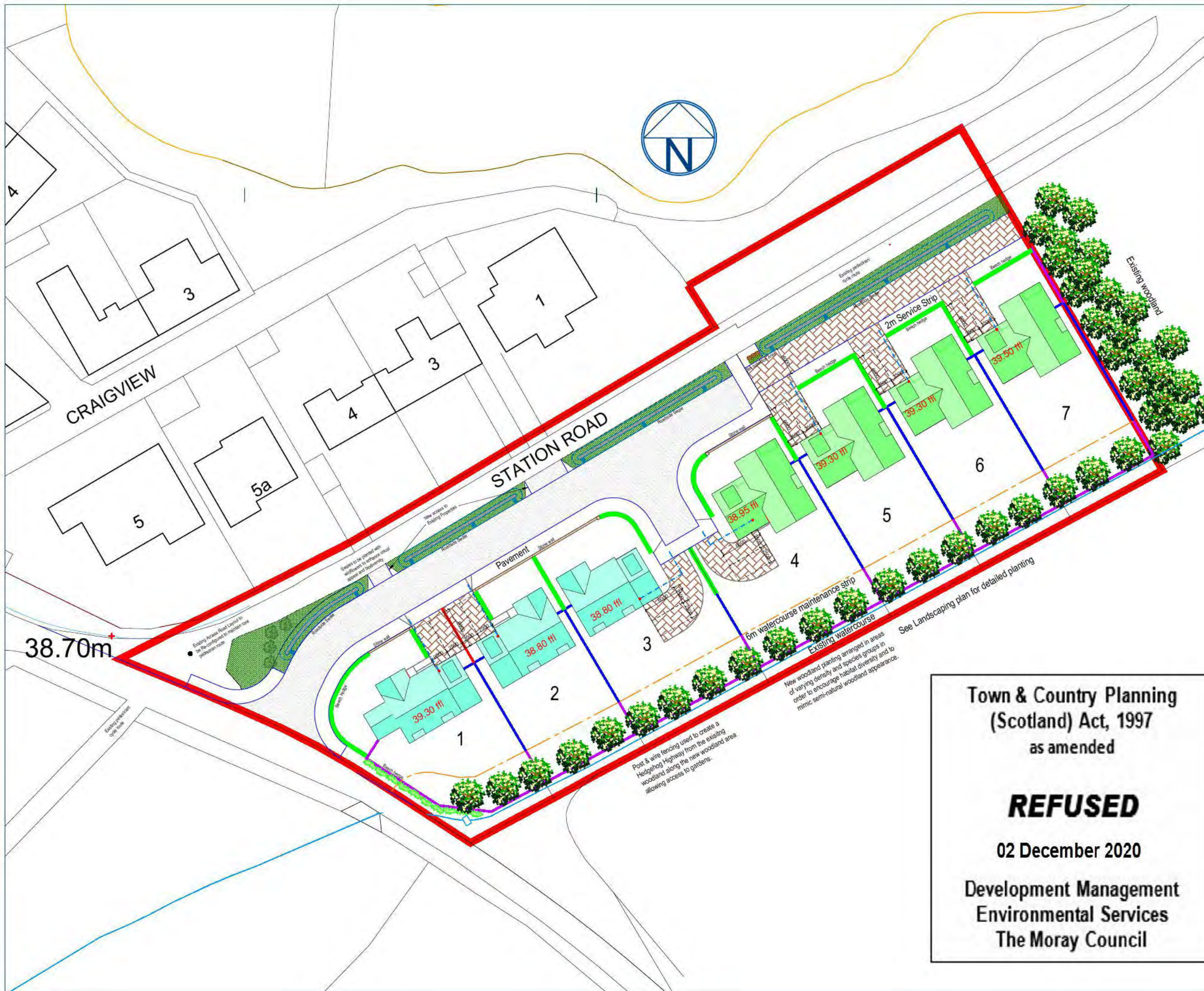
Project  
**Station Road  
Portessie**

Drawing  
**Location Plan**

Scale: **1:2000 (A4)**

Date: **23-04-2020** Drawn By: **C Bremner**

Drawing No.: **20-40/PL/02**



- Notes**
- All Morlich Homes drawings to be read in conjunction with structural engineers drawings.  
Do not scale this drawing.  
All dimensions to be checked on site prior to commencement of construction and prior to ordering of materials and components.
- Beech hedging
  - Natural stone wall 900mm high
  - Post and Wire Fencing
  - 300mm Timber Trip Fencing
  - 1800mm Timber Fencing
  - swales to be planted with wildflowers to enhance visual appeal and biodiversity.
  - Duct for future fibre broadband connection

Revision	Date
B	26/11/20
A	20/11/20

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

REFUSED

02 December 2020

**Development Management  
Environmental Services  
The Moray Council**



119 High Street, Buckie, Moray AB56 4DX  
Telephone (01542) 836510 Fax (01542) 832225  
e-mail : enquiries@morlich.co.uk

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Project: **Station Road Portessie**

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Drawing: **Site Layout**

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Scale: **1:500 (A3)**

Date: **05-03-2020** Drawn By: **C Bremner**

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Drawing No: **20-40/PL/01**



Notes  
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- EXTERNAL FINISHES:-
1. Marley Edgemere Concrete Roof Tiles - Grey
  2. Drydash Wall Finish - White
  3. Denfind stone panel
  4. Marley Cedral cladding - Slate Grey
  5. Timber Windows And Doors - Grey
  6. Timber Fascia And Soffit - Grey

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

**REFUSED**

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Development Management  
 Environmental Services  
 The Moray Council



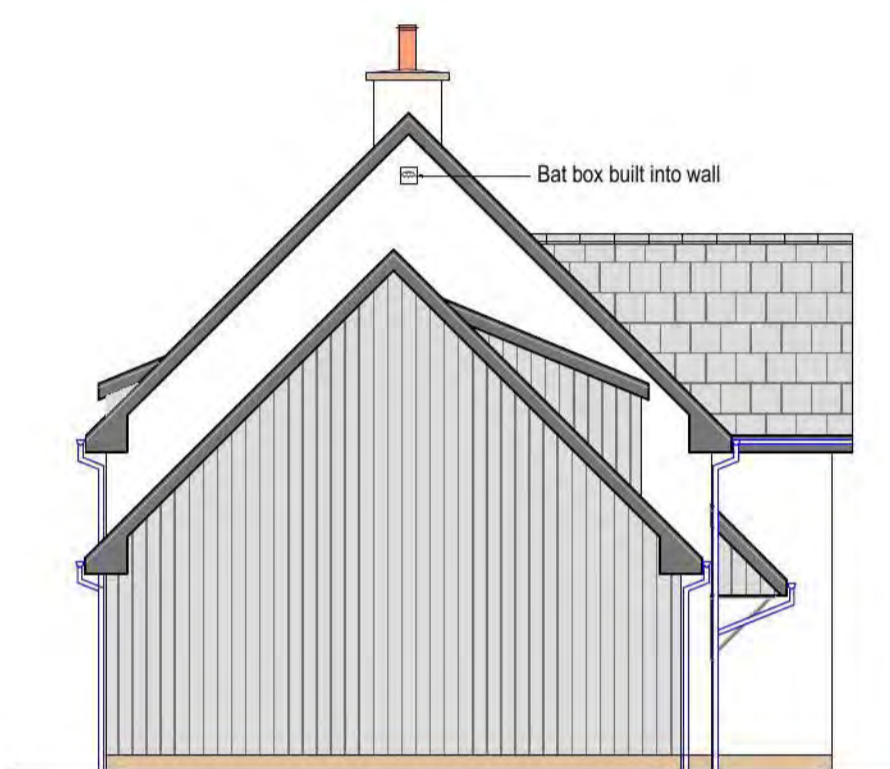
North West Elevation



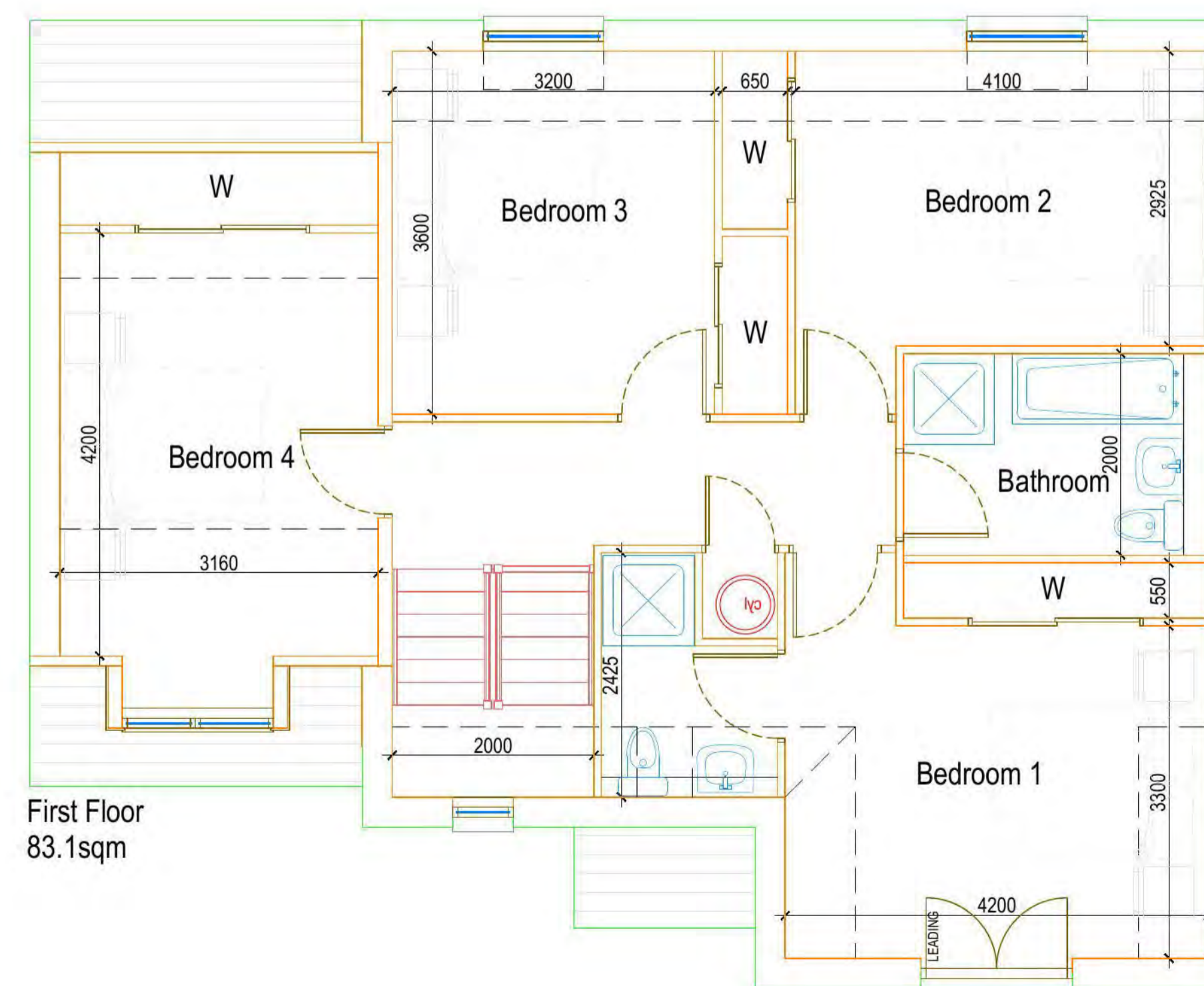
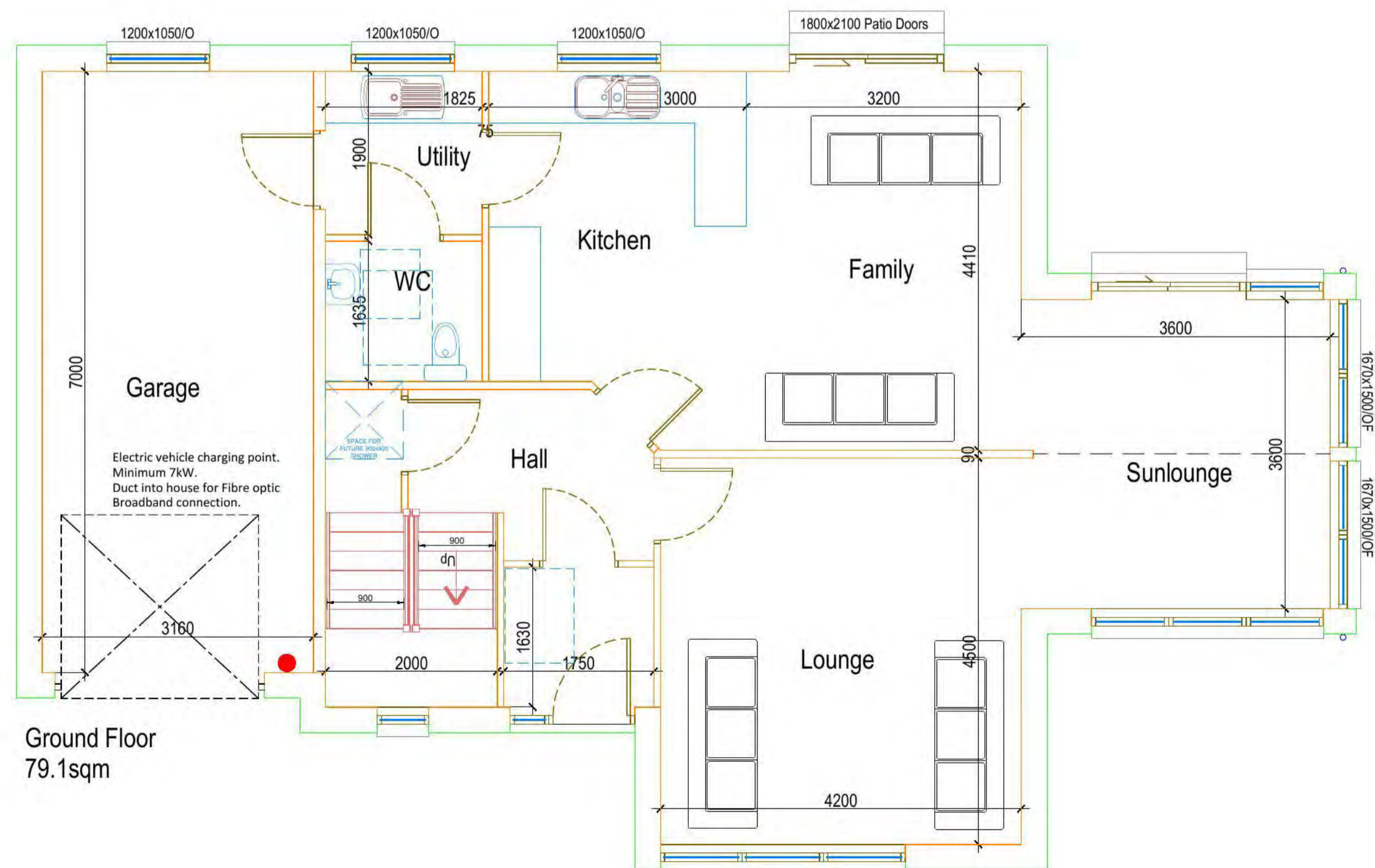
South West Elevation



South East Elevation



North East Elevation



Revision	Date
D	7m Garages CB 26/11/20
C	Bat and Swift boxes added to gables CB 20/11/20
B	Chimneys and cladding to garage added CB 24/9/20
A	Stone clad areas revised CB 30/7/20



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 e-mail : chris@morlich.co.uk

Project  
**Plot 1**  
**Station Road**  
**Portessie**

Drawing  
**Floor Plans & Elevations**

Scale  
**1:50/100 (A1)**

Date  
**05-03-2020** Drawn By  
**C Bremner**

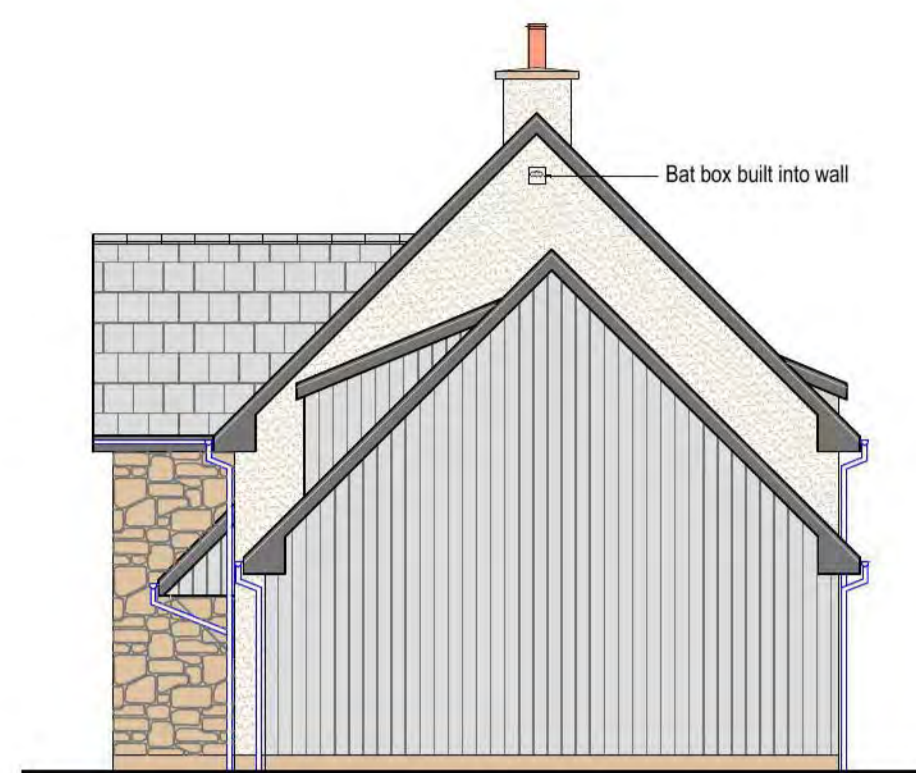
Drawing No.  
**20-40/PL/P1/01**

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  6. Timber Fascia And Soffit - Grey



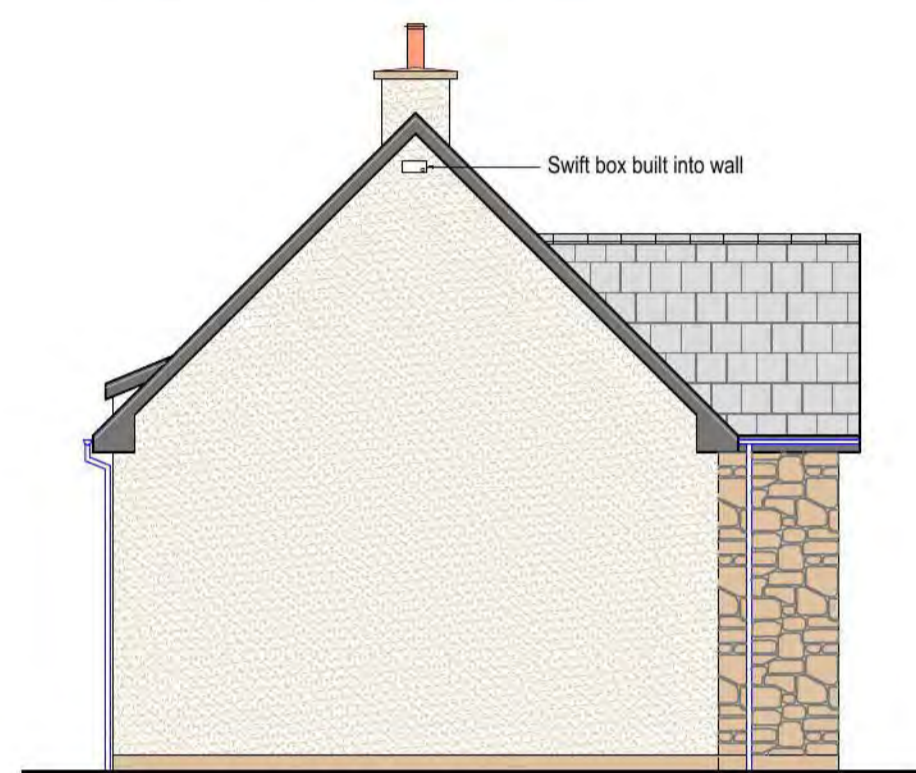
North West Elevation



South West Elevation



South East Elevation



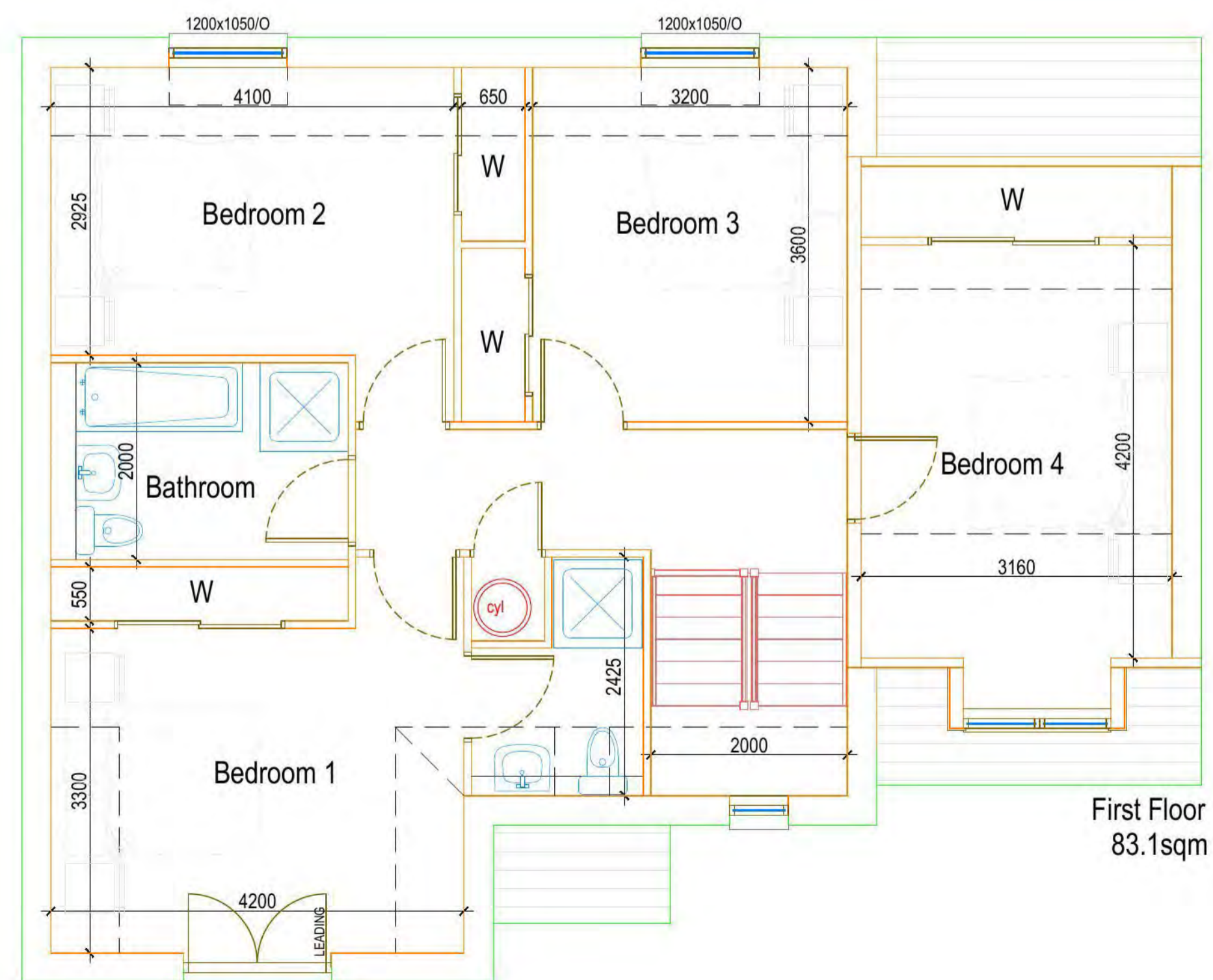
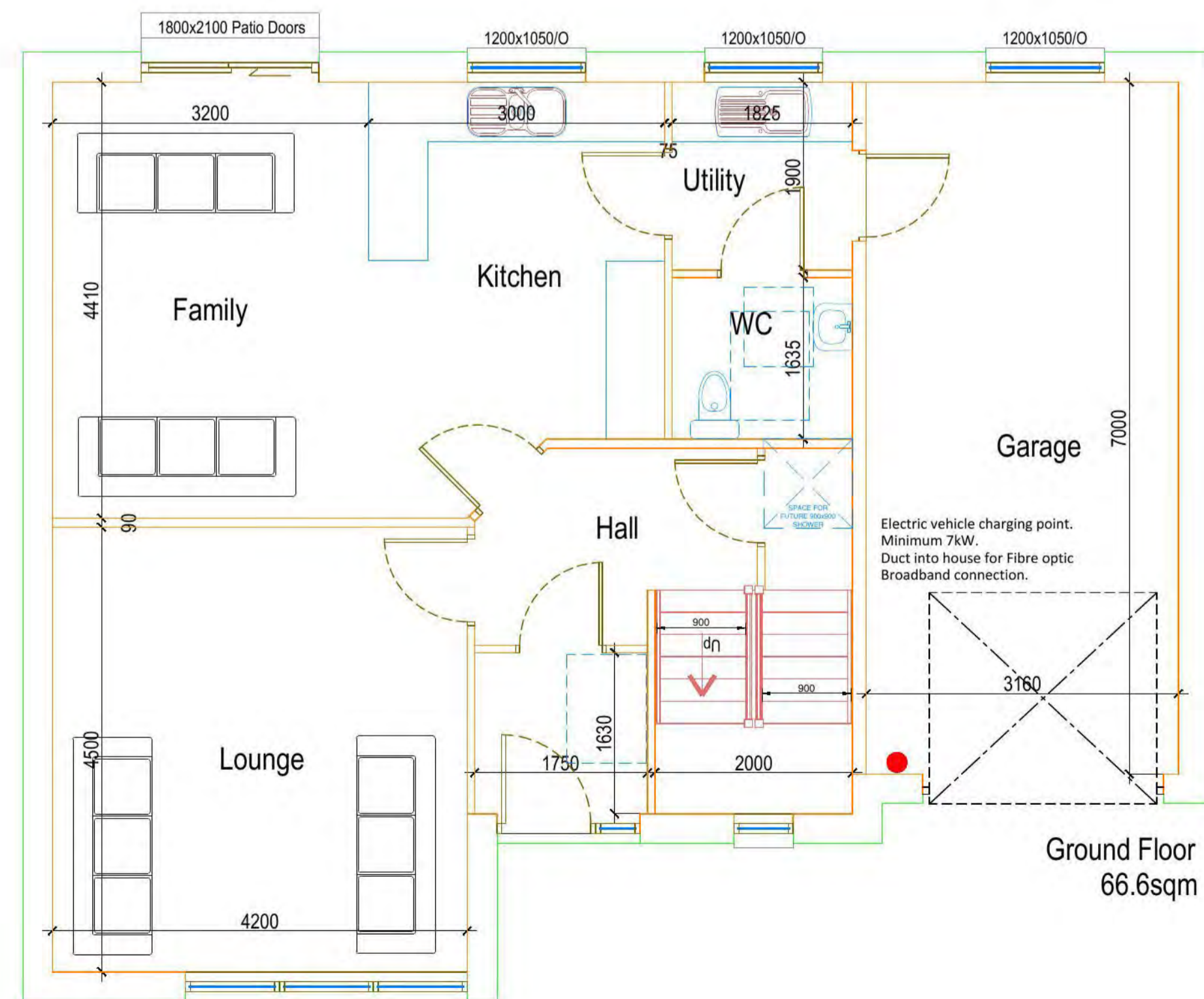
North East Elevation

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

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Development Management  
 Environmental Services  
 The Moray Council



Revision	Date
D	7m Garages CB 26/11/20
C	Bat and Swift boxes added to gables CB 20/11/20
B	Chimneys and cladding to garage added CB 24/9/20
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Project  
**Plot 2  
 Station Road  
 Portessie**

Drawing  
**Floor Plans & Elevations**

Scale  
**1:50/100 (A1)**

Date  
**05-03-2020** Drawn By  
**C Bremner**

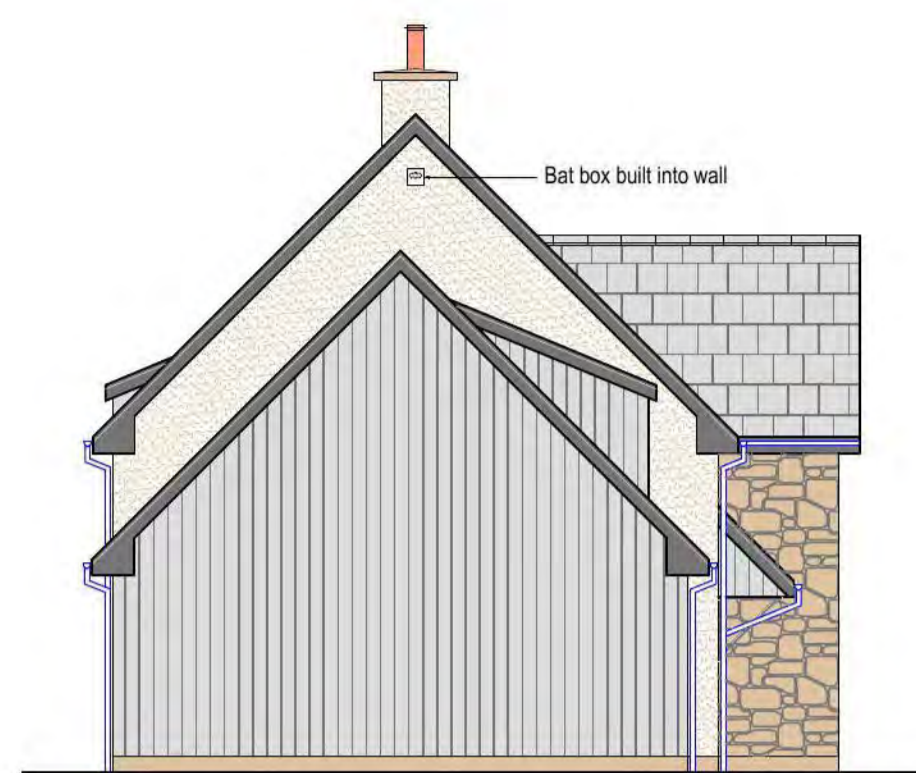
Drawing No.  
**20-40/PL/P1/01**

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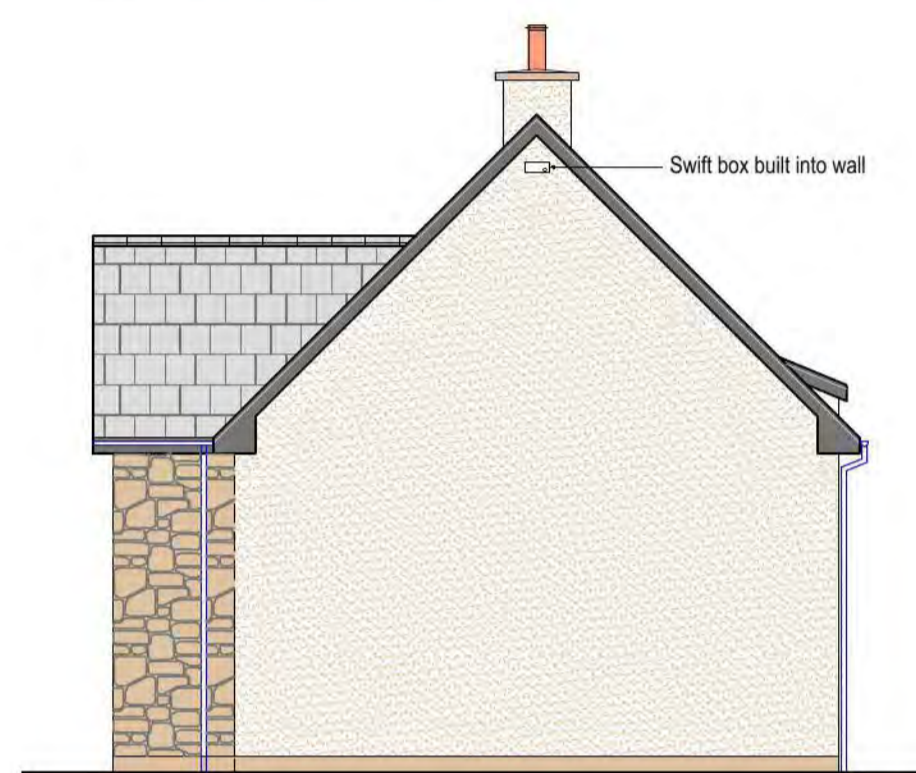
North West Elevation



North East Elevation



South East Elevation



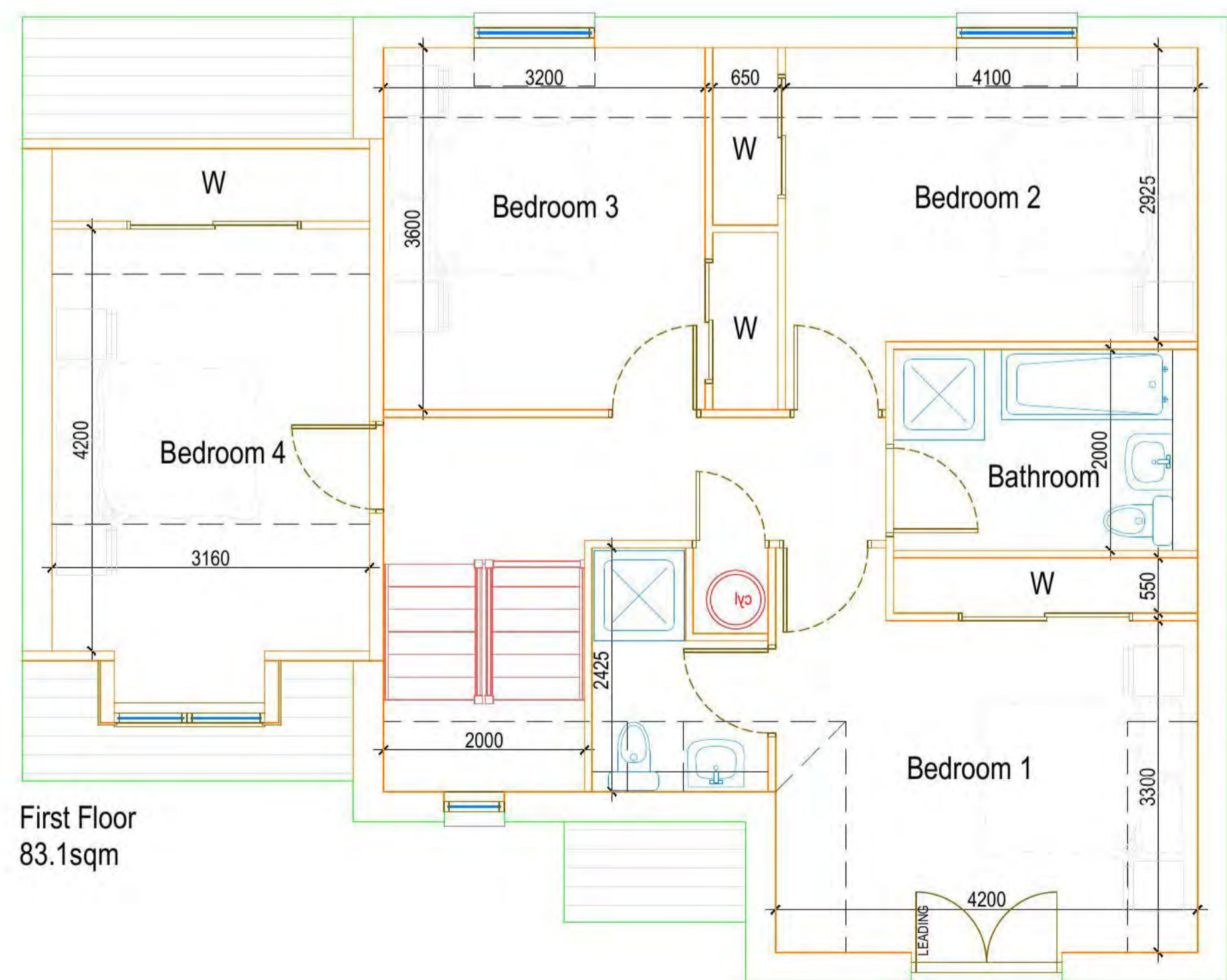
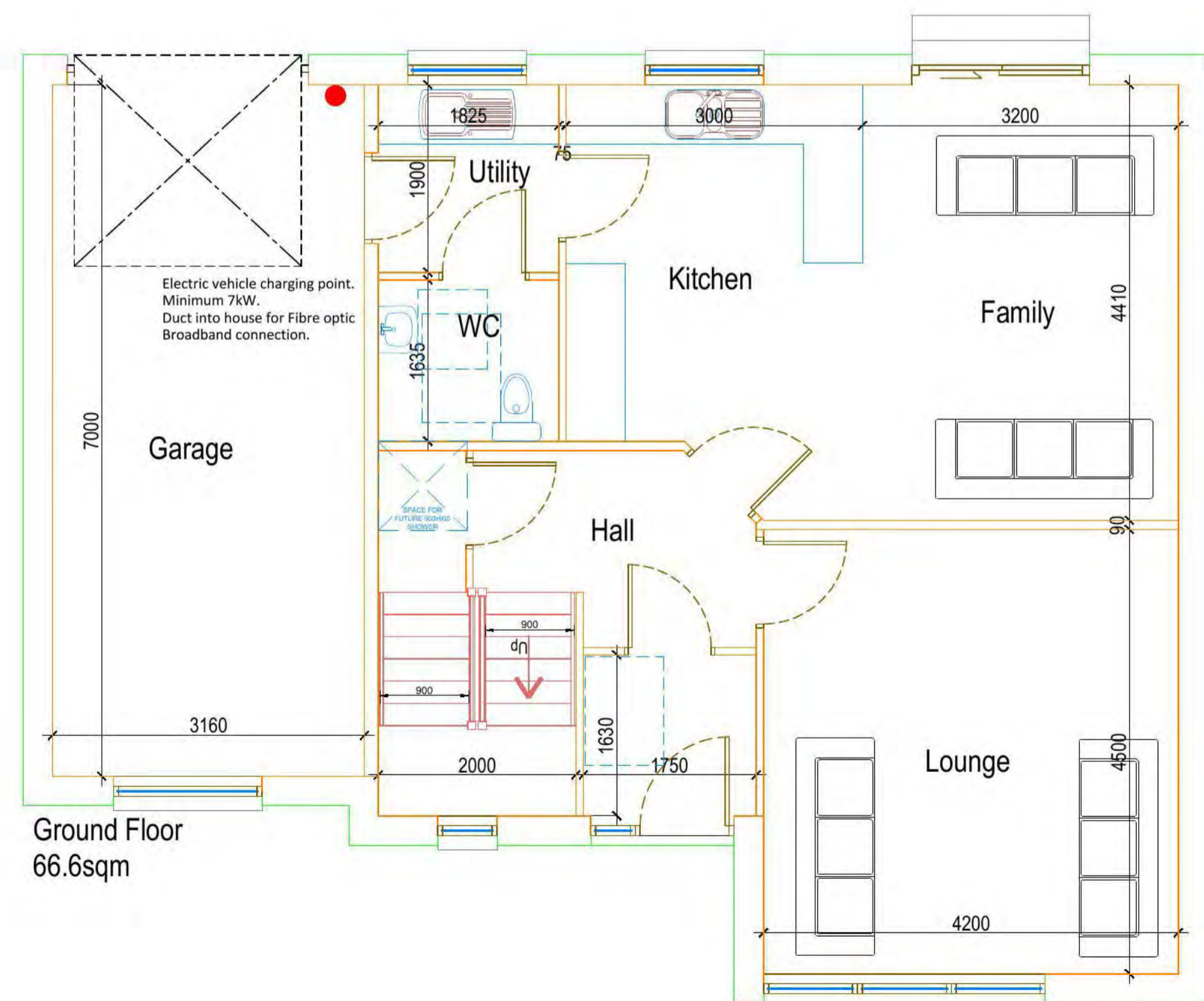
South West Elevation

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

**REFUSED**

02 December 2020

Development Management  
 Environmental Services  
 The Moray Council



Revision	Date
D	7m Garages CB 26/11/20
C	Bat and Swift boxes added to gables CB 20/11/20
B	Chimneys and cladding to garage added CB 24/9/20
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Project  
**Plot 3  
 Station Road  
 Portessie**

Drawing  
**Floor Plans & Elevations**

Scale  
**1:50/100 (A1)**

Date  
**05-03-2020** Drawn By  
**C Bremner**

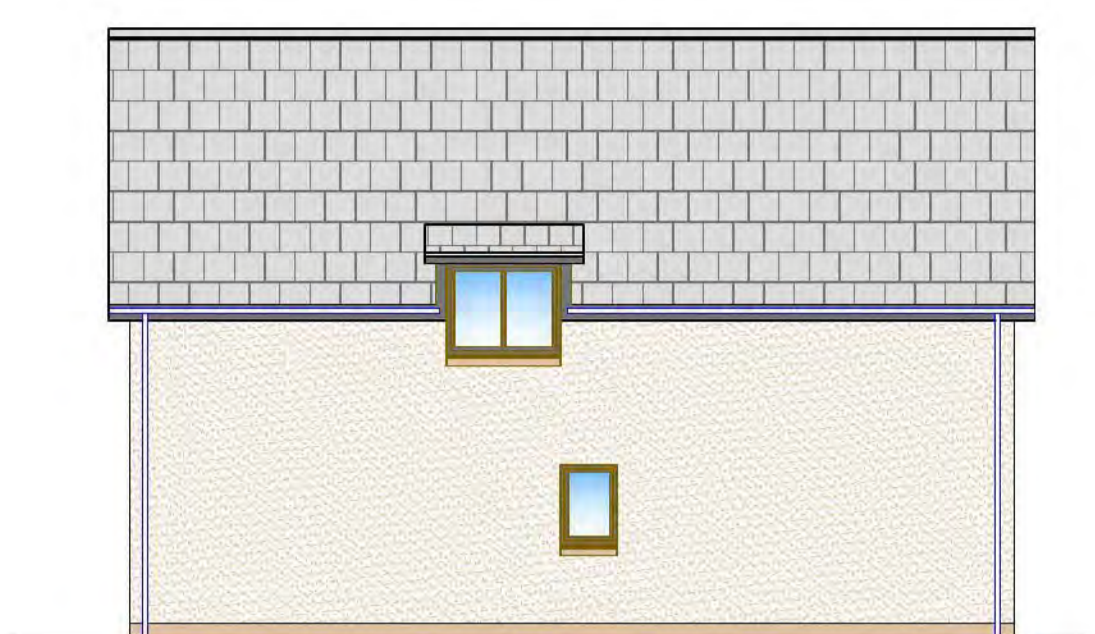
Drawing No.  
**20-40/PL/P3/01**

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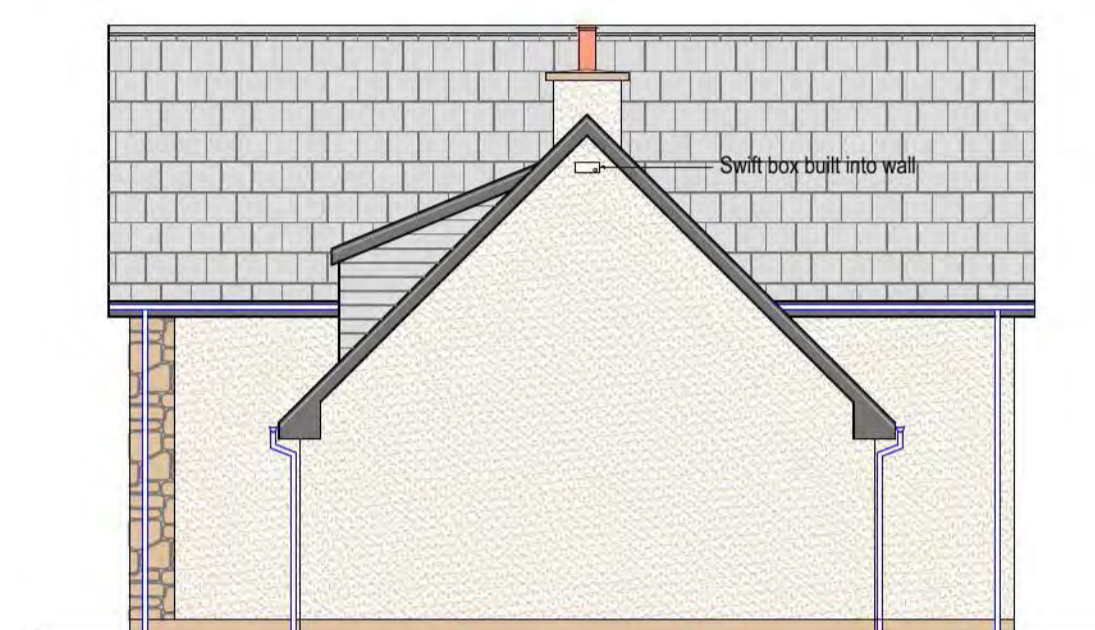
South East Elevation



North East Elevation



North West Elevation



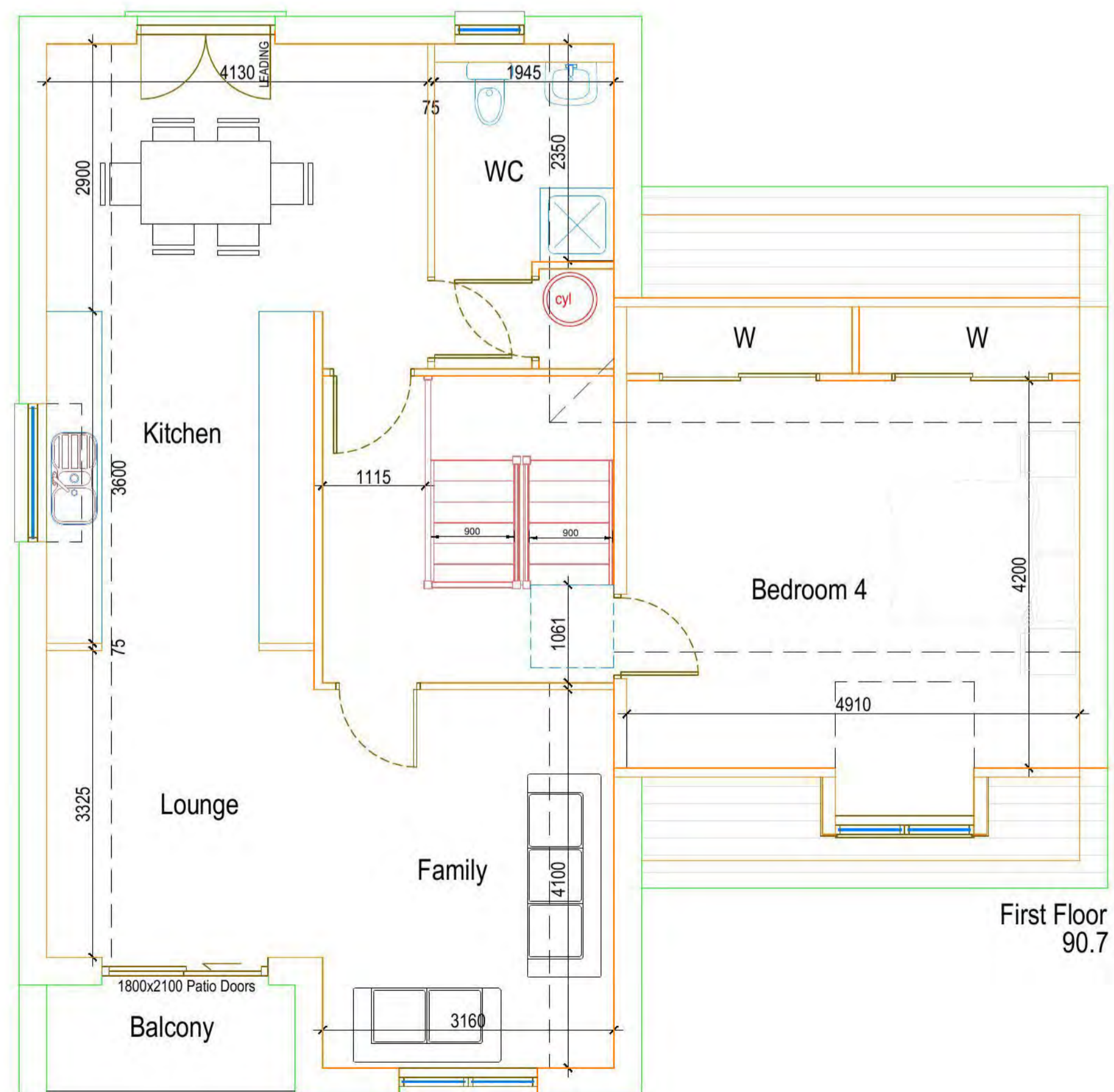
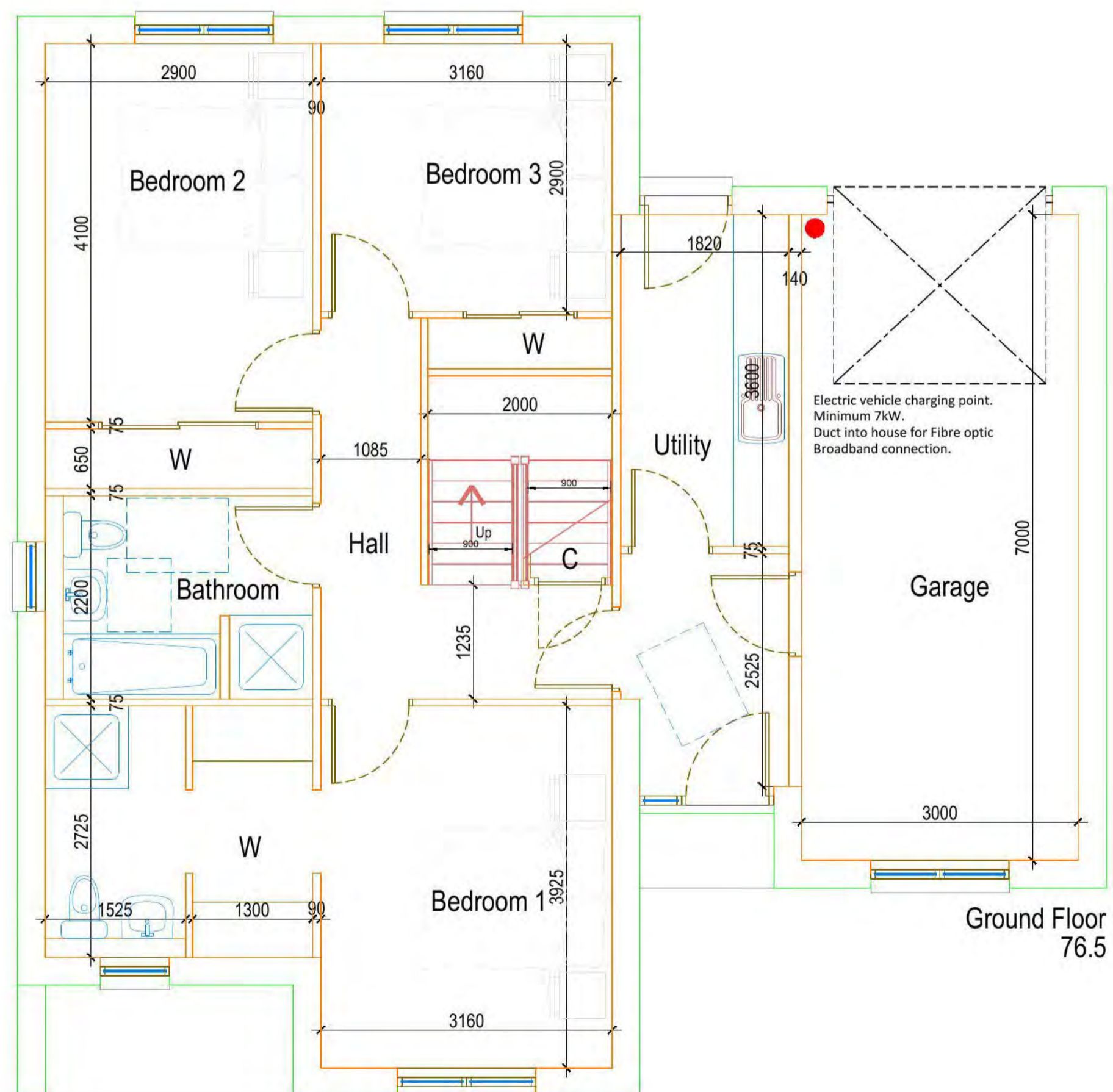
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Project  
**House type 2  
 Plot 4  
 Station Road  
 Portessie**

Drawing  
**Floor Plans & Elevations**

Scale	<b>1:50/100 (A1)</b>
Date	<b>05-03-2020</b>
Drawn By	<b>C Bremner</b>
Drawing No.	<b>20-40/PL/P4/01</b>

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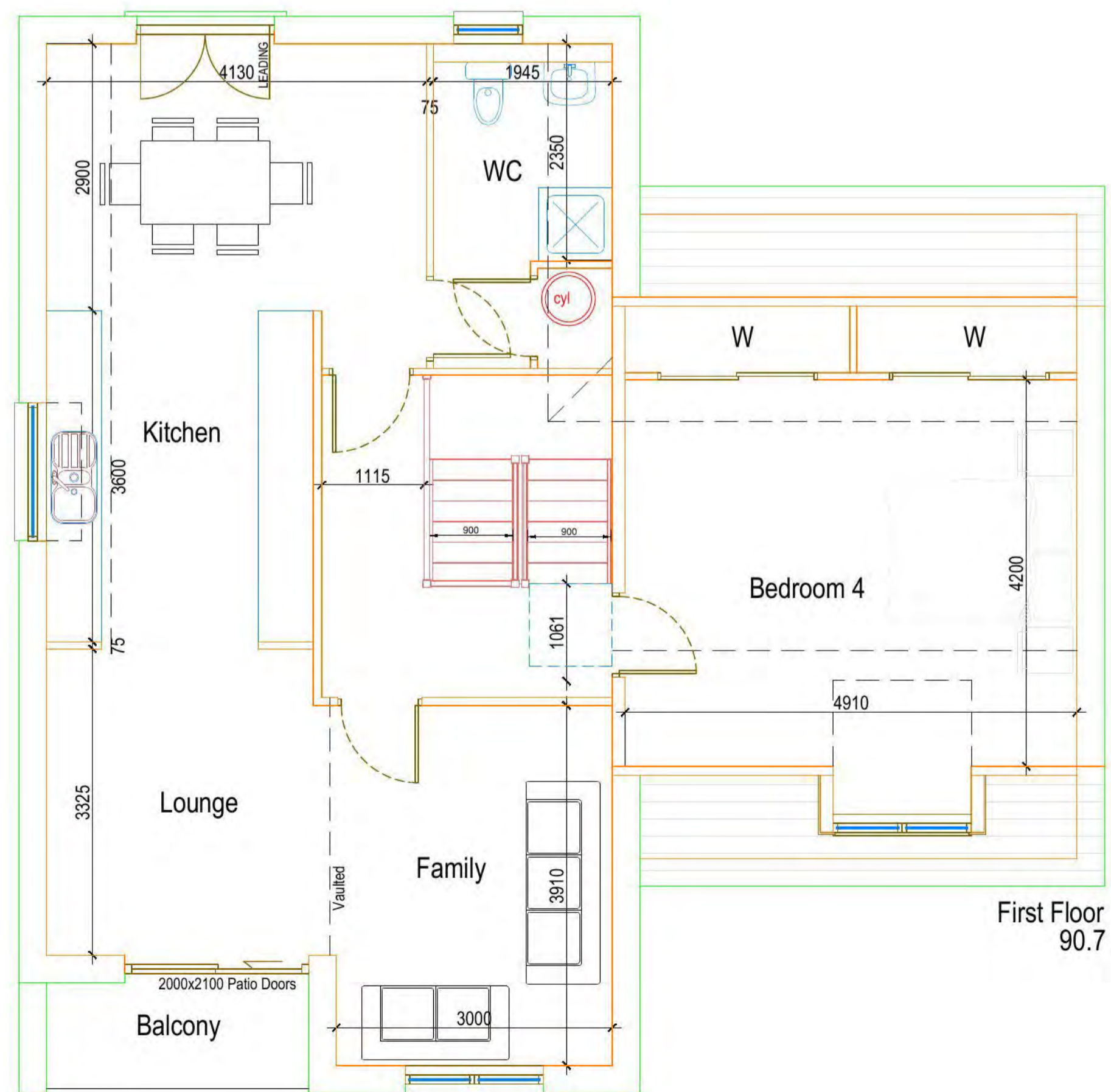
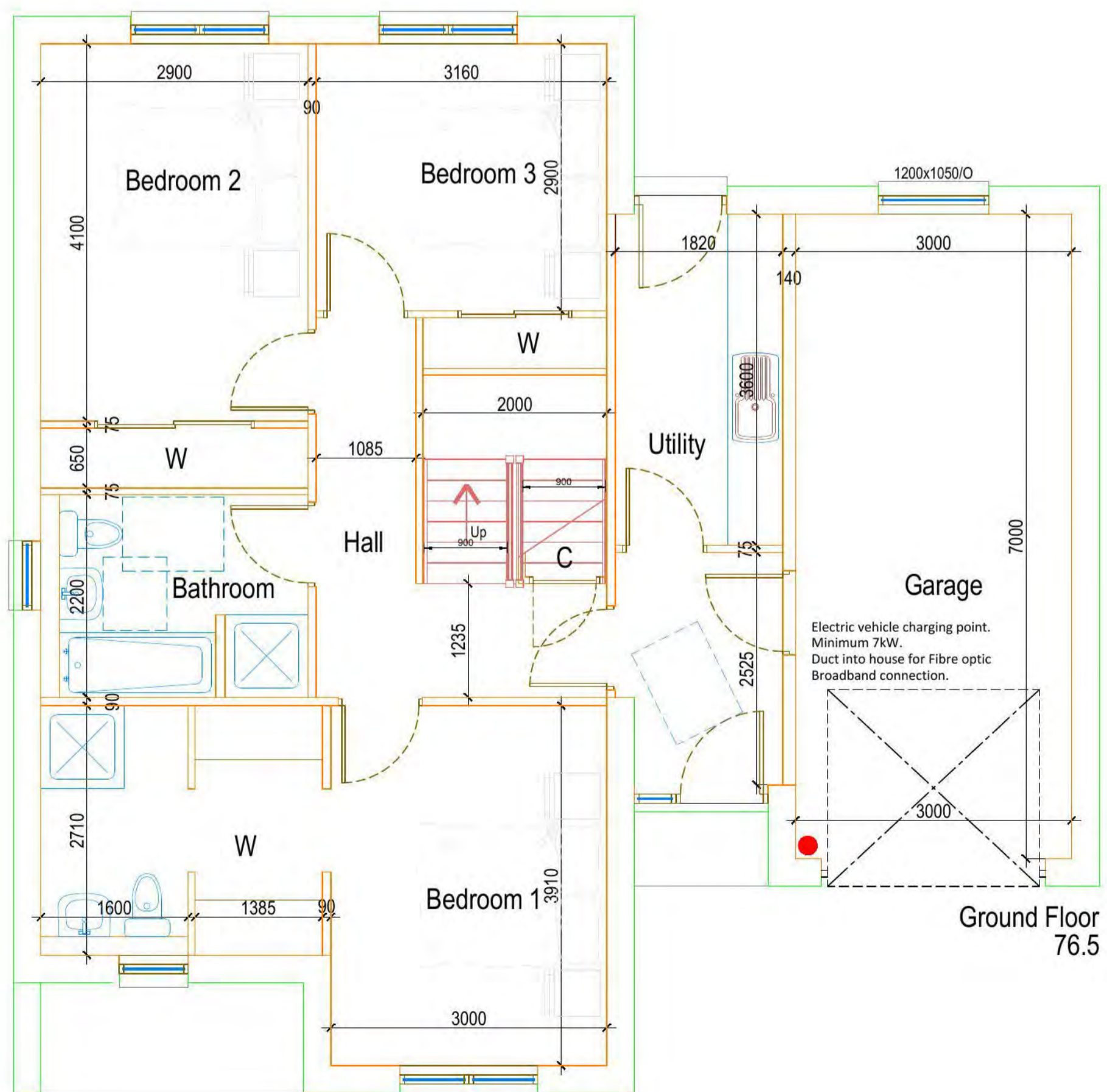


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Revision	Date
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Project  
**House type 2  
 Plot 5  
 Station Road  
 Portessie**

Drawing  
**Floor Plans & Elevations**

Scale	<b>1:50/100 (A1)</b>
Date	<b>05-03-2020</b>
Drawn By	<b>C Bremner</b>
Drawing No.	<b>20-40/PL/5/01</b>

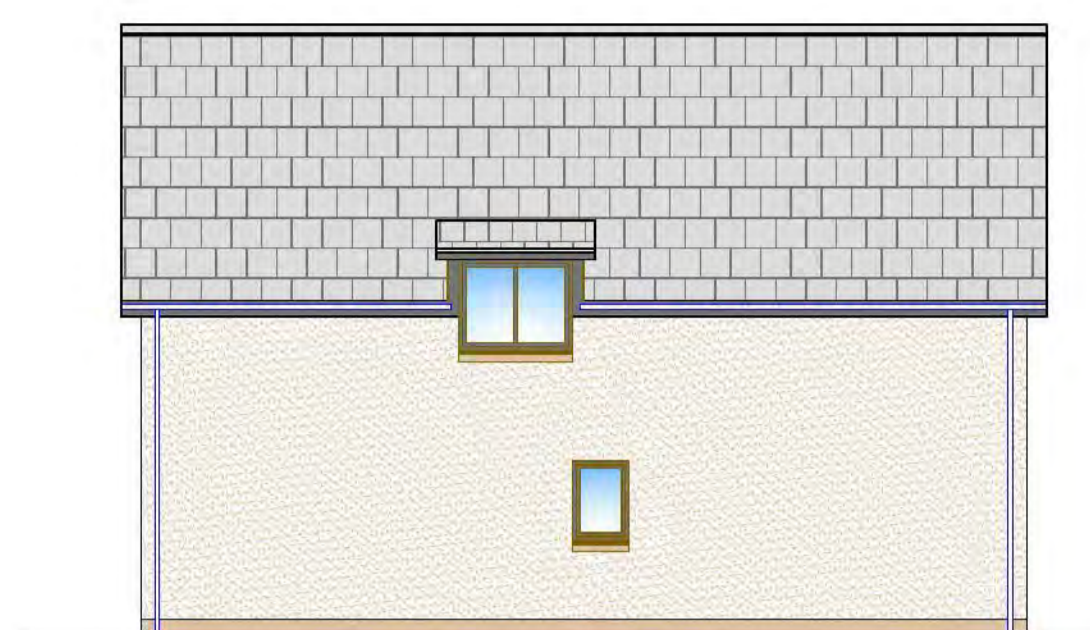


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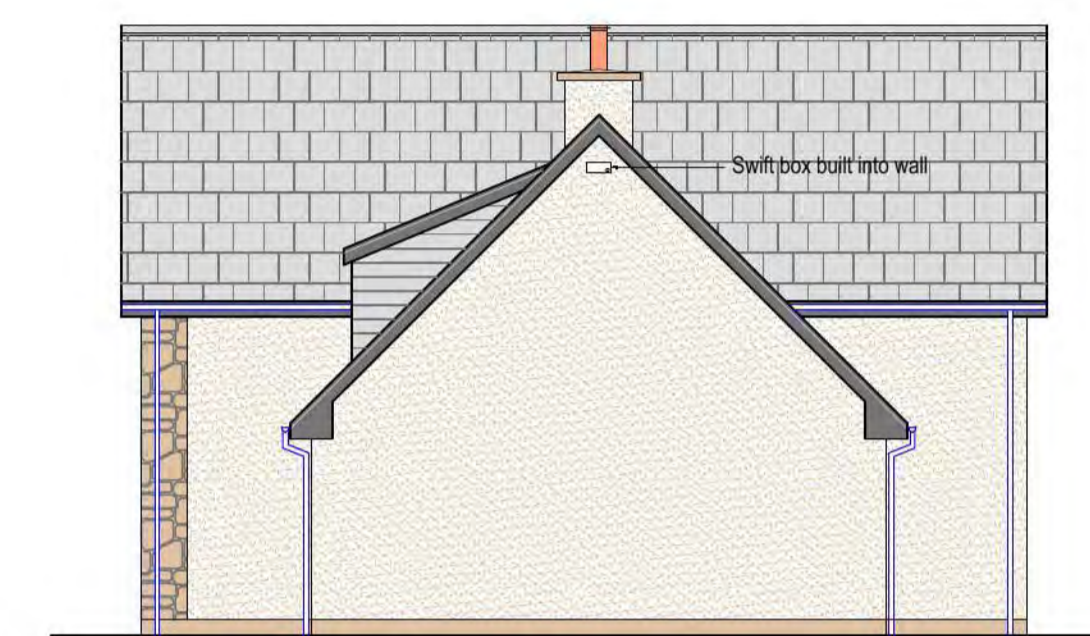
South East Elevation



North East Elevation



North West Elevation



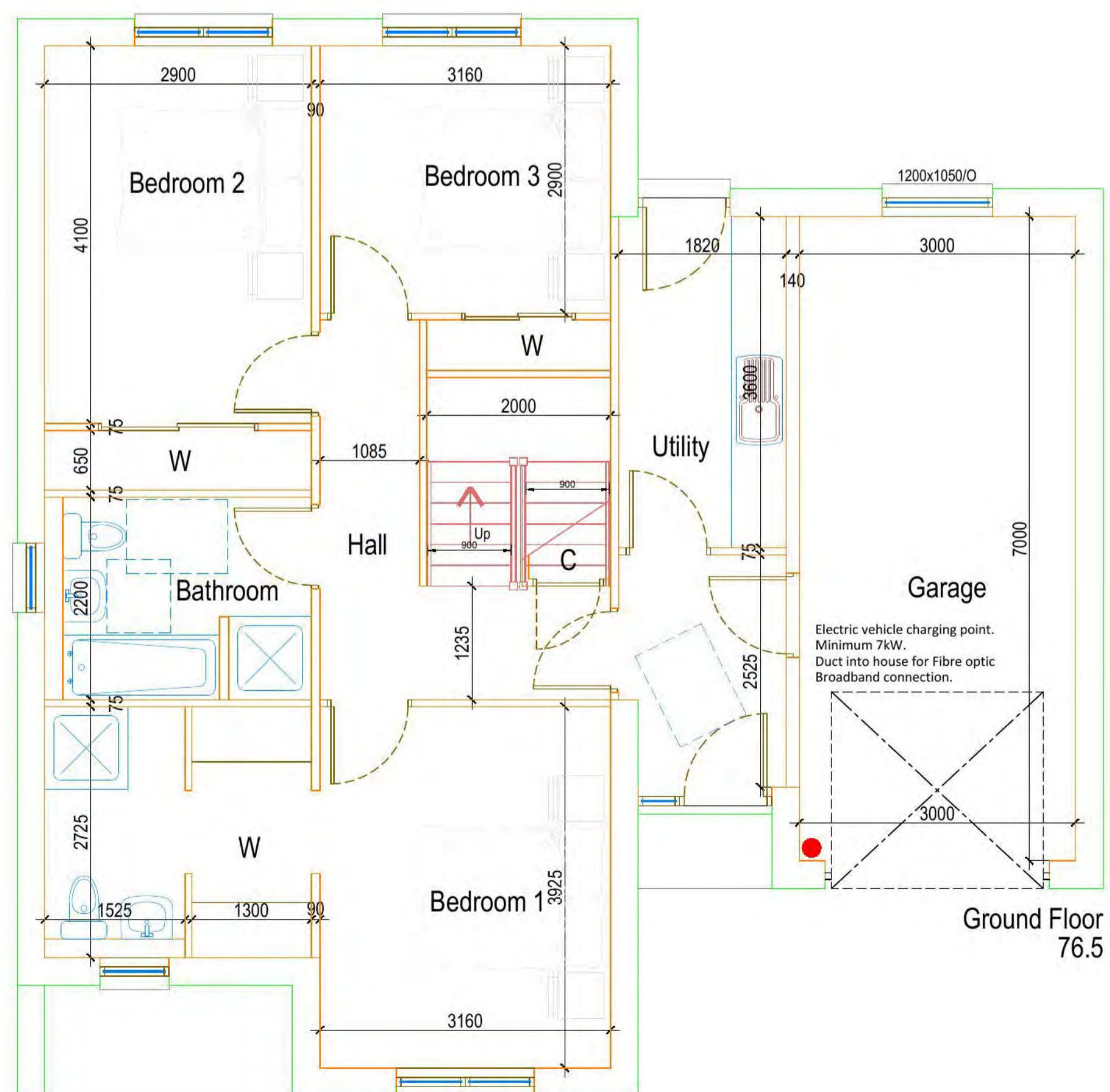
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 as amended

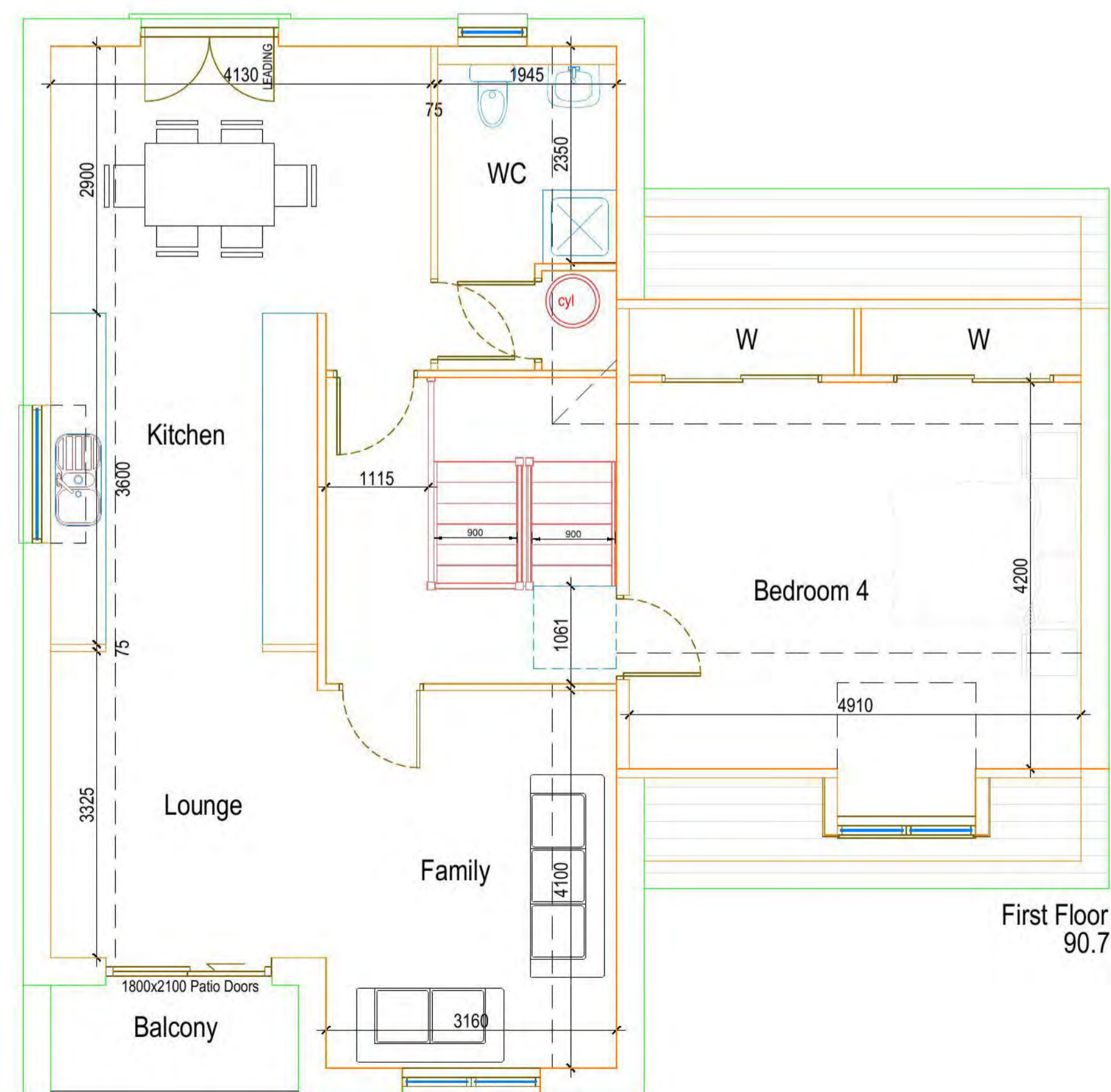
**REFUSED**

02 December 2020

Development Management  
 Environmental Services  
 The Moray Council



Ground Floor  
76.5



First Floor  
90.7

Revision	Date
D	7m Garages CB 26/11/20
C	Bat and Swift boxes added to gables CB 20/11/20
B	Chimneys and cladding to garage added CB 24/9/20
A	Stone clad areas revised CB 30/7/20



119 High Street, Buckie, Moray AB56 4DX  
 Telephone (01542) 836510 Fax (01542) 832225  
 e-mail : chris@morlich.co.uk

Project  
**House type 2  
 Plot 6  
 Station Road  
 Portessie**

Drawing  
**Floor Plans & Elevations**

Scale  
**1:50/100 (A1)**

Date  
**05-03-2020** Drawn By  
**C Bremner**

Drawing No.  
**20-40/PL/P6/01**

Notes  
 All Morlich Homes drawings to be read in conjunction with structural engineers drawings.  
 Do not scale this drawing.  
 All dimensions to be checked on site prior to commencement of construction and prior to ordering of materials and components.

- EXTERNAL FINISHES:-
1. Marley Edgemere Concrete Roof Tiles - Grey
  2. Drydash Wall Finish - White
  3. Marley Cedral cladding - Slate Grey
  4. Timber Windows And Doors - Grey
  5. Timber Fascia And Soffit - Grey

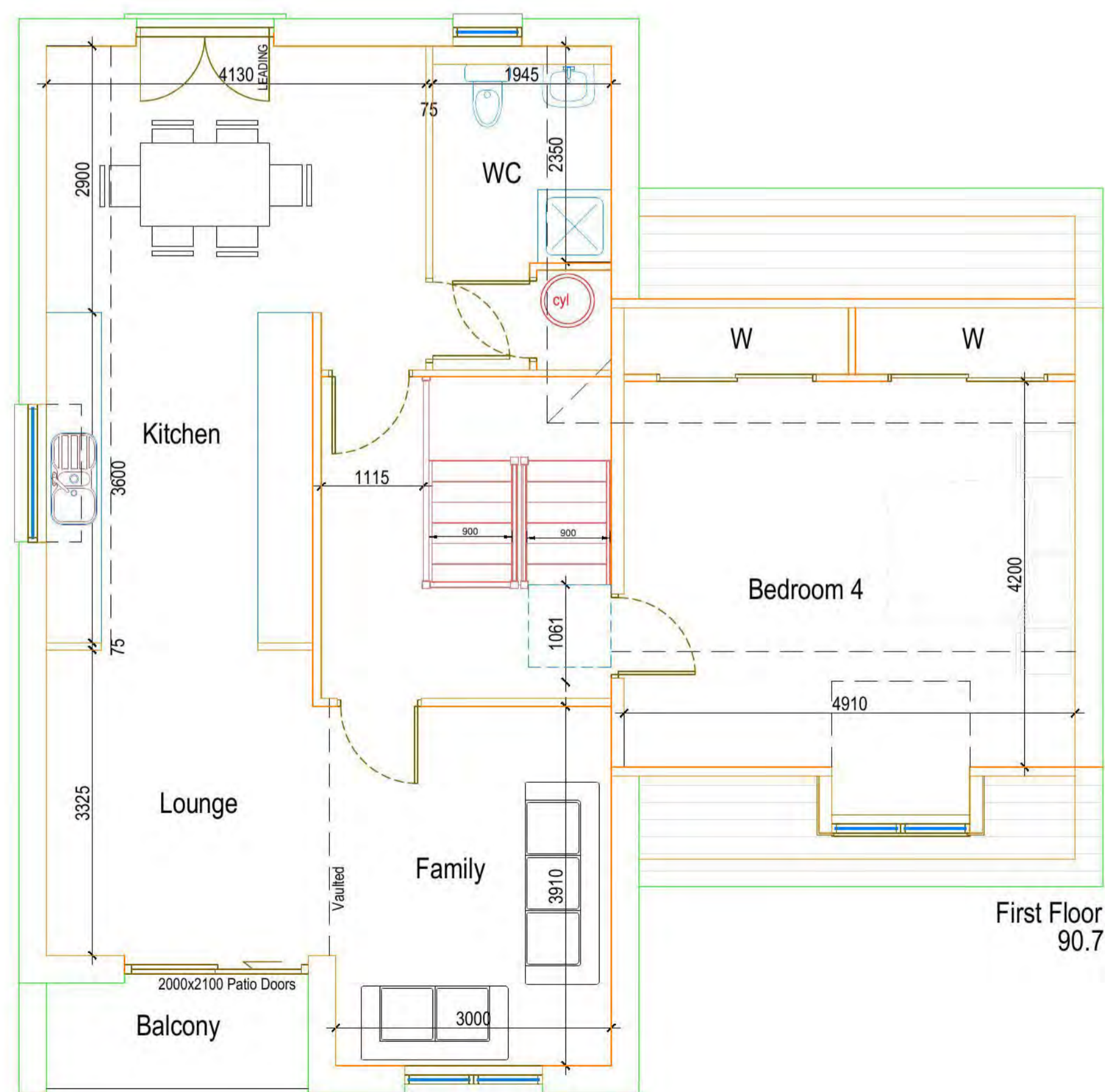
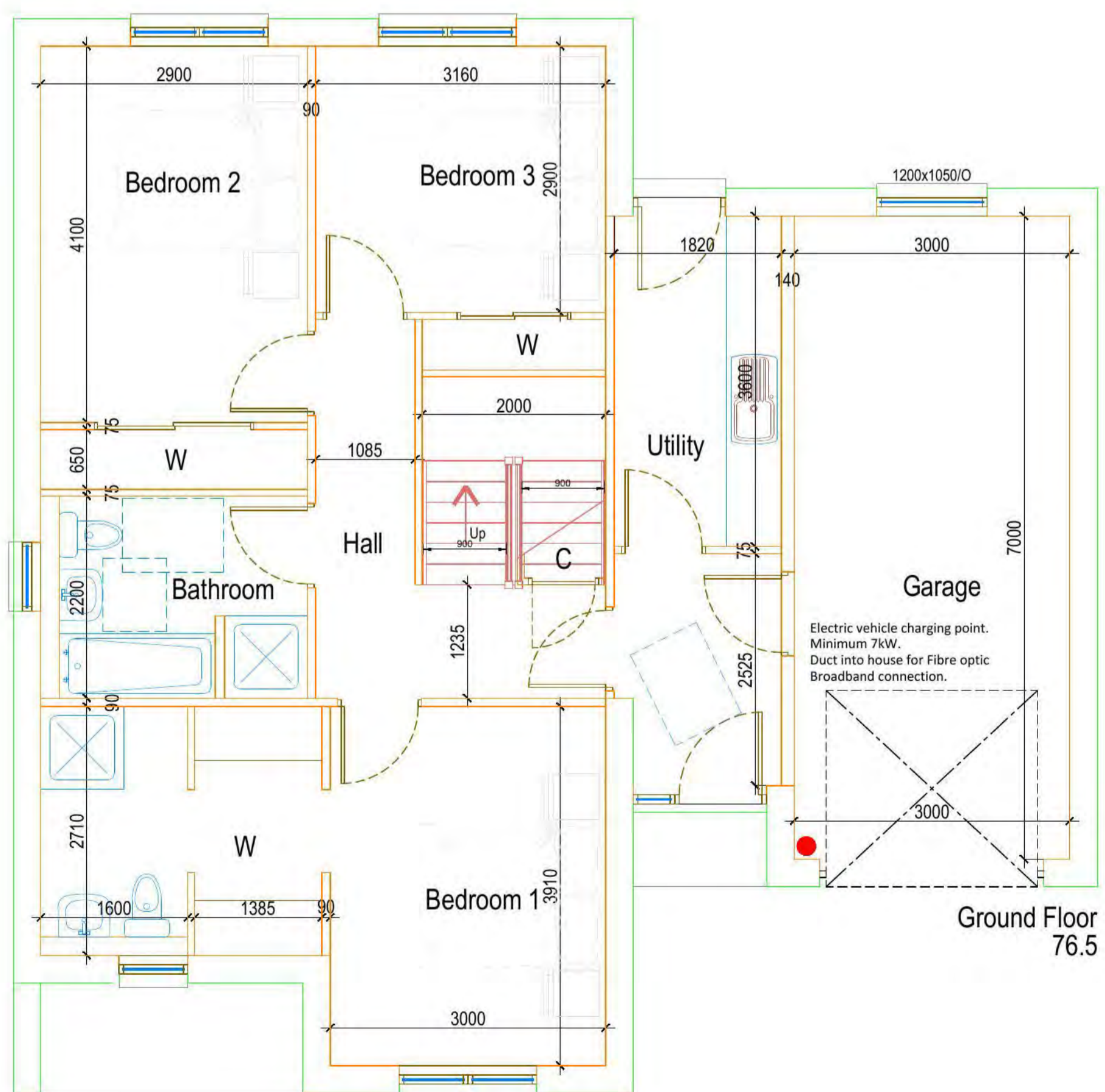


Town & Country Planning  
 (Scotland) Act, 1997  
 as amended

**REFUSED**

02 December 2020

Development Management  
 Environmental Services  
 The Moray Council



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Project  
**House type 2  
 Plot 7  
 Station Road  
 Portessie**

Drawing  
**Floor Plans & Elevations**

Scale	<b>1:50/100 (A1)</b>
Date	<b>05-03-2020</b>
Drawn By	<b>C Bremner</b>
Drawing No.	<b>20-40/PL/7/01</b>



# SCHOOL ROLL FORECASTS

Based on Annual School Census 2019

<b>PORTESSIE</b>	<b>ACTUAL</b>					<b>FORECAST</b>							
<b>(PM07)</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>
<b>INPUTS</b>													
<i>Primary 1 Input</i>						<i>11</i>	<i>11</i>	<i>13</i>	<i>12</i>				
<i>Pupils per household</i>	<i>0.30</i>	<i>0.30</i>	<i>0.30</i>	<i>0.30</i>	<i>0.30</i>	<i>0.30</i>	<i>0.30</i>	<i>0.30</i>	<i>0.30</i>	<i>0.30</i>	<i>0.30</i>	<i>0.30</i>	<i>0.30</i>
<i>Housing</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>5</i>	<i>5</i>	<i>5</i>	<i>0</i>	<i>0</i>
<i>Placing Requests</i>	<i>1</i>	<i>0</i>	<i>7</i>	<i>4</i>	<i>7</i>	<i>3</i>	<i>4</i>	<i>4</i>	<i>4</i>	<i>4</i>	<i>4</i>	<i>4</i>	<i>4</i>
<b>CLASS</b>													
P1	13	4	19	20	22	14	15	17	16	17	16	16	17
P2	12	13	6	21	18	22	14	15	17	16	17	16	16
P3	14	13	13	7	25	18	22	14	15	17	16	17	16
P4	16	13	12	14	7	25	18	22	14	15	18	16	17
P5	9	17	12	12	15	7	25	18	22	14	16	18	16
P6	9	10	17	12	11	15	7	25	18	22	15	16	18
P7	9	9	10	17	13	11	15	7	25	18	23	15	16
<b>Total Roll</b>	<b>82</b>	<b>79</b>	<b>89</b>	<b>103</b>	<b>111</b>	<b>112</b>	<b>116</b>	<b>118</b>	<b>127</b>	<b>120</b>	<b>119</b>	<b>113</b>	<b>116</b>
Physical Capacity	192	192	192	192	192	192	192	192	192	192	192	192	192
Total Roll - Physical Capacity	-110	-113	-103	-89	-81	-80	-76	-74	-65	-72	-73	-79	-76
(Tot Roll/Physical Capacity)%	43%	41%	46%	54%	58%	58%	60%	61%	66%	63%	62%	59%	60%
Functional Capacity	160	160	150	150	160	160	160	160	160	160	160	160	160
Total Roll - Functional Capacity	-78	-81	-61	-47	-49	-48	-48	-48	-48	-48	-48	-48	-48
(Total Roll/Functional Capacity)%	51%	49%	59%	69%	69%	70%	70%	70%	70%	70%	70%	70%	70%

*Because of rounding, the Total Roll may not be exactly the same as the sum of the P1-P7 figures.*

## Portessie

**REPORT OF HANDLING**

<b>Ref No:</b>	20/00544/APP	<b>Officer:</b>	Iain T Drummond
<b>Proposal Description/ Address</b>	Erect 7 detached dwellinghouses on Site Adjacent To 1-5 Station Road Portessie Buckie		
<b>Date:</b>	02.12.20	<b>Typist Initials:</b>	FJA

**RECOMMENDATION**

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

**CONSULTATIONS**

<b>Consultee</b>	<b>Date Returned</b>	<b>Summary of Response</b>
Environmental Health Manager	26/11/20	No objections
Contaminated Land	29/05/20	No objections subject to condition to investigate potential contamination on site.
Transportation Manager	03/07/20	No objections subject to conditions and informatives
Scottish Water	18/05/20	No objections
Strategic Planning And Development	24/11/20	Identifies that the proposal does not comply with development plan policy and recommends refusal.
Planning And Development Obligations	29/05/20	Identified contributions towards healthcare and affordable housing
Moray Flood Risk Management	22/05/20	No objections
Moray Council Other Depts - Housing	29/05/20	Identified that a financial contribution towards affordable housing would be the most appropriate option in relation to this site.
Moray Access Manager	18/05/20	No objections

**DEVELOPMENT PLAN POLICY**

<b>Policies</b>	<b>Dep</b>	<b>Any Comments (or refer to Observations below)</b>
PP1 Placemaking	Y	
PP3 Infrastructure and Services	N	
DP1 Development Principles	Y	

DP2 Housing	Y	
EP2 Biodiversity	Y	
EP5 Open Space	Y	
EP7 Forestry Woodland and Trees	Y	
EP12 Management and Enhancement Water	N	
EP13 Foul Drainage	N	
EP14 Pollution Contamination Hazards	N	

## REPRESENTATIONS

Representations Received

YES

Total number of representations received 5 objections and 7 in support

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: Road safety

- Concerns regarding the proposals to access the existing house via the proposed new access road and restrict movements along Station road to pedestrian and cyclist and the impact this would have on the ability of larger delivery vehicles and other visitors to access the existing properties.
- The proposed access arrangement would have a detrimental impact on the safety of pedestrians and cyclists due to reduced visibility/lack of sight.
- There would be a high volume of traffic during the construction of the development which would be dangerous for children playing in the area and pedestrians/cyclists.
- Concerns about the increase in traffic not only during the development but once its completed. The average house now has 2 vehicles which will increase traffic via Rathven which is a small narrow road that already has issues with speeding.

**Comments (PO):** The transportation service have been consulted on the proposals and subject to the conditions as recommended, which includes measures for visibility splays the proposals are not considered to result in road safety concerns.

In terms of access for delivery vehicles and visitors to existing houses the proposed arrangements should provide a greater amount of turning and parking space than is presently available on Station Road.

With regard to road safety concerns during the construction process, a condition requiring a construction traffic management plan has been recommended and would ensure that construction traffic is managed to minimise impact on the neighbouring properties.

### Issue: Impact on natural environment

- The area proposed for development is also rich in wildlife and is used by kids to play in and explore the old railway line and buildings which would be lost if the development went ahead.
- Once again it's sad to see another development in our beautiful countryside. This small woodland is home to lots of wildlife.
- The area of the proposed site is home to many wildlife and is a popular walking/cycling route steeped in history.

- Ridiculous to cut down trees to put up houses. Animals live there, children play there. Why on earth choose that piece of land? The animals, birds and insects will have nowhere to go.

**Comments (PO):** this issue is discussed in the observations section of this report, where it is concluded that due to the impact on the ENV designation the application is to be refused on this basis.

**Issue:** Loss of view

- Now my view will be modern houses designed for towns not countryside

**Comments (PO):**The design of the houses have been amended during the consideration of this application, to better reflect the traditional vernacular of Portessie, however, loss of view as a result of the proposed houses is not a material planning consideration and cannot be taken into account in the determination of this application.

**Issue:** There would be a lot of rubbish and debris during the construction of the development which would adversely affect the existing neighbouring properties.

**Comments (PO):** This is a speculative comment on which it would be unreasonable to refuse a planning application on these grounds as there is no guarantee that such an impact would occur. If the development resulted in a statutory nuisance in terms of noise or dust pollution then Environmental Health would have power to take action to rectify the issue.

**Issue:** Privacy impact on existing houses

### **Summary and Assessment of main points raised in support of the proposals**

- This is a fantastic opportunity for the area. Given the uncertain times we find ourselves in this would create employment for local trades which can only be a good thing. There is a very limited market supply of houses in the Portessie area and this site would upgrade Station Road which is in a poor state of repair at the moment.
- It is good to finally see new properties being proposed in Portessie as it is a beautiful area with a limited market supply.
- We are looking to relocate to the area and having great difficulty finding a suitable property with 4 bedrooms. The proposed small scale development would be ideal for our needs as are looking for a new build property within a community but without living on a large scale development/site.
- The development will help support the school role of Portessie primary school, where it is difficult to find a property within the catchment which suits family needs.
- There is a large amount of availability for new build energy efficient homes in other areas of Buckie but no availability in the Portessie area.
- Without developments like this that school numbers will fall and as has been seen with other areas the school will inevitably close which would be a huge loss to the area.
- An energy efficient family home, within safe walking distance to the school. I believe this development is something that the Portessie area badly needs.
- 

**Comments (PO):** Whilst these points are noted, 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.

As outlined within the observations section of the report, the site lies within a designated ENV5 area where residential development is not permitted and therefore this application is refused on this basis.

### Proposal

This application seeks detailed planning permission for the erection of 7 dwellinghouses at Station Road, Portessie, Buckie.

The proposed houses are 4-bed, one and a half storeys with single integral garages and comprise two main house types, with variations from plot to plot, including the addition of a sun lounge on plot 1 and re-orientation of the garages on plots 3 and 4. It is proposed that the houses be finished in a mixture of render, natural stone and cedar cladding on the walls and smooth grey concrete tiles on the roof, with the houses on plots 2 to 6 being finished in beige render and the houses on the end plots (1 & 7) being finished in white render. Each of the houses incorporate an electric (EV) charging point within the garage and ducting is provided to all houses to allow for fibre optic broadband connections. Each of the houses also incorporate a swift and bat box on either gable elevation of the houses.

A new access road is proposed which would serve both the proposed houses and existing neighbouring houses, which is separate to but runs in parallel to Station Road, which would be retained for pedestrian/cycle purposes. Roadside swales, which form part of the overall SUDs scheme for the site are located between the new access and Station Road and are to be planted with wildflowers. The front and side gardens of the houses are bounded by a mixture of beech hedging and natural stone walls with the south of the sites being finished in post and wire fencing and 1.8m high timber screen fencing proposed between the rear garden areas of the houses.

A 6m wide buffer strip/habitat corridor is proposed adjacent to the existing ditch, which runs along the along the southern boundary of the site, where it is also proposed to plant over 1000 trees within this area.

### Site

The site lies to the south of Portessie within the settlement boundary of Buckie and comprises a small portion of the larger Buckie ENV5 green corridor designation, as defined in the Moray Local Development Plan 2020. The site is bounded to the north by Station Road, which forms part of the Sustrans Aberdeen to Inverness cycle route and designated core path network. Station Road also serves the 5 existing houses which bound the site to the north.

The site is presently a relatively dense thicket of bushes bounded to the west by the public road and further dense bushes beyond, to the east by more dense bushes and to the south by a drainage ditch with open farmland beyond.

### 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:

#### **Principle of the development (Buckie ENV5 (Portessie Station/Cycle Path), EP2, EP5, EP7, PP1, DP1 and DP2)**

This site was designated as a residential site Buckie R10 within the proposed 2020 MLDP, however, following an examination of the plan by Scottish Ministers in May 2020 the Reporter concluded the following regarding the site,

"While I note that there is a requirement to protect the cycle route, improve the core path and for any proposed layout to take account of any existing services present, this site is subject to a number of site specific constraints. It is unclear at this stage how these constraints would be overcome.



At my site inspection I found it mostly to be covered in shrub and it was boggy and poorly drained. While I note that there may be no important habitat on the site, the established vegetation effectively screens the built edge of Portessie (even in Winter) from the open countryside and provides a valuable landscape setting to the settlement. A similar effect is also achieved on the opposite side of Station Road to the west. The development of this site would breach the natural limit of the village and I would be concerned over the precedent that may be set if it were to remain as a designation for housing. Therefore, I recommend that it is removed from the plan and reinstated as ENV5 as "Green Corridor". I do not consider that the removal of this small site from the plan would impact on the overall supply of housing within the Buckie Housing Market Area."

This application was submitted prior to the Reporters finding above being published and therefore prior to the adoption of the MLDP 2020, however, taking into account these findings and the now adopted MLDP 2020, this application must be assessed on the basis that the site is an ENV5 area and not the Buckie R10 housing designation.

With the above in mind, Development within ENV areas, must be assessed in accordance with the associated policy EP5, which stipulates the type of development which may be acceptable in these ENV areas and is therefore the leading policy consideration in the determination of this application.

Policy EP5 outlines that development which would result in a change of use of a site identified under the ENV designation in settlement statements or amenity land designations in rural groupings to anything other than open space use will be refused. The only exceptions are where the proposal is for essential community infrastructure required to deliver the key objectives of the Council and its Community Planning Partners, excluding housing, or for a site specific opportunity identified within the settlement statement.

In this case the proposal is contrary to Policy EP5 Open Space. The policy is clear that development that would change the use of an identified environmental designation will be refused. There are exceptions to this, including essential community infrastructure however housing is specifically excluded. Where it is considered development can be sensitively accommodated within an ENV this has been written into the accompanying designation text in the environment/green infrastructure section of the settlement statement within the LDP 2020. No such text has been added to ENV5 Portessie Station/Cycle Path designation.

The policy is very explicit that housing within an environmental designation is not an acceptable use and there is no justification to support a departure from this policy to allow a housing designation in this location.

In conclusion, the proposal is contrary to EP5 Open Spaces and this form the basis for the refusal of this application.

On the basis that the proposal lies within an ENV area and fails to comply with policy EP5, other policies within the plan such as policy PP1, DP1 and DP2 all require proposal to comply with policy EP5 and as this proposal does not comply with EP5, in turn the proposal automatically fails to comply with these policies as well. Policies EP2 and EP7 also aim to ensure safeguards against adverse impacts on wildlife corridors/green networks and fragmentation of existing habitats and loss of woodland. Whilst the site is contained in the national forest inventory, prior to inclusion of the site within the Proposed MLDP 2020 a biodiversity report was provided at the Main Issues Report which demonstrated that there are no rare species of rare flora or fauna on the site. Whilst it is recognised that the site is contained in the national forest inventory, it is debatable as to whether the plant species on site constitute woodland and are not more of a dense thicket of bushes. At the time of proposing the site for residential development it was concluded that need for housing within this area outweighed the loss of vegetation on this site, however, now that the site has been designated as an ENV area, the loss of bushes from the site is contrary to the requirements of policy EP2 and EP7.

The applicants have outlined in support of their case that whilst the Reporters comments are noted, they have been able to show how the site can be developed whilst taking into account the constraints and this is demonstrated by the lack of any objections from consultees on the proposals. In addition to this they have highlighted that the proposed development is of a very high standard of design and reflects the traditional character of Portessie. The proposals also retain the green edge to the settlement via the provision of the 6m wide habitat corridor along the south of the site, where over 1000 trees are proposed to be planted which addresses the second main concern raised by the Reporter. The applicants have also incorporated wildflower SUDs features, proposed post and wire fencing to allow free movement of hedgehogs, incorporated swift and bat boxes when all taken together would result in a development of high biodiversity value.

Whilst the details of the applicant's case are noted and an assessment of the overall design and layout of the scheme has concluded that the proposals would have been compliant with development plan policy on placemaking, design, biodiversity, drainage, parking, access etc, should the site have been designated within the adopted 2020 MLDP for residential development, however, the fact remains that the site was designated as an ENV area within the adopted MLDP 2020 and there are no caveats within policy EP5 or any other local development plan policy, which would allow for housing to be constructed within this ENV area, nor are the matters outlined considered to be of sufficient weight to justify a departure from policy.

### **Drainage (EP12 and EP13)**

Drainage information has been provided with the application and identifies the means of surface water disposal from the site. Moray Flood Risk Management have assessed this information and have no objections to the approval of the application. Scottish Water have also raised no objection to the proposed use of the public foul sewer or water supply and as such the proposal is considered to comply with policy EP12.

### **Access (DP1)**

The Transportation service, have confirmed they have no objection to the approval of the proposals, subject to conditions, as such the proposed access details comply with policy DP1.

The Moray Access Manager has been consulted in relation to the potential impact on the cycleway/core path which bounds the site and given the development has been largely separated from the cycleway/core path and this route has been retained, no objections have been raised in relation to this aspect of the proposals.

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

The applicants have confirmed that they are agreeable to entering into a legal agreement to secure the identified developer obligations and affordable housing contributions and as such the proposals are considered compliant with policies PP3 and DP2 in this regard.

### **Conclusion and Recommendation**

Whilst it is acknowledged that when this application was submitted this site was a proposed residential designation, the proposed MLDP had very limited material planning weight at this time and now that the MLDP 2020 had been adopted and this residential designation has been removed from the plan and replaced with the Buckie ENV5 designation. As outlined above policy EP5 explicitly excludes residential development and therefore regardless of whether or not any proposed houses could be adequately served in terms of infrastructure, the fundamental principle of locating housing within an ENV area is unacceptable and as such this proposal is recommended for refusal on this basis.

**OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT****HISTORY**

Reference No.	Description		
	Decision		Date Of Decision

**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	15/06/20	
PINS	No Premises	15/06/20	

**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:	Drainage assessment	
Main Issues:	Outlines the drainage methodology for the site.	

**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</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)			



View Towards Site from North.



Railway Platform Structure seen through Bushes.



View Towards Site from South.

# BUCKIE & VILLAGE STATEMENTS

## THE PLANNING BACKGROUND

With a population of 8,440, Buckie is a major service centre in Moray. It is best known for its commercial harbour, by far the largest in Moray. The harbour has traditionally been the natural focus for the town and it has recently been considered for designated port status.

Job prospects appear stable and unemployment has fallen over the past year and is presently below the Scottish average. The town does have a reasonably vibrant and structured shopping area, as well as a good range of facilities and services. The commercial core occupies a prime location, which has not been compromised by out of town retail developments.

Recent house building programmes in Buckie suggest a preference for private plot development of bungalows and 1½ storey houses. Approximately 120 new dwellings have been developed on designated housing sites since the approval of the Moray District Local Plan in June 1993. Just over one third of housing sites identified in the previous Plan are now complete, many of them on greenfield land to the south.

Since the refusal of an application submitted by the former Regional Council to develop a waste water treatment plant at March Road, in March 1996, there has been continuing debate regarding the requirement for and ultimate location of a sewage treatment works in Buckie. North of Scotland Water Authority are anticipated to submit a further application early in 2000.

One unfulfilled objective in the previous Local Plan was the lack of progress in developing a management plan for the former railway land through the town and the three interconnected valleys of the Buckie, Freuchny and Rathven Burns. There is also still some way to go towards improving the quality of the environment at the entrances to the town and on the boundaries of industrial sites.

A current issue is that of traffic management: access from the recently de-trunked A98 main road is considered dangerous where it meets the High Street, heavy goods traffic along the coast road is an ongoing problem for residents in Buckpool, the Yardie and lanstown in particular.

## CHARACTER OF THE TOWN

Buckie is a well planned town comprising traditional Seatowns on raised beaches (one of these, the Yardie, is a Conservation Area), a gridiron Victorian area on the clifftop and twentieth century developments to the south. Its identity has not been undermined by coalescence towards Findochty, Rathven or Portgordon. The retail area occupies a pivotal central location near the public square, serviced by a busy wide thoroughfare. The March Road Estate provides sufficient room for industrial expansion, both visually and functionally separate from the town. Buckie has a well maintained stock of stone built terraced housing, and the town enjoys an excellent aspect to the Moray Firth.

The three green corridors of the Buckie, Freuchny and Rathven Burns present attractive wooded backdrops to the built-up areas of the town. Complementing these three corridors is the disused railway line, running east to west. In parts of Buckpool and eastern Buckie, the built-up area between these corridors is however dense and lacking quality open space. Closely adjoining much of the railway line are the town's braes, important landmarks which are worthy of protection.

## OBJECTIVES

- (i) To generate more business through the Harbour.
- (ii) To encourage the development and regeneration of the harbour area by adopting a more broadly-based policy in respect of acceptable land uses.
- (iii) To consolidate major commercial and industrial activity at the March Road industrial estate and retail activity at the designated town centre.
- (iv) To investigate the possibility of developing a management plan for the disused railway line, the smaller line to the south and the three valleys at the burns.
- (v) To improve the quality and attractiveness of the environment by introducing soft landscaping, particularly at the entrances to the town, at the boundaries of greenfield housing and industrial sites and in and around dense built-up areas.

**Population 8300**

- (vi) To secure a planned and phased release of housing land to meet the demands of the town in the next 5 years.
- (vii) To protect the separate physical identities of Buckie, Rathven and Portgordon.
- (viii) To identify preferred site(s) for a new waste water treatment plant.
- (ix) To promote tourism and recreation in the town.

## POLICIES AND PROPOSALS

In addition to the site specific requirements identified below and in development briefs, all developments must meet the terms of the Implementation policies (L/IMP1-8) in Chapter 8 (relating to siting, layout and design, character impact, landscaping, drainage, environmental and traffic impact). Subject to the scale of the development having a measurable impact on local community facilities, amenities or infrastructure, funding policies L/F1 Developer Contributions and L/F2 'Commuted Payments' in Chapter 7 may also apply.

## BUSINESS ACTIVITIES

The Local Plan policies for business development are contained in Chapter 1 'Economic Development'.

Four well located industrial sites exist to the east of the town. Adequate land is available on these sites to cater for forecast future needs; expansion of existing businesses; the provision of sufficient room to enable the diversification of the town's economic base. Site servicing infrastructural works are necessary, however, to bring some of these sites on stream.

## Industrial Estates (L/ED2, L/ED3)

### 11 March Road

A limited number of small sites are available.

### 12 Maltings

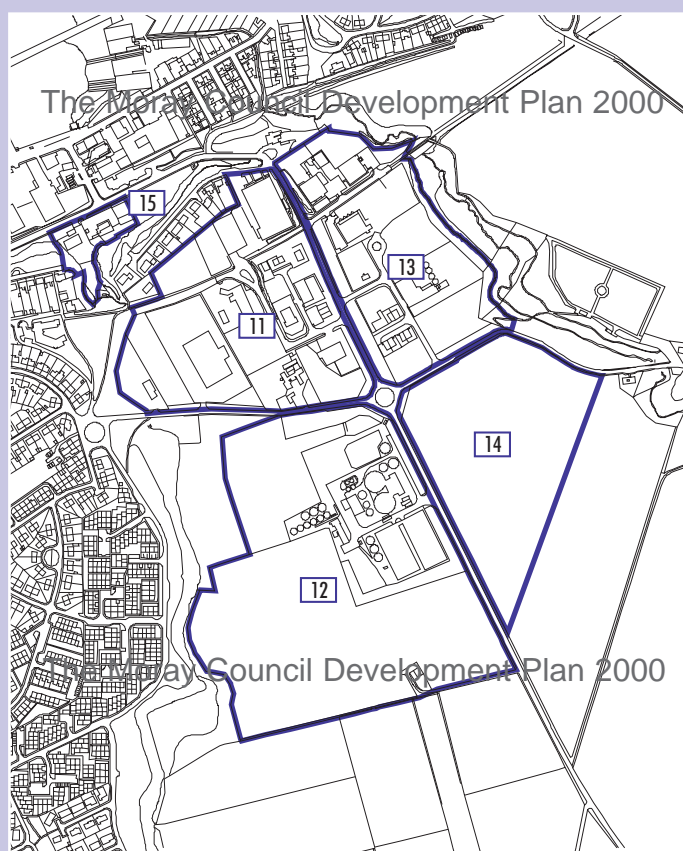
An area of approximately 8 ha is reserved for the southward expansion of the Maltings, otherwise its use will be as present for agriculture. A 15m landscape strip shall be reserved to the south and a 10m strip to the east.

### 13 Rathven Phase 1

Serviced sites remain to the north and south.

### 14 Rathven Phase 2

The northern end of this site was identified by the former Grampian Regional Council in 1995 as a potential location for the proposed waste water treatment plant. The application was refused at a planning hearing in March 1996 due to lack of clarity regarding the associated environmental impacts of such development. Subject to a resolved alternative site for the waste water treatment plant (see Waste Water Treatment, page 149), this 6 ha (15 acre) site will be available for industrial development when site I3 is substantially taken up or when appropriate industry cannot be accommodated by land elsewhere in the town. A 10m dense tree and shrub planting strip is to be provided to the west and a 15m strip to the south and east with initial development encouraged to locate at the northern end of the site.



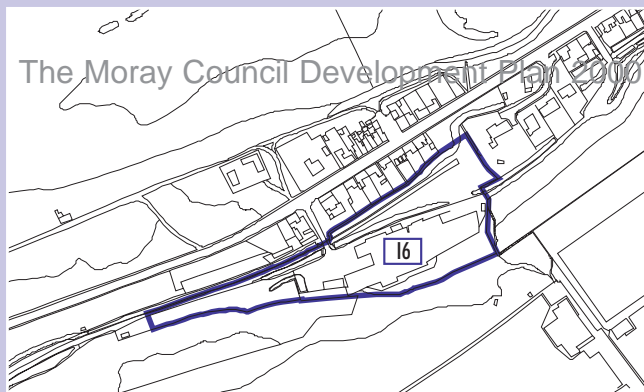
## Established Business Areas (L/ED4)

### I5 McLaren's Brae

This 1.6 ha (4 acre) site is conveniently located near the harbour and is considered suitable for storage or light industry development. Retail development will not be acceptable but a consent has been granted for some housing to the north east of the site. Access is to be taken into this site from the west, avoiding the bad corner at March Road.

### I6 Grampian Country Park

This is inappropriately sited in a residential area and has noise, traffic and sewage implications. It is however an important employer in the town, but this site is recognised as being physically constrained by the embankment of the former railway line, Great Western Road and the Countryside Around Towns designation. Any development proposal at the western end of the site will require very sensitive design and boundary treatment and should screen off areas of storage, delivery yards and parking seen from the main road. The treatment of sewage and the management of car parking and traffic from the site are significant issues which are currently under discussion. Further extensions will only be permitted where there is clear evidence to demonstrate that the existing shortcomings can be overcome. Ultimately the Council will support a proposal for relocation of the business to a more suitable location

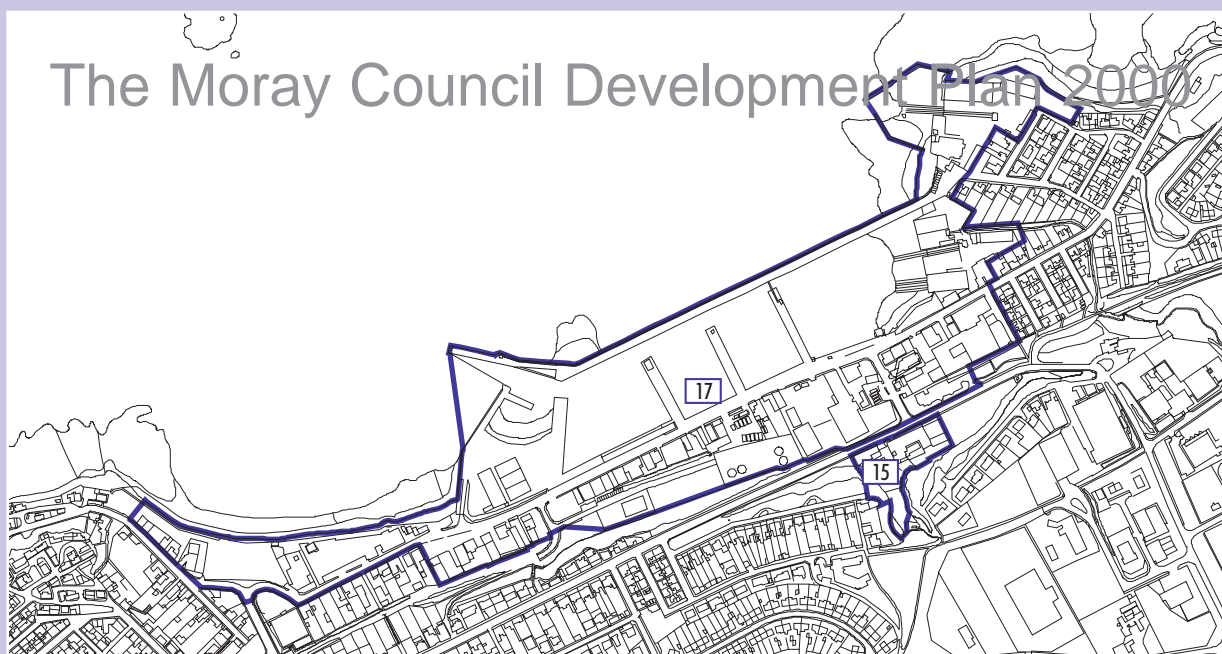


Further extensions will only be permitted where there is clear evidence to demonstrate that the existing shortcomings can be overcome. Ultimately the Council will support a proposal for relocation of the business to a more suitable location

## Mixed Use Areas (L/ED5)

### I7 The Harbour

Also see Policy L/T6, Chapter 4. Within the area defined priority will continue to be given to development associated with harbour operations including processing, cargo traffic, marketing, storage, chandler, boat building and other ancillary uses. Alternative uses such as residential (e.g. in the form of flats above commercial premises), tourist or wholly commercial development which may not be directly related to the harbour but contribute to diversifying the character and environmental quality of the harbour area will be considered on their merits. In order to promote the development and regeneration of the area including the rehabilitation of redundant buildings, the infilling of gap sites and the creation of pedestrian links through environmental improvements, the Council will endeavour to establish a detailed masterplan for the area in partnership with the Moray Badenoch and Strathspey Enterprise Company and the local community. Road access to the harbour must be designed so as to minimise disturbance to local residents.





## Opportunity Sites (L/ED6)

Opportunity Sites are sites which have the potential for redevelopment for a range of possible uses. The governing local plan policy is L/ED6 in Chapter 1. Other policies may apply pending the nature of the redevelopment proposal.

### OPP1 Highland Yard

A mixed industrial area, this site has opportunities for a sensitive, well-designed redevelopment, but not in a piecemeal manner. Comprehensively planned, this site could be re-used for a mix of high density town flats/retail/office/commercial/car parking development. Any development proposals will include a footpath north/south through the site. The south end of Highland Yard is to be used for a small specialist housing development (see R4). Existing industrial premises may be relocated to designated industrial zones in the town, e.g. site I3.

### OPP2 South Pringle Street/Blairdaff Street

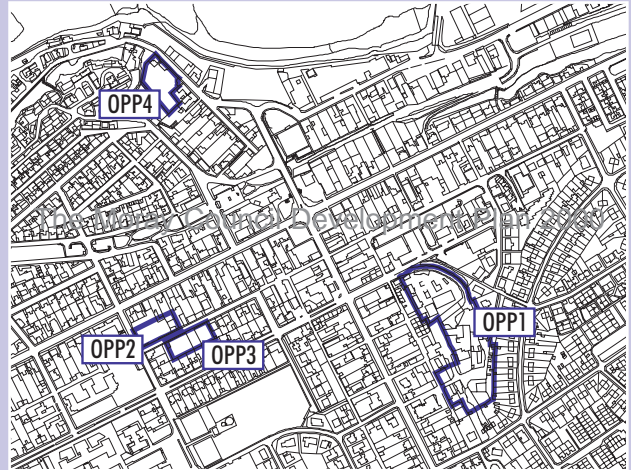
This site was identified in the previous Local Plan as being suitable for retail, commercial or flatted residential development. Planning consent was granted in January 1996 for flatted development of 21 units.

### OPP3 Cruickshank Lemonade Factory

These vacant premises are suited for conversion to housing, including some provision as specialist housing for single persons, the elderly or disabled (see L/H8). The existing two storey buildings at the west of the site should be rehabilitated as part of the overall development of the site.

### OPP4 Gas Works, Baron Street

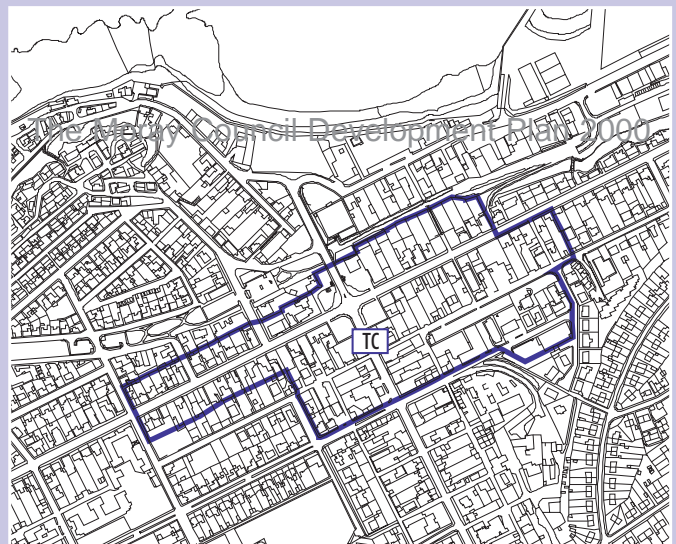
This site is located adjacent to the harbour and residential areas and could suitably be developed as two or three storey flatted accommodation with on-site parking. Some affordable and/or specialist housing should be considered (see L/H8). Some commercial use relating to the harbour could also be included. The general scale and street frontage of adjacent buildings should be respected with taller buildings sited to the back of the site.



## SHOPPING

The governing policies for retail developments are contained in Chapter 6.

**TC - Buckie is one of Moray's four shopping centres, the retention of which is of primary importance to the town. Existing premises in the identified Town Centre may therefore be redeveloped for retail purposes and existing ground floor shops must be retained as such. Moreover, the Council is determined to ensure that the integrity of the retail centre of Buckie is not undermined by out of town sites. Accordingly, new retail developments will be required in the first instance to locate within this defined town centre area (See Policy L/R1). However, the northern end of site OPP1 could provide a significant opportunity for retail redevelopment requiring the extension of the shopping area boundary.**



## TOURISM

Tourism is not a primary economic activity of the town but there is certainly undeveloped tourist potential in the area. Improvement of existing facilities, and the possible introduction of additional tourist developments in the harbour area and Strathlene Beach, may encourage an increase in the number of visitors to Buckie and the neighbouring fishing villages.

The governing policies for Tourism are L/ED16 and 17 in Chapter 1 (Tourist Facilities and Accommodation and Roadside Signs). The Economic Development policies in Chapter 1 apply where relevant and policy L/CF4 in Chapter 5 safeguards established routes for walking, cycling, trails and cross-country skiing.

### **T1 Caravan Park, Strathlene**

**Ancillary developments associated with the operation of this caravan park must be located within the site boundaries as identified in the plan. The need for further expansion will be monitored.**

### **T2 Coastal Strip, Strathlene House**

**The coastal strip overlooking the bay, including the former outdoor swimming pool and land to the front of Strathlene House is a Site of Interest to Natural Science (SINS) but has potential for enhanced public facilities and for tourism-related development associated with a relatively low intensity sensitive use. This area is used informally by visitors in the summer season as a recreational spot with vehicles unfortunately being driven through the existing car park onto the grass. A coastal footpath leads on to Findochty and this may eventually be formalised (T3). The area has a poor standard of maintenance and contains the boundary walls and remnants of the disused swimming pool. Environmental improvement works should be included within development proposals for this area which respect the integrity of the SINS designation in the area. Development for private use in this area will not be permitted. Coastal erosion in this area will be subject to monitoring. Scottish Natural Heritage will be consulted as part of the consideration of development proposals for this site.**

### **T3 Coastal Footpath**

**The identification of a Coastal Footpath route through the town to Cullen is being investigated as part of a Moray Firth Coastal Access Study (MOFCAS) although it is noted that this section may be susceptible to some coastal erosion.**

### **T4 - Speyside Way Extension**

**The Speyside Way has been extended along the coast from Tugnet to Buckpool. The Council will promote an initial terminus at the Buckie harbour with a future extension through to Cullen.**

### **T5 - Sustrans Cycle Route**

**The Council is promoting the Moray section of the Sustrans National Cycle Network and will consequently safeguard the route. Opportunities to promote tourism within the town should be taken.**

## ENVIRONMENT

The policies for the maintenance and enhancement of the local environment are found in Chapters 2 (Environment) and 8 (Implementation). The principal policies are L/ENV10 'Settlement Boundaries' and L/ENV18 'Public Amenity and Open Spaces' in Chapter 2, and L/IMP1 'Development in Built Up Areas' in Chapter 8.

Under the terms of policy L/ENV18 (Public Amenity and Open Spaces) a number of spaces have been identified which contribute to the environment and amenity of the town. The purpose of policy L/ENV18 is to protect the integrity of these spaces from inappropriate development and to ensure that their contribution to the amenity of the built up area is not compromised.

### **ENV1 Railway Lines, River Valleys and Coastline**

**The preparation of an Integrated Management Plan, for the two disused railway lines and the three valleys, will be investigated as an environmental project for the town involving the local community. The main objectives for these areas will be:-**

- (i) to provide for improved public access (as part of a Moray Access Initiative), by extending the footpath network and by maintaining existing paths, and to provide a way-marked pedestrian trail penetrating into the town and skirting its boundaries to the town's countryside;**
- (ii) to maintain these features as visual landmarks, amenity features and as boundaries to discrete areas within the town;**

- (iii) to provide for wildlife habitats through better management;
- (iv) to promote the recreational, educational and tourist potential of these areas;
- (v) to monitor and possibly manage flooding from the town's burns;
- (vi) to consider the need for further bridging.

As part of the Sustrans network, the Council will look to provide a cycle/pedestrian link from west of Buckpool to Cluny Place and beyond to Rathven. Feeder links into this network will also be investigated.

Pedestrian links from Rathven to Buckie may therefore be upgraded along the Rathven Burn and the grassed area, east of Archibald Grove could be planted and an informal wooded footpath network would link Buckie railway south with March Road. The Buckie Burn perhaps offers the best opportunities for informal recreation and an area has been identified on the Town Map from the Mains of Buckie to Buckpool Harbour. The wetland areas will be managed as natural habitat and in some cases footbridges will require to be provided.

ENV1 also includes coastal areas which will be protected both for their amenity value and for the views they provide to the sea. These are as follows:

**Coastal views - Great Western Road (two sites); Baron Street (one site); Great Eastern Road (two sites).**

**Coastal Open Spaces - Cliff Terrace (as a setting for the Leading Light, and views to existing housing); the Braes (Buckpool, Ianstown and Portessie); Buckpool Harbour:- the Council will seek the upgrading of the harbour environment as the terminus of the new Speyside Way extension.**

The retention of the area of open space to the south of the coast road separating Ianstown and Portessie will be promoted and if existing buildings become redundant they should be removed.

Opportunities to upgrade all of these areas will be considered.

**Millbank Terrace - Former railway line and adjacent 'buffer zone' area.**

#### **ENV2 Cluny Square**

The council will investigate with MBSE an environmental improvement for the Square, emphasising the need to create a civic focal point for Buckie. The possible reorganisation of traffic flows, or car parking arrangements, sign posting and street furniture will be considered and community endorsement will be sought prior to any implementation.

#### **ENV3 Recreation Areas**

The following areas will be retained for educational and/or recreational purposes: Buckie High School and Playing Field, (including the field to the south which could accommodate any future sporting/recreational facility); Ian Johnston Park; the playing fields east of Buckpool golf course; Portessie Primary School grounds; Millbank primary School grounds; Victoria Bowling Green; Bank Street Bowling Green; Linzee Gordon Park.

#### **ENV4 Wilson's Land**

This is an area of underused ground located in a residential zone in Buckpool's clifftop strip. A derelict property contributes to the declining image of the area. The opportunity should therefore be taken to upgrade to built fabric on the site and improve the public amenity through the use of hard and soft landscaping. Any proposals involving new-build would be required to meet policies L/IMP1, L/H6, L/ENV16 and L/ENV18.

#### **ENV5 General Amenity Areas**

The following areas will retain their current function as open amenity space for adjoining housing areas: Letterfourie Road play area; Bruce Avenue North and South (two sites) location of lock-ups and formal play area. The Council may consider proposals to upgrade these areas by working in association with local residents.

There are **wider environmental designations** relating to areas of local, national and international scientific importance and to areas of high scenic and landscape quality which in most cases may relate to areas just beyond the settlement boundary. Where sites of scientific importance are found within settlement boundaries, these will be listed above. The governing policies for the following designations are found in Chapter 2 (Environment).

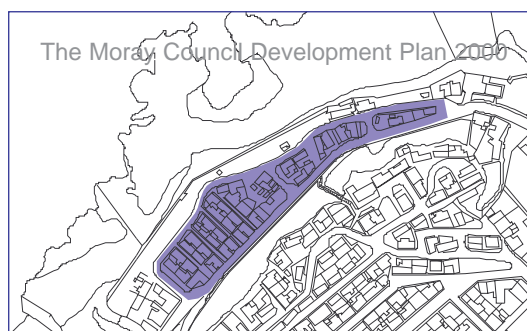
- CAT** The town is enclosed by a Countryside Around Towns area (see policy L/ENV11) shown on a separate map
- CPZ** The coastal area east and west of the town boundary, is designated as a Coastal Protection Zone. (See the proposals map and detailed maps held in the Council's Environmental Services Department).
- SINS** Two sites have been designated at Portessie for ornithological interest, and at Buckpool for both ornithological and geographical significance.

*Detailed maps of all the above are held by The Moray Council.*

### Yardie Conservation Area

The boundary of the Yardie Conservation area was reduced in the previous Local Plan to exclude the area at the top of the brae on the grounds that it is neither visually nor functionally associated with built townscape of the foreshore. (See detailed maps held in the Council's Environmental Services Department).

The governing local plan policy for development within Conservation Areas is L/ENV15 in Chapter 2. (Listed Buildings are controlled under policy L/ENV14).



### HOUSING

On the basis of current market trends, the Structure Plan predicts that sites for an additional 100 houses are required over the next 5 years, although the population level of the town is not expected to increase significantly. These sites must be designated on new development land and are detailed below as follows:

- R7 Letterfourie Road (South): Capacity 20 houses.
- R8 Parklands: capacity 45-50 houses.
- R9 High Street (South): capacity 30 houses.

The main governing local plan policy for new housing developments is L/H3 in Chapter 3 (Servicing and Layout of new Housing Developments). Policy L/H7 in Chapter 3 (Affordable Housing provision) may also apply pending on the size and location of the development.

#### R1 Burnbank

Two grassed rectangular areas of ground and a small corner site fronting onto Buckie High Street has consent to provide for a total of 39 houses. New housing must respect the building line and formation of existing houses to the north and east since the townscape of High Street is important to Buckie's character.

#### R2 High Street

A large 4 ha site currently being developed to a mix of housing types by Stewart Milne Homes. A landscaped area will be provided along the southern boundary of

the site to screen the development from the main approach road into the town. A children's play area and link road from Shearer Avenue will also be incorporated within the overall site development. Preparatory works for the development of the southern section of the site are currently on-going.

### R3 Highfield Road

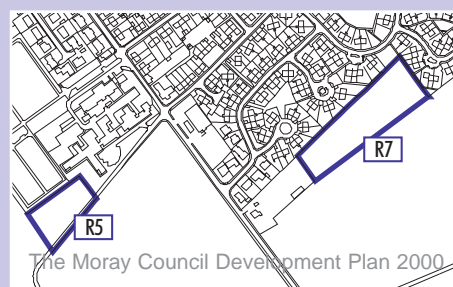
Planning consent was granted in January 1996 for the laying out and servicing of 26 house plots. However the site retains potential for specialist housing provision under the terms of policies L/H7 and L/H8. Landscaping and the provision of a pedestrian link adjoining the burn on the western boundary were incorporated as conditions of development.

### R4 Highland Yard

A small site suitable for specialist housing, (see policy L/H8 in Chapter 3) possibly on two storeys, gaining access from Well Road. Provision should be made for a footpath link at either the west or east end of the site, connecting with the north/south link through OPP1 Highland Yard. The building line and scale of adjoining buildings, along with the need for a well designed street frontage, will be factors worthy of special consideration at the design stage.

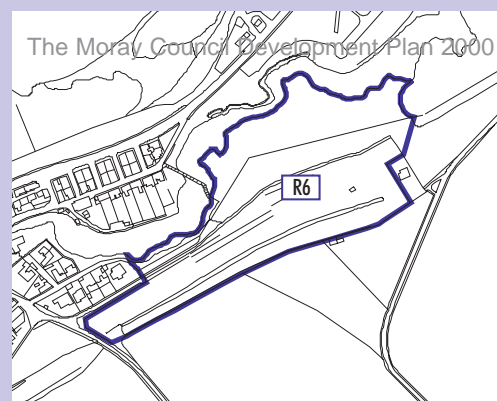
### R5 Seafield Hospital

This is an attractive south-facing site suited to detached or general needs housing. Access is taken off Barhill Road and would require to be upgraded as part of site development. The existing tree line on the northern boundary of the site must be retained as part of the development proposal and the eastern edge should be suitably planted to wholly screen the housing from the adjoining hospital grounds.



### R6 Portessie

Adjoining the golf course, a high quality housing development could be provided allowing the release of single plots, if appropriate. Materials should be selected to cope with the exposed position of the site and to blend (rather than stand out from) the surrounding countryside and townscape. A pedestrian link through the site must be retained in addition to the tree embankment to the south. Hilltop edge development (i.e. within 10m of the cliff face), will be discouraged, and an open area to the south of the golf course has been excluded from the settlement boundary. Any proposed development must allow for the retention of access along the railway line. Access to this site should be taken onto Loanhead/Strathlene Road with provision of 5 passing places. Five passing places must also be provided on the Loanhead Road (Between Station Road and Loanhead Farm). A footway should be provided from the site frontage to Great Eastern Road. A 10m strip of shrubs, e.g. whin, must be provided to the south and eastern boundaries of the site.

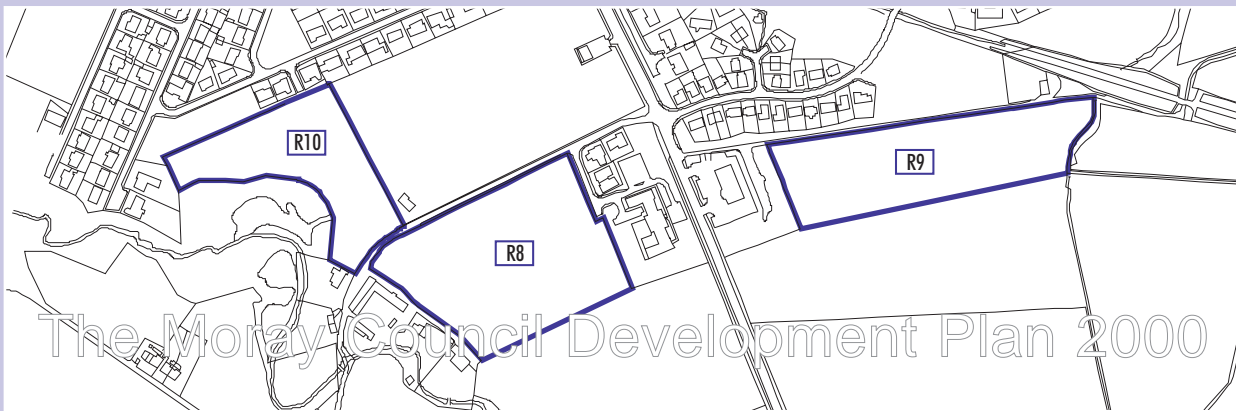


### R7 Letterfourie Road (South)

An infill opportunity on the southern boundary of the town. This site would be suitable for general needs housing of a similar density to surrounding housing and taking access from Letterfourie Road. The southern boundary of the site must be planted with trees and shrubs providing a partial screen from Barhill Road.

### R8 Parklands

This site could accommodate approximately 45-50 houses and should take access off High Street by means of a mini roundabout to the south of Parklands Nursing Home. This will be the main entrance into the site. A 3m wide emergency access should be provided onto Mill of Buckie Road. The access will have bollards to prevent the continuing use of vehicular traffic but may be used by pedestrians. New roads will have to be constructed to the Moray Council specification and an application made under Section 21 Roads (Scotland) Act for Construction Consent. The roundabout on the A942 will have to be designed to current standards and, if R8 is developed prior to R9, the development shall also consider the position of the roundabout to permit future access to R9. The development of this site would warrant the provision of a children's play area and formal play equipment to a standard agreed with the Council. Landscaping along the southern boundary of the site is essential due to its visibility from the main approach road to Buckie and a landscaping screen is required to the rear of the Nursing Home.



#### R9 High Street (South)

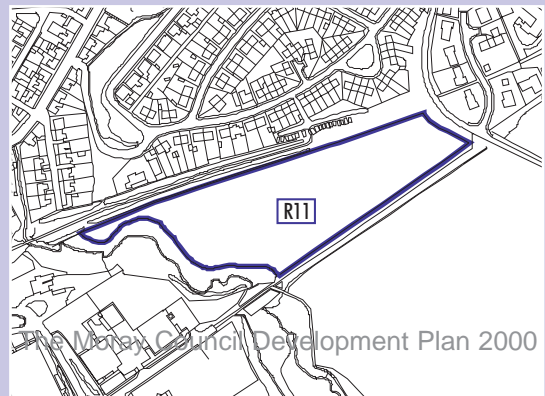
This site, currently in agricultural use, could accommodate approximately 30 houses. Access should be provided by means of a roundabout on the A942. This should tie in with the access to serve R8. An emergency access should be provided. This could possibly be provided along the track to the north of the site which should be surfaced in bitmac. The emergency access should be 3 metres in width and have bollards to prevent the continuous use by vehicular traffic. It would be beneficial if R9 could be linked into the existing R2. Construction Consent would be required, under Section 21 of the Roads (Scotland) Act 1984, for all new roads within the site. This would include the design and construction of the roundabout on the A942. Development should incorporate a 15 m tree and shrub landscaped strip to the south and east acting as a buffer zone on the edge of the town boundary.

#### R10 Steinbeck Road

This site will accommodate up to 30 houses with landscaped strip provided to the south and a pedestrian link reserved along the boundary of the Buckie Burn. A footpath link to Cluny Park is also required. Two houses have been developed to the north east of the site since its designation in the previous Local Plan. Planning consent has been granted on the proviso that no further development will take place until site R1 Burnbank is substantially complete. The Council will also encourage the release of single plots for development, if considered appropriate.

#### R11 Rathburn

This site is suitable for a mix of family and single person accommodation including specialist housing (see L/H8). The Council will also encourage the release of single plots for development, if considered appropriate. Access to the site must be taken from March Road Industrial Estate across the Burn of Rathven, utilising the line of the old railway, connecting to the Rathven Road. This road should be 5.5 m wide with one footway. The developer must also provide a footway link north along the Rathven Road to the roundabout. Traffic calming, soft landscaping and play facilities within the development will be necessary.



Pedestrian access links to the northern and southern "railway" paths will be incorporated into any housing layout, which must be sensitive to its prominent location.

## COMMUNITY FACILITIES

The combination of development sites would result in a significant increase in Buckie's population and may require the provision of an additional fitness facility and enhanced arts provision for the town. The Council is currently considering a significant upgrade to the Buckie swimming pool.

The governing local plan policy for community facilities is L/CF1 in Chapter 5.

## WASTE WATER TREATMENT

To comply with EC Urban Waste Water Treatment Directive, secondary (biological) treatment must be provided at Buckie by December 2000. This matter is currently being investigated by the North of Scotland Water Authority and will be resolved following discussion with the town's main industries which currently discharge into the public system. Two Council preferred sites have been identified for the location of a waste water treatment plant one at March Road (see I4) and one at Carnoch Wood. (See settlement map). These locations are considered worthy of further detailed investigation and offer the greatest potential for mitigating the impact of the plant on both the urban and natural environments. They are also understood to meet the technical criteria required by the North of Scotland Water Authority who will be responsible for the development. The Council does not favour a plant located along the raised beach coastal zone due to the residential and tourist nature of this area.

## Flooding

Parts of Buckie are subject to flood risk and developments within these areas will be subject to assessment under the terms of policy L/ENV26 'Control of Development in Flood Risk Areas'.

## Flood Prevention

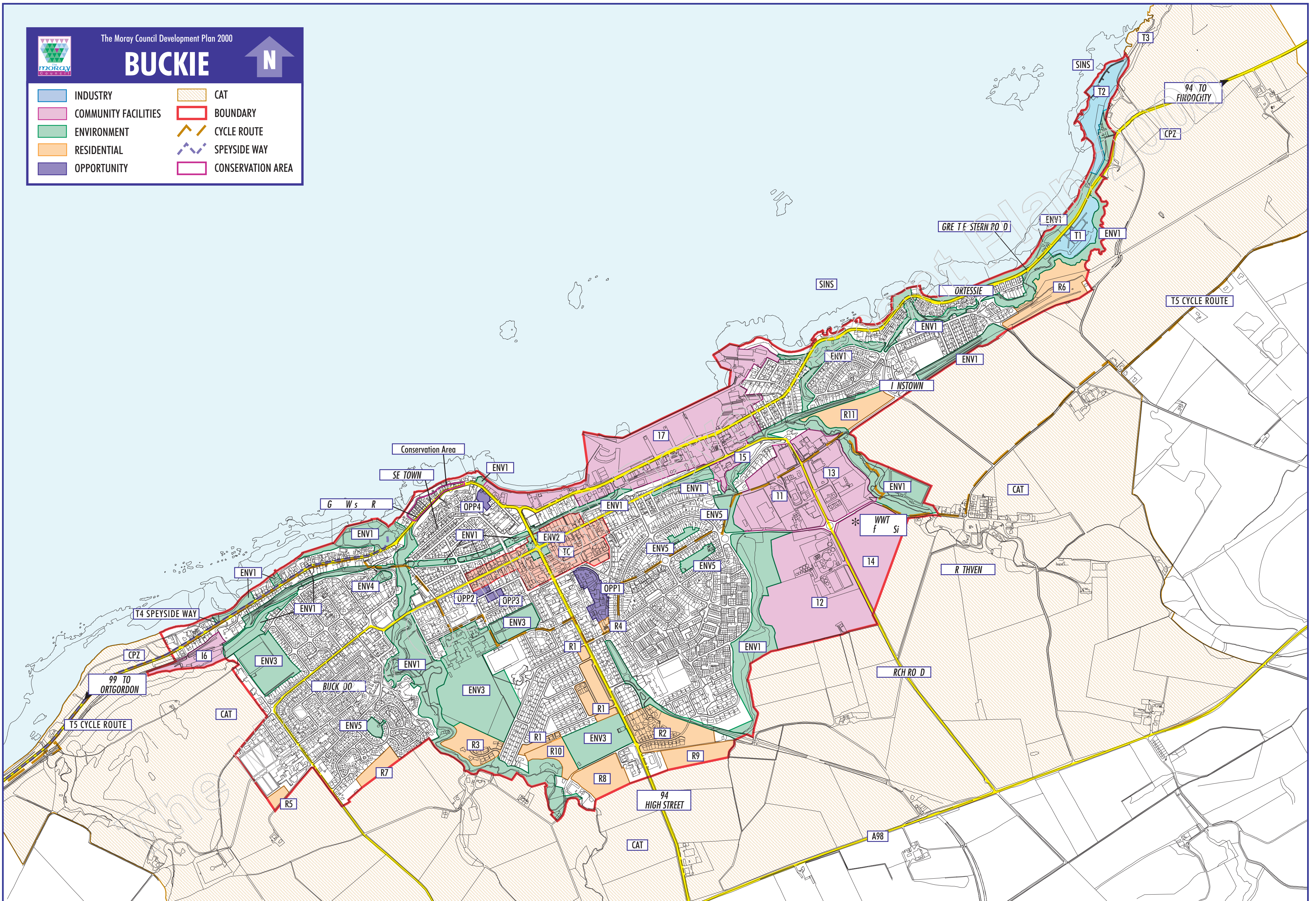
The Moray Council will pursue the preparation of a Flood Prevention Scheme for Buckie under the terms of the Flood Prevention (Scotland) Act 1961 as amended. This scheme will be prepared in line with statutory process under the Act, require extensive hydrological research and will be subject to public consultation and environmental assessment.



# BUCKIE



- |                      |                   |
|----------------------|-------------------|
| INDUSTRY             | CAT               |
| COMMUNITY FACILITIES | BOUNDARY          |
| ENVIRONMENT          | CYCLE ROUTE       |
| RESIDENTIAL          | SPEYSIDE WAY      |
| OPPORTUNITY          | CONSERVATION AREA |





**BUCKIE**

<b>Sites recommended for inclusion in Proposed Plan</b>	<b>MIR Reference/ LDP'15 ref</b>	<b>Site name</b>	<b>Use</b>
	BK3	Land at Ardach Health Centre	Residential
	BK5	Station Road, Portessie	Residential
	BK6	Land at March Road (I1)	Opportunity site
	BK7	Land at Muirton	Residential
	BK9	Land to south west of Buckie	Residential
	BK11	Land to south west of Buckie	Allocate as LONG
	BK13	Land south of March road	Strategic reserve of employment land
	R3/BK14	Archibald Grove	Residential
	BK15/BP1/R10	High Street	Merge with R10 and BP1 to form mixed use site
	R1	Burnbank	Residential – existing designation
	R5	Rathburn (N)	Residential – existing designation
	R6	Rathburn (S)	Residential – existing designation
	R9 (e)	High Street	Residential – existing designation
	R11	Barhill Road	Residential – existing designation
	I1 (NW)	March Road	Industrial Estate – existing designation
	I2 (NE)	March Road	Industrial Estate – existing designation
	I3 (SE)	March Road	Industrial Estate – existing designation
	I4	Maltings	Business Area – existing designation
	I5	Harbour Area	Business area– existing designation
	OPP1	Highland Yards	Opportunity site– existing designation
	OPP2	Blairdaff Street	Opportunity site– existing designation
	OPP3	Barron Street	Opportunity site– existing designation
	OPP4	Bank Street	Opportunity site– existing designation
	OPP5	Former Jones Shipyard	Opportunity site– existing designation
	OPP6	Former Grampian Pork	Opportunity site– existing

**Moray Council Estates****000179**

Proposal for 10 units on an area of land adjacent to the Ardach Health Centre

**LDP2020 MIR BK5 – Station Road, Portessie****SEPA****000569**

Drain running perpendicular to Station Road. SUDS must protect it.

**Moray Council Estates****000179**

Proposal to designate an existing ENV designation for housing in the LDP 2020. An indicative capacity of 16 units has been provided.

**Moray Council Transportation**

Support in principle subject to the changes to the turning head type and additional foot and cyclepath requirements.

**LDP2020 MIR BK6 – Land at March Road (I1)****SEPA****000569**

No comments

**Mr Angus Kerr 001570**

Lives in property adjacent to the proposed site and bought it as it is not overlooked. Current area is a green field and is well used with dog walkers and joggers. Understand the need for development but some green areas should remain to meet the leisure and well-being needs of the local residents. Would like a maintenance strip/landbank between the site and east wall of the property. This will retain the existing tree and property wall and preserve privacy. Would like a strip of 1 ½ - 2m wide the length of the garden at 19 Erralston Marchmont Crescent.

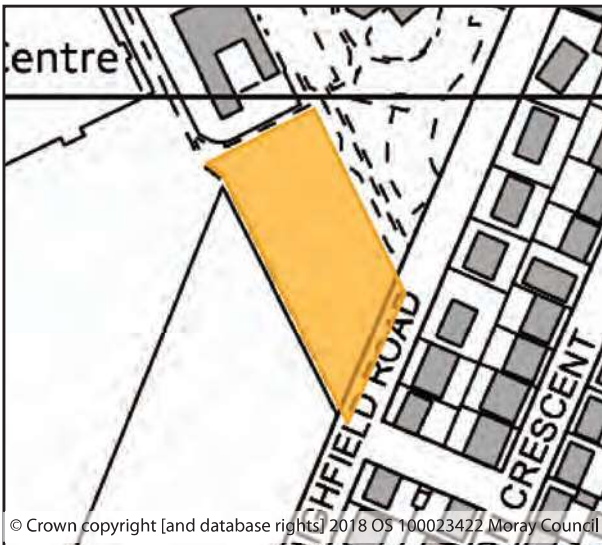
**LDP2020 MIR BK7 – Land at Muirton****SEPA****000569**

Proposal forms part of a cumulatively large expansion with potential landscape impacts. SEPA have stated that should the bid be supported, adequate measures must be put in place to avoid pollution entering the drain. The site is also within proximity to Gollachy Civic Amenity & Transfer Station, Buckie and burn on east side of site has cooling water discharge from Inchgower distillery.

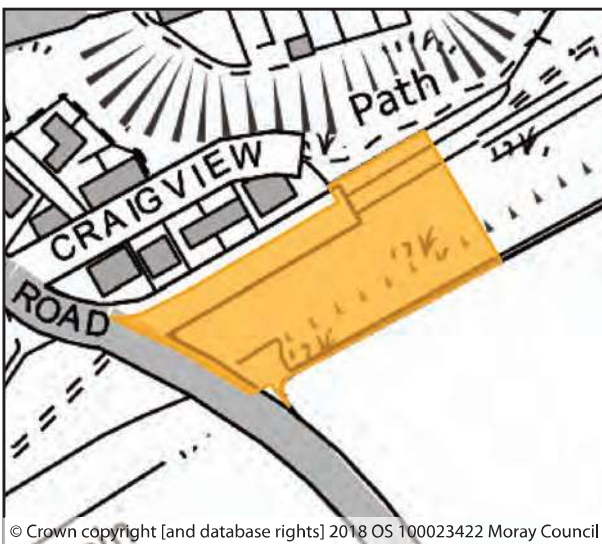
**Morlich Homes****001861**

Request that the site is included as a residential allocation, indicatively for 142 units. To ensure it timely delivery and support the implementation of the Council's growth strategy, the site should be allocated without the need for it to be allocated as part of a masterplan for the wider area. A masterplanned approach runs contrary to the Council's preferred approach to deliver more housing units in the early part of the plan. Given the divided land ownership, the requirement of a joint masterplan potentially jeopardises the delivery of them.

The allocation of the site without the requirement for it to be included in a masterplan would be in line with the MIR's ambition to deliver an increased number of homes in the early years of the emerging LDP in line with local and national government policy. It will ensure that the site is not constrained by the

**R9 Site at Ardach Health Centre****0.44ha****5 units**

- Opportunity for a small low density development. Development must not restrict access to the school, existing paths, or the area of open space.
- To maintain the character of the area, a low density development of up to 5 houses is appropriate.
- Buildings must be single storey to reflect the existing character of Highfield Road.
- Footway along frontage of the site must be widened to 2m.
- Opportunities to provide improved connection to school along west side of site must be included within the site layout.
- A Transport Statement may be sought.
- Drainage Impact Assessment (DIA) required.
- Noise Impact Assessment (NIA) may be required.

**R10 Site at Station Road, Portessie****0.59ha****5 units**

- Opportunity for low density development that respects the prominent location and settlement pattern on Station Road.
- The existing cycle path must be retained and remain segregated. National Cycle Path Network Route 1 runs through the site. Provision of an improved section of cyclepath through the site required by providing an off-route cyclepath on the north side of the road.
- Landscaping must be provided along the southern boundary of the site.
- Site is a former railyard. A Contamination Assessment may be required.
- Improvement to core path BK4 will be sought.
- Development to be connected to mains water and sewerage, or otherwise to demonstrate that there will be no adverse effect on the integrity of the proposed Moray Firth Special Protection Area (pSPA) or cause changes in water quality affecting the habitats and prey species that the qualifying interests of the pSPA rely on.
- Drainage Impact Assessment (DIA) required.



characterised by bungalows.

The designation text states that any proposal must provide a 2m footpath along the frontage of the site as well as improving connections to the school along the west of the site. These measures will help to ensure and improve safe access to the school.

The requirement for a Transportation Statement has been included in the designation requirements. Details regarding parking requirements and any necessary road improvements will be dealt with at the planning application stage. Any proposal will have to comply with Policy DP1 (ii) which contains all of the relevant Transportation requirements which any proposal will have to adhere to.

No modification is proposed.

### **R10 Site at Station Road, Portessie**

Charles Lachlan MacPherson (1993/1/1)

The site is located on the eastern side of Buckie and is currently covered by an ENV designation. The site was previously part of a larger housing designation for housing in the Moray Local Plan 2000. It was changed to an ENV designation in the Local Plan 2008 by the Reporter due to the high biodiversity and amenity value of the site. The site was retained in the Moray Local Development Plan 2015. In support of the allocation of the site in the Proposed Plan, a biodiversity report was provided at the Main Issues Report which demonstrated that there are no rare species of rare flora or fauna on the site.

Due to various constraints there are very limited options for development in the eastern side of Buckie. In order to try to facilitate development on the eastern side of Buckie there is scope to allocate a small area of land for low density development. An indicative capacity of five is given which reflects the existing development pattern/density along Station Road as well as respecting the location on top of the coastal cliffs.

The developer will be required to consider the potential impact of crossing any services/pipework including sewage pipes within their layout to ensure their proposals prevent adverse impacts. Impact on the existing foul drainage system and any necessary mitigation measures will be dealt with at the planning application stage through Policy EP 13 Foul Drainage. The designation text requires a Drainage Impact Assessment to be provided. Site capacities are indicative and the developable area may be affected by any constraints.

The Council acknowledges the importance of the existing cycle path which provides good east west connections across Buckie and the coast. This has been reflected in the site designation text which requires the cycle path to be retained and remain segregated from the road access. This will ensure that any development proposals will not have an adverse impact on this key connection.

There is no suggestion or plan to reopen the old railway line. The disused railway line runs through the settlement and other allocated sites in the Local Development Plan and therefore is not a valid planning reason not to allocate the site for development.

Issues relating to archaeological features are noted. The regional archaeologist was consulted and raised no objection to the site being included in the plan.

No modification is proposed.

### **LONG1 Land to south west of Buckie**

Scottish Environment Protection Agency (569/12/4)

The requirement for a Flood Risk Assessment was omitted from site text in error.

If the Reporter is so minded, the Council would not object to the requirement for a Flood Risk Assessment being added into the site designation text. The following wording is considered suitable "Flood Risk Assessment (FRA) required."

### **ENV5 Burn of Buckie**

Ronald Mair (1992/1/1), Douglas Ross MP (538/1/1)

The objections relate to four properties (Ferndale, Burnbank, Burnside and Doonharee) that are located within the ENV5 Burn of Buckie designation. The objection seeks to remove these properties and curtilages from the ENV5 designation.

The four properties have been located within the ENV designation from the Local Plan 2000 which reflects their location within the Burn of Buckie green corridor. At the time of this allocation there were no other properties built in this area.

A planning application (19/00126/APP) has been approved at Ferndale to change an area of this ENV to garden ground. On this basis the Council accepts that the boundary of the ENV designation should be redrawn to reflect this approval.

It is accepted that the area around the Burn of Buckie has become more developed with a number of houses being built outside of the ENV designation which are in close proximity to the four properties in the objection.

The garden ground of the properties Burnside and Doonahree are well established, small in size, and sit above the burn. The Council would not object to the ENV boundary being redrawn to exclude these properties and curtilages.

If the Reporter is so minded, the Council would not object to the following changes being made to the ENV5 Burn of Buckie designation;

- The ENV designation boundary being amended to reflect the planning approval at the property Ferndale;
- The ENV designation boundary at Burnbank being amended to be consistent with the approach taken at Ferndale; and
- The ENV designation boundary being amended to remove the properties and curtilages at Burnside and Doonahree;

### **ENV 6 Mill of Buckie**

Frederick Basil Parkes (2014/1/1)

The site had no designation in the Moray Local Development Plan 2015 and was classed as "white land". Through the Tesco development in Buckie the Council secured £20 000

**R9 Site at Ardach Health Centre**

6. This site is designated for a small low density housing development of 5 units. There is an opportunity to provide single storey houses. Access to the school, existing paths and open space must also be protected. I note that the designation text refers to the requirement for the existing footway across the front of the site to be widened to 2 metres. All of these measures should ensure a safe route to school is provided and can be considered once a detailed proposal is submitted. Therefore, I see no need to add anything further to the designation text.

**R10 Site at Station Road, Portessie**

7. While I note that there is a requirement to protect the cycle route, improve the core path and for any proposed layout to take account of any existing services present, this site is subject to a number of site specific constraints. It is unclear at this stage how these constraints would be overcome.

8. At my site inspection I found it mostly to be covered in shrub and it was boggy and poorly drained. While I note that there may be no important habitat on the site, the established vegetation effectively screens the built edge of Portessie (even in Winter) from the open countryside and provides a valuable landscape setting to the settlement. A similar effect is also achieved on the opposite side of Station Road to the west. The development of this site would breach the natural limit of the village and I would be concerned over the precedent that may be set if it were to remain as a designation for housing. Therefore, I recommend that it is removed from the plan and reinstated as ENV5 as "Green Corridor". I do not consider that the removal of this small site from the plan would impact on the overall supply of housing within the Buckie Housing Market Area.

**LONG1 Land to South West of Buckie**

9. A reference to the requirement for a flood risk assessment for this site appears to have been omitted in error. As there are watercourses on both the east and west boundaries as well as within the site, it is likely that an assessment of flood risk would be required. Therefore, I recommend that this requirement is included within the designation text for this site.

**ENV5 Burn of Buckie**

10. The council is agreeable to remove the four properties referred to in the representations from the ENV5 designation. These properties appear to have been built within the timeframe of establishing the green corridor within earlier versions of the plan. The circumstances have therefore clearly altered. In order to be consistent with other properties in the area, I recommend that the boundary for the ENV5 Burn of Buckie designation is amended in this particular area as suggested by the council.

**ENV6 Mill of Buckie**

11. The council informs me that planning permission was granted in December 2019 for 11 dwellings on part of this site. The remainder of the site is to be used as a community woodland. Given this updated position, I recommend that the site be designated for residential purposes (11 units) and as a community woodland (under the



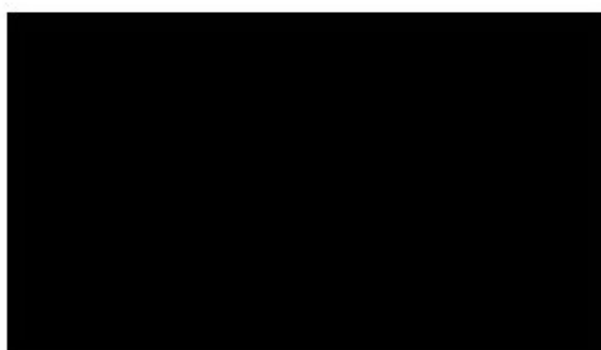
MORAY COUNCIL  
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997,  
as amended

REFUSAL OF PLANNING PERMISSION

[Buckie]

Application for Planning Permission

TO

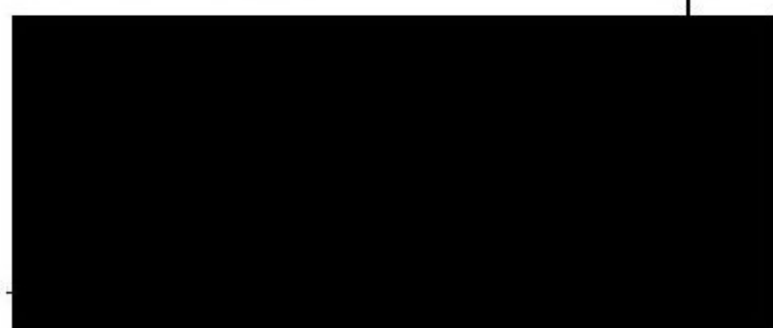


With reference to your application for planning permission under the above mentioned Act, the Council in exercise of their powers under the said Act, have decided to **REFUSE** your application for the following development:-

**Erect 7 detached dwellinghouses on Site Adjacent To 1-5 Station Road Portessie Buckie**

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

Date of Notice: **2 December 2020**



**HEAD OF ECONOMIC GROWTH AND DEVELOPMENT**

Economy, Environment and Finance

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 would be contrary to the Buckie ENV5 designation and associated policies PP1, DP1, DP2, EP2, EP5 and EP7 of the Moray Local Development Plan 2020, in that the development would result in the loss of land within an ENV designation where these policies aim to protect and preserve the characteristics of ENV areas and where policy EP5 specifically excludes residential development within ENV designations.

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

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

Reference	Version	Title
20-40/PL/03		Landscape layout
20-40/PL/02		Location plan
20-40/PL/P1/01	D	Plot 1 - elevations and floor plans
20-40/PL/P1/01	D	Plot 2 - elevations and floor plans
20-40/PL/P3/01	D	Plot 3 - elevations and floor plans
20-40/PL/P4/01	D	Plot 4 - elevations and floor plans
20-40/PL/5/01	D	Plot 5 - elevations and floor plans
20-40/PL/P6/01	D	Plot 6 - elevations and floor plans
20-40/PL/01		Site layout
20-40/PL/7/01	D	Plot 7 - elevations and floor plans

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

N/A



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

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

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

Gary Mackintosh

Email: [gmcsurveys@gmail.com](mailto:gmcsurveys@gmail.com)

Tel: 07557431702

# gmcsurveys

Surveys, Setting-Out Civil Engineering Design

## Drainage Assessment and Flood Statement

STATION ROAD, PORTESSIE

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

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***Client:***

Morlich Homes Ltd

***Site Address:***

Site at Station Road  
Portessie  
Buckie

***Planning Reference:***

TBC

***Date:***

April 2020

***Job Number:***

01057

***Company Information:***

Assessment completed by:

Gary Mackintosh Bsc

**GMCSurveys**

34 Castle Street

Forres

Moray

IV36 1PW

Email: gmcsurveys@gmail.com

Telephone: 07557431702

## ***Introduction***

The proposals are for 7 new private dwellings, adoptable standard road and access and associated infrastructure within land adjacent to station road in Portessie, Buckie.

To meet the needs of the local Planning Authority, a Drainage Assessment is required in accordance with policy EP5 of The Moray Local Plan.

## ***Existing Site:***

The site is located in the area of the former rail station to the south of station road in Portessie. A topographic survey has been carried out within the site which indicates that the site is predominantly flat within the north/north western areas with the former embankment running through the centre of the development area. The site is also raised to the south/south eastern areas adjacent to the field with a low area in the centre.

The existing site is currently partially wooded.

There is no foul water or surface water infrastructure within the site boundary however there is an existing manmade drainage ditch located to the south/south east boundary as indicated within the plans. The ditch runs north east to south west, parallel to the site boundary through the majority of the site. The watercourse is culverted beneath the public road continuing south west joining the wider network. The culvert is 300mm in diameter.

An existing overhead BT pole is located within the south west area of the site.

***Flood Risk Statement/Mitigation:***

The SEPA Flood Maps have been consulted which indicates significant pluvial flooding throughout the proposed site.

The SEPA flood Maps are based on existing, known topography highlighting low areas within the model mapping as having potential for surface water to pond within these areas while taking consideration of existing watercourses and their impact on potential flooding.

As noted within the 'Existing Site' section above, due to the position of the former rail embankment, a low area has formed between the exiting field area to the south/south east and the embankment. A site walkover confirmed that these areas do collect surface waters as per the SEPA Mapping.

Further investigation of the existing drainage ditch along the south/south east boundary highlighted that the watercourse becomes poorly formed before opening in to open ground prior to the discharge via the existing culvert. With an overland flow discharging to the culvert, much of the surface waters are gathering within the low areas and not fully draining through the exiting culvert.

Measures will be required therefore to alleviate the potential for surface water flooding within the site area and prevent an increase in surface water flooding out with the site.

During construction of the site it is proposed that the embankment is to be removed and the site area levelled as such that the existing low area within the site will be removed. The floor levels are to be positioned above the existing road level creating an overall even gradient throughout the development.

The properties are to be position a minimum of 6m from the top of the bank of the existing drainage ditch.

The existing drainage ditch is to be upgraded at the point where it discharges to the open ground in the form of extending the ditch towards the south/south east end of the development, channelling the surface waters directly to the culvert and removing the overland flow.

The above measures are to ensure that the current factors impacting the development are removed/improved ensuring that there are no areas for the surface waters to build up within the site with flows impacting the wider area. In addition, the surface water drainage features within the site are to be sized to manage surface water flows up to and including a 1:200year event.

### ***Ground Conditions:***

Soil investigations have been carried out within the site in November 2019 to assess the existing ground conditions and their suitability for the use of sub surface soakaways as a method of surface water management.

200mm – 400mm Topsoil with some fibrous rootlets and some roots overlying light brown to medium to medium dense, coarse gravelly sands to a depth of 1.0 – 1.2m and light brown medium to loose, fine gravelly Sands to the depth of the excavations.

The ground conditions remained consistent throughout the site. There was no evidence of contamination or water table within the test holes.

Infiltration testing was carried out in full accordance with BRE digest 365. The results can be found in the tables below.

<b>Infiltration Test</b>	<b>Pit Dimensions (w/l)</b>	<b>Test Zone (mbgl)</b>	<b>Infiltration Rate (m/s)</b>
SA01	0.8m x 1.0m	1.4 – 2.0	$6.83 \times 10^{-5}$
SA02	1.0m x 1.0m	1.0 – 1.7	$4.92 \times 10^{-5}$
SA03	0.9m x 1.1m	0.6 – 1.2	$3.14 \times 10^{-5}$

Infiltration testing carried out during the investigations yielded average site infiltration rates of 0.0000232m/s or  $4.96 \times 10^{-5}$ m/s.

### ***Local Water Courses:***

As noted, there is an existing drainage ditch located along the majority of the south/south east boundary, the watercourse enters the wider network of drainage ditches. It is assumed that the drainage network discharges to the Burn of Rathven, approximately 800m to the south west of the proposed site.

The coastline is located approximately 300m north of the development.

### ***Existing Foul and Surface Water Runoff:***

The proposed development site area may be considered to produce 0.27l/s runoff during a two - year return period storm event (runoff calculations are included in Appendix D).

There is no existing foul water discharge from within the site area.

### **The Proposed Site**

The site plan is shown in APPENDIX A.

The current proposals are for 7 new residential properties made up of detached housing, parking and access infrastructure.

The Overall site area is approximately 6,226m<sup>2</sup> which is inclusive of landscaping areas and the existing section of track.

The site is to be made of the following impermeable areas:

760m<sup>2</sup> – Roof Areas

370m<sup>2</sup> – Driveways

1250m<sup>2</sup> – Adoptable and Private Road Area (inclusive of footpaths and service verges)

Total Proposed Impermeable area 2,380m<sup>2</sup> which represents an increase of 38.2% impermeable area.



## **Drainage Strategy**

### **Foul Drainage**

In accordance with good practice the development will require to be served by a separate foul and surface water system and incorporate SUDS facilities.

The foul drainage from the individual properties is to enter a new 150mm diameter foul water sewer located beneath the development roads

The foul water for the development is to discharge, via gravity, to the existing Scottish Water foul water sewer located within the public road to the north west of the site.

The new foul water system is to be adopted and maintained by Scottish Water.

### **Storm Drainage**

The surface water drainage will require to be designed in accordance with the principles of sustainable development. The objective of SUDS drainage systems is to manage the surface water runoff from the development by providing flow attenuation, water treatment and controlled discharge or dispersal. The aim is to maintain the pre-development runoff rate which would be achieved by agreeing a pre-development Greenfield runoff rate and designing a system to limit the post development discharge to this value.

The preferred method for incorporating SUDS within a development is to provide a series of features forming a management train throughout the site for the surface water.

Source control methods such as individual soakaways, porous vehicle surfaces and roadside infiltration trenches or swales are situated at the upstream end of the train. The downstream end of the chain can be made up of detention basins, ponds or wetlands where required.

It is therefore proposed that a roadside swale with infiltration beneath be installed along the length of the new road, sized to manage surface water flows up to and including a 1:200year event to prevent runoff entering areas sensitive to surface water flooding. The surface water runoff from the road area will enter the swale via flush kerbed runoffs as per the details shown within the appendices.

The road drainage system is to be adopted and maintained by The Moray Council.

The proposed roof and driveway areas are to discharge to private soakaways formed in Polycell storm water crates or similar approved and installed beneath the private driveway areas. The Soakaways are to be maintained by the individual property owners.

## **Conclusion**

The proposals are for 7 new residential properties and associated infrastructure.

The foul water discharge from the development is to disperse to the existing foul sewer located to the north west of the site via gravity within a new foul water sewer to be located beneath the development roads.

The roads within the site are to discharge surface waters to roadside swales utilising infiltration as the method of surface water management. The roadside swales are to be adopted by The Moray Council following the completion of the development.

The roof and driveway areas are to discharge to privately maintained soakaways located beneath to individual driveways.

All surface water systems are to be sized to manage surface water flows up to and including a 1:200year event with 35% allowance for climate change.

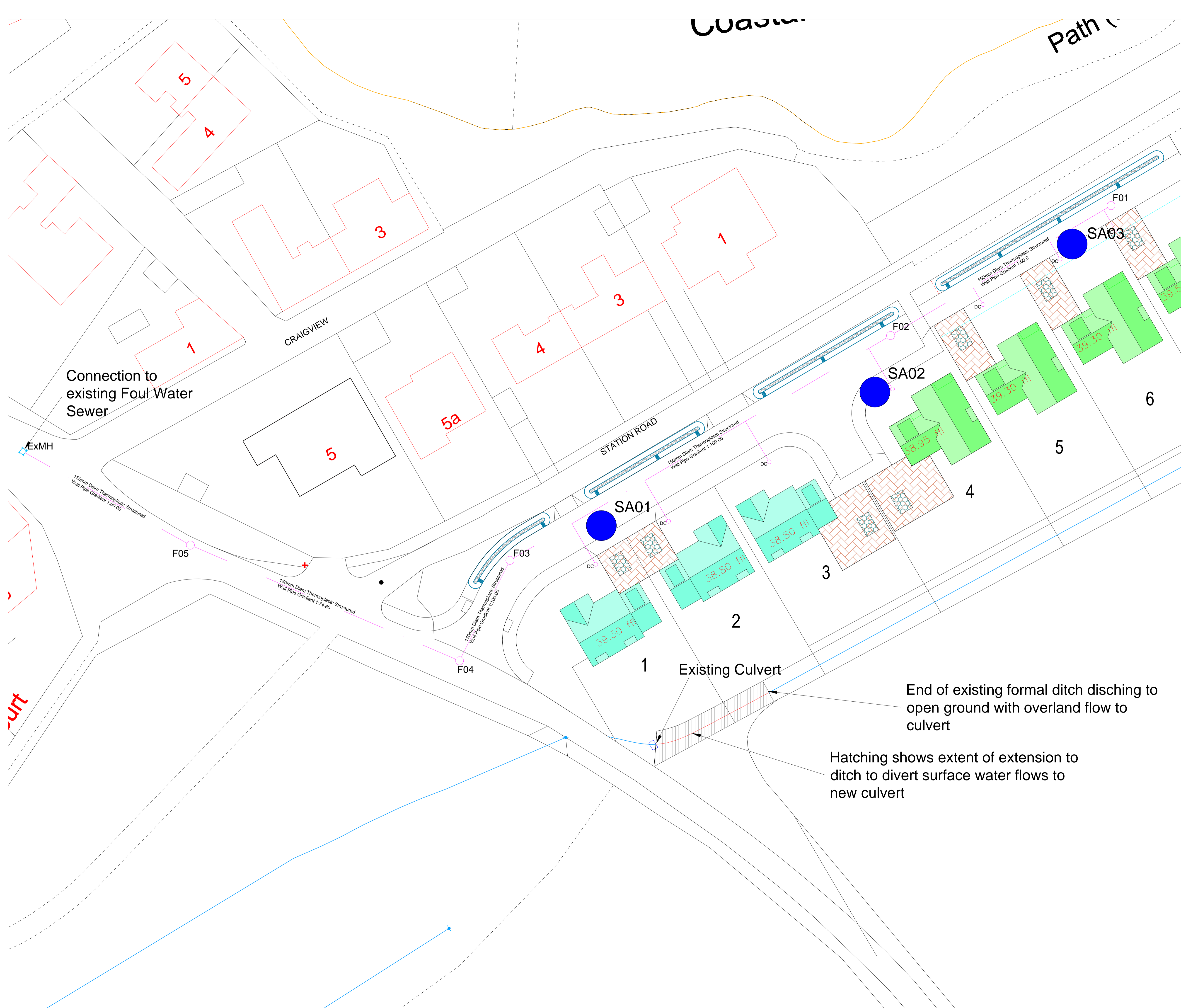
Improvement works are to be carried out within the existing ditch in order to alleviate the surface water flood risk within the site area.

## 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. Building Research Establishment. BRE Digest 365 – Soakaway Design, 1991.
6. CIRIA, Report 156, Infiltration Drainage – Manual of Good Practice, 1996.
7. WRc plc Sewers for Scotland – A Policy, Design and Construction Guide for Developers in Scotland, 2001.

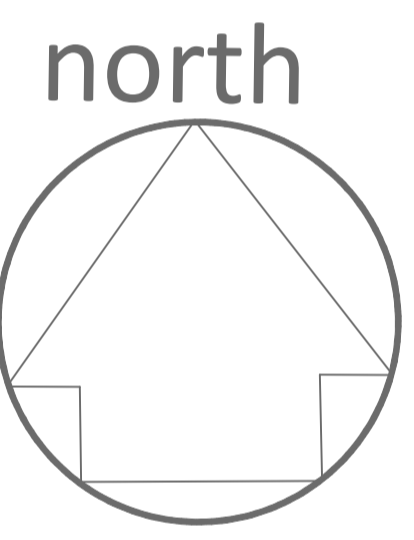
**APPENDIX A**

Drainage Strategy



**Legend:**

- Proposed roadside swale of varying depth with flush kerb. Offlets to be adopted by The Moray Council
- F - Foul Water Manhole
- Proposed Foul Water Sewer at varying depth and diameter to be adopted by Scottish Water
- Foul Water Disconnecting Chamber
- Private Surface Water Soakaway



REV:	DESCRIPTION:	BY:	DATE:
STATUS: For Approval			

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

CLIENT: **Morlich Homes Ltd**  
 119 High Street  
 Buckie  
 AB56 4DX

SITE: <b>Station Road Portessie</b>	
TITLE: <b>Road Drainage Layout</b>	
SCALE AT A1: 1:250	DATE: APR20
DRAWN: GM	CHECKED:
PROJECT NO: 01057	DRAWING NO: Appendix A
REVISION:	

**APPENDIX B**

**Greenfield Runoff Estimation**



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>01057</b>		
Sheet no. <b>1</b>		
Date <b>16/04/20</b>		
By <b>GM</b>	Checked	Approved

Project <b>Station Road, Portessie</b>
Title <b>Greenfield Runoff Estimation</b>

**Hydrological Data:-**

**FSR Hydrology:-**

Location = BUCKIE (GRAMP)	Grid reference = NJ4265
M5-60 (mm) = 13.5	r = 0.25
Soil runoff = 0.15	SAAR (mm/yr) = 750
WRAP = 1	Area = Scotland & N. Ireland
Hydrological area = 1	Hydrological zone = 2

Soil classification for WRAP type 1

- i) Well drained permeable sandy or loam soils and shallower analogues over highly permeable limestone, chalk, sandstone or related drifts;
- ii) Earthy peat soils drained by dykes and pumps;
- iii) Less permeable loamy over clayey soils on plateaux adjacent to very permeable soils in valleys.

**Design data:-**

Area = 0.00623 Km<sup>2</sup> - 0.623 Ha - 6230 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 0.012

Mean Annual Peak Flow  $Q_{BAR(rural)} = 0.27 \text{ l/s}$



MasterDrain  
SW 11.0



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Job No. <b>01057</b>		
Sheet no. <b>2</b>		
Date <b>16/04/20</b>		
By <b>GM</b>	Checked	Approved

Project **Station Road, Portessie**

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	0.837	0.232	0.373	100yr+20%	2.954	0.821	1.317
2yr	0.886	0.246	0.395	100yr+30%	3.200	0.889	1.427
5yr	1.211	0.336	0.540	100yr+40%	3.446	0.957	1.537
10yr	1.428	0.397	0.637	200yr	2.757	0.766	1.229
30yr	1.802	0.501	0.803	200yr + 30%	3.584	0.996	1.598
50yr	2.087	0.580	0.931	500yr	3.200	0.889	1.427
100yr	2.462	0.684	1.098	1000yr	3.574	0.993	1.594

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.



**APPENDIX C**

**Preliminary Drainage Calculations**

## **Roadside Swales**

### **Swale 1 and 2 Combined**

Road Area (including footpaths and service verges) = 1250m<sup>2</sup>

Length of Swales (as Shown) = 88.0m

Infiltration Rate (average) = 0.178m/hr (4.96 x 10<sup>-5</sup>m/s)

From the calculation Sheet below, a swale with infiltration beneath and dimensions of 88.0m x 0.5m with a depth of 1.5m will provide adequate storage up to and including a 1:200year event with 35% allowance for climate change.

It is therefore proposed to install a roadside swale with an overall length of 88.0m, a width of 0.5m and a depth of 1.6m as per the details shown within Appendix D.

### **Private Soakaways**

It is proposed to use the largest proposed roof and driveway area combined.

Contributing Area = 200m<sup>2</sup> ( Largest Roof 115m<sup>2</sup>, Largest Drive 85m<sup>2</sup>)

Infiltration Rate = 0.178m/hr (4.96 x 10<sup>-5</sup>m/s) (average)

From the calculation sheet below, a surface water soakaway formed in Polycell storm crates or similar approved with dimensions of 3.0m x 2.0m x 1.5m in depth is adequate to manage the surface water flows for the largest available contributing area up to and including a 1:200year event with 35% allowance for climate change.

The sizing has been applied to all plots within the drainage layout to demonstrate adequate space is available within the site. The individual soakaways are to be sized during the building warrant application and will be reduced in size based on the contributing areas.

The private soakaways could potentially be located within the proposed garden areas however further testing would be required following the clearing/regrading of the development to establish accurate infiltration rates.



MasterDrain  
SW 16.52

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

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Job No. <b>01057</b>		
Sheet no. <b>1</b>		
Date <b>16/04/20</b>		
By <b>GM</b>	Checked	Approved

Project <b>Station Road, Portessie</b>
Title <b>Road Side Swale Size Requirements</b>

**Data:-**

**Location hydrological data (FSR):-**

Location = BUCKIE (GRAMP)	Grid reference = NJ4265
M5-60 (mm) = 13.5	r = 0.25
Soil index = 0.15	SAAR (mm/yr) = 750
WRAP = 1	Area = Scotland and N. Ireland

Soil classification for WRAP type 1

- i) Well drained permeable sandy or loam soils and shallower analogues over highly permeable limestone, chalk, sandstone or related drifts;
- ii) Earthy peat soils drained by dykes and pumps;
- iii) Less permeable loamy over clayey soils on plateaux adjacent to very permeable soils in valleys.

**Design data:-**

Safety factor = 1.5 - No damage or inconvenience (SF=1.5)  
Fill porosity = 0.45 - Clean stone (porosity = 0.4 - 0.5)

Equivalent porosity (n1) = 0.45

Area drained = 1250 m<sup>2</sup>

Infiltration coefficient = 0.178 m/hr  
Effective inf. coeff (q) = 0.1186667

Return period = 200 yrs

Climate change factor = 35%

**Calculations :-**

Perimeter of pit = (2 x Excavation Width)+(2 x Excavation Length)  
Area of base = Excavation Width x Excavation Length  
Infiltration area = (Area of base)+(Perimeter of pit x Hmax)  
Temporary constant 'a'  
= (Area of base / perimeter)-((AreaDrained x Rainfall depth /1000)/(Perimeter/Inf. coeff))  
Temporary constant 'b' = (Perimeter/Inf. coeff) / (Area of base x porosity)  
Hmax = a\*((EXP(-1 x b x Duration of storm))-1)

Note: The Hmax calculation is iterated to a maximum value of Hmax.

Note: Duration of storm in hours, Rainfall depth in mm/hr x Climate Change factor.

**Results :-**

Emptying time to 50% volume = 0:32 (hr:min)

**hMax (Depth) = 1.5 metres**

Time to maximum = 0:01 hr:min

Rainfall at maximum = 47.08mm/hr

Width (m) = 0.5

Length (m) = 88.0

Total Infiltration area = 309.2m<sup>2</sup> (base area + sidewall area).

Total available volume = 29.67m<sup>3</sup>

N.B. The rainfall rates are calculated using the location specific values above in accordance with the Wallingford procedure. Formulae and methods from CIRIA 156.



MasterDrain  
SW 16.52

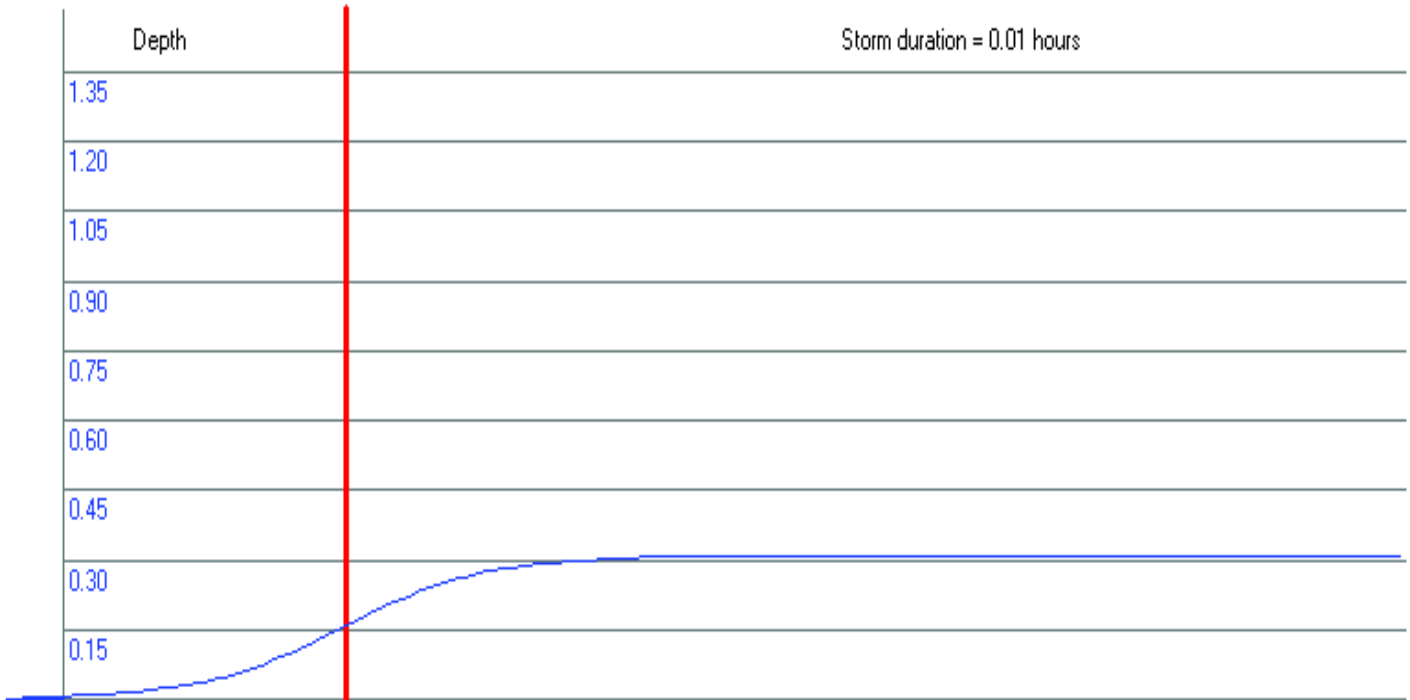
**gmcsurveys**  
Surveys, Setting Out, Civil Engineering Design

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

Job No.	01057	
Sheet no.	2	
Date	16/04/20	
By	Checked	Approved
GM		

Project **Station Road, Portessie**

Title **Worst case soakaway times to empty.**





MasterDrain  
SW 16.52

**gmcsurveys**  
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Job No. <b>01057</b>
Sheet no. <b>1</b>
Date <b>16/04/20</b>
By <b>GM</b>
Checked
Approved

Project <b>Station Road, Portessie</b>
Title <b>Surface Water Soakaway</b>

**Rectangular pit design data:-**

Pit length = 3 m	Pit width = 2 m
Depth below invert = 1.5 m	Percentage voids = 95.0%
Imperm. area = 200 m <sup>2</sup>	Infiltr. factor = 0.00005 m/s
Return period = 200 yrs	Climate change = 35%

**Calculations :-**

Surface area of soakaway to 50% storage depth (not inc. base):-

$$a_{s50} = 2 \times (\text{length} + \text{width}) \times \text{depth}/2 = 7.5 \text{ m}^2$$

Outflow factor :  $O = a_{s50} \times \text{Infiltration rate} = 0.000375 \text{ m/s}$

Soakaway storage volume :  $S_{\text{actual}} = \text{length} \times \text{width} \times \text{depth} \times \% \text{voids}/100 = 8.6 \text{ m}^3$

Duration	Rainfall mm/hr	Inflow m <sup>3</sup>	Depth (hmax) m	Outflow m <sup>3</sup>	Storage m <sup>3</sup>
5 mins	132.5	2.2	0.37	0.11	2.09
10 mins	104.1	3.5	0.57	0.22	3.23
15 mins	87.5	4.4	0.71	0.34	4.04
30 mins	62.4	6.2	0.98	0.68	5.56
1 hrs	42.2	8.4	1.25	1.35	7.10
2 hrs	27.1	10.9	1.43	2.70	8.16
4 hrs	17.1	13.7	1.45	5.40	8.29
6 hrs	13.0	15.6	1.31	8.10	7.49
10 hrs	9.1	18.3	0.84	13.50	4.77
24 hrs	5.0	23.8	0.00	32.40	0.00

Actual volume :  $S_{\text{actual}} = 8.550 \text{ m}^3$

Required volume :  $S_{\text{reqd.}} = 8.290 \text{ m}^3$

Soakaway volume storage OK.

Minimum required  $a_{s50}$  : 7.27 m<sup>2</sup>

Actual  $a_{s50}$  : 7.50 m<sup>2</sup>

Minimum depth required: 1.45 m

Time to maximum 4 hrs

Emptying time to 50% volume =  $t_{s50} = S_{\text{reqd}} \times 0.5 / (a_{s50} \times \text{Infiltration rate}) = 03:04 \text{ (hr:min)}$

Soakaway emptying time is OK.



MasterDrain  
SW 16.52

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Job No. <b>01057</b>		
Sheet no. <b>2</b>		
Date <b>16/04/20</b>		
By <b>GM</b>	Checked	Approved

Project <b>Station Road, Portessie</b>
Title <b>Surface Water Soakaway</b>

**Location hydrological data (FSR):-**

Location	= BUCKIE (GRAMP)	Grid reference	= NJ4265
M5-60 (mm)	= 13.5	r	= 0.25
Soil index	= 0.15	SAAR (mm/yr)	= 750
WRAP	= 1	Area	= Scotland and N. Ireland

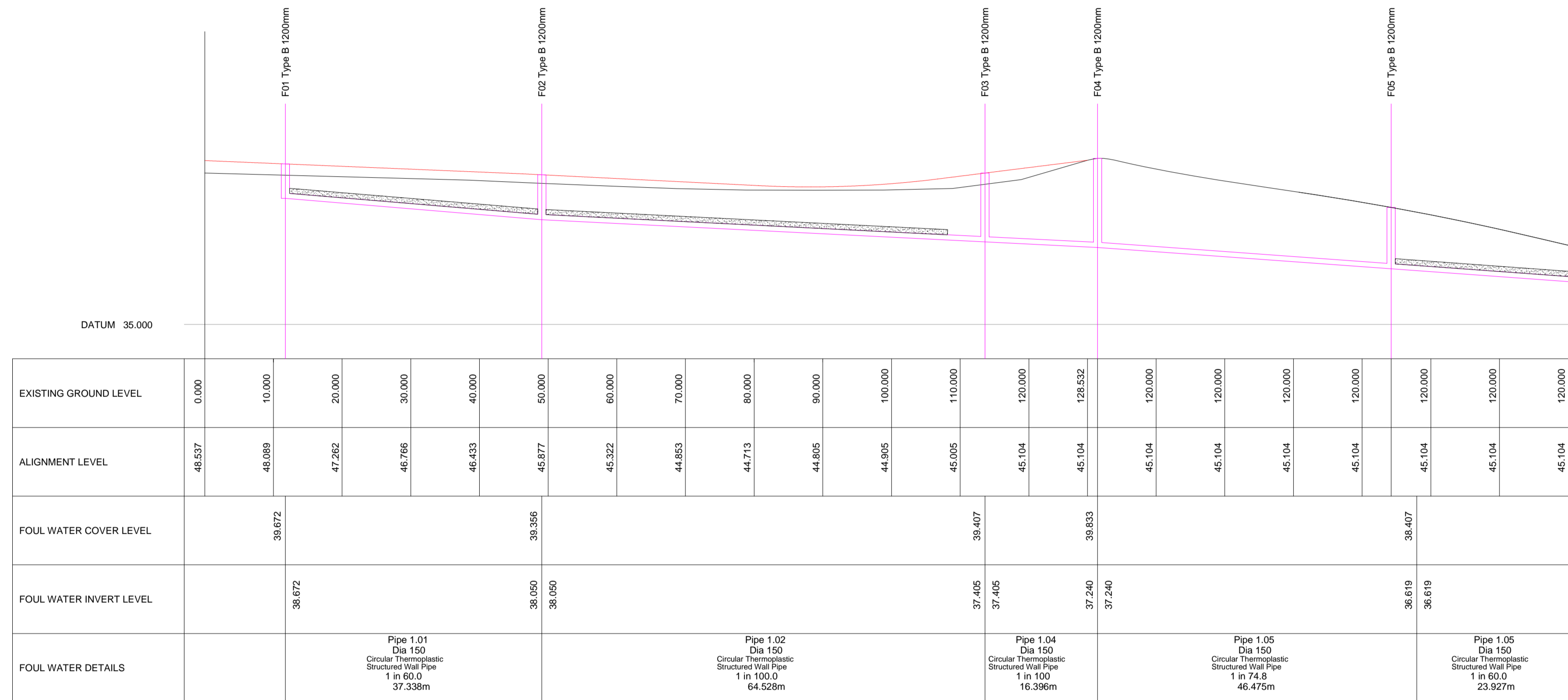
**Soil classification for WRAP type 1**

- i) Well drained permeable sandy or loam soils and shallower analogues over highly permeable limestone, chalk, sandstone or related drifts;
- ii) Earthy peat soils drained by dykes and pumps;
- iii) Less permeable loamy over clayey soils on plateaux adjacent to very permeable soils in valleys.

N.B. The rainfall rates are calculated using the location specific values above in accordance with the Wallingford procedure.

**APPENDIX D**

Drainage Details



REV:	DESCRIPTION:	BY:	DATE:
STATUS: For Approval			

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

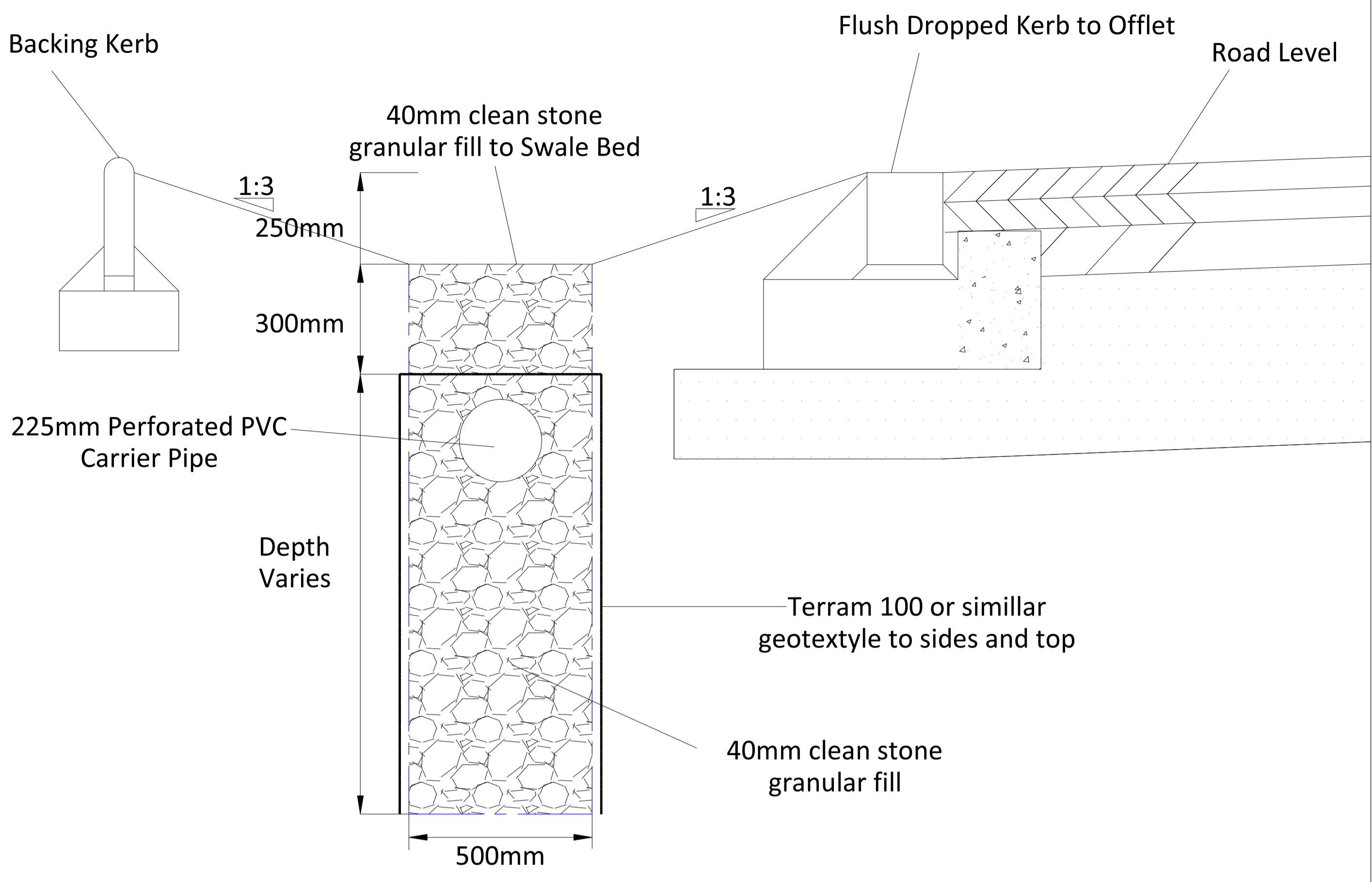
CLIENT: **Morlich Homes Ltd**  
 119 High Street  
 Buckie  
 AB56 4DX

SITE: **Station Road**  
**Portessie**

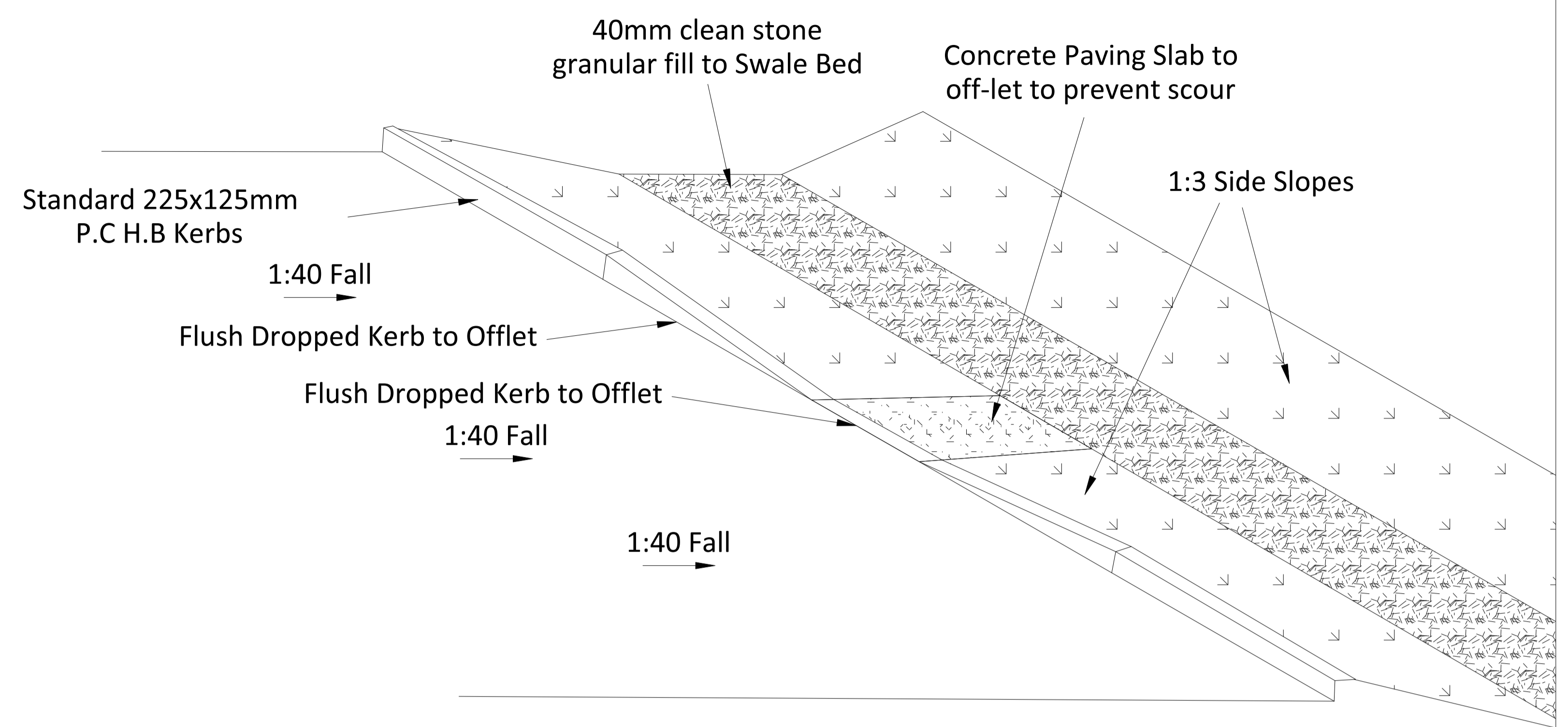
TITLE: **Drainage Longitudinal**  
**Sections Foul Water**

SCALE AT A1: 1:100V/1:500H	DATE: APR20	DRAWN: GM	CHECKED:
PROJECT NO: 01057	DRAWING NO: Appendix D1	REVISION:	

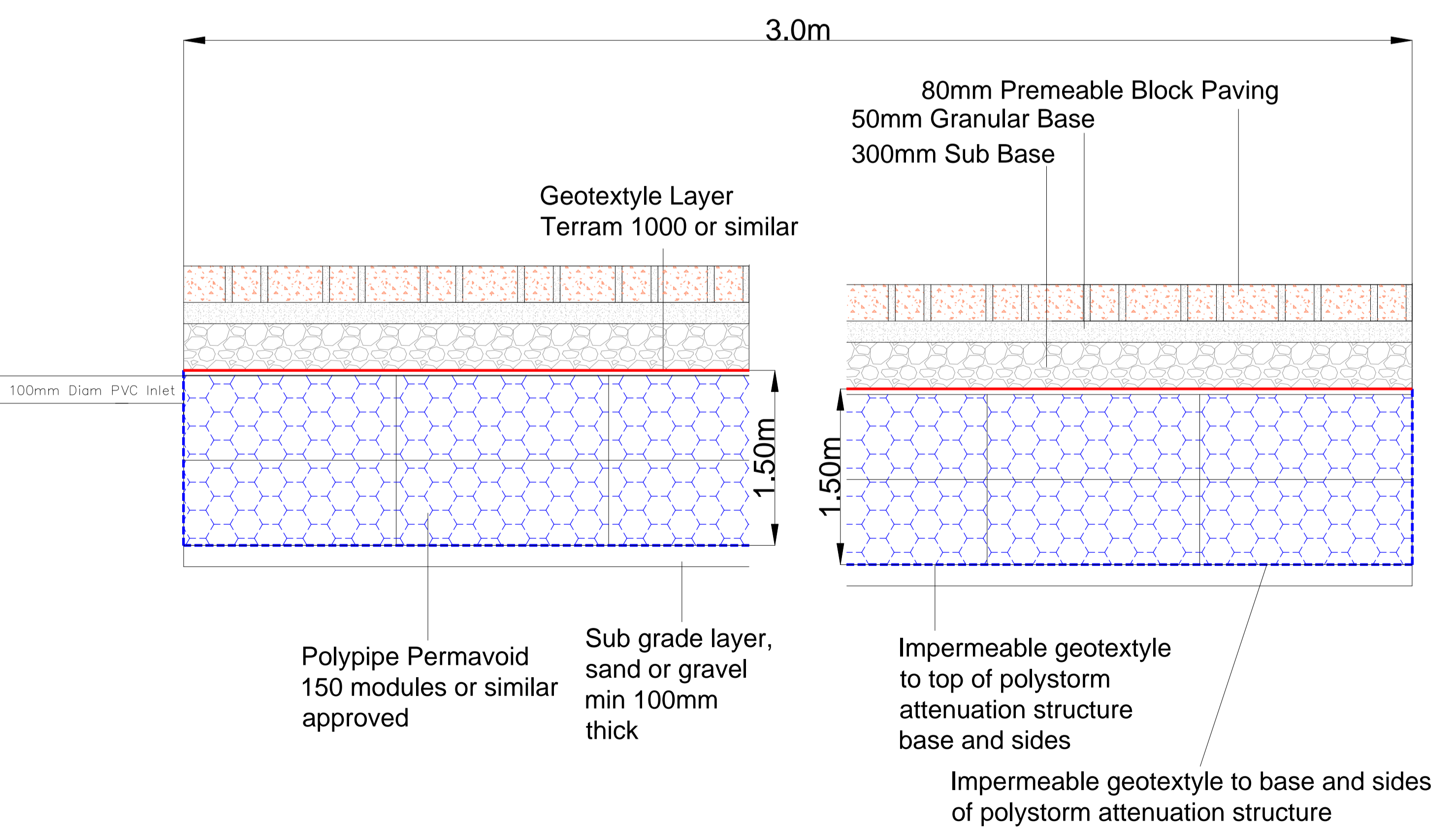




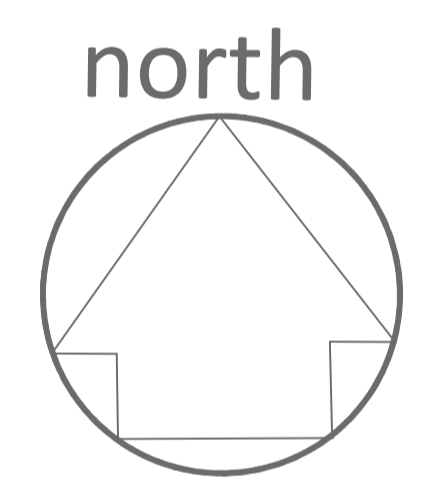
Typical section through Roadside Swale 1:10



Isometric View (NTS)



Proposed Crate Soakaway Details



REV:	DESCRIPTION:	BY:	DATE:
STATUS: For Approval			

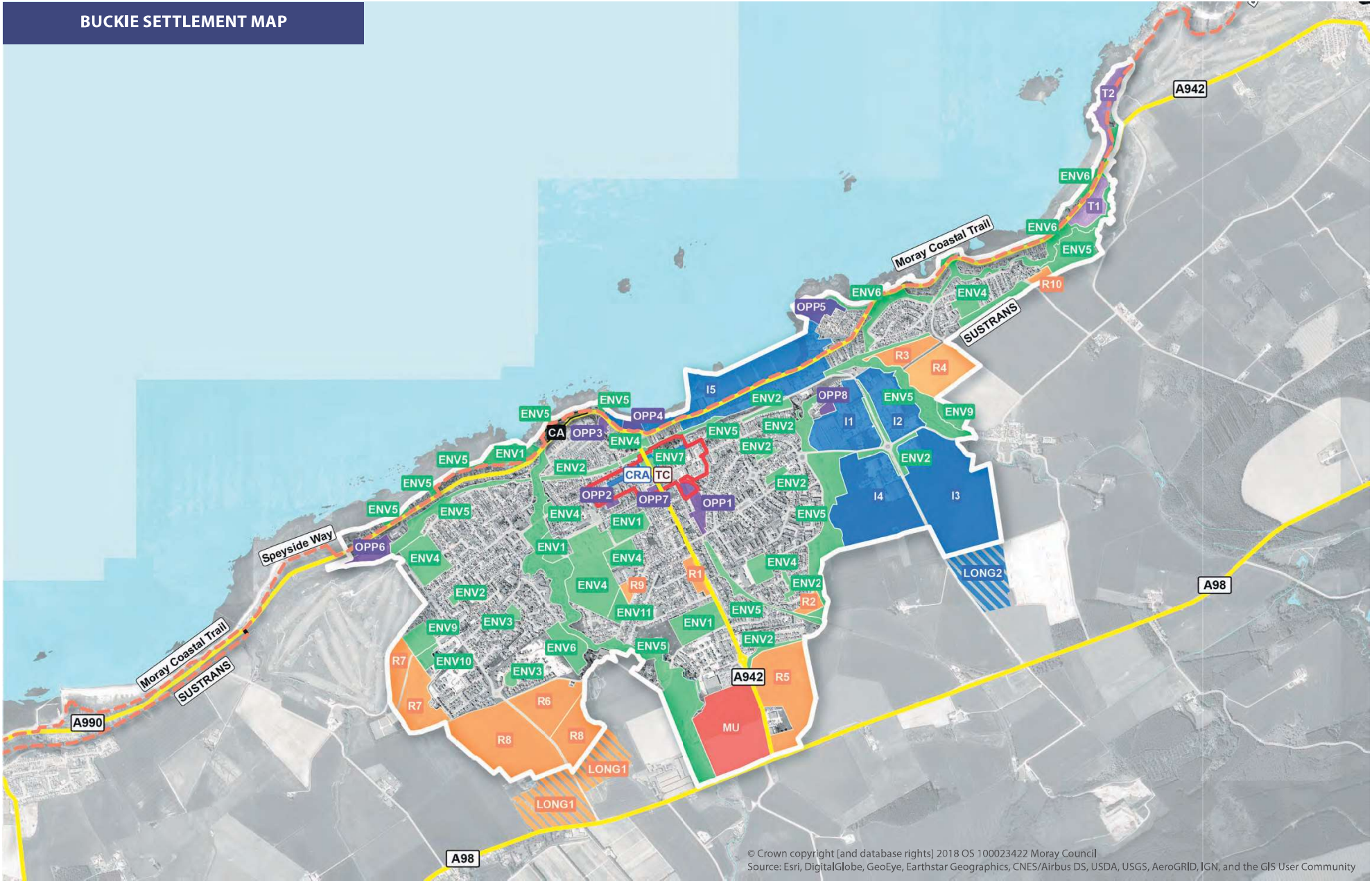
**gmcsurveys**  
 Surveys, Setting Out, Civil Engineering Design  
 T: 07557 431 702  
 E: gmcsurveys@gmail.com

CLIENT: **Morlich Homes Ltd**  
 119 High Street  
 Buckie  
 AB56 4DX

SITE: **Station Road**  
**Portessie**  
 TITLE: **Drainage Construction**  
**Details**

SCALE AT A1:	DATE:	DRAWN:	CHECKED:
1:25/10	APR20	GM	
PROJECT NO:	DRAWING NO:	REVISION:	
01057	Appendix D2		

BUCKIE SETTLEMENT MAP



BUCKIE GREENSPACE MAP



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# The Moray Council Property Sales Housing & Property

Council Offices  
High Street  
Elgin  
IV30 1BX

## FOR SALE

### RESIDENTIAL DEVELOPMENT SITE STATION ROAD, PORTESSIE, BUCKIE



**Offers to purchase are invited**

**Closing date: 12 noon on Monday 13<sup>th</sup> January 2020**

The site is situated in a quiet location one mile east of Buckie town centre on the outskirts of the town. It extends to approximately 0.59 hectares, is generally level and is currently mainly naturalised scrub with a public footpath/cycleway. There is open farmland to the south.

Planning guidance indicates it has capacity for a low density of 5 houses.

*Any party wishing to submit an offer should first note their interest. Full instructions on submitting an offer will subsequently be issued only to parties who have noted interest.*

### **Location/Description**

The site extends to approximately 0.59 hectares (1.46 acres) and is shown indicatively on the attached plan.

### **Services**

Mains electricity, gas, water and sewerage are understood to be located in close proximity to the site. Indicative drawings of utilities are provided via this [pdf link](#), but purchasers should satisfy themselves as to the location, condition and suitability of all service supplies.

It is understood a pumped sewer runs through the site from east to west along the route of the cycleway/Station Road.

The Council will offer appropriate servitude rights over adjoining Council property where it is reasonably required to service the development.

### **Access**

Vehicular access would be expected to be taken from Station Road and to be to an adoptable standard. The access would require to be designed in a manner to be agreed with the Council to enable access to the Council's land immediately to the east (shown indicatively on the drawing available via this [pdf link](#)) for maintenance purposes in the short term, but also to facilitate access to potential future phases of development. The Council would retain servitude rights of access and services over the site in this respect.

### **Contaminated Land**

*A contaminated land site investigation report can be accessed via this [pdf link](#).*

### **Planning**

The site has an environmental designation in the current Moray Development Plan, but has been designated as R10 in the new Proposed Local Development Plan with a guide that it is suitable for a low density development of 5 houses. For more detailed planning guidance in terms of the Proposed new Local Development Plan is provided via this link <http://www.moray.gov.uk/downloads/file123064.pdf>

For further advice on planning issues please visit the Council's web site via this link [http://www.moray.gov.uk/moray\\_standard/page\\_41669.html](http://www.moray.gov.uk/moray_standard/page_41669.html) or contact the Duty Officer  
Tel: 03001234561 between 2pm and 4pm Mon-Fri.

### **Building Control**

For advice on Building Control issues please contact the Duty Officer, Building Control Section, Moray Council, Council Offices, High Street, Elgin, IV30 1BX, Tel No: 0300 1234561 between 2pm and 4pm Mon – Fri.

### **Title**

The Council's Title to the property can be viewed by arrangement by contacting Elaine Gutcher, Solicitor, Moray Council, Council Offices, High Street, Elgin, IV30 1BX, Tel No: 01343 563022 Email: [elaine.gutcher@moray.gov.uk](mailto:elaine.gutcher@moray.gov.uk)

### Viewing

The site is open, but accompanied viewings can be arranged by contacting Alex Burrell, Estates Surveyor, Moray Council, Council Offices, High Street, Elgin, Tel No: 01343 563296 or email [estates@moray.gov.uk](mailto:estates@moray.gov.uk)

Prospective purchasers should be aware of uneven ground and large uncultivated vegetation and take suitable precautions/care if visiting the site unaccompanied.

### Offers

**A closing date has been set for 12noon on Monday 13<sup>th</sup> January 2020.**

All parties interested in submitting an offer should note their interest in writing to the Estates Manager, Moray Council, Council Offices, High Street, IV30 1BX, or email [estates@moray.gov.uk](mailto:estates@moray.gov.uk) you will then be provided with details of the procedure and instructions for the submission of offers, together with an official offer label.

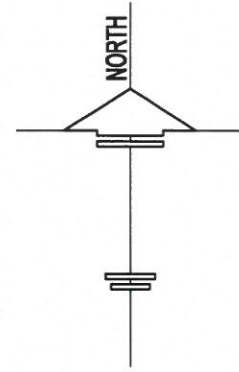
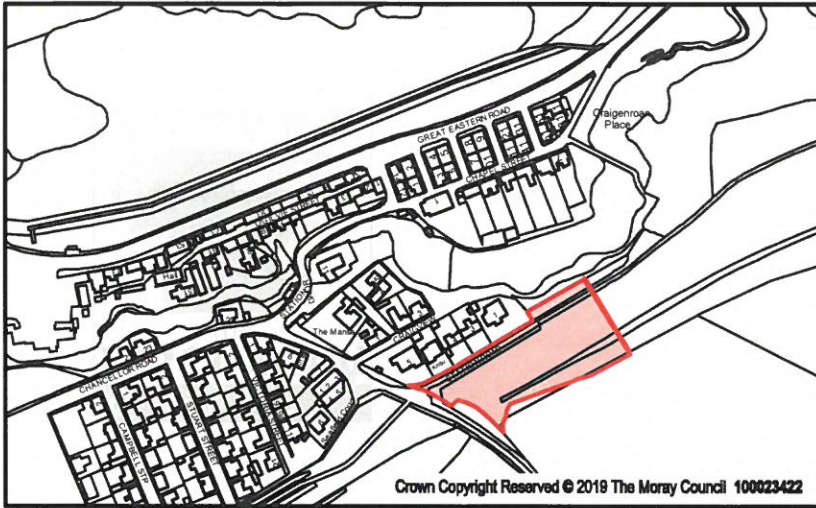
It should be noted that the Council is not obliged to accept the highest offer or any offer.

### Disclaimer

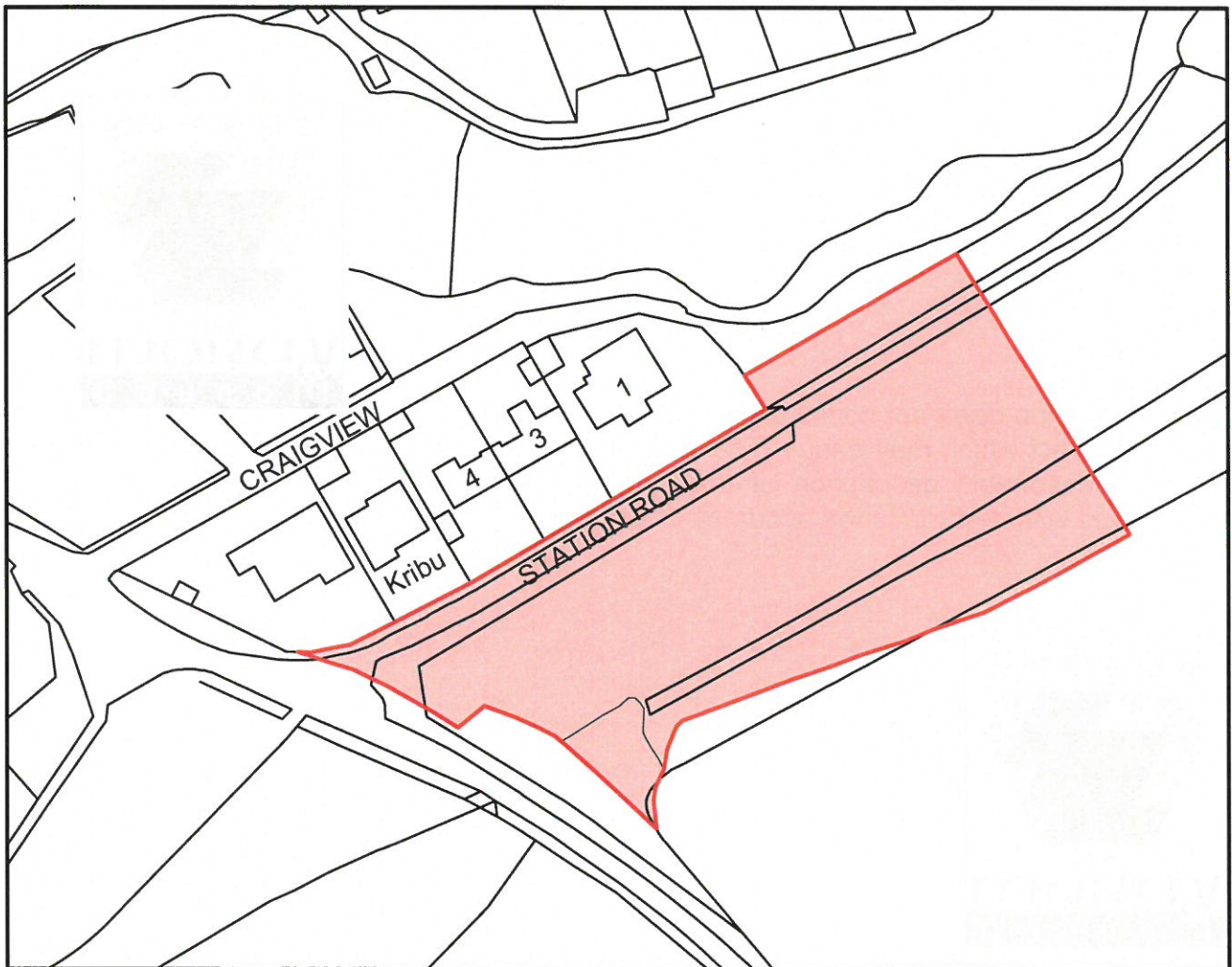
This information does not constitute a representation, warranty or offer and will not form part of any contract which may ensue. The information provided here is purely intended to give a fair and reasonable description of the subjects and prospective purchasers must satisfy themselves with regards to the accuracy of any statements contained in the above particulars.

Any intending offerors must satisfy themselves by inspection or otherwise, as to the correctness of each of the statements contained in these particulars. In accordance with the Requirements of the Writing (Scotland) Act 1995 these particulars are neither intended to create nor to be relied upon as creating any contractual relationship or commitment. Any contract shall only be entered in to by way of missives between respective solicitors.

PROHIBITED FOR USE WITH PLANNING APPLICATIONS.



### LOCATION PLAN



Property For Sale

**Land at Station Road,  
Portessie,  
Buckie.**

Housing & Property Services  
Estates

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The Moray Council  
Council Office, High Street, Elgin IV30 1BX  
Telephone: 01343 563281



# Scotland's Fourth National Planning Framework Position Statement

November 2020





## Our new spatial strategy will:

### Apply the concept of 20 minute neighbourhoods

Our spatial strategy and policies will reflect the needs and aspirations of people living throughout Scotland by building quality places that work for everyone. 20 minute neighbourhoods have the potential to reduce emissions and improve our health and wellbeing. We will explore how a new emphasis on living locally could work in different parts of Scotland, from remote rural communities to our towns and cities, taking into account the needs of everyone in society so that equality is built in from the start.

The 20 minute neighbourhood concept doesn't exist in isolation but scales up to include larger geographies and networked areas providing access and opportunities for the wide range of facilities and services that communities require. The ability to access goods and services through high quality walkable and accessible environments is increasingly recognised as providing strategic competitive advantage to attract and retain people and investment.

This vision will be supported by new and improved planning policies that bring together services and homes, giving life to the Place Principle and supporting public health and wellbeing and reducing inequality.

### Strengthen community resilience

A focus on neighbourhoods and local living will help our places to adapt to the impacts of climate change. Our climate is getting warmer and wetter, and more frequent extreme weather events will affect people and places. In summer, more intense rainfall could increase surface water flooding. In winter, more frequent rainfall could bring increased flooding from rivers. Sea level rise could affect the viability of some coastal communities through flooding and erosion. Scotland's Climate Change Adaptation Programme<sup>11</sup> promotes a joined-up approach to place-making that reflects local diversity.

Some places will be more vulnerable to the impacts of climate change than others: flood risk may be particularly acute in parts of our cities, whilst the livability and accessibility of our smaller towns could be significantly affected by flooding events in the future. By future-proofing the design of our streets and buildings and investing in natural infrastructure, including creating and restoring habitats upstream in catchments, we can substantially reduce our communities' exposure to flooding and the risks from changing temperatures. This also has the potential to provide equality, health, economic and wellbeing benefits for communities.

### Promote inclusion and equality and eliminate discrimination

The Scottish Government is committed to promoting equality, tackling discrimination and fostering good relations between people in all of our communities. We want to ensure that every person and every community in our country is able to achieve their full potential. The changes we are making to the planning system aim to strengthen public trust and encourage engagement in decisions about the future of our places. The Planning (Scotland) Act 2019 introduces local place plans. Linked to the NPF and local development plans they will provide the opportunity for communities to influence the development of their neighbourhoods in a way which builds on community empowerment across Scotland. These and wider changes also underline the importance of engaging with a wider range of people to develop our places, including children and young people.

We will consider how our future policies can learn from the experience of COVID-19 including by responding to the Social Renewal Advisory Board's recommendations and learning from their work to capture our shared experience of delivering equality and social justice.



# Scottish Planning Policy

**39.** The design-led approach should be applied at all levels – at the national level in the NPF, at the regional level in strategic development plans, at the local level in local development plans and at site and individual building level within master plans that respond to how people use public spaces.

**Planning should direct the right development to the right place.**

**40.** This requires spatial strategies within development plans to promote a sustainable pattern of development appropriate to the area. To do this decisions should be guided by the following policy principles:

- optimising the use of existing resource capacities, particularly by co-ordinating housing and business development with infrastructure investment including transport, education facilities, water and drainage, energy, heat networks and digital infrastructure;
- using land within or adjacent to settlements for a mix of uses. This will also support the creation of more compact, higher density, accessible and more vibrant cores;
- considering the re-use or re-development of **brownfield land** before new development takes place on greenfield sites;
- considering whether the permanent, temporary or advanced greening of all or some of a site could make a valuable contribution to green and open space networks, particularly where it is unlikely to be developed for some time, or is unsuitable for development due to its location or viability issues; and
- locating development where investment in growth or improvement would have most benefit for the amenity of local people and the vitality of the local economy.

**Planning should support development that is designed to a high-quality, which demonstrates the six qualities of successful place.**

- ***Distinctive***

**41.** This is development that complements local features, for example landscapes, topography, ecology, skylines, spaces and scales, street and building forms, and materials to create places with a sense of identity.

- ***Safe and Pleasant***

**42.** This is development that is attractive to use because it provides a sense of security through encouraging activity. It does this by giving consideration to crime rates and providing a clear distinction between private and public space, by having doors that face onto the street creating active frontages, and by having windows that overlook well-lit streets, paths and open spaces to create natural surveillance. A pleasant, positive sense of place can be achieved by promoting visual quality, encouraging social and economic interaction and activity, and by considering the place before vehicle movement.



# Scotland's Fourth National Planning Framework Position Statement

November 2020



We will reflect on the Town Centre Action Plan, continue to embed the Town Centre First Principle in decision making and respond to the outcome of the ongoing review of the plan to ensure our policies help to create more vibrant, healthier inclusive and greener town centres. Greater consideration will be given to the provision of more good quality homes in town centres, with access to shops and facilities, which can bring life back into town centres and create good places to live including by making sustainable and efficient use of the existing building stock.

City and town centres have the potential to contribute a great deal to our response to climate change, and to meeting the future needs of our diverse population. By making better and more creative use of our settlement centres, we can significantly reduce the need to travel unsustainably whilst maintaining and enhancing the character and identity of our towns and cities to create vibrant places that meet our future needs. Although the approaches will vary to reflect local circumstances, we will highlight shared opportunities to reinvent town centres and strengthen our networks of settlements.

### **Re-use vacant and derelict land and empty buildings**

There is a clear case for acting now to prioritise the use of vacant and derelict land and properties. This has the potential to deliver significant benefits including sustainable, inclusive growth and reduced emissions as an integral part of our future sustainable and circular economy.

Scotland has too much vacant and derelict land – this is rightly regarded as unacceptable and an issue of national concern that needs to be urgently addressed. The consequences come at too high a price, directly impacting on health and blighting economic, social and environmental recovery. Vacant and derelict land introduces a level of redundancy that our society

can ill afford. Whether it is large scale long-term dereliction, or small scale short-term vacancy, we need to set out a stronger policy framework that will give confidence to communities and public and private sectors that vacant and derelict land represents an opportunity to stimulate a positive future whilst building on the legacy of the past.

Our national planning policies can complement wider work on vacant and derelict land. The Vacant and Derelict Land Taskforce has identified longstanding vacant and derelict sites which the planning system could play a role in bringing back into use and this is a key priority highlighted by the Scottish Land Commission which proposes this as a national priority for NPF to address, and the Vacant and Derelict Land Fund seeks to provide funding solutions to the issues.

We must change the perception of vacant and derelict land from being a liability to becoming an asset. We could do much to inspire innovation and imagination in considering how we can achieve this. The strategy can set out spatial priorities and opportunities that help to guide future investment.

The relationship between town centres and suburbs and the role of the green belt will also benefit from a long term spatial perspective that reflects our net-zero and environmental ambitions. We will develop a vision for the future use of vacant and derelict land so that regional strategies and local development plans can work collectively to unlock the potential of land within our existing settlements to provide multiple benefits. Supporting this, stronger policies to limit greenfield development and recognise the potential for green belts to form a part of multifunctional green networks could help to achieve positive effects for biodiversity whilst also helping to realise the health and climate benefits of growth within existing urban areas.



The Scottish  
Government  
Riaghaltas na h-Alba

CIRCULAR

**3**

2013

DEVELOPMENT MANAGEMENT  
PROCEDURES

circutar

## ANNEX A

### DEFINING A MATERIAL CONSIDERATION

1. Legislation requires decisions on planning applications to be made in accordance with the development plan (and, in the case of national developments, any statement in the National Planning Framework made under section 3A(5) of the 1997 Act) unless material considerations indicate otherwise. The House of Lord's judgement on *City of Edinburgh Council v the Secretary of State for Scotland* (1998) provided the following interpretation. If a proposal accords with the development plan and there are no material considerations indicating that it should be refused, permission should be granted. If the proposal does not accord with the development plan, it should be refused unless there are material considerations indicating that it should be granted.
2. The House of Lord's judgement also set out the following approach to deciding an application:
  - Identify any provisions of the development plan which are relevant to the decision,
  - Interpret them carefully, looking at the aims and objectives of the plan as well as detailed wording of policies,
  - Consider whether or not the proposal accords with the development plan,
  - Identify and consider relevant material considerations for and against the proposal, and
  - Assess whether these considerations warrant a departure from the development plan.
3. There are two main tests in deciding whether a consideration is material and relevant:
  - It should serve or be related to the purpose of planning. It should therefore relate to the development and use of land, and
  - It should relate to the particular application.
4. The decision maker will have to decide what considerations it considers are material to the determination of the application. However, the question of whether or not a consideration is a material consideration is a question of law and so something which is ultimately for the courts to determine. It is for the decision maker to assess both the weight to be attached to each material consideration and whether individually or together they are sufficient to outweigh the development plan. Where development plan policies are not directly relevant to the development proposal, material considerations will be of particular importance.
5. The range of considerations which might be considered material in planning terms is very wide and can only be determined in the context of each case. Examples of possible material considerations include:

### **Circular 3/2013 Development Management Procedures**

- Scottish Government policy and UK Government policy on reserved matters;
  - the National Planning Framework;
  - Policy in the Scottish Planning Policy and Designing Streets
  - Scottish Government planning advice and circulars;
  - EU policy;
  - a proposed strategic development plan, a proposed local development plan, or proposed supplementary guidance;
  - guidance adopted by a Strategic Development Plan Authority or a planning authority that is not supplementary guidance adopted under section 22(1) of the 1997 Act;
  - a National Park Plan;
  - community plans;
  - the environmental impact of the proposal;
  - the design of the proposed development and its relationship to its surroundings;
  - access, provision of infrastructure and planning history of the site;
  - views of statutory and other consultees;
  - legitimate public concern or support expressed on relevant planning matters.
6. The planning system operates in the long term public interest. It does not exist to protect the interests of one person or business against the activities of another. In distinguishing between public and private interests, the basic question is whether the proposal would unacceptably affect the amenity and existing use of land and buildings which ought to be protected in the public interest, not whether owners or occupiers of neighbouring or other existing properties would experience financial or other loss from a particular development.