



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 100530875-001

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

Type of Application

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

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

Description of Proposal

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

Planning permission in principle to erect a story and a half house (1.5) at site at Broadley in keeping with the village of Broadley. With access from private road known as "Estate Road"

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" value="North Bogbain Farmhouse, A96"/> |
| First Name: * | <input type="text" value="Steve"/> | Building Number: | <input type="text" value="1"/> |
| Last Name: * | <input type="text" value="Reeve"/> | Address 1 (Street): * | <input type="text" value="A96"/> |
| Company/Organisation | <input type="text"/> | Address 2: | <input type="text"/> |
| Telephone Number: * | <input type="text" value="REDACTED"/> | Town/City: * | <input type="text" value="Keith"/> |
| Extension Number: | <input type="text"/> | Country: * | <input type="text" value="United Kingdom"/> |
| Mobile Number: | <input type="text" value="REDACTED"/> | Postcode: * | <input type="text" value="AB55 6RP"/> |
| Fax Number: | <input type="text"/> | | |
| Email Address: * | <input type="text" value="REDACTED"/> | | |

Site Address Details

| | |
|---|--|
| Planning Authority: | <input type="text" value="Moray Council"/> |
| 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

| |
|--|
| <input type="text" value="Plot -at Broadley, Clochan, Buckie, Banffshire AB56 5HQ Grit Ref: 339412, 861740 Previous application ref: 10/00171/PPP"/> |
|--|

| | | | |
|----------|----------------------|---------|----------------------|
| Northing | <input type="text"/> | Easting | <input type="text"/> |
|----------|----------------------|---------|----------------------|

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Pre-Application Discussion Details Cont.

In what format was the feedback given? *

Meeting Telephone Letter Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (max 500 characters)

previously approved planning permission in principle held for plot

Title:

Mr

Other title:

First Name:

Neil

Last Name:

Mcperson

Correspondence Reference Number:

10/00171/PPP

Date (dd/mm/yyyy):

03/06/2010

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Site Area

Please state the site area:

0.08

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)

Has been a plot since approximately 2005

Access and Parking

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

Yes No

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

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

Yes No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

Water Supply and Drainage Arrangements

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

Do your proposals make provision for sustainable drainage of surface water?? * Yes No
(e.g. SUDS arrangements) *

Note:-

Please include details of SUDS arrangements on your plans

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

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

Yes

No, using a private water supply

No connection required

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

Assessment of Flood Risk

Is the site within an area of known risk of flooding? * Yes No Don't Know

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

Do you think your proposal may increase the flood risk elsewhere? * Yes No Don't Know

Trees

Are there any trees on or adjacent to the application site? * Yes No

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

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? * Yes No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013 * Yes No Don't Know

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

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

Planning Service Employee/Elected Member Interest

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

Certificates and Notices

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

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

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

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

Certificate Required

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

Certificate A

Land Ownership Certificate

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

Certificate A

I hereby certify that –

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

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

Signed: Mr Steve Reeve

On behalf of:

Date: 04/02/2022

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)

Provide copies of the following documents if applicable:

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



Declaration Date: 04/02/2022

Payment Details

Online payment: 465946

Payment date: 04/02/2022 11:41:45

Created: 04/02/2022 11:41

| | | |
|---|--|---------------------|
|  LAND REGISTER OF SCOTLAND | Officer's ID / Date | TITLE NUMBER |
| | 3422 26/2/2008 | BNF5563 |
|  | ORDNANCE SURVEY NATIONAL GRID REFERENCE | Scale |
| | | 1/1250 |
| NJ3961 | | Survey Scale |
| | | 1/2500 |

CROWN COPYRIGHT © - This copy has been produced from the ROS Digital Mapping System on 26/02/2008 and was made with the authority of Ordnance Survey pursuant to Section 47 Copyright, Designs and Patents Act 1988. Unless that act provides a relevant exception to copyright, the copy must not be copied without the prior permission of the copyright owner.



North Bogbain farmhouse

Keith

AB55 6RP

12th February 2022

Your Ref: 22/00164/PPP

Dear Sir/madam

Planning Permission in Principle to erect 1.5 storey dwelling house at Broadley Clochan Buckie

Further to your letter dated 7 February 2022. The drainage plans for the above noted site is anticipated to be for private drainage system such as a soak away. Full details of the drainage plans would be submitted when full planning permission is sought. At this stage we are only applying for Planning permission in Principle.

Please also find attached the proposed site – outlined in red as requested. This whole area if all the land within our ownership.

Yours faithfully

S M Reeve (Mr)

Gary Mackintosh
Email: gmsurveys@gmail.com
Tel: 07557431702

gmsurveys

Surveys, Setting-Out Civil Engineering Design

Site Investigation & Drainage Assessment

BROADLEY

Gary Mackintosh Bsc
gmsurveys@gmail.com

Contents

Client:2

Site Address:2

Planning Reference:2

Date:.....2

Job Number:.....2

Company Information:2

 Assessment completed by:.....2

Introduction:.....3

Soil Conditions:3

Percolation/Soakaway Testing:..... 4

Conclusion and Recommendations: 4

Foul Water Discharge via Soakaway:5

Surface Water Dispersal via Soakaway:5

Client:

Mr and Mrs Reeve

Site Address:

Proposed New Dwelling
Broadley
By Buckie

Planning Reference:

TBC

Date:

17th March 2022

Job Number:

GMC22-048

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 to erect a new private dwelling and within land located adjacent to the main public road through Broadley by Keith. At the time of this report there are no formal designs for the proposed dwelling.

The SEPA Flood maps have been consulted which confirm the site lies out with the areas of fluvial and pluvial flooding during a 1:200year event.

GMC Surveys have been asked to carry out a site investigation in order to provide a drainage solution for the proposed development.

Soil Conditions:

Excavations were carried out by mechanical excavator on 21st May 2022 to assess the existing ground conditions and carry out infiltration and percolation testing for the management of foul and surface waters via soakaways.

The trial pits were excavated to depths of 1.7m and no groundwater was encountered.

The existing soils consist of 300 Topsoil, dark brown, dense, coarse gravelly sands to a depth of 800mm bgl overlying light brown, dense, fine sands and gravels proved to the depth of the excavations.

There was no evidence of fill material or contamination within the trial pits and no ground water was encountered. The natural soils have a minimum bearing capacity of 100kn/m².

Percolation/Soakaway Testing:

Percolation testing was carried out in full accordance with BS6297: 2007 + A1: 2008 and as described in Section 3.9 of the Scottish Building Standards Technical Handbook (Domestic). The results can be found in the table below.

| | 1 st | 2 nd | 3 rd | Mean |
|------------------------|------------------|-----------------|-----------------|-------|
| Date of Test | 21/05/22 | 21/05/22 | 21/05/22 | |
| TH01 | 5520s | 6900s | 7620s | 6680s |
| Average Soil Vp | 44.53s/mm | | | |

Infiltration testing:

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

| Infiltration Test | Pit Dimensions (w/l) | Test Zone (mbgl) | Infiltration Rate (m/s) |
|--------------------------|-----------------------------|-------------------------|--------------------------------|
| INF01 | 1.0m x 0.8m | 1.0 - 1.7 | 9.81×10^{-6} |

Conclusion and Recommendations:

Based on the onsite investigations it can be confirmed that the underlying soils are suitable for the use of standard stonefilled soakaways as a drainage solution for both foul and surface waters.

The Vp rate is above the maximum threshold of 15s/mm therefore a standard septic tank would be acceptable, the final details of which are to be confirmed by the chosen supplier.

Foul Water Discharge via Soakaway:

As noted, there are currently no formal designs for the proposed house at the time of this report. A 4bed property is therefore to be considered to demonstrate the foul water soakaway requirements.

$$\begin{aligned} &V_p \times PE \times 0.25 \\ &= 6(4\text{bed}) \times 44.53 \times 0.25 \\ &= \underline{\underline{66.80\text{m}^2}} \end{aligned}$$

This area can be provided with soakaway plan dimensions 12.20m x 5.50m at a depth of 0.45m below invert level. Alternative dimensions may be adopted to better suit the site layout ensuring that the minimum base area of 66.80m² is maintained.

Surface Water Dispersal via Soakaway:

Please see attached surface water calculations detailing the requirement and suitability for soakaway dimensions of 8.0m x 3.0m at a depth of 1.50m below the invert level based on the proposed contributing area of 250m² (assumed roof and hard standing area) up to and including a 1:30year event with 35% allowance for climate change as noted above.

Indicative Soakaway Details can be found in Appendix A.

The sizing of the proposed soakaway will require to be reviewed upon completion of the final house design to ensure the proposed systems are adequate.

SEPA and Building Regulations require that infiltration systems (soakaways) are located at least:

- 50m from any spring, well or borehole used as drinking water supply
- 10m horizontally from any water course and any inland and coastal waters, permeable drain (including culvert), road or railway
- 5m from a building or boundary



MasterDrain
SW 16.10

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. GMC22-083 | | |
| Sheet no. 1 | | |
| Date 23/05/22 | | |
| By GM | Checked | Approved |

| |
|---|
| Project Site at Broadley, by Buckie |
| Title Surface Water Soakaway |

Rectangular pit design data:-

| | |
|-----------------------------------|-------------------------------|
| Pit length = 8 m | Pit width = 3 m |
| Depth below invert = 1.5 m | Percentage voids = 30.0% |
| Imperm. area = 250 m ² | Infiltr. factor = 0.00001 m/s |
| Return period = 30 yrs | Climate change = 35% |

Calculations :-

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

$$a_{s50} = 2 \times (\text{length} + \text{width}) \times \text{depth}/2 = 16.5 \text{ m}^2$$

Outflow factor : $O = a_{s50} \times \text{Infiltration rate} = 0.000165 \text{ m/s}$

Soakaway storage volume : $S_{\text{actual}} = \text{length} \times \text{width} \times \text{depth} \times \% \text{voids}/100 = 10.8 \text{ m}^3$

| Duration | Rainfall mm/hr | Inflow m ³ | Depth (hmax) m | Outflow m ³ | Storage m ³ |
|----------|-------------------|--------------------------|-------------------|---------------------------|---------------------------|
| 5 mins | 91.9 | 1.9 | 0.26 | 0.05 | 1.86 |
| 10 mins | 70.8 | 2.9 | 0.39 | 0.10 | 2.84 |
| 15 mins | 58.8 | 3.7 | 0.49 | 0.15 | 3.53 |
| 30 mins | 41.3 | 5.2 | 0.68 | 0.30 | 4.86 |
| 1 hrs | 27.8 | 6.9 | 0.88 | 0.59 | 6.35 |
| 2 hrs | 18.0 | 9.0 | 1.09 | 1.19 | 7.82 |
| 4 hrs | 11.5 | 11.5 | 1.27 | 2.38 | 9.16 |
| 6 hrs | 8.8 | 13.3 | 1.35 | 3.56 | 9.71 |
| 10 hrs | 6.3 | 15.8 | 1.37 | 5.94 | 9.84 |
| 24 hrs | 3.5 | 21.2 | 0.96 | 14.26 | 6.90 |

Actual volume : $S_{\text{actual}} = 10.800 \text{ m}^3$

Required volume : $S_{\text{reqd.}} = 9.840 \text{ m}^3$

Soakaway volume storage OK.

Minimum required a_{s50} : 15.03 m²

Actual a_{s50} : 16.50 m²

Minimum depth required: 1.37 m

Time to maximum 10 hrs

Emptying time to 50% volume = $t_{s50} = S_{\text{reqd}} \times 0.5 / (a_{s50} \times \text{Infiltration rate}) = 08:16 \text{ (hr:min)}$

Soakaway emptying time is OK.



MasterDrain
SW 16.10

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. GMC22-083 | | |
| Sheet no. 2 | | |
| Date 23/05/22 | | |
| By GM | Checked | Approved |

| |
|---|
| Project Site at Broadley, by Buckie |
| Title Surface Water Soakaway |

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 |

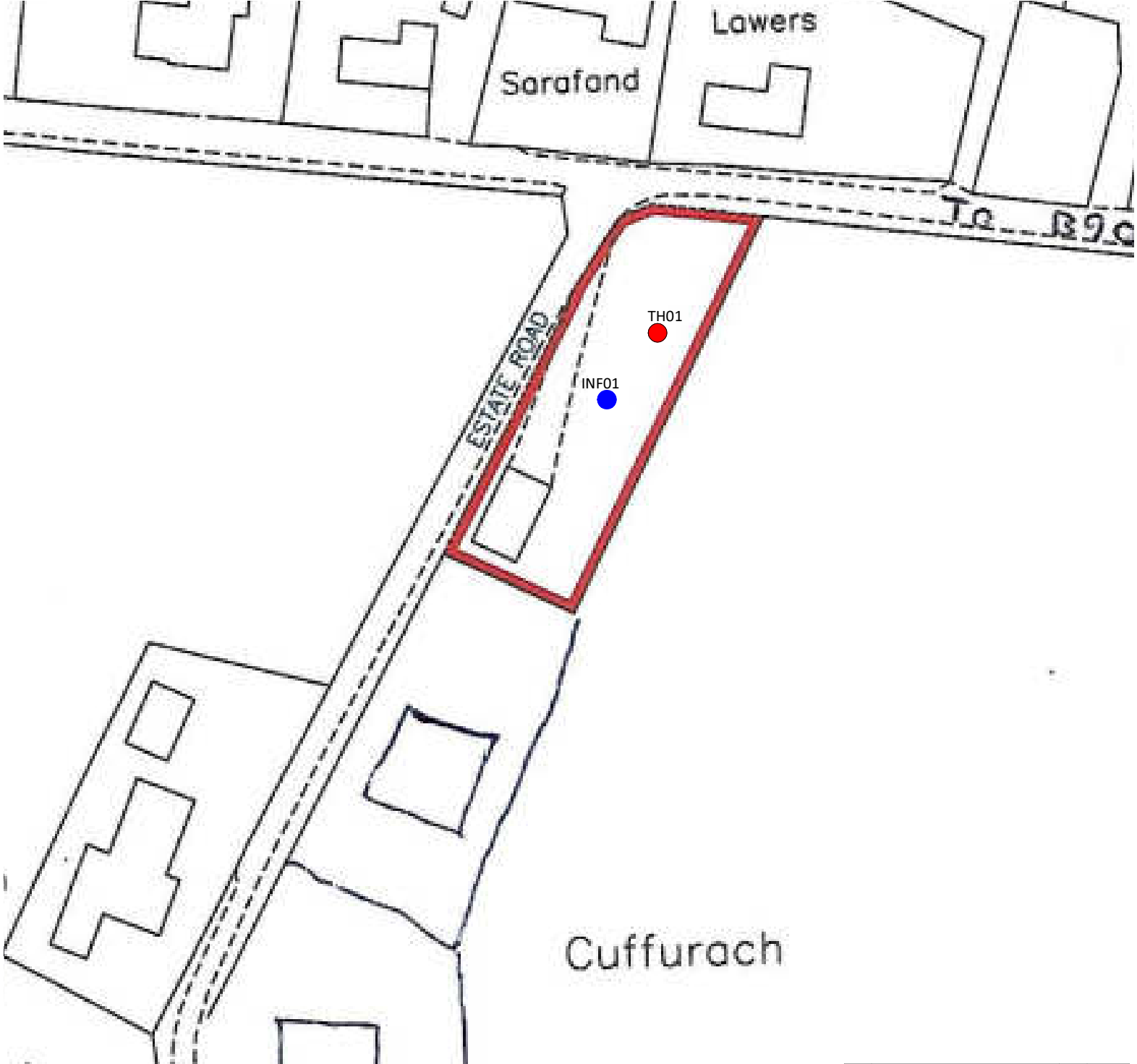
Soil classification for WRAP type 1

- 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 A

Test Hole Locations



| | | | |
|---------------|--------------|-----|-------|
| | | | |
| | | | |
| | | | |
| REV: | DESCRIPTION: | BY: | DATE: |
| | | | |
| STATUS: ISSUE | | | |

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

CLIENT:
 Mr and Mrs Reeve

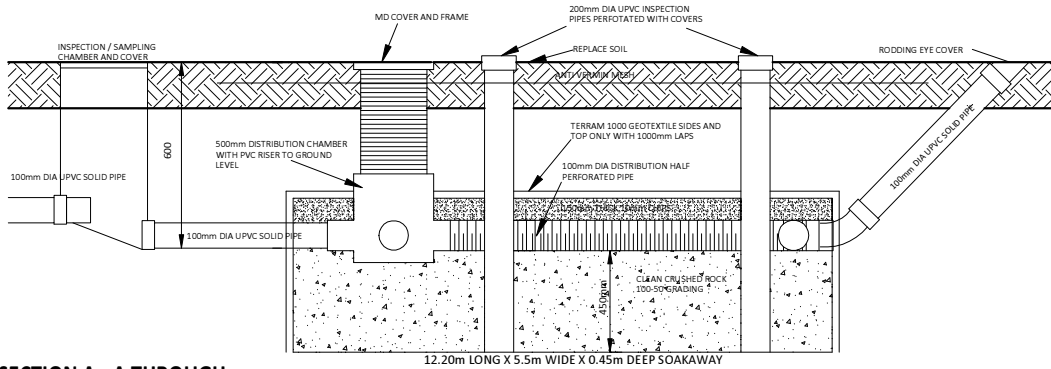
SITE:
 Site at Broadley
 By Buckie

TITLE:
 Test Hole Location

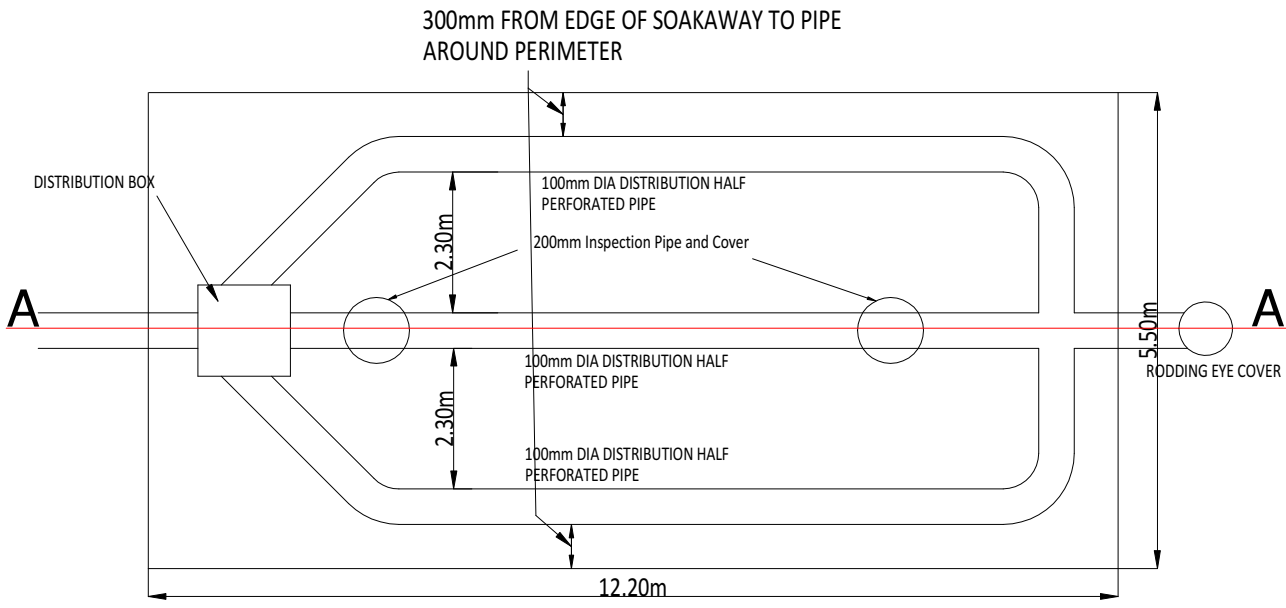
| | | | |
|--------------------------|---------------------------|----------------|----------|
| SCALE AT A4: NTS | DATE: MAY22 | DRAWN: GM | CHECKED: |
| PROJECT NO: GMC22-083 | DRAWING NO: Appendix A | REVISION: - | |

Appendix B

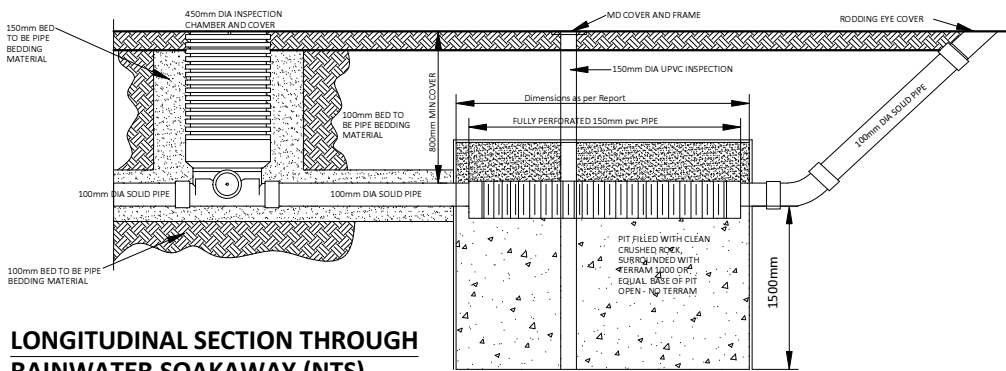
Soakaway Details/Certificates



**SECTION A - A THROUGH
FOUL WATER SOAKAWAY (NTS)**



**PLAN VIEW
SOAKAWAY ARRANGEMENTS (NTS)**



**LONGITUDINAL SECTION THROUGH
RAINWATER SOAKAWAY (NTS)**

| | | | |
|---------|--------------|-----|-------|
| REV: | DESCRIPTION: | BY: | DATE: |
| STATUS: | | | ISSUE |

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

SITE:
Mr and Mrs Reeve

| | | | |
|--|---------------------------|--------------|----------|
| SITE: Site at Broadley By Buckie | | | |
| TITLE: Soakaway Details | | | |
| SCALE AT A4: NTS | DATE: MAY22 | DRAWN: GM | CHECKED: |
| PROJECT NO: GMC22-083 | DRAWING NO: Appendix B | REVISION: | - |

Certificate For Proposed Sub – Surface Soakaways
Foul Water

Applicants Name: Mr and Mrs Reeve
Address: C/O GMC Surveys, 34 Castle Street, Forres
Site Address: Proposed Dwelling at Broadley, by Buckie
Date of Tests: 21st May 2022
Weather Conditions: Dry/Overcast

Percolation Test/Soakaway Sizing:

| | 1 st | 2 nd | 3 rd | Mean |
|------------------------|-----------------|-----------------|-----------------|------------------|
| Date of Test | 21/05/22 | 21/05/22 | 21/05/22 | |
| TH01 | 5520s | 6900s | 7620s | 6680s |
| Average Soil Vp | | | | 44.53s/mm |

Location: TPo1
Average Soil Vp: 44.53s/mm
PE: 6
Base Area (min): 66.80m² (as per SEPA requirements)

I hereby certify that I have carried out the above tests in full accordance with BS6297: 2007 + A1: 2008 and as described in Section 3.9 of the Scottish Building Standards Technical Handbook (Domestic).

Signed: G Mackintosh Gary Mackintosh BSc. Date: 23rd May 2022

Company: GMC Surveys, 34 Castle Street, Forres, Morayshire. IV36 1PW

gmcsurveys
34 castle Street
Forres
Moray
IV36 1PW
T: 07557 431 702
E: gmcsurveys@gmail.com

Certificate For Proposed Sub – Surface Soakaways
Surface Water

Applicants Name: Mr and Mrs Reeve
Address: C/O GMC Surveys, 34 Castle Street, Forres
Site Address: Proposed Dwelling at Broadley, By Buckie
Date of Tests: 21st May 2022
Weather Conditions: Dry/Overcast

Trial Pit Test – Surface Water:

Depth of Excavation: 1.7
Water Table Present: No

Infiltration Test:

Location: INF01
Infiltration Test Zone: 1.0 – 1.7mbgl
Infiltration Rate (m/s): 9.83×10^{-6}
Contributing Area: 250m²
Soakaway Size: 8.0m x 3.0m x 1.5 below the invert of the pipe (200year)

I hereby certify that I have carried out the above tests in accordance with the procedures specified in BRE Digest 365:1991.

Signed: G Mackintosh Gary Mackintosh BSc. Date: 23rd May 2022

Company: GMC Surveys, 34 Castle Street, Forres, Morayshire. IV36 1PW

gmcsurveys

34 castle Street

Forres

Moray

IV36 1PW

T: 07557 431 702

E: gmcsurveys@gmail.com

Consultation Request Notification

| | |
|--|---|
| Planning Authority Name | Moray Council |
| Response Date | 9th March 2022 |
| Planning Authority Reference | 22/00164/PPP |
| Nature of Proposal (Description) | Erect dwellinghouse on |
| Site | Site At Broadley Clochan Buckie |
| Site Postcode | N/A |
| Site Gazetteer UPRN | 000133052020 |
| Proposal Location Easting | 339419 |
| Proposal Location Northing | 861745 |
| Area of application site (M²) | 800 |
| Additional Comment | |
| Development Hierarchy Level | LOCAL |
| Supporting Documentation URL | https://publicaccess.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=R6XAAQBGL5C00 |
| Previous Application | 10/00171/PPP 05/01404/OUT |
| Date of Consultation | 23rd February 2022 |
| Is this a re-consultation of an existing application? | No |
| Applicant Name | Mr Steve Reeve |
| Applicant Organisation Name | |
| Applicant Address | North Bogbain Farmhouse Keith Moray AB55 6RP |
| Agent Name | |
| Agent Organisation Name | |
| Agent Address | |
| Agent Phone Number | |
| Agent Email Address | N/A |
| Case Officer | Iain T Drummond |
| Case Officer Phone number | 01343 563607 |
| Case Officer email address | iain.drummond@moray.gov.uk |
| PA Response To | consultation.planning@moray.gov.uk |

NOTE:

If you do not respond by the response date, it will be assumed that you have no comment to make.

The statutory period allowed for a consultation response is 14 days. Due to scheduling

pressures if a definitive response is not received within 21 days this may well cause the two month determination period to be exceeded.

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

For full terms please visit http://www.moray.gov.uk/moray_standard/page_121513.html

For full Data Protection policy, information and rights please see http://www.moray.gov.uk/moray_standard/page_119859.html

You can contact our Data Protection Officer at info@moray.gov.uk or 01343 562633 for more information.

Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Contaminated Land

**Planning Application Ref. No: 22/00164/PPP
Erect dwellinghouse on Site At Broadley Clochan Buckie for Mr Steve Reeve**

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

- | | Please |
|---|--------------------------------------|
| (a) I OBJECT to the application for the reason(s) as stated below | x <input type="checkbox"/> |
| (b) I have NO OBJECTIONS to the application and have no condition(s) and/or comment(s) to make on the proposal | <input type="checkbox"/> |
| (c) I have NO OBJECTIONS to the application subject to condition(s) and/or comment(s) about the proposal as set out below | x |
| (d) Further information is required in order to consider the application as set out below | <input type="checkbox"/> |

Reason(s) for objection

Condition(s)

Further comment(s) to be passed to applicant

Further information required to consider the application

This development has been identified from Council archives as the site of a vehicle maintenance and storage yard. A contamination site investigation was undertaken under Planning Application Reference 05/01404/OUT. Should you require further information, contact the Environmental Health section (email contaminated.land@moray.gov.uk, tel 0300 1234561).

Contact: Adrian Muscutt
email address:
Consultee:

Date.....25.02.22.....
Phone No

| | |
|---------------------------|---|
| Return response to | consultation.planning@moray.gov.uk |
|---------------------------|---|

Please note that information about the application including consultation responses and

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

Consultee Comments for Planning Application 22/00164/PPP

Application Summary

Application Number: 22/00164/PPP

Address: Site At Broadley Clochan Buckie

Proposal: Erect dwellinghouse on

Case Officer: Iain T Drummond

Consultee Details

Name: Mr EH Consultations

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

Email: Not Available

On Behalf Of: Environmental Health C12

Comments

No objections

Andrew Stewart, PEHO

Thursday, 24 February 2022



Local Planner
Development Services
Moray Council
Elgin
IV30 1BX

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

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



Dear Customer,

Site At Broadley, Clochan, Buckie, AB56 5HQ
Planning Ref: 22/00164/PPP
Our Ref: DSCAS-0059105-7G7
Proposal: Erect dwellinghouse

Please quote our reference in all future correspondence

Audit of Proposal

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

Water Capacity Assessment

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

- ▶ There is currently sufficient capacity in the Badentinan Water Treatment Works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Waste Water Capacity Assessment

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

Please Note

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

Asset Impact Assessment

According to our records, the development proposals impact on existing Scottish Water assets.

- ▶ 3" PVC water main in the site boundary

The applicant must identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team via [our Customer Portal](#) to apply for a diversion.

The applicant should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction. Please note the disclaimer at the end of this response.

Surface Water

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

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

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

General notes:

- ▶ Scottish Water asset plans can be obtained from our appointed asset plan providers:
 - ▶ Site Investigation Services (UK) Ltd
 - ▶ Tel: 0333 123 1223
 - ▶ Email: sw@sisplan.co.uk
 - ▶ www.sisplan.co.uk

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

Next Steps:

▶ **All Proposed Developments**

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

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

▶ **Non Domestic/Commercial Property:**

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

▶ **Trade Effluent Discharge from Non-Domestic Property:**

- ▶ Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle,

plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and laundrettes. Activities not covered include hotels, caravan sites or restaurants.

- ▶ If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found [here](#).
- ▶ Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.
- ▶ For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.
- ▶ The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

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

Yours sincerely,

Angela Allison

Development Services Analyst

PlanningConsultations@scottishwater.co.uk

Scottish Water Disclaimer:

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

From: Teresa Ruggeri <Teresa.Ruggeri@moray.gov.uk>

Sent: 04 Mar 2022 03:05:56

To: DMSMyEmail@moray.gov.uk

Cc:

Subject: FW: 22/00164/PPP Erect dwellinghouse on Site At Broadley, Clochan, Buckie

Attachments: 22-00164-PPP Erect dwellinghouse on Site At Broadley, Clochan, Buckie.pdf

Hi

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

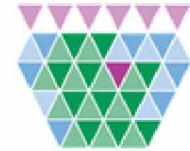
Thanks,
Rebecca

Rebecca Morrison | Infrastructure Growth/Obligations Officer (Strategic Planning and Development) | Economic Growth and Development

rebecca.morrison@moray.gov.uk | [website](#) | [facebook](#) | [twitter](#) | [instagram](#) | [news](#)

MORAY
council

Developer Obligations & Affordable Housing: ASSESSMENT REPORT



MORAY
council

Date: 02/03/2022

Reference: 22/00164/PPP

Description: Erect dwellinghouse on Site At Broadley, Clochan, Buckie

Applicant: Mr Steve Reeve

This assessment has been carried out by Moray Council. For developer obligations, the assessment is carried out in relation to policy PP3 Infrastructure and Services of the adopted Moray Local Development Plan 2020 (MLDP2020) and Supplementary Guidance (SG) on Developer Obligations which was adopted on 30 September 2020. And, for affordable housing, the assessment is carried out in relation to policy DP2 Housing of the MLDP2020. Affordable housing is a policy requirement not a developer obligation however for ease of reference the Affordable Housing contribution is included within this assessment.

The MLDP2020 can be found at www.moray.gov.uk/MLDP2020 and the Developer Obligations SG can be found at <http://www.moray.gov.uk/downloads/file134184.pdf>

Summary of Obligations

| | |
|--|------------|
| Primary Education | Nil |
| Secondary Education | Nil |
| Transport (<i>Contribution towards Demand Responsive Transport-dial-a-bus</i>) | ██████████ |
| Healthcare | Nil |
| Sports and Recreation | Nil |
| Total Developer Obligations | ██████████ |
| | |
| Affordable Housing | ██████████ |
| TOTAL | ██████████ |

Breakdown of Calculation

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

3 bed = 1 SRUE

This assessment is therefore based on 1 SRUE.



Moray Council **DEVELOPER OBLIGATIONS**

INFRASTRUCTURE

Education

Primary Education

The pupils generated by this development are zoned to Portgordon Primary School. The school is currently operating at 28% physical capacity and the additional pupil as a result of this development can be accommodated. As a result, no mitigation is necessary in this instance.

Contribution towards Primary Education = Nil

Secondary Education

The pupils generated by this development are zoned to Buckie High School. The school is currently operating at 86% capacity and the additional pupil as a result of this development can be accommodated. As a result, no mitigation is necessary in this instance.

Contribution towards Secondary Education = Nil

Transport

The Moray Council Transportation Services has confirmed that a contribution towards the Council's demand responsive transport service is required to mitigate the impact, in terms of increased usage, on this service given the proposed development is located within a rural area with no access to bus services. In accord with the Moray Council's Supplementary Guidance on Developer Obligations, a contribution of [REDACTED] per SRUE is sought. Therefore:

[REDACTED]

Contributions towards Transport = £302.60

Healthcare

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

Healthcare infrastructure requirements have been calculated with NHS Grampian on the basis of national standards and specifications for healthcare facilities and estimating the likely number of new patients generated by the development (based on the average household size of 2.17 persons -Census 2011).

Seafield and Cullen Medical Practice is the nearest GP Practice within which healthcare facilities can be accessed by the proposed development. NHS Grampian has confirmed that Seafield and Cullen Medical Practice is currently operating within capacity and the additional patients arising from this development can be accommodated on this basis.

Contribution towards Healthcare= Nil

Sports and Recreational Facilities

Sports and Recreation Facilities

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

Contribution for Sports and Recreation Facilities = Nil



AFFORDABLE HOUSING

The average market value of a serviced plot for 1 Affordable Unit within the Buckie Local Housing Market Area is [REDACTED]

Contributions are based on 25% of the total number of units proposed in the application:

[REDACTED]

Therefore, the total contribution towards affordable housing is:

[REDACTED]

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



TERMS OF ASSESSMENT

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

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

PAYMENT OF CONTRIBUTIONS

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

INDEXATION

Developer obligations towards Moray Council infrastructure are index linked to the General Building Cost Price Index (BCPI) as published by the Building Cost Information Service (BCIS) of the Royal Institute of Chartered Surveyors (RICS) from Q3, 2017 and obligations towards NHS Grampian infrastructure are index linked to All in Tender

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



MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Moray Flood Risk Management

Planning Application Ref. No: 22/00164/PPP

Erect dwellinghouse on Site at Broadley Clochan Buckie for Mr Steve Reeve

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

- | | Please |
|---|--------------------------------------|
| (a) I OBJECT to the application for the reason(s) as stated below | x <input type="checkbox"/> |
| (b) I have NO OBJECTIONS to the application and have no condition(s) and/or comment(s) to make on the proposal | <input checked="" type="checkbox"/> |
| (c) I have NO OBJECTIONS to the application subject to condition(s) and/or comment(s) about the proposal as set out below | <input type="checkbox"/> |
| (d) Further information is required in order to consider the application as set out below | <input type="checkbox"/> |

| | | | |
|-----------------------|--|------------------|------------|
| Contact: | Javier Cruz | Date..... | 15/06/2022 |
| email address: | Javier.cruz@moray.gov.uk | Phone No | |
| Consultee: | The Moray Council, Flood Risk Management | | |

Consultation Request Notification

| | |
|--|---|
| Planning Authority Name | Moray Council |
| Response Date | 9th March 2022 |
| Planning Authority Reference | 22/00164/PPP |
| Nature of Proposal (Description) | Erect dwellinghouse on |
| Site | Site At Broadley Clochan Buckie |
| Site Postcode | N/A |
| Site Gazetteer UPRN | 000133052020 |
| Proposal Location Easting | 339419 |
| Proposal Location Northing | 861745 |
| Area of application site (M²) | 800 |
| Additional Comment | |
| Development Hierarchy Level | LOCAL |
| Supporting Documentation URL | https://publicaccess.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=R6XAAQBGL5C00 |
| Previous Application | 10/00171/PPP 05/01404/OUT |
| Date of Consultation | 23rd February 2022 |
| Is this a re-consultation of an existing application? | No |
| Applicant Name | Mr Steve Reeve |
| Applicant Organisation Name | |
| Applicant Address | North Bogbain Farmhouse Keith Moray AB55 6RP |
| Agent Name | |
| Agent Organisation Name | |
| Agent Address | |
| Agent Phone Number | |
| Agent Email Address | N/A |
| Case Officer | Iain T Drummond |
| Case Officer Phone number | 01343 563607 |
| Case Officer email address | iain.drummond@moray.gov.uk |
| PA Response To | consultation.planning@moray.gov.uk |

NOTE:

If you do not respond by the response date, it will be assumed that you have no comment to make.

The statutory period allowed for a consultation response is 14 days. Due to scheduling pressures if a definitive response is not received within 21 days this may well cause the

two month determination period to be exceeded.

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

For full terms please visit http://www.moray.gov.uk/moray_standard/page_121513.html

For full Data Protection policy, information and rights please see http://www.moray.gov.uk/moray_standard/page_119859.html

You can contact our Data Protection Officer at info@moray.gov.uk or 01343 562633 for more information.

Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Transportation Manager

Planning Application Ref. No: 22/00164/PPP

Erect dwellinghouse on Site At Broadley Clochan Buckie for Mr Steve Reeve

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

Please

- | | |
|---|-------------------------------------|
| (a) I OBJECT to the application for the reason(s) as stated below | <input checked="" type="checkbox"/> |
| (b) I have NO OBJECTIONS to the application and have no condition(s) and/or comment(s) to make on the proposal | <input type="checkbox"/> |
| (c) I have NO OBJECTIONS to the application subject to condition(s) and/or comment(s) about the proposal as set out below | <input type="checkbox"/> |
| (d) Further information is required in order to consider the application as set out below | <input type="checkbox"/> |

This proposal is for the erection of a new dwelling with access via an existing shared vehicular access adjacent:

A visibility splay 2.4m x 70m would be required in both directions at the access onto the public road free from any obstruction greater than 0.6m in height, with all boundaries set back to a position behind the required visibility splays. The visibility splay to the west is obstructed by vegetation and an existing fence and appears to pass over land not under the control of the applicant.

Confirmation of the applicant's ability to provide and maintain the required visibility splays (and set back the existing fence to the west) was therefore sought, through evidence of ownership or provision of third party agreement.

To date no evidence of third party agreement has been submitted which would confirm the applicant's ability to provide and maintain the required visibility splays.

Reason(s) for objection

On the basis of the information submitted to date Transportation considers that the proposal, if permitted, as a result of the restricted visibility would be likely to give rise to conditions detrimental to the road safety of road users contrary to Moray Local Development Plan policy DP1 'Development Principles' section (ii)- 'Transportation', part 'a)' (safe entry and exit)

Contact: AG

Date 27 July 2022

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

Consultee: TRANSPORTATION

| | |
|---------------------------|---|
| Return response to | consultation.planning@moray.gov.uk |
|---------------------------|---|

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

REPORT OF HANDLING

| | | | |
|--------------------------------------|--|-------------------------|-----------------|
| Ref No: | 22/00164/PPP | Officer: | Iain T Drummond |
| Proposal Description/ Address | Erect dwellinghouse on Site At Broadley Clochan Buckie | | |
| Date: | 24.11.2022 | Typist Initials: | LMC |

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

| CONSULTATIONS | | |
|--------------------------------------|----------------------|---|
| Consultee | Date Returned | Summary of Response |
| Environmental Health Manager | 25/02/22 | No objections |
| Contaminated Land | 25/02/22 | No objections |
| Transportation Manager | 27/07/22 | Object |
| Scottish Water | 24/02/22 | No objections |
| Moray Flood Risk Management | 15/06/22 | No objections |
| Planning And Development Obligations | 02/03/22 | Contribution sought towards healthcare and affordable housing |

| DEVELOPMENT PLAN POLICY | | |
|---------------------------------------|------------|--|
| Policies | Dep | Any Comments (or refer to Observations below) |
| PP1 Placemaking | N | |
| PP3 Infrastructure and Services | N | |
| DP1 Development Principles | Y | |
| DP4 Rural Housing | N | |
| EP2 Biodiversity | N | |
| EP12 Management and Enhancement Water | N | |
| EP13 Foul Drainage | N | |
| EP14 Pollution Contamination Hazards | N | |

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

OBSERVATIONS – ASSESSMENT OF PROPOSAL

Proposal

- This application seeks planning permission in principle for the erection of a dwellinghouse on a disused site within the rural grouping of Broadley.
- Access is proposed via the existing track which bounds the site to the west and serves a number of existing neighbouring houses to the south.
- Use of a public water supply is proposed with foul drainage disposed of via a septic tank and soakaway and separate surface water soakaway.

Site Characteristics

The site comprises a rectangular area of disused ground bounded to the north by the public road and neighbouring houses beyond, to the west by the access track serving the site, with open fields beyond, open fields to the east and open ground and neighbouring houses to the south. Planning permission has been granted on site in the past for the erection of a house, however, that consent has since expired. The site lies within the rural grouping boundary of Broadley as defined by the Moray Local Development plan and has no specific designation.

Policy Assessment

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, siting and design (PP1, DP1 and DP4)

Policy DP4 Rural Housing promotes a rural development hierarchy, whereby new rural housing is directed to rural groupings that will accommodate the majority of rural housing development, followed by the re-use and replacement of traditional stone and slate buildings in the countryside and lastly to the open countryside. Proposals must meet siting and design criteria to ensure development is low impact, integrates sensitively into the landscape, reflects the rural character of the area and is of a high design quality.

Policies PP1 and DP1, emphasis this importance of achieving a high standard of design and siting and to ensure sites can be adequately served in terms of infrastructure.

In this case, bearing in mind the application is for planning permission in principle, the site is considered to be able to accommodate a house without impacting on the amenity of the surrounding houses or character of the rural grouping and as such the principle of erecting a house on this site is considered acceptable, subject to ensuring the site can be served in terms of infrastructure.

Access/Parking (DP1)

The Transportation service have objected to the development on the basis that the proposal will result in the intensification of use of the access track as it joins the public road, where the visibility splays at the junction do not meet current transportation regulations. The transportation service have confirmed that the following in relation to the proposal:

A visibility splay 2.4m x 70m would be required in both directions at the access onto the public road free from any obstruction greater than 0.6m in height, with all boundaries set back to a position behind the required visibility splays. The visibility splay to the west is obstructed by vegetation and an existing fence and appears to pass over land not under the control of the applicant.

Confirmation of the applicant's ability to provide and maintain the required visibility splays (and set back the existing fence to the west) was therefore sought, through evidence of ownership or provision of third party agreement.

To date no evidence of third party agreement has been submitted which would confirm the applicant's ability to provide and maintain the required visibility splays.

The applicant has been given a long period of time to reach agreement with the neighbouring landowner, to allow them to form and maintain the required visibility splays across the neighbouring fields, however, at the time of writing this report, no agreement had been reached on this matter and as such the applicants have failed to demonstrate that the site can be served by a safe access. With this in mind the application is recommended for refusal on this basis.

Water Supply and Drainage (PP3, EP12 and EP13)

Proposed drainage arrangements comprising foul drainage disposed of via a septic tank and soakaway and separate surface water soakaway are considered acceptable as there are no public sewerage systems in the locality. Moray Flood Risk Management have no objection to the approval of the application based on the information submitted and as such the proposals are compliant with policies PP3, EP12 and EP13.

Developer Obligations (PP3 and DP2)

An assessment has been carried out and an obligation has been identified towards healthcare which the applicants have confirmed they are agreeable to make.

The applicants have also agreed to provide the identified contribution required in relation to affordable housing as outlined in policies PP3 and DP2.

Were this application being approved, the applicants have confirmed that they would wish to enter into a legal agreement to secure their contributions and as such the proposals is considered compliant with policies PP3 and DP2 in this regard.

Recommendation

Based on all of the above, this application is recommended for refusal on the basis of failure to provide a safe access to serve the proposed house.

OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT

None

| HISTORY | | | |
|----------------------|--|-----------|-------------------------|
| Reference No. | Description | | |
| 10/00171/PPP | Planning Permission in Principle to erect one house at Site At Broadley Clochan Buckie | | |
| | Decision | Permitted | Date Of Decision |
| 05/01404/OUT | Outline planning for one house at Site At Broadley Clochan Buckie Banffshire | | |
| | Decision | Permitted | Date Of Decision |

| ADVERT | | |
|----------------------------------|--------------------------|-----------------------|
| Advert Fee paid? | Yes | |
| Local Newspaper | Reason for Advert | Date of expiry |
| Banffshire Advertiser and Herald | No Premises | 28/03/22 |
| PINS | No Premises | 28/03/22 |

| DEVELOPER CONTRIBUTIONS (PGU) | |
|--------------------------------------|----------------------|
| Status | Contributions sought |

| DOCUMENTS, ASSESSMENTS etc. * | | |
|---|---|--|
| <i>* Includes Environmental Statement, Appropriate Assessment, Design Statement, Design and Access Statement, RIA, TA, NIA, FRA etc</i> | | |
| Supporting information submitted with application? | 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: | | |

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

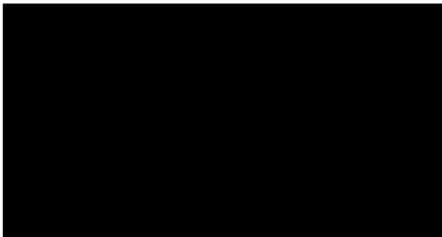


**MORAY COUNCIL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997,
as amended**

REFUSAL OF PLANNING PERMISSION

**[Fochabers Lhanbryde]
Planning Permission in Principle**

TO

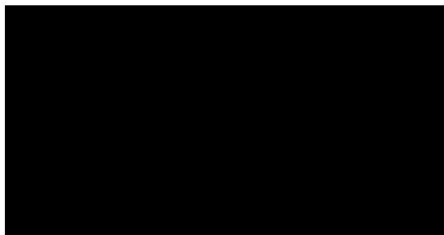


With reference to your application for planning permission in principle under the above mentioned Act, the Council in exercise of their powers under the said Act, have decided to **REFUSE** your application for the following development:-

Erect dwellinghouse on Site At Broadley Clochan Buckie

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

Date of Notice: **28 November 2022**



HEAD OF ECONOMIC GROWTH AND DEVELOPMENT

Economy, Environment and Finance

Moray Council

PO Box 6760

ELGIN

Moray

IV30 1BX

IMPORTANT
YOUR ATTENTION IS DRAWN TO THE REASONS and NOTES BELOW

SCHEDULE OF REASON(S) FOR REFUSAL

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

The proposal is contrary to policy DP1 of the Moray Local Development Plan 2020 for the following reason:

1. The development would result in an intensification of use of the access junction onto the public road, where there is presently restricted visibility and which would be likely to give rise to conditions detrimental to the road safety of road users contrary to Moray Local Development Plan policy DP1 'Development Principles' section (ii) - 'Transportation', part 'a)' (safe entry and exit).

LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT

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

| Reference | Version | Title |
|------------------|----------------|---------------|
| BNF5563 | | Location plan |

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

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

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