



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 100587093-001

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

Description of Proposal

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

First floor dormer window extension, extension of pitched roof over single storey flat roof, rebuild and adjoin garden store to house to create a bedroom

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

No Yes - Started Yes – Completed

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Nick Midgley Design		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Nick	Building Name:	Feral Studios
Last Name: *	Midgley	Building Number:	
Telephone Number: *	07711182313	Address 1 (Street): *	Wellington Mills
Extension Number:		Address 2:	Quebec Street
Mobile Number:	07711182313	Town/City: *	Elland
Fax Number:		Country: *	England
		Postcode: *	Hx5 9AS
Email Address: *	nick@nickmidgleydesign.co.uk		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Ms	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Claire	Building Number:	35
Last Name: *	Lambert	Address 1 (Street): *	Gordon Street
Company/Organisation	Claire Lambert	Address 2:	Portgordon
Telephone Number: *	+447703279547	Town/City: *	Buckie
Extension Number:		Country: *	UK
Mobile Number:		Postcode: *	AB56 5QR
Fax Number:			
Email Address: *	claire.home@talk21.com		

Site Address Details

Planning Authority:

Moray Council

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

Address 1:

35 GORDON STREET

Address 2:

PORTGORDON

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

BUCKIE

Post Code:

AB56 5QR

Please identify/describe the location of the site or sites

Northing

864334

Easting

339940

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)

Pre App written and telephone conversation 21/01027/PEHOU

Title:

Ms

Other title:

Planning Technical Assistant

First Name:

Teresa

Last Name:

Ruggeri

Correspondence Reference Number:

21/01027/PEHOU

Date (dd/mm/yyyy):

19/09/2021

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.

Trees

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

Yes No

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

Access and Parking

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

Yes No

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

Planning Service Employee/Elected Member Interest

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

Yes No

Certificates and Notices

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

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

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

Yes No

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

Yes No

Certificate Required

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

Certificate A

Land Ownership Certificate

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

Certificate A

I hereby certify that –

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

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

Signed: Nick Midgley

On behalf of: Claire Lambert

Date: 20/07/2022

Please tick here to certify this Certificate. *

Checklist – Application for Householder Application

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

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

Continued on the next page

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

You can attach these electronic documents later in the process.

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

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

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

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

Declare – For Householder Application

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

Declaration Name: Mr Nick Midgley

Declaration Date: 20/07/2022

Payment Details

Online payment: 261169
Payment date: 20/07/2022 17:23:31

Created: 20/07/2022 17:23

35, Gordon Street, Portgordon, Moray, AB56 5QR



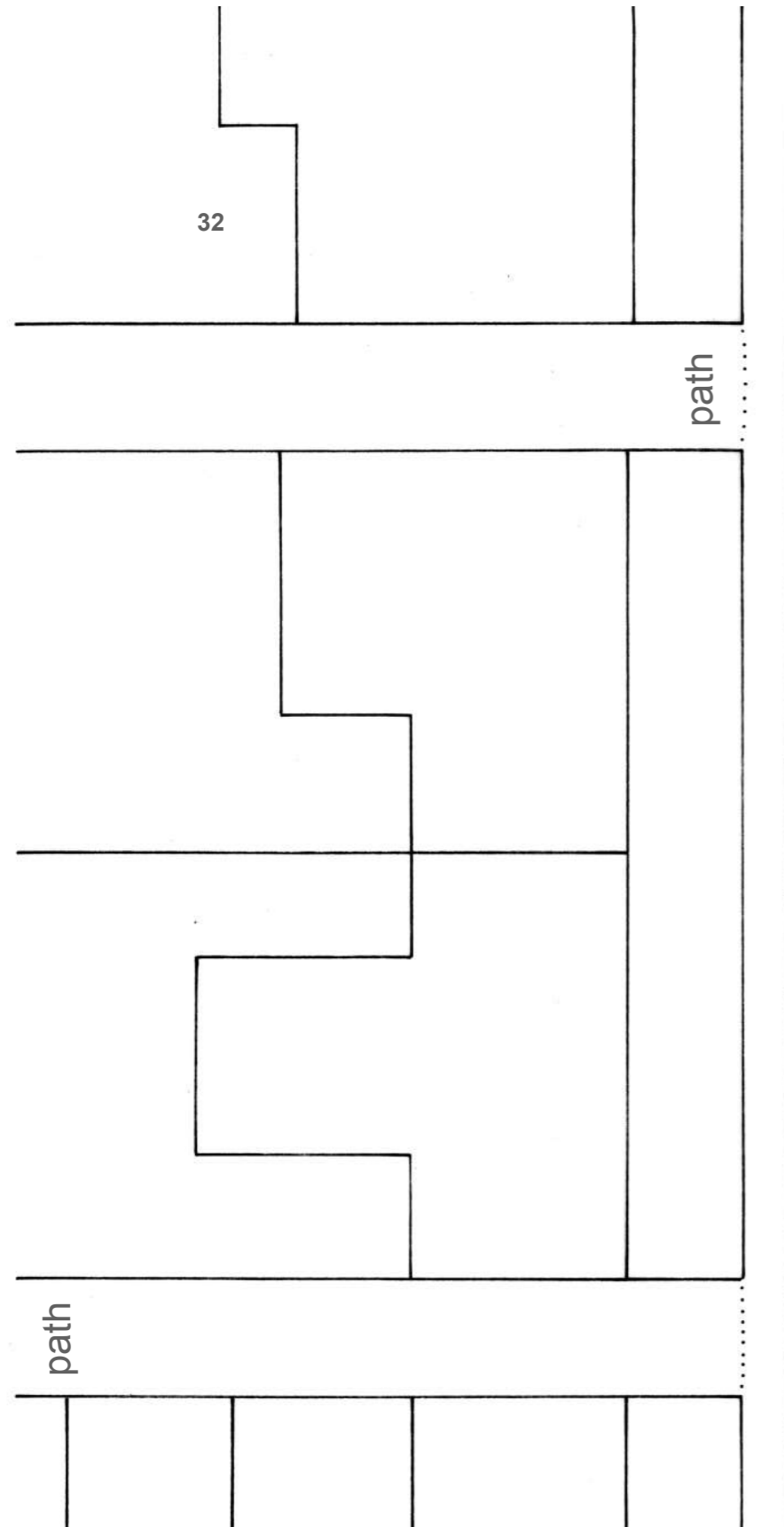
Block Plan shows area bounded by: 339873.25, 864276.25 340001.25, 864404.25 (at a scale of 1:500), OSGridRef: NJ39936434. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

Produced on 22nd Jun 2021 from the Ordnance Survey National Geographic Database and incorporating surveyed revision available at this date. Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey. © Crown copyright 2021. Supplied by www.buyaplan.co.uk a licensed Ordnance Survey partner (100053143). Unique plan reference: #00644243-EC8F26

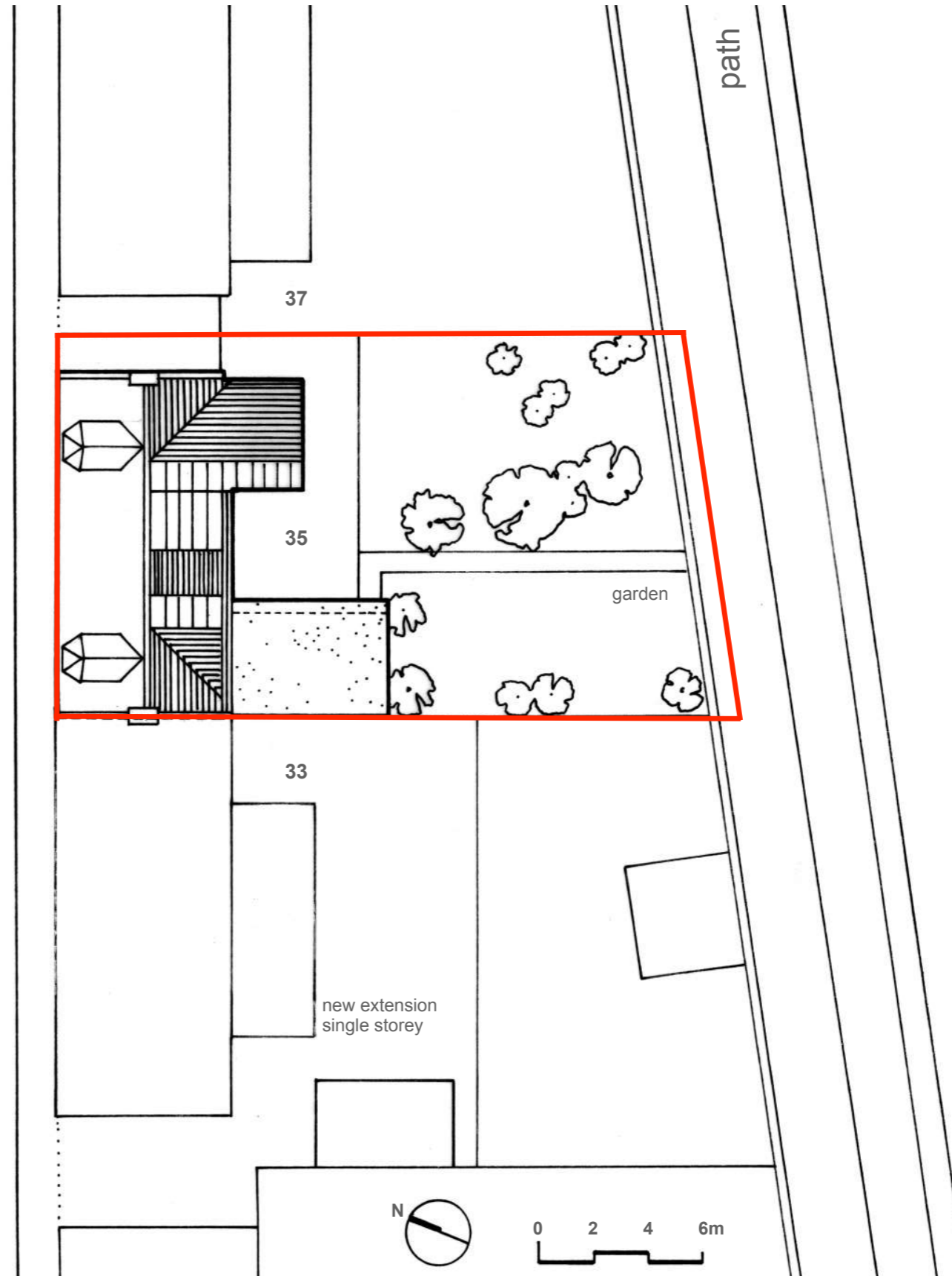
Ordnance Survey and the OS Symbol are registered trademarks of Ordnance Survey, the national mapping agency of Great Britain. Buy A Plan logo, pdf design and the www.buyaplan.co.uk website are Copyright © Pass Inc Ltd 2021



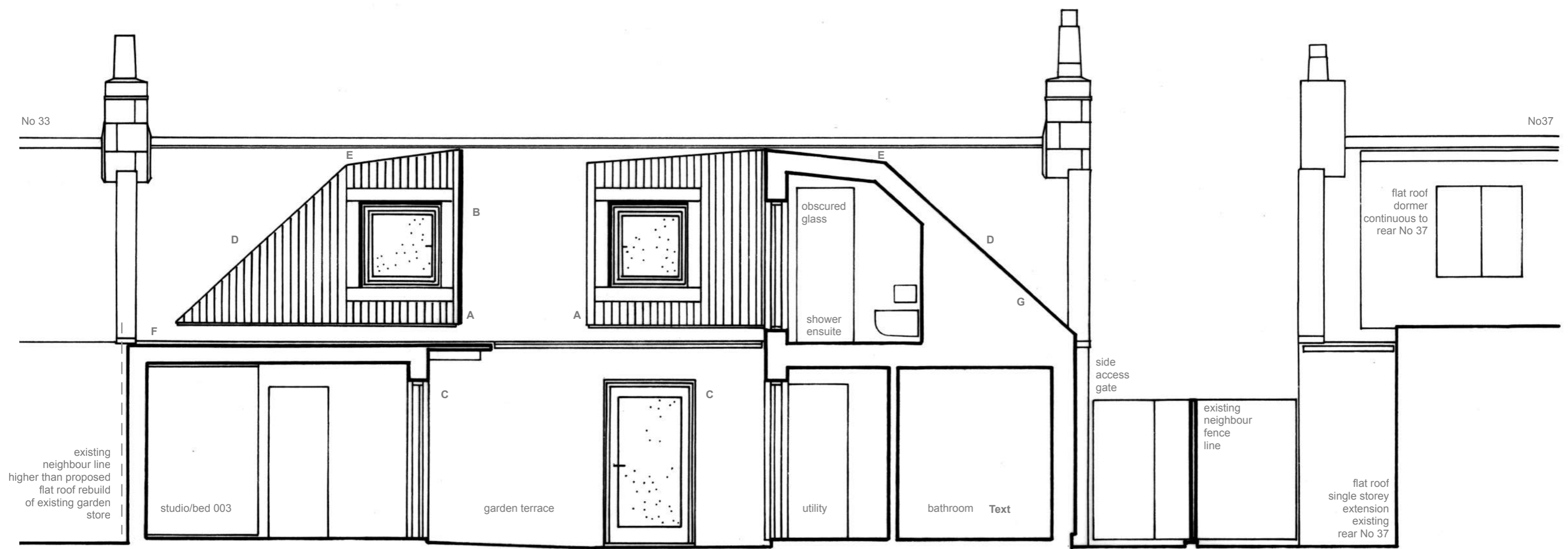
PROPOSAL - site plan & roof 1:200 @ A3 sheet size



GORDON STREET



PROPOSAL - elevation view from south - section AA 1:50 @ A3 sheet size

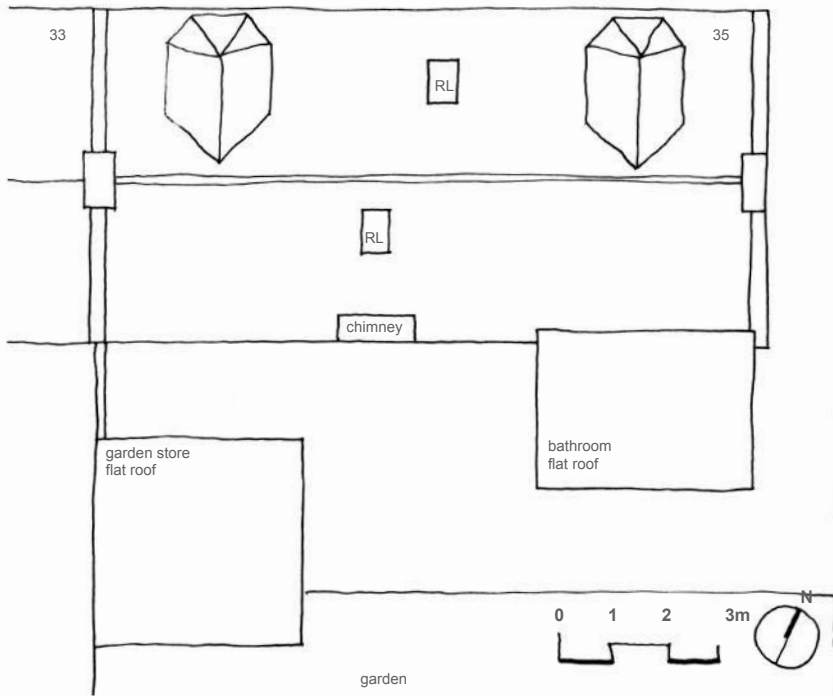


- A - smooth sawn vertical larch plank cladding T&G jointed
Sadolin Extra high performance satin black wood stain
low maintenance finish
- B - contrast natural stained/oiled framing larch plank
- C - triple glaze Danish alu skin mid grey Eco windows
& doors - laminated composite softwood
- D - existing slate roof relaid - new reclaimed slating to match
- E - pitched standing seam self coloured lead/alu metal roofing
- F - green living roof Sedum planted overhang/shelter to east
- G - near Passiv Haus insulated timber frame eco structure
airtight construction - low embodied carbon build

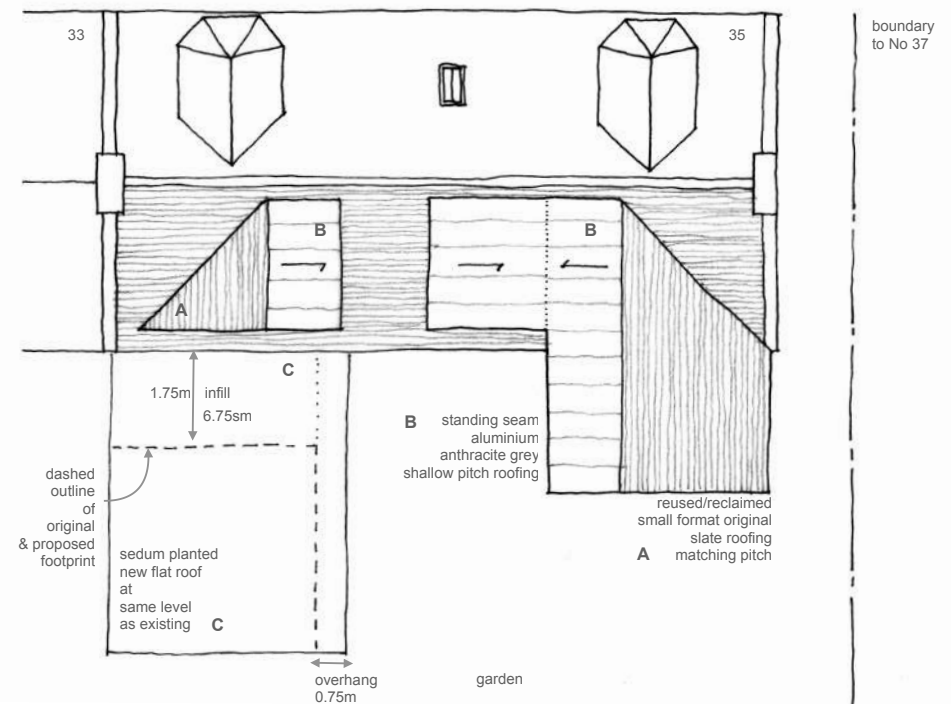


EXISTING & PROPOSED - roof plan 1:100 @ A3 sheet size

EXISTING roof plan

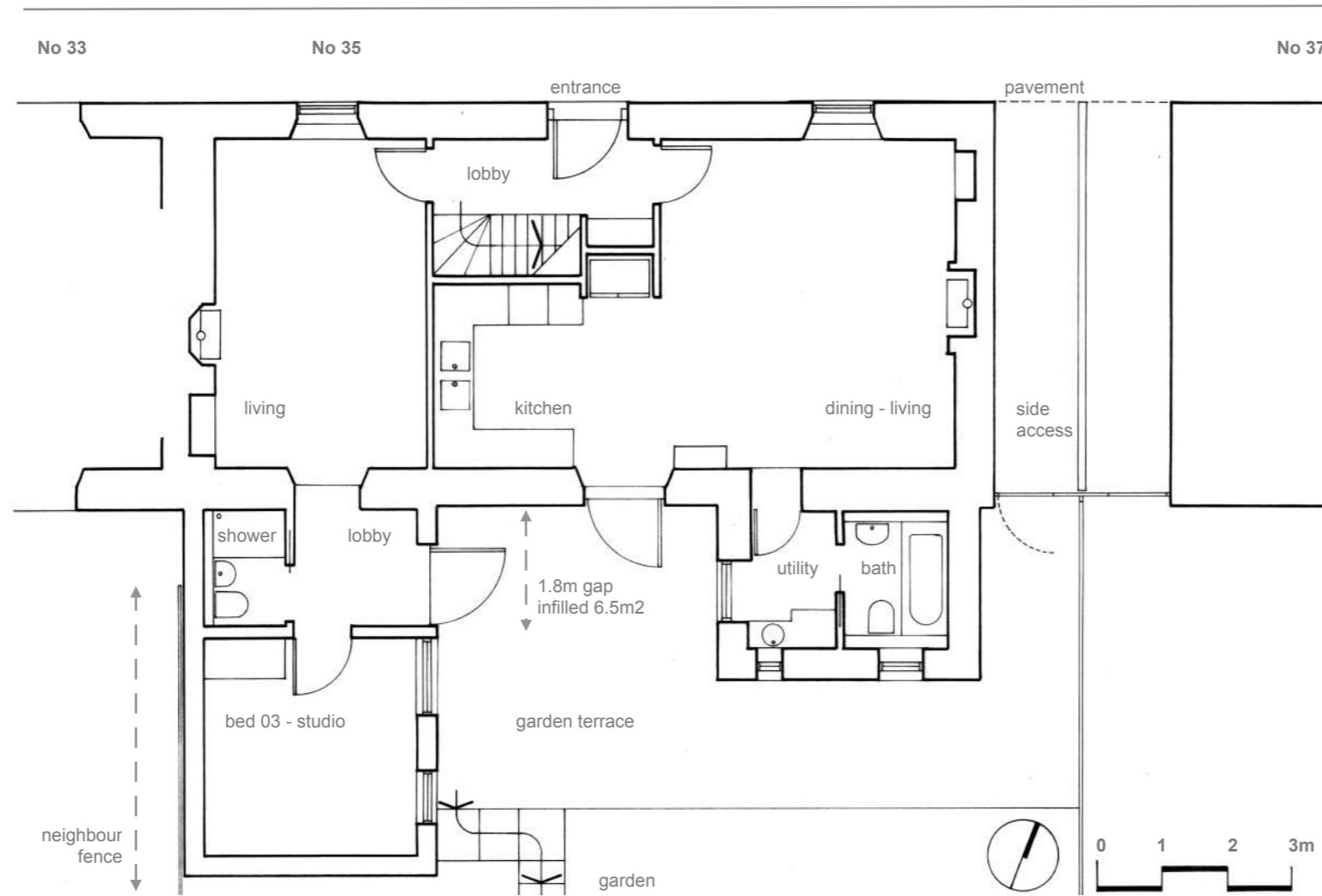


PROPOSED roof plan



PROPOSAL - ground floor plan 1:100 @ A3 sheet size

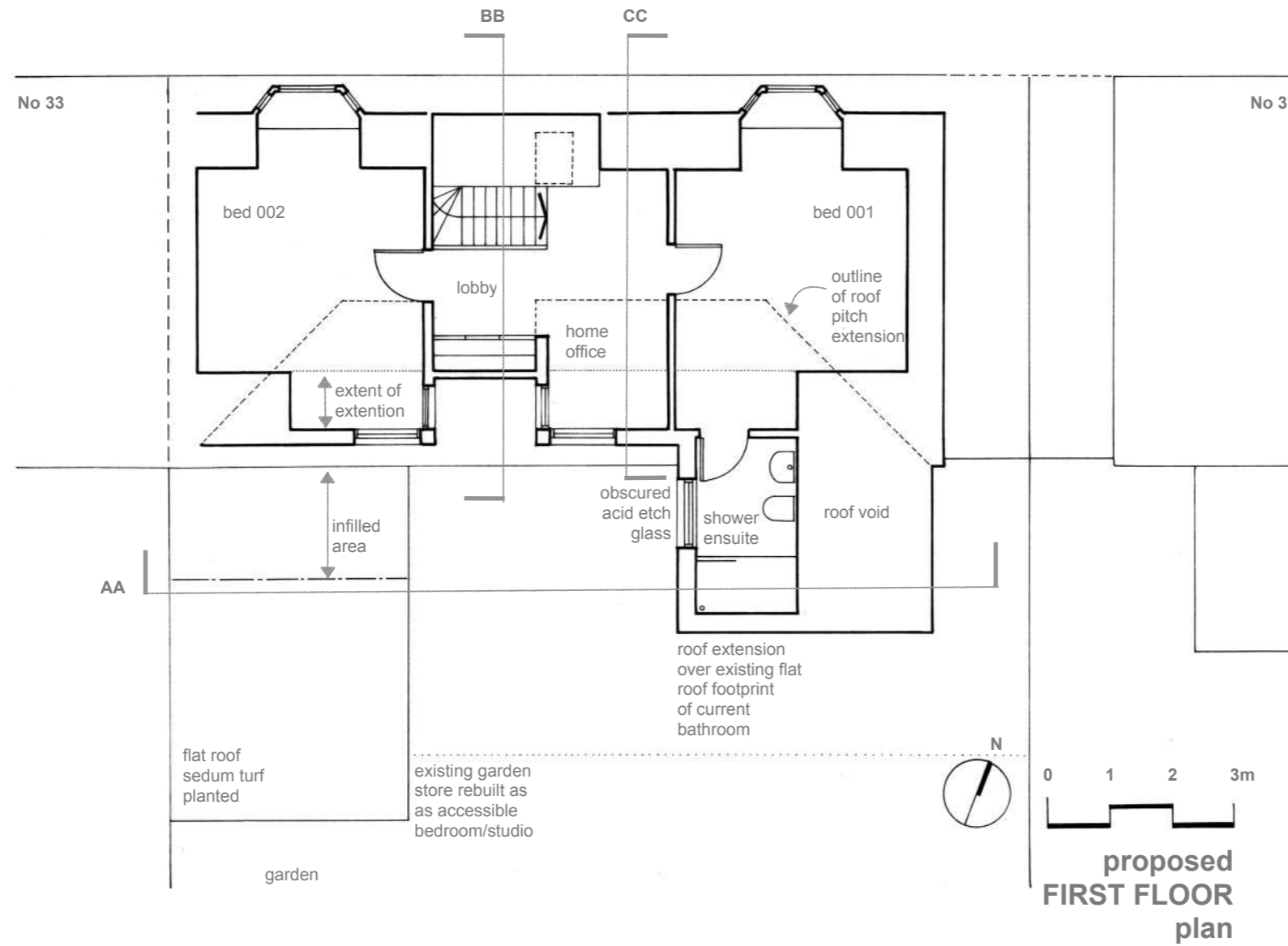
GORDON STREET



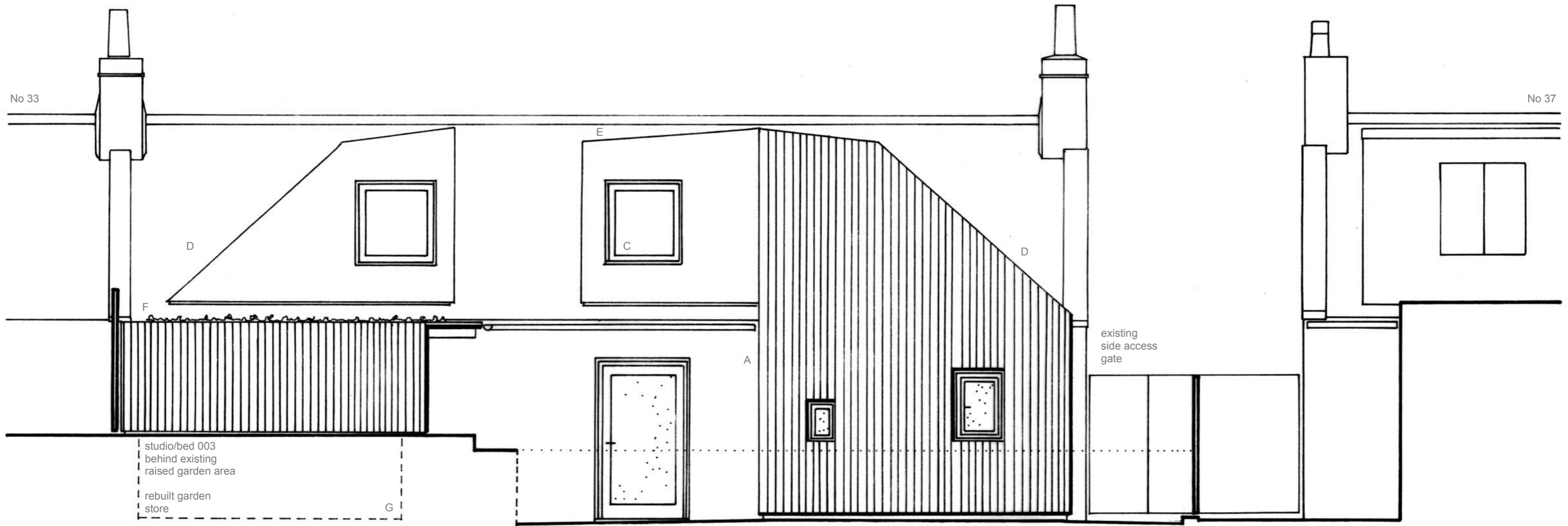
proposed
GROUND FLOOR
plan

PROPOSAL - first floor plan 1:100 @ A3 sheet size

GORDON STREET



PROPOSAL - elevation view from south 1:50 @



studio/bed 003
behind existing
raised garden area

rebuilt garden
store

A - smooth sawn vertical larch plank cladding T&G jointed
Sadolin Extra high performance satin black wood stain
low maintenance finish

B - contrast natural stained/oiled framing larch plank

C - triple glaze Danish alu skin mid grey Eco windows
& doors - laminated composite softwood

D - existing slate roof relaid - new reclaimed slating to match

E - pitched standing seam self coloured lead/alu metal roofing

F - green living roof Sedum planted overhang/shelter to east

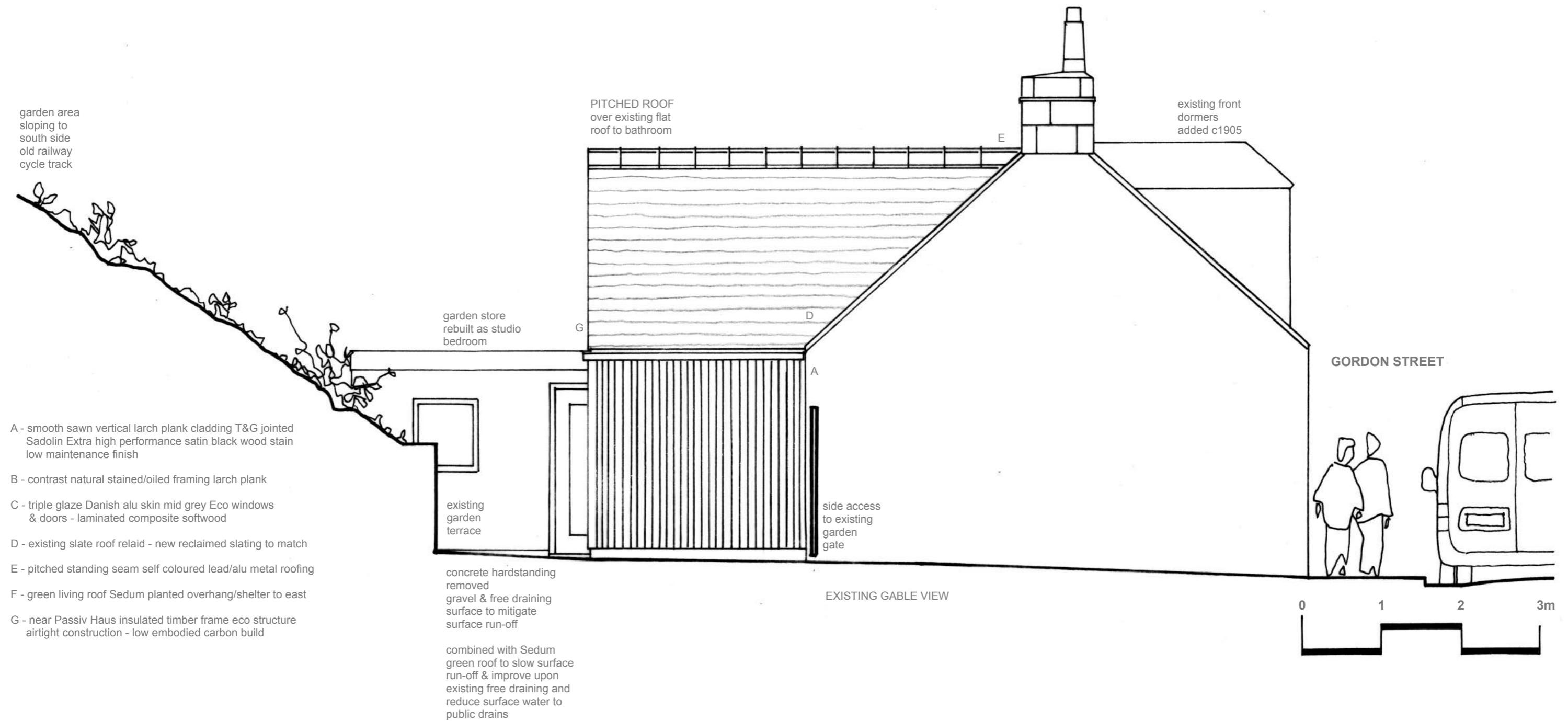
G - near Passiv Haus insulated timber frame eco structure
airtight construction - low embodied carbon build

bed 001 ensuite/shower
over existing flat roof
bathroom

existing
side access
gate

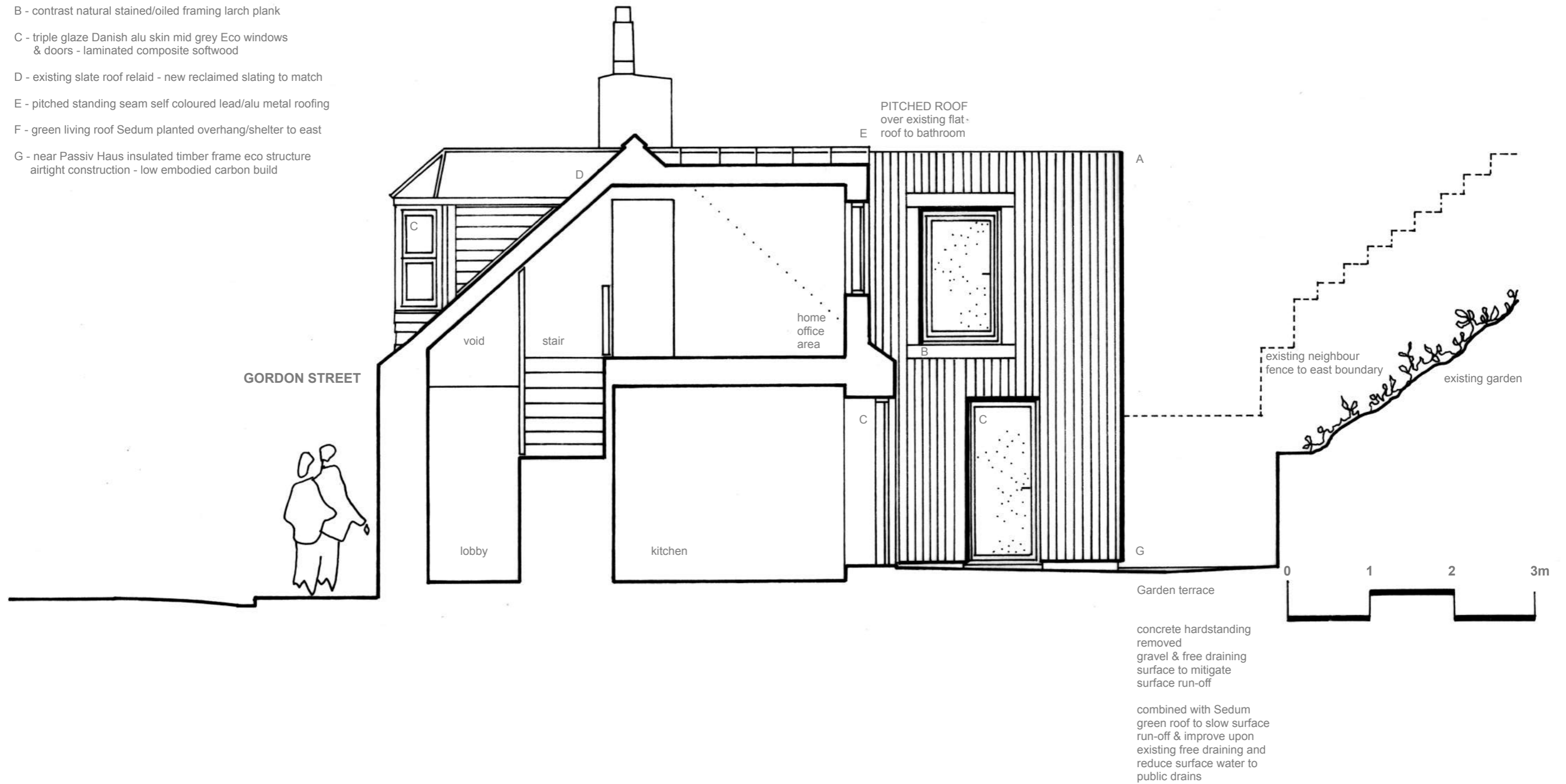


PROPOSAL - elevation view from east 1:50 @ A3 sheet size

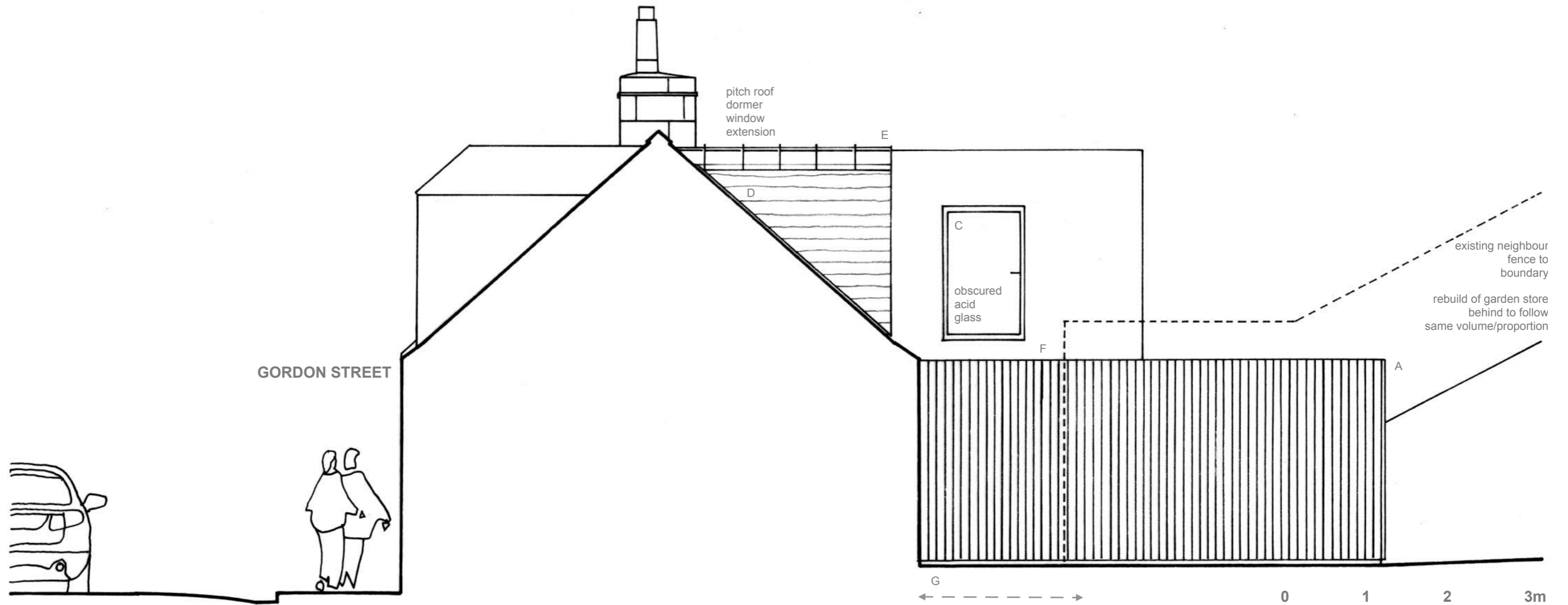


PROPOSAL - elevation view from west 1:50 @ A3 sheet size

- A - smooth sawn vertical larch plank cladding T&G jointed
Sadolin Extra high performance satin black wood stain
low maintenance finish
- B - contrast natural stained/oiled framing larch plank
- C - triple glaze Danish alu skin mid grey Eco windows
& doors - laminated composite softwood
- D - existing slate roof relaid - new reclaimed slating to match
- E - pitched standing seam self coloured lead/alu metal roofing
- F - green living roof Sedum planted overhang/shelter to east
- G - near Passiv Haus insulated timber frame eco structure
airtight construction - low embodied carbon build



PROPOSAL - elevation view from west 1:50 @ A3 sheet size



- A - smooth sawn vertical larch plank cladding T&G jointed Sadolin Extra high performance satin black wood stain low maintenance finish
- B - contrast natural stained/oiled framing larch plank
- C - triple glaze Danish alu skin mid grey Eco windows & doors - laminated composite softwood
- D - existing slate roof relaid - new reclaimed slating to match
- E - pitched standing seam self coloured lead/alu metal roofing
- F - green living roof Sedum planted overhang/shelter to east
- G - near Passiv Haus insulated timber frame eco structure airtight construction - low embodied carbon build

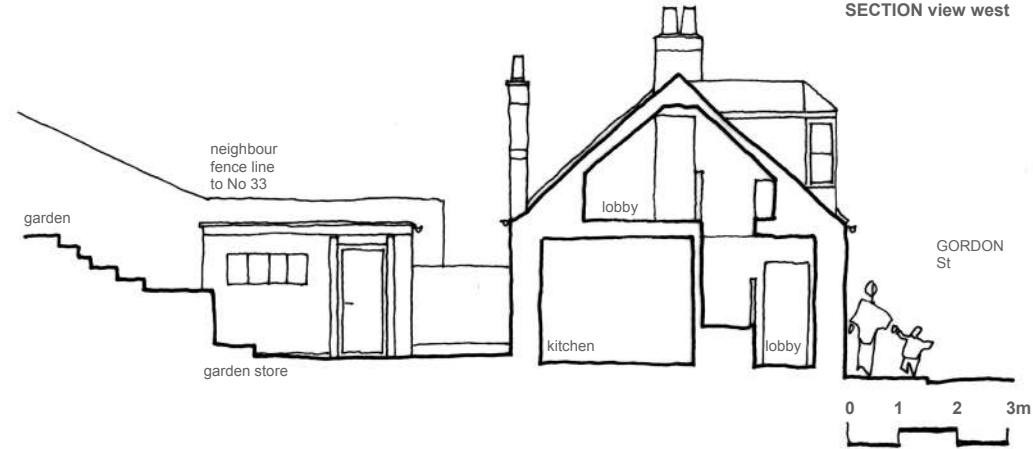
G
←-----→

New section
infill build
to join existing
garden store to
house as
studio/bed 003

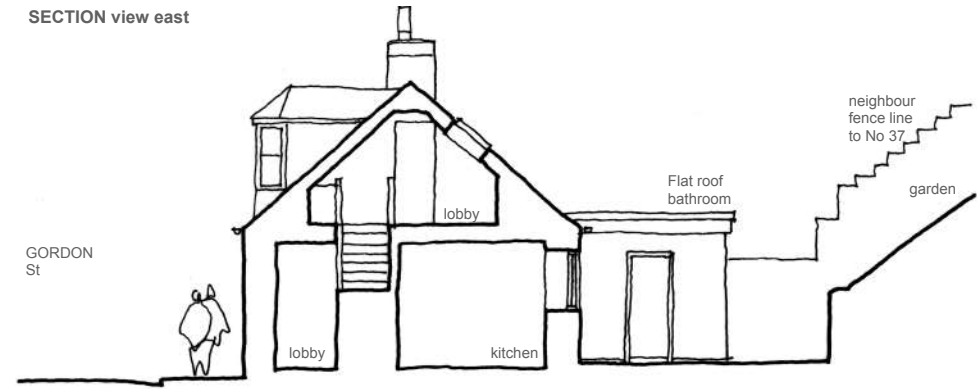


EXISTING - elevations & sections 1:100 @ A3 sheet size

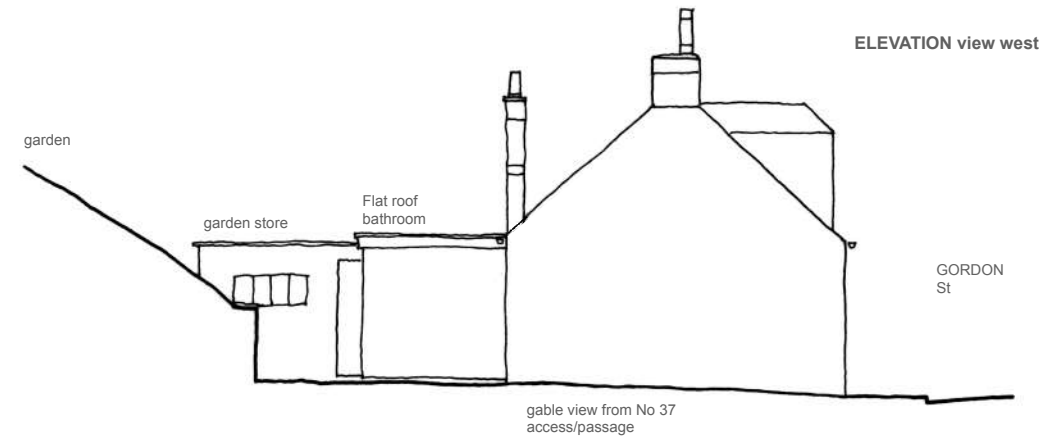
SECTION view west



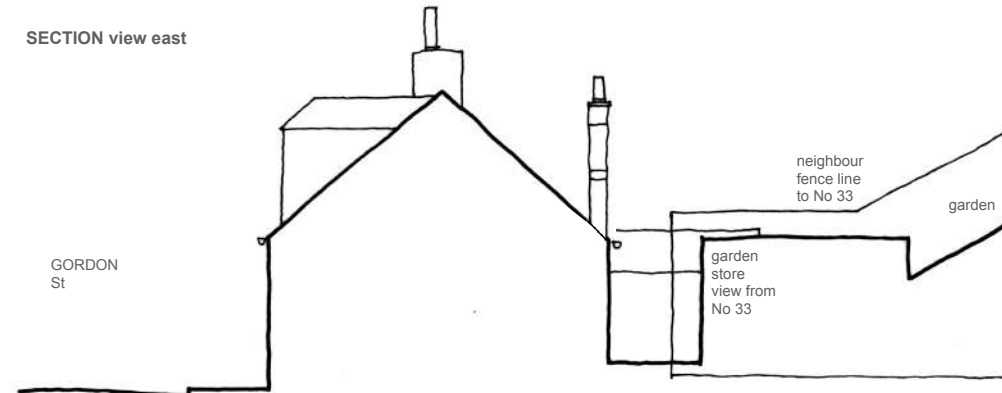
SECTION view east



ELEVATION view west



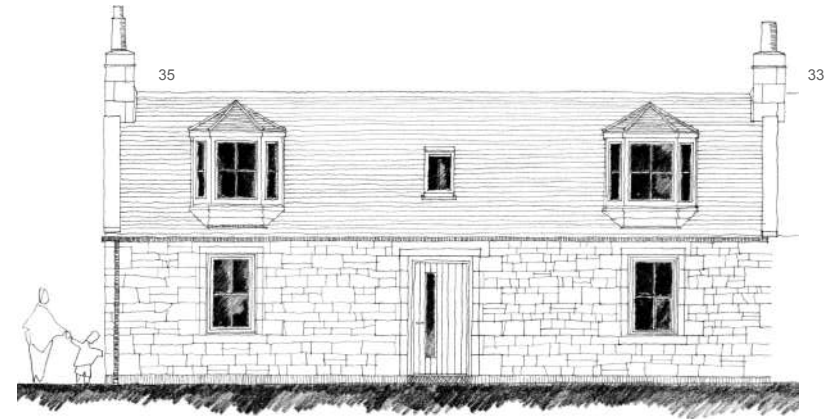
SECTION view east



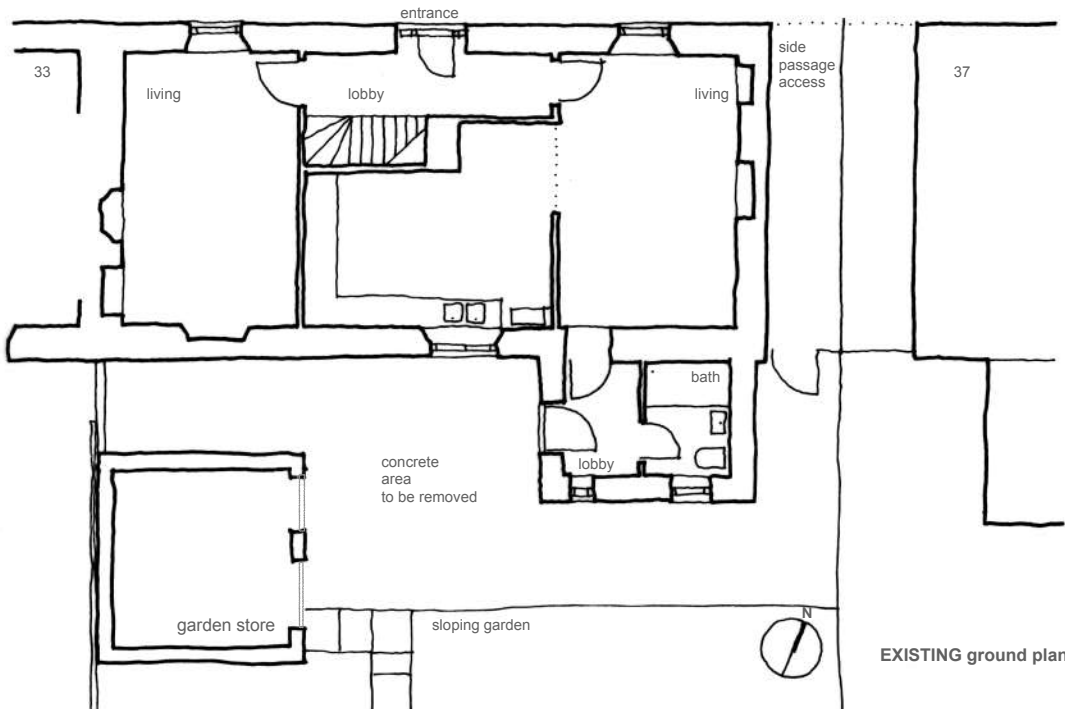
EXISTING - plans & elevations 1:100 @ A3 sheet size



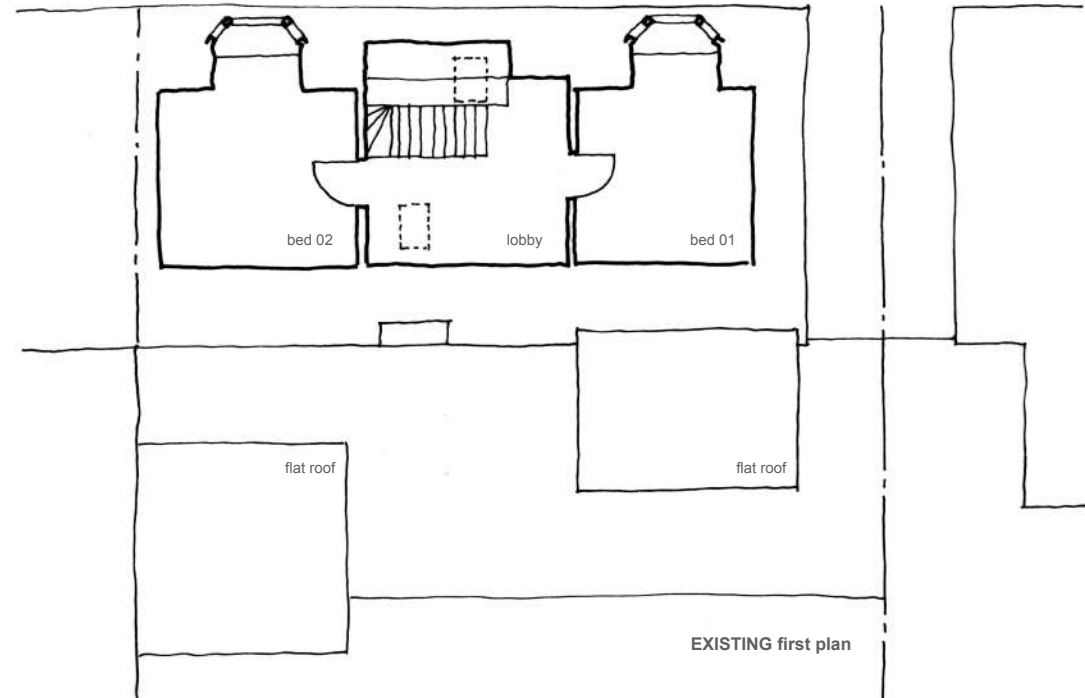
EXISTING rear south elevation from garden



EXISTING front north elevation - shown for information not part of application



EXISTING ground plan



EXISTING first plan

35 GORDON STREET Portgordon AB56 5QR
Ms C Lambert

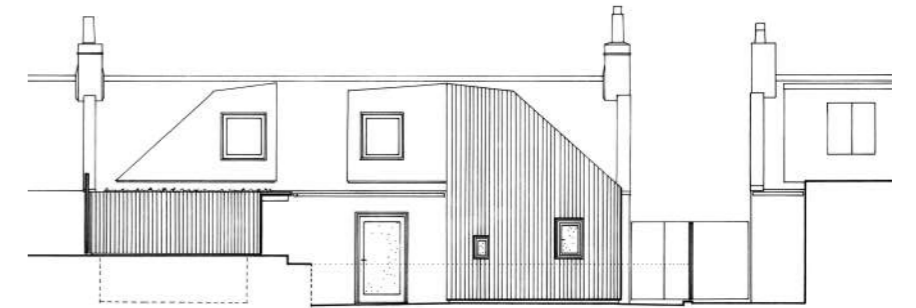
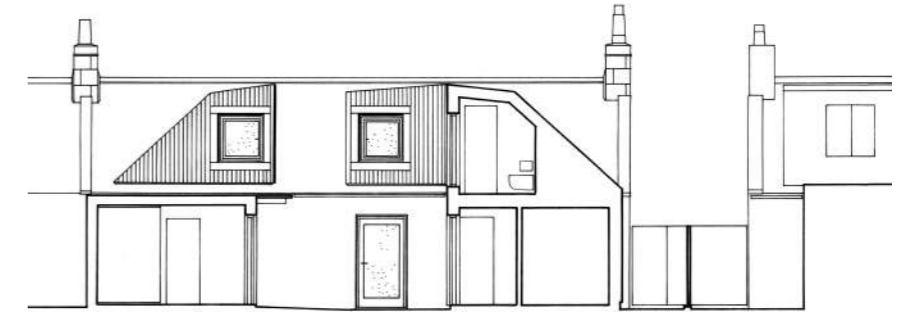
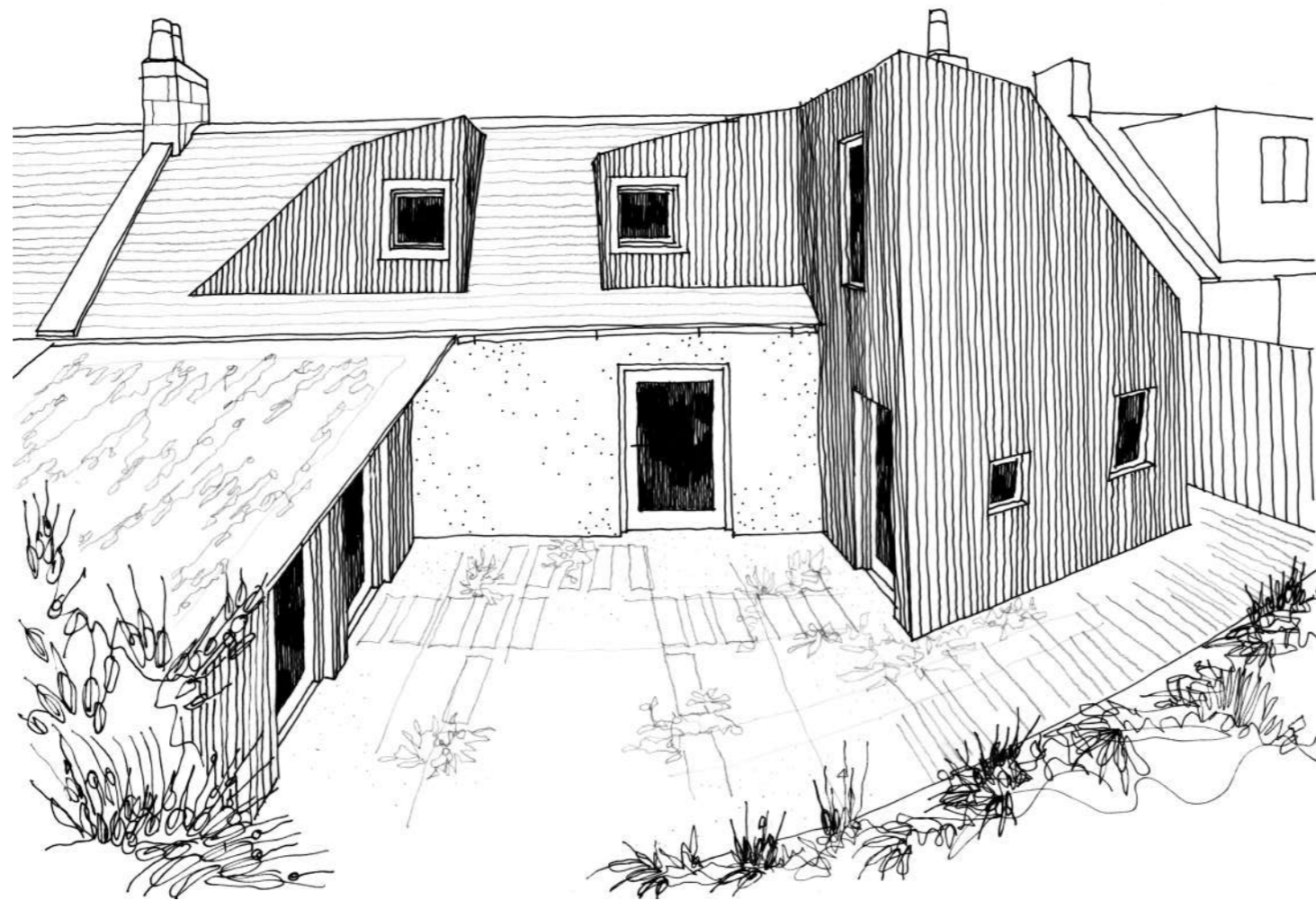
NMD[©]

historic
contemporary
contextual

PROPOSAL - perspective view from south



Buro Wagner
Munich Ho.
© domus.it



Alain Carle architecte
Quebec Ho.
© dezeen

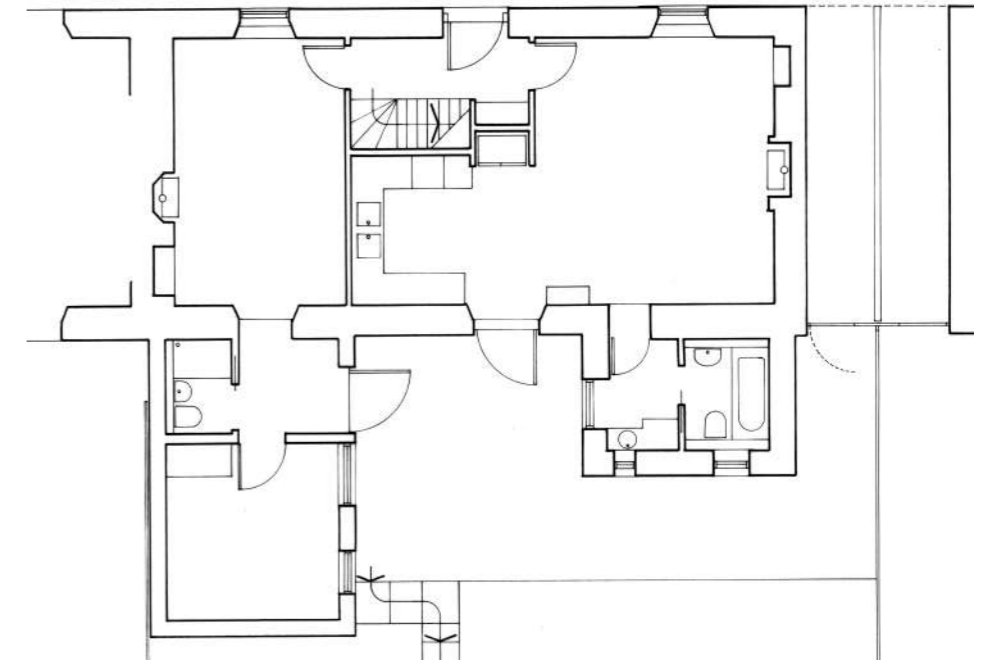


35 GORDON STREET Portgordon AB56 5QR
Ms C Lambert

NMD[©]

historic
contemporary
contextual

PROPOSAL - perspective view from south east



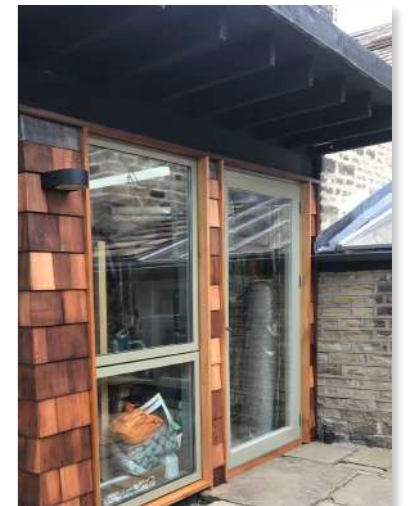
Sommerhaus
© Fryd - Torben Eskerod



Dyke Ho
© Argen Reas Architekten



Brock Cottage
©NMD



35 GORDON STREET Portgordon AB56 5QR

Ms C Lambert

NMD©

historic
contemporary
contextual

PROPOSAL - location context plan - not to scale



east end Gordon St foreshore



view east from No. 35



former coastal railway path



view north at west end Gordon St

view west from No. 35



view north from No. 35



No. 35 Gordon St



note:

extensions tight on neighbour boundaries at 23 25 27 & 17 19

No. 17 Gordon St 18/00193/APP two storey extension on boundary in contemporary style with distinctive mono pitch roof

view west over east end Gordon St



foreshore



common access track to foreshore

POR.P.001.22

Fiona Olsen Assoc RTPI
Planning Officer

Economic Growth & Development
The Moray Council
High Street
Elgin
IV30 1BX

Friday 26th August 2022

Dear Ms Olsen

22/01066/APP 35 Gordon Street, Portgordon AB56 5QR

Thank you for your attention and the email 22.08.2022, we note the positive response with regard to the Archaeological Photo survey, the submission relationships and intent for the existing flat roofing and the overall scope of development.

To pick up on your comment regarding the roof top extension design proposals for the accommodation, we will address this in respect of:

- design
- context
- policy
- precedent

DESIGN

The scope of the proposals are modest and **does not** include any structure which can be construed to be a **'box dormer'**, the Moray Local Development Plan 2020 Vol 1 page 35 DP1 para 'g' states that *"Pitched roofs will be preferred to flat roofs and box dormers are not acceptable"* - this is not a great intent

change from previous H4 policy [which still fostered in certain situations until 2020 box dormers in particular settings].

Our discussion via telephone with Shona Stachan late September 2021, advised us that as an authority **you could not offer advice** through our Pre App 21/01027/PEHOU, though she discussed the use of 'catslide' dormers [which we explained would not create usable space - see below] and how we needed to be supporting our submission with a strong contextual design & heritage statement, this along with the design development we have now done. We are clear that the current design proposals move away from the Pre App starting point and foster a much more crafted vernacular design response, that is in context with the location character and the host dwelling. We wrote with earlier sketch proposals to Shona Strachan 21.09.2021 to try to foster a dialogue to move forward, so our client finds it disappointing that it is only now that we are garnering response to a very detailed and carefully presented submission and design.

We are with this proposal **only** creating at ground level 6.5sm of new space and in the roof c11sm in comparison to an overall building footprint of 100sm of space, 28sm of which is within compromised sloping roof areas between 850-1900mm high. The additions cleverly, without an enlarged footprint and with less than a 20% space increase, creates the opportunity for good modern multi generational family living space.

We have consulted with the neighbours and all are very happy to support the changes and keen to help to regenerate with the applicant the dwelling, which had been empty and on the property market for several years.

The proposal overall is a holistic response to the property and setting, the solution proposed has not been arrived at lightly, there has been a considered approach with the applicant to develop a modern 21st C response within the framework of an historic property in an historic setting.

Our client/the applicant is a historian who currently lives in a 1776 cottage property, where we have assisted with contemporary inventions and extensions over a 20 year period. She fully appreciates the historic context and the ebb and flow of societal needs through time, that have formed the character of Portgordon and its varied architecture, whilst also needing to create a family home for multi generational living, that will ultimately also accommodate her octogenarian mother, which is why the ground floor is laid out to provide for easy access and an amount of privacy with the garden bedroom/studio space.

This leads the first floor to accommodate family bedrooms and an area for home working.

Historically the first floor accommodation was all work space, storage etc. ancillary to rudimentary ground floor living and bed spaces.

We illustrated in our Design Statement page 5, the earlier neighbour 37/39 attached extension of a steeply/mansard roofed sail or net loft in a likely black tar stained timber with a flat top - a direct reference for our design and a form typical

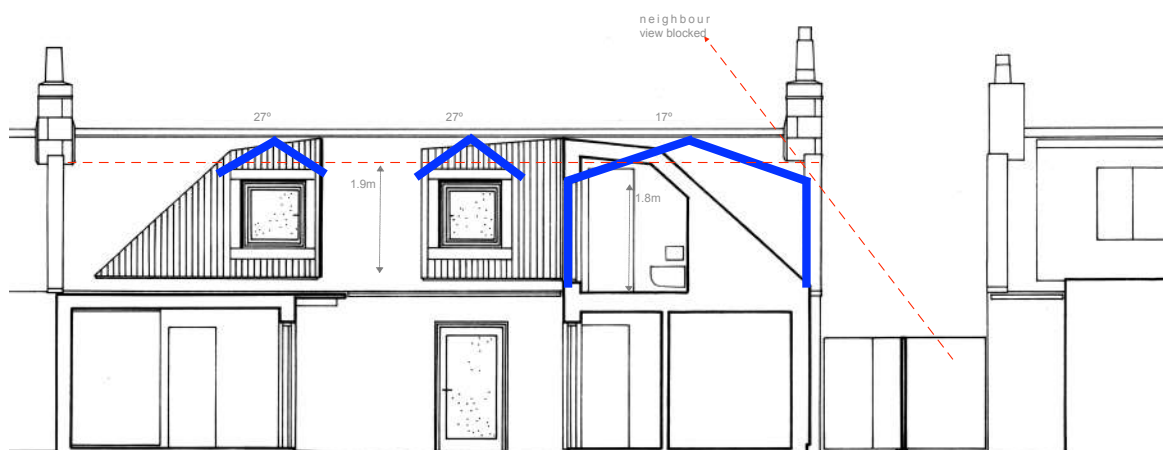
of this immediate part of the coastal settlements. There is still a smoker with a juxtaposition of roof adjuncts in Buckpool attached to a residential property. The area is full of varied forms that have evolved with the social and economic change over time - this area is not a static showpiece theme park but a living community. Portgordon has through its Community Trust in the village made leaps and bounds in starting to regenerate the village for the community and this proposal is just a small part of that process.

By forming a pitched roof over the existing bathroom, we remove a flat roof, we present a pitched roof to the neighbour boundary - not a two storey blank wall [see illustration below] projecting 3m into the eye line behind Nos 35/37 and at over 4.5m it would be inappropriate to tower over the rear aspect of No 37.

This mark-up shows the bulk of your proposed suggestion over the bathroom, to effect a full 1.8m head height throughout is not necessary and would create a disturbing scale and mass of architecture in this context. The wall would be a blank

The applicant is to use the 'void' space created as storage to maximise the roof volume off the bedroom, you'll notice from the plan layout these properties afford very little useful cupboard or storage. So the space is not wasted and we are distinct in our intention not to project back from the existing house a large **box-like** structure that would dwarf the neighbour at No 37.

We have approached the design to encompass many aspects, taking a holistic view to all aspects of design, context, use, environment and build costs - this creates a tight equation for the proposal. Internally the height of the existing bed-



rooms is only 1.95m in a narrow strip in the centre of the house, the doorways are less than standard at 1.8m, that's 100mm lower than the norm. The narrow bay windows to the front elevation to effect pitched roofing of around 27° only provide 1.9m height - usually domestic accommodation is at height of 2.4m.

To afford the most balanced and sensible arrangement for the first floor accommodation we have only added a small amount of floor area, created within pitched roof form volume, setback from the eaves of the main house.

You'll note [above] to squeeze the accommodation under quasi traditional pitches, using matching slate to a buildable pitch, shows that we lose floor area and internal height, creating awkward space akin to the narrow frontage bays - non of these arrangements would allow proper head height, positioning furniture, storage or wardrobes - this would afford no benefit or logical reason to build such forms as they would be properly unusable. Equally building in these forms will increase costs, due to major alterations to the existing roof, with the addition of steel beams, propping down through to the ground floor, disturbing the living area plan arrangement and easily doubling the roof level build costs - just to afford non sensical forms - the extra expenditure would force the budget to be rebalanced and the environmental benefits intended are the most likely cost cuts, damaging the ecological advantages that our client intends.

The existing proposal seeks to maximise the available height on the rear of the property - where there is no visual intrusion - new roofing in a shallow pitched standing seam zinc or aluminium is creative and allows us to maximise volume where it is needed, this is not a flat roof and is **not a box dormer**, a box dormer would have a 1:80 near flat roof and blank vertical sides - our proposal is fully pitched a 3D form, it creates no inward views that have blank square walling in any relationship to a 'box dormer' - we contradict you, there is no view as you state '*from the west*', the neighbour at No 33 would have no view of the ensuite proposal and there are no views into the proposal in the context of the village that would construe the proposals to be a box dormer.

The only potential is for a very distant oblique views from the coastal trail, views from here would not afford anything but an 'birdseye' aspect looking down on the pitched roof dormer proposal and the 'L' shaped ensuite addition with roof pitches in two directions.

Coastal trail views - we show these images to illustrate that the pitched forms will only be viewed from above with viewing angles from the south



view form SW



view from south



view form SE

The dialogue for the architectural style is covered in our Design Statement pages 9-12 shortened here:

*“contextually the intent for the new build rear/south additions, is to carefully moderate the scale and form, the roof level additions are to be built within the roof and to reuse the existing slate for the new pitches, the ‘dormer’ window arrangements are to be **varied pitched forms***

*relating to the examples of vernacular forms and secondary adjuncts to dwellings found locally around Portgordon and in the immediate coastal vicinity - forms that reflect the sheds **and additions to older dwellings***

but we have with crisp architectural detail and careful selection of materials, attempted to design a response that is 21st C, whilst borrowing its lead from history.

The additions will be subtle and secondary to the host dwelling, of a scale and form that marries well in local context and built in a manner that weathers well and requires simple yet minimal maintenance”

The backs of Portgordon properties show examples of additions good & bad - this is a thoughtful design, that marries the scale of additions sympathetically without ‘out of context slavish copies’ of a sub-urban pitched roof architecture that is not well represented locally.

We could discuss architectural style, form and the distinction between contemporary flat roof structures and when they become ‘box dormers’, though I think that is a fulsome architectural essay best saved for another day.

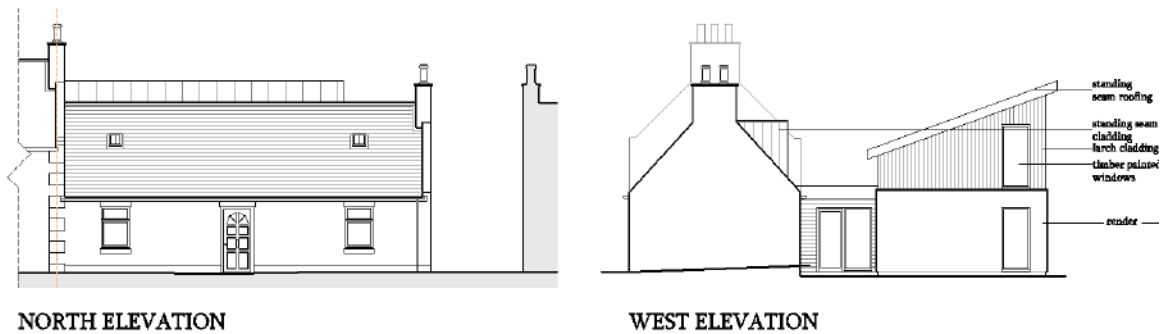
CONTEXT

The immediate local **south side of Gordon Street** displays many architectural forms:

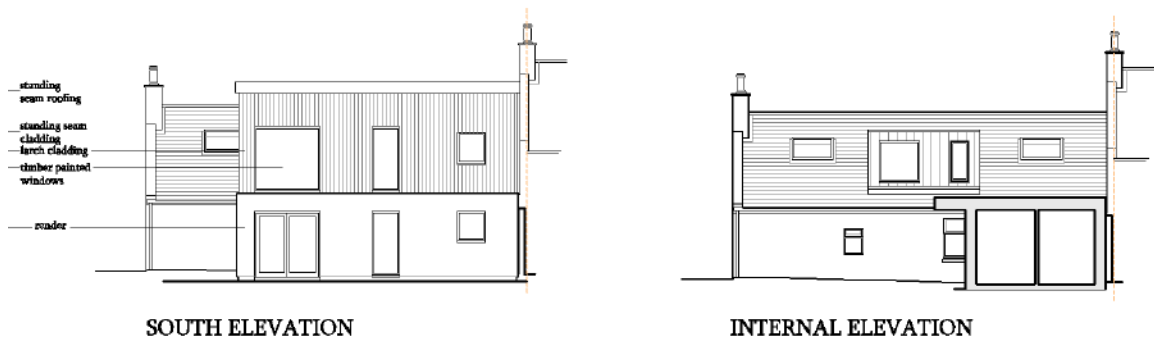
- a flat roof single storey extensive Permitted Development [PD] floor plate of new accommodation at **No 33** using up all the immediate amenity space - that has no relationship to the form of the back gardens, streetscape or historic floor plate of the host dwelling.
- a long 9.5m box dormer at 2nd storey on **No 37** over a long ground floor flat roof extension into the flat garden amenity space - box forms that dominate the host dwelling.
- flat roof extensions & box dormers to **Nos 39 & 41** to the east impinging on amenity space.
- flat roof garden extensions to **Nos 31 & 29** to the west with extensive box dormers.

- A large two storey mono pitch extension to the rear of **No 17** joined by a flat roof link and with a box dormer to the rear pitch approved **18/00193/APP**.

No 17



- the addition is a mono pitch roof higher than the existing cottage and can be clearly seen from neighbour property, public areas - it dominates the host dwelling, dwarfing the scale with a new massing, style & character that is totally different from the host dwelling and the neighbour properties.



- though this addition demonstrates how good quality design does integrate in this locality with the historic setting and host dwellings - even on a much larger scale dominating the host/context.

- the 'Report of Handling' for the No17's 18/00193/APP states [and there is no major change of intent in current DP1 policy from H4 in this instance]:

"Policy Assessment - Impact upon the surrounding locality (H4, IMP1)

The proposed extension is required to be assessed against Policy H4: House Alterations and Extensions and IMP1: Development Requirements in terms of style,

scale, proportions, materials and the potential impact on the surrounding area. The main issue for consideration is whether the proposal will have any adverse effects or impacts on the amenity of the existing house and the surrounding area, including any neighbouring dwellings.

The design of the proposed extension is considered to be acceptable and integrates well to the style, size, scale and proportions of the existing dwelling. The windows look out to the garden, given its location, distance and orientation of the extension from neighbouring adjacent properties it will not have a significant adverse impact on sunlight or daylight nor a significant overlooking or privacy issues in relation to this application, therefore the proposal is acceptable.

The neighbouring property also has a flat room extension in the rear of the property.”

We feel that these contextual examples show the submission proposal is relevant, even though you are saying

“I do not feel that these relate to the character of the existing property or surrounding area”

as this **is contestable** and in fact the character of the setting and the architecture locally is highly varied and displays good strong examples of how contemporary additions over the last 30-40 years have become integrated with the locality without causing overt harm.

The setting is **not a Conservation Area** and other than the height of the extension being at 1m over the allowable [4m] height of an extension within 10m of a boundary, for the roof over the existing bathroom, all aspects of the current proposal would be allowable under PD.

The applicant is minded that PD becomes the most **tempting revision** - to abandon the ensuite shower room proposal and compromise their aspirations due to this subjective interpretation of Planning Policy.

If we were submitting a proposal in a Conservation Area or with a scheduled/listed Historic host dwelling we usually mitigate against causing **harm**, this is key in such a situation, to balance the new proposals within the status quo and to judge if the proposals are harmful, a key point here is that the existing context is not uniform, rear views are very limited and screened, the mantra is

“what is meant by the conservation and enhancement of the historic environment? Conservation is an active process of maintenance and managing change. It requires a flexible and thoughtful approach to get the best out of assets”

We are clear and show here through example locally and regionally - and in our Design Statement pages 9-10, that even in this undesignated location we are with the applicant going above and beyond what is contextually required.

No visual or historic harm is being caused as the proposed additions can be clearly discerned as contemporary adjuncts and reflect development of architectural form over time.

POLICY

It is clear, that in the case of the application for Planning Permission there is a pre-disposition to support the applicant:

“refusing an application for planning permission solely on the grounds that it does not accord with the provisions of the development plan and without having had regard to other material considerations. Proper consideration should also be given to the merits of the application”

The applicant has committed at length to create a 21st refurbishment of the empty property, being prepared for capital investment in environmental aspects, that go well beyond the regulatory framework for new work to an existing dwelling. There is no requirement for the level of quality and responsibility that will be embodied in the design and the build [see Design Statement pages 12-15] intended.

If the proposed build changes were made at roof level, the substantially increased cost of construction would, as we explain above [page 4], lead to a re-evaluation of expenditure across the property refurbishment and definitely cause the downgrading of build quality and responsible positive environmental features would have to be removed and the contribution of the applicants intent to the future life and quality of the fabric of the building, the setting and the village stock of housing would be lost - it is not responsible to foster a 'style of architecture' purely on visual averages, it has to be a balance of environmental responsibility across all aspects of design and context.

The **Local Plan within PP1** states:

(i) Character and Identity - Create places that are distinctive to prevent homogenous 'anywhere' development

It refers to distinctiveness, architectural identity, detailing and materials - to create successful healthy places that encompass distinctive urban form.

We are conscious with the proposal that it's important not to have a slavish default to quasi traditional safety net of architecture - though nothing we propose here is challenging or offensive, despite our interpretation of traditional forms with a contemporary idiom.

The Local Plan DP1 states that:

*“Development Principles - will be applied reasonably taking into account the **nature and scale of a proposal and individual circumstances**”*

DP1 states it will support applications if:

*(i) Design a) The scale, density and character must be **appropriate to the surrounding area and create a sense of place** (see Policy PP1)*

We have demonstrated we are creating a sensitive, yet distinctive proposal that relates to the scale, setting and traditional coastal area - that fosters a sense of place and nearness to need.

We have created a proposal that can:

*d) Demonstrate how the development will **conserve and enhance the natural and built environment and cultural heritage resources**, retain original land contours and integrate into the landscape.*

And does not:

e) Proposals must not adversely impact upon neighbouring properties in terms of privacy, daylight or overbearing loss of amenity.

And embodies the need for:

h) Existing stone walls on buildings and boundaries must be retained. Alterations and extensions must be compatible with the character of the existing building in terms of design, form, choice of materials and positioning and meet all other relevant criteria of this policy.

*j) All developments must be designed so as to ensure that all new buildings avoid a specified and rising proportion of the projected greenhouse gas emissions from their use (calculated on the basis of the approved design and plans for the specific development) **through the installation and operation of low and zero-carbon generating technologies.***

The 2020 Moray Settlement Statement for Portgordon proposes:

- *Development Strategy / Placemaking Objectives*
- *Protect the character of the existing settlement*
- *Provide support for proposals to re- use the harbour*
- *To promote interest and encourage housing development on designated sites*
- *Development proposals in the Special Landscape Areas must reflect the traditional settlement character in terms of siting and design and respect the special qualities of the designation.*

We have demonstrated that there is protection of the character of the existing settlement, there is no visual intrusion and no extreme characterful harm. The host dwelling sits just out of the Special Landscape Area [SLA] designation and by nature of the scale, orientation and visual accessibility does not impinge on views in or out of the SLA.

By refurbishing and modernising an empty dwelling, this contributes to the re-generation of the whole village - this in turn contributes towards the new life and uses proposed for the harbour and the future generations of this important historic 'planned' harbour village.

PRECEDENT

We gave a few local examples in the Design Statement pages 9-10, of forms that present different aspects of contemporary change, that show the variation, what has been approved through previous Planning Applications and how these all form the character of an area.

The character of the area is made up of good and bad examples of change over time, though here we do work within a framework to foster holistically an improved environment - we say in our design studio we need to 'build back better', this is our starting point for all projects, to offer a quality of architecture that is visually exciting, creating an environment that nurtures and protects whilst embedding a responsibility towards exceeding energy regulations & offering design solutions to provide comfort & sustainability. There is a balance between aspiration & reality, we guide every project to a built form that is responsible & deliverable.

There are precedents in:

- West Bank GARMOUTH
15/02162/APP

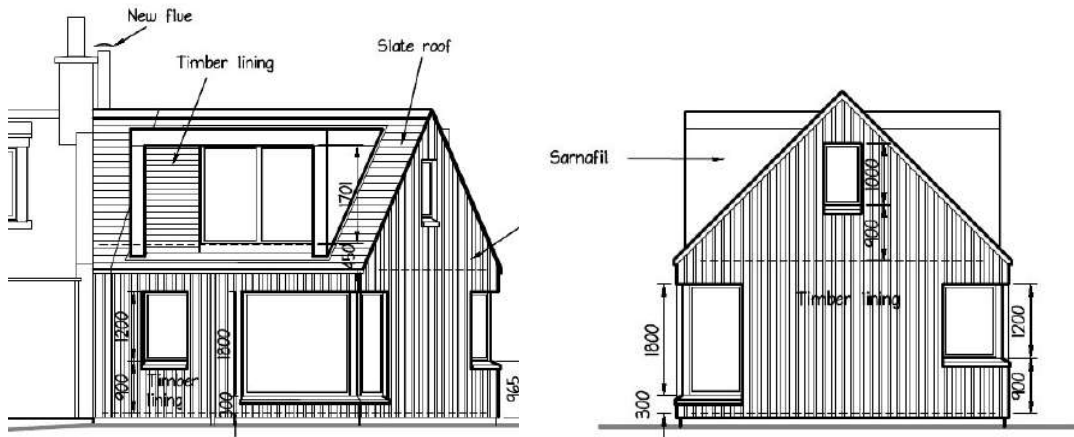


130 Seatown CULLEN
18/00843/APP



Prescalton ARCHIESTOWN

20/00401/APP



I know the authority will claim that these schemes were approved under an older policy regime, though it is clear the intent of policy has changed little other than becoming slightly more prescriptive in wording in certain aspects and all of these examples have been considered recently and the approved additions to settlements and dwellings are determined under the same auspices of social & economic policy in relation to character of the host dwelling and their locations. These additions are now part of that character and location.

There is nothing we are proposing with the additions to 35 Gordon Street that adversely go beyond the auspices of DP1 as the roof additions cannot be classed in there pitched 3D forms as box dormers.

We'd welcome at this point any comment you have with regard to our mitigation of the submission, as you will realise that the applicant is keen to retain the proposal as submitted.

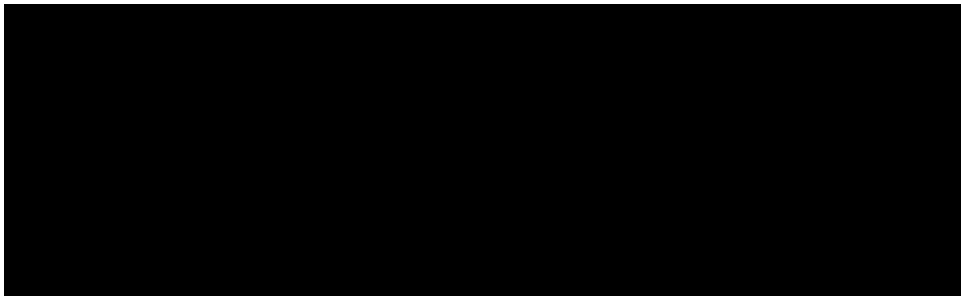
We have advised the applicant of a likely scenario with the determination process and any need to go to a Moray Local Review Body [MLRB] where NMD with our Planning Consultants would need to expand on the submission documentation and this letter in support of a Notice of Review [NOR].

If the authority are to determine with a refusal, the submission can then be presented, explained and discussed/determined via a NOR with the MLRB Members in the context of:

“matters of wider community interest and/or planning significance”

We appreciate your attention, if there is any further dialogue needed at this juncture please do contact me direct or I’m quite happy to meet, as I’ll be local over the next week/10 days.

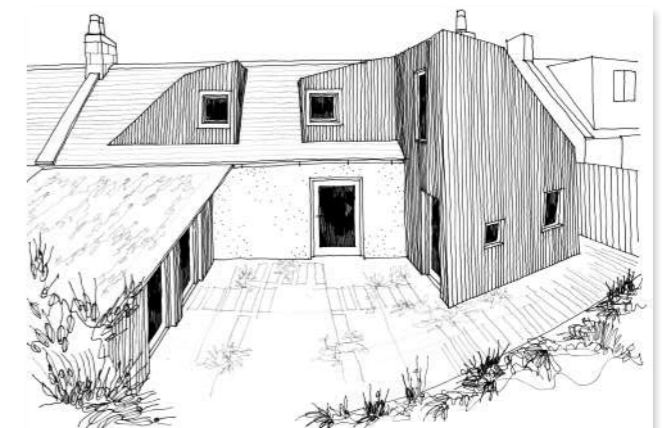
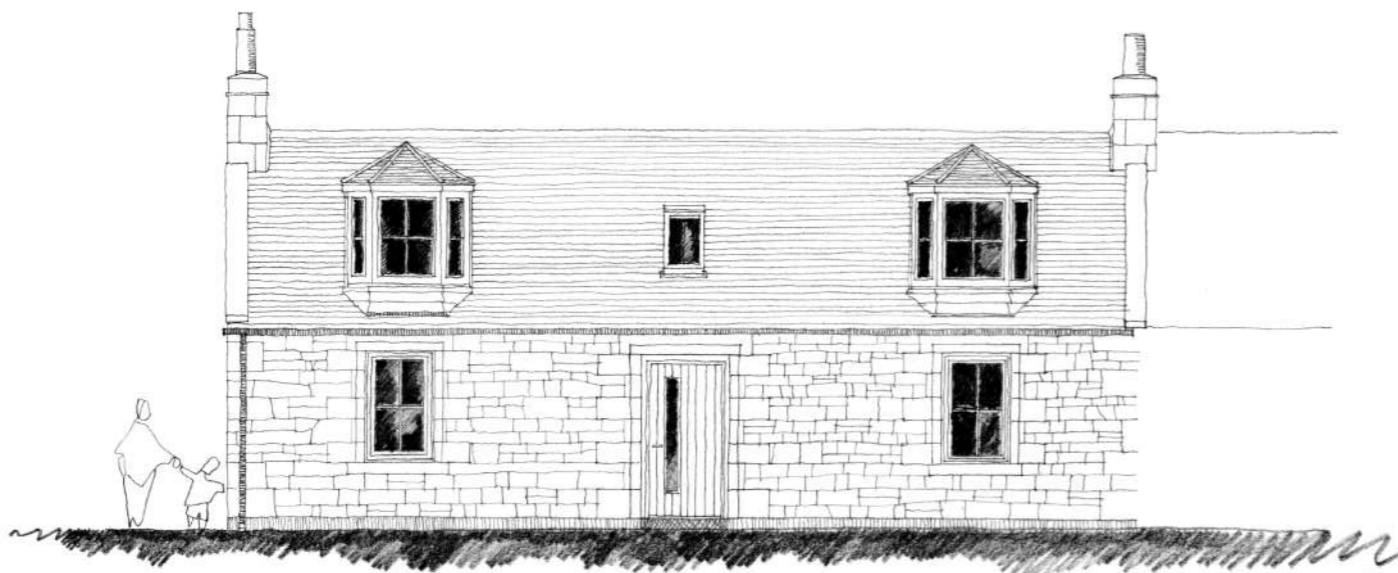
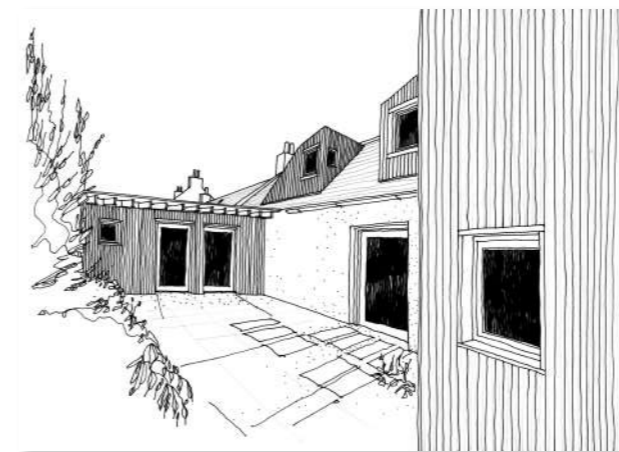
Yours faithfully



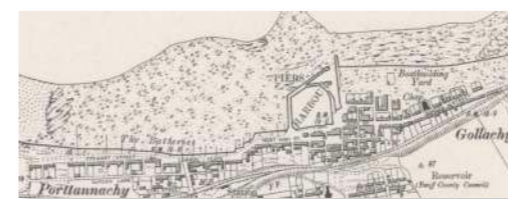
Nick Midgley

NMD

cc Claire Lambert



PROPOSED design & context data for extending No 35 GORDON STREET Portgordon AB56 5QR



EXISTING - photo survey - internal/external ground & first floor images 001



001 north-east front elevation



002 north-mid front elevation



003 north-west front elevation



004 street view east



005 street view west



006 front door jamb/lintel stone detail



007 front window jamb/lintel stone detail



008 front window jamb/lintel stone detail



009 front north elevation
cherry-cocking stone detail



010 front door jamb/cill/step stone detail

EXISTING - photo survey - internal/external ground & first floor images 001



011 east gable



012 east gable chimney



013 east gable



014 east gable



015 east gable - east elevation bathroom



016 south elevation bathroom



017 west elevation bathroom



018 south elevation kitchen



019 south elevation kitchen window
concrete sill



020 south elevation & boundary to No 33

EXISTING - photo survey - internal/external ground & first floor images 001



021 south elevation - west chimney



022 east elevation garden store



023 north elevation garden store



024 east garden store window - steel



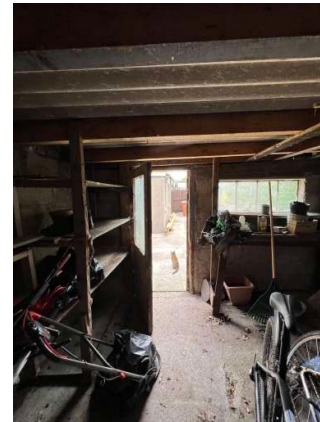
025 east garden store window inside - steel



026 west elevation inside garden store



027 south elevation inside garden store



028 east elevation inside garden store



029 north elevation inside garden store



030 south elevation garden store

EXISTING - photo survey - internal/external ground & first floor images 001



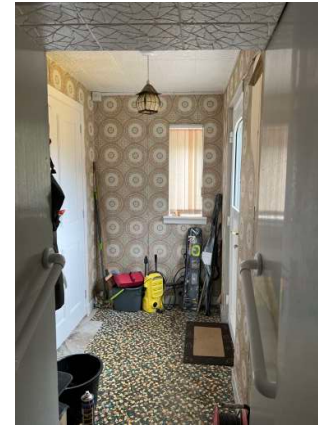
031 south elevation from garden



032 bathroom east/south elevation



033 bathroom north/east elevation



034 back lobby view south



035 east living room view south



036 east living room original gas fire back boiler during removal 2021



037 east living room original gas fire back boiler during removal 2021



038 east living room fireplace repairs during 2021



039 east living room fireplace repairs during 2021



040 east living room original slate hearth bed exposed during 2022 part made up of roofing slates

EXISTING - photo survey - internal/external ground & first floor images 001



041 west living room fireplace repairs during 2021



042 west living room fireplace opening removing 1930-50s surround during 2022



043 west living room fireplace opening removing stone fill during 2022



044 west living room fireplace opening removing stone fill during 2022



045 west living room fireplace reopened



046 west living room north front view



047 west living room fireplace opening removing stone fill during 2022



048 west living room rear/south wall original window blocked-up



049 front north entrance lobby view west



050 front north entrance lobby view south stair wall wallpaper layers

EXISTING - photo survey - ground floor images 001



051 kitchen view west



052 kitchen view east



053 kitchen view south



054 stair



055 stair winders



056 entrance lobby view east

EXISTING - photo survey - ground floor images 001



057 East bedroom - 1st floor removing tank housing to gable wall



058 East bedroom - 1st floor void behind tank housing to gable wall



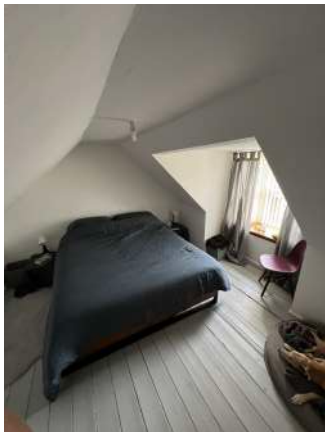
059 East bedroom - 1st floor void behind tank housing to gable wall



060 first floor landing/passage/stair 2021



061 first floor landing/passage/stair removing partition wall 2021



062 first floor west bedroom 2022



063 first floor landing/passage/stair 2022



064 East bedroom - 2021



065 East bedroom - 2022

EXISTING - photo survey - ground floor images 001



066 void under kitchen floor



067 void under kitchen floor



068 kitchen wall clock



069 ground floor internal door pull handles



070 1st floor internal door lever handles



071 kitchen lamp shade



072 bedroom lamp shade



073 old postcards found behind east living room fire surround

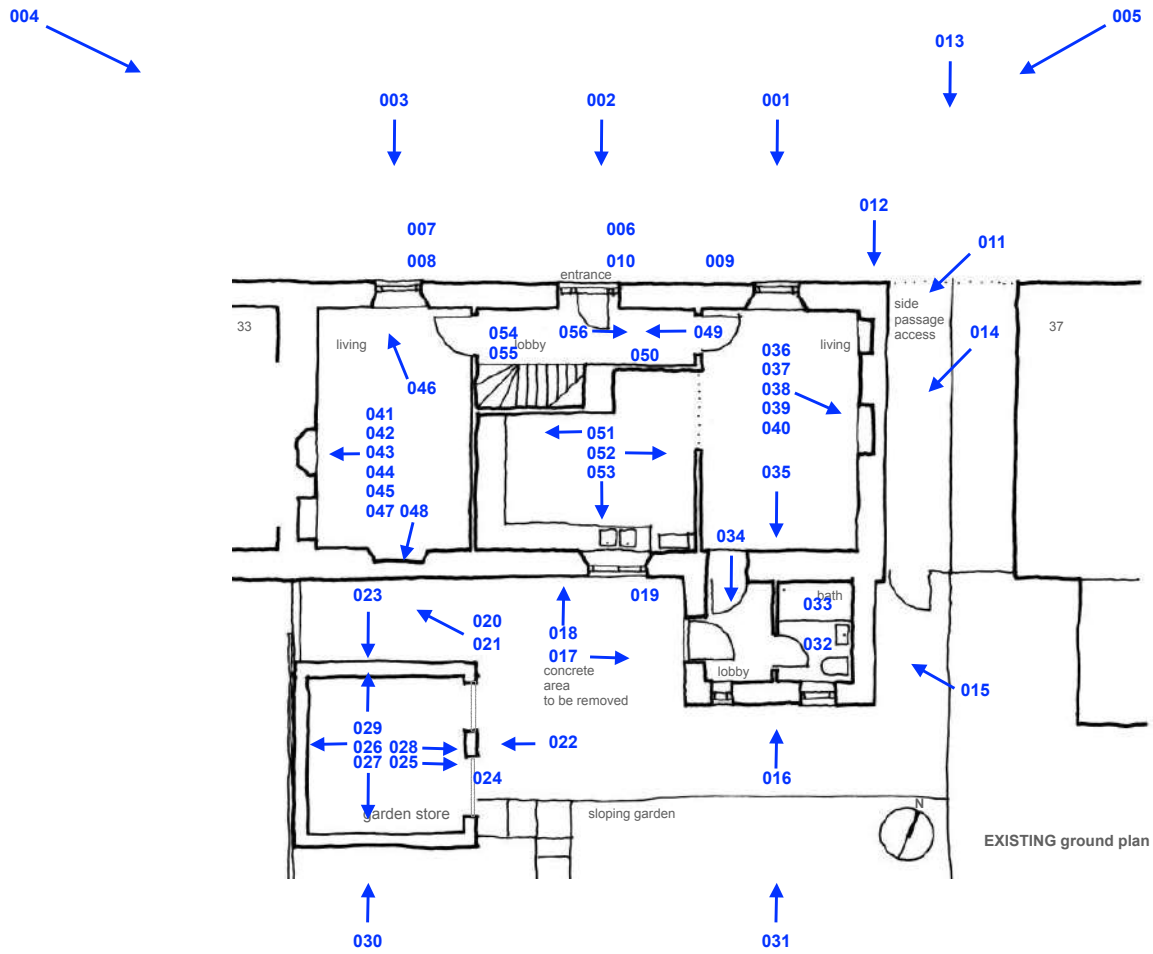


075 original 1960's carpet found under east living fire surround/hearth



076 cracked fireplace lintel to east living room fireplace

EXISTING -photo survey ground floor plan 001

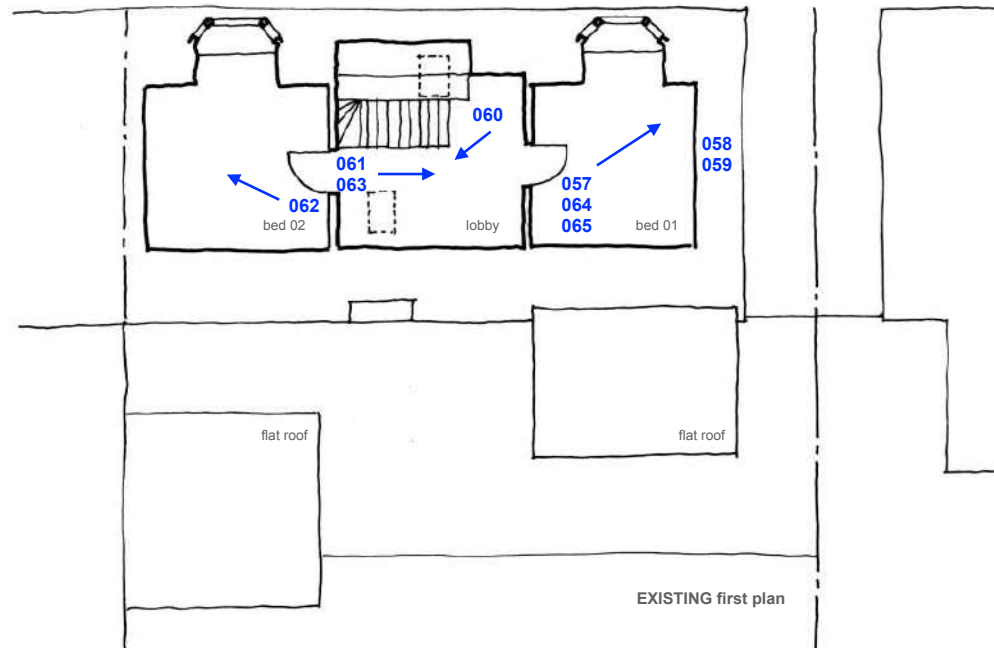


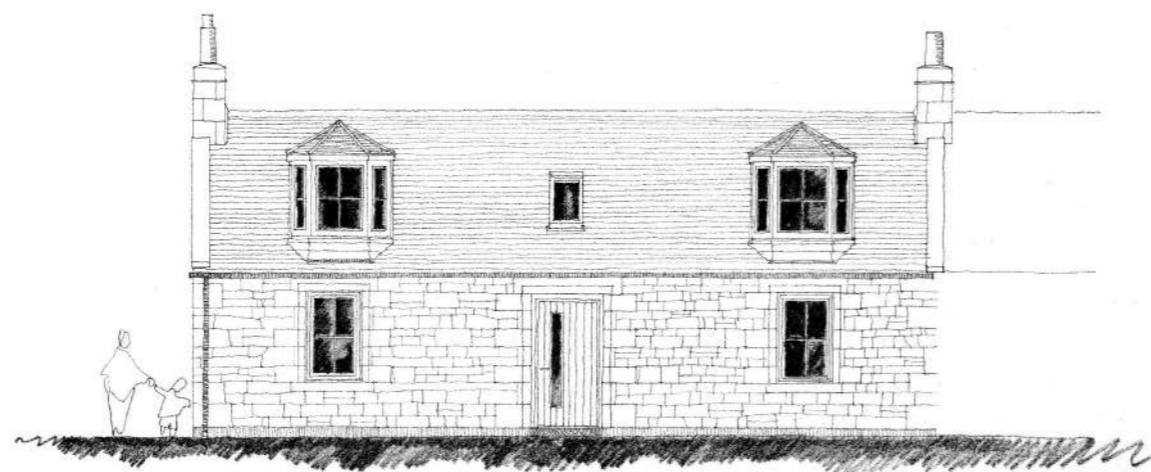
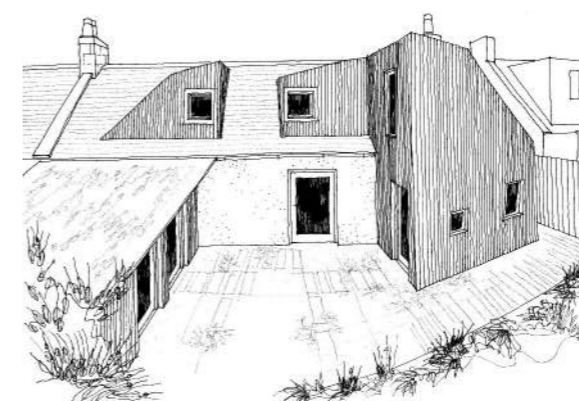
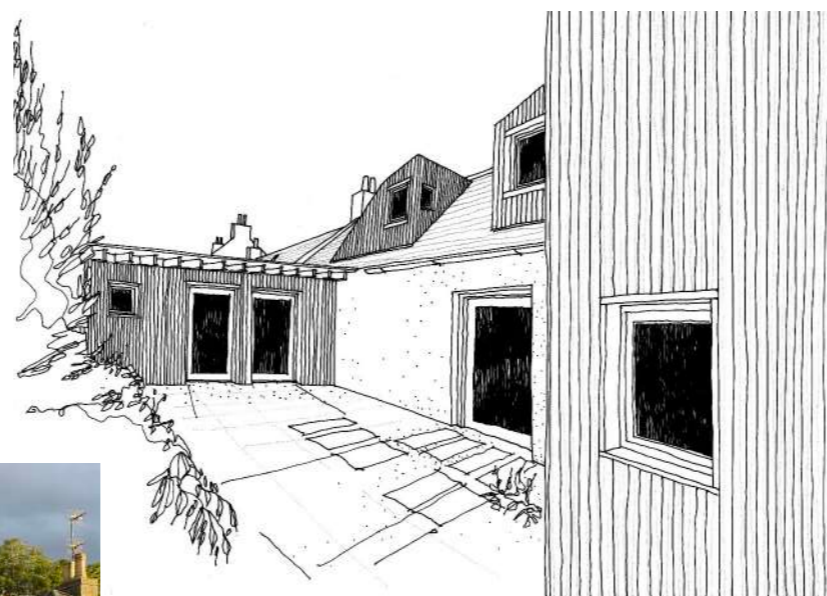
35 GORDON STREET Portgordon AB56 5QR
Ms C Lambert

NMD[©]

historic
contemporary
contextual

EXISTING - photo survey - internal first floor plan 001





PROPOSED - DESIGN STATEMENT context, historic mapping, intent & environment

No 35 GORDON STREET Portgordon AB56 5QR

Portgordon



INTENT

The intent is to alter and update the property, to provide an extra bedroom at ground floor to support multi generational accessible living, extend the roof level/first floor accommodation to improve head height and volume to the existing bedroom/living spaces and to extend the roof pitch over the flat roofed ground floor bathroom to create a first floor ensuite bathroom.

Overall a complete 21st C renovation of the building fabric, to highly insulate to near Passive Haus standards, damp proof the structure and create an environmentally friendly airtight envelope with an energy efficient wet underfloor heating system [UFH], married to well managed smart energy control, with the allowance for future incorporation of either heat pump technology or hydrogen ready heat generation.

The existing fabric and materials will be retained externally to the north Gordon Street Elevation there will be no outward alteration or physical changes.

FAMILY living

The accommodation is to provide family accommodation for the applicant, to create a sensitive refurbishment of the existing spaces and with minimal new built footprint to improve the volume of living space, to let more light into the property, to nurture a healthy 21st C environment and to preserve the property for future generations.

HERITAGE setting

It is important to the applicant to preserve the intrinsic character and qualities of this heritage [mid 1800's] dwelling but to also improve and contrast the new additions, to give an holistic response, that is not slavishly mimicking an historic style with a weak pastiche - but to offer strong yet sympathetic new forms. With embedded vernacular and historic references, whilst offering a contemporary response.

The form and character of the village is unique, as the settlement was a new community and a planned build by the Duke of Gordon' though not as formal as Tomintoul or Fochabers due to its geography on a relatively narrow foreshore strip. The creation of 'Port Gordon' linked the existing settlements of Gollachy and Port Tannachy.

With these modest interventions to the property, we are conscious that the proposals are contemporary - but respond to the here and now of the village and its flow through history.

SETTLEMENT history & context

In the late 1700's Buckie was the principal fishing community on this local part of the coast. At that time fishing was by line, in boats no larger than 14 tons. Development locally of the industry was limited by the lack of proper harbours and disputes amongst the three owners of the various local boats.

One of these local owners, Alexander, 4th Duke of Gordon, decided to establish a new village, just to the west of the tiny community of Gollachy, which comprised but a few houses in the area that is now Gordon Street. Work was underway on the harbour by 1795 and stone was being shipped from Lossiemouth in 1796. In 1797 houses were built for ten fishermen and their families from Nether Buckie which resulted in the communities of Tannachy and Gollachy being joined together as Port Gordon [Portgordon].

Portgordon developed with other uses for the harbour other than purely fishing, with its developing growth and commercial advantage, it started exporting timber and quarry materials, overtaking Buckie in importance. The village thrived into the late 1800's and early 1900's. By the 1850s a post office had opened and there were many coopers, fish processors and net makers. By 1861 the population had grown to around 630. The opening of a fertiliser factory in Keith lead to traffic in bones through the harbour too. The harbour was also used for the export, from further inland, for timber and stone.

John Gordon of Cluny was the member of the Gordon family to build the 'modern' Gollachy part of Portgordon, at the east end of the village, the [applicant's] house/property at No 35 was still owned by the Gordon family and passed to his illegitimate son John, then the majority of Portgordon property ended up with his wife after his death 1878.

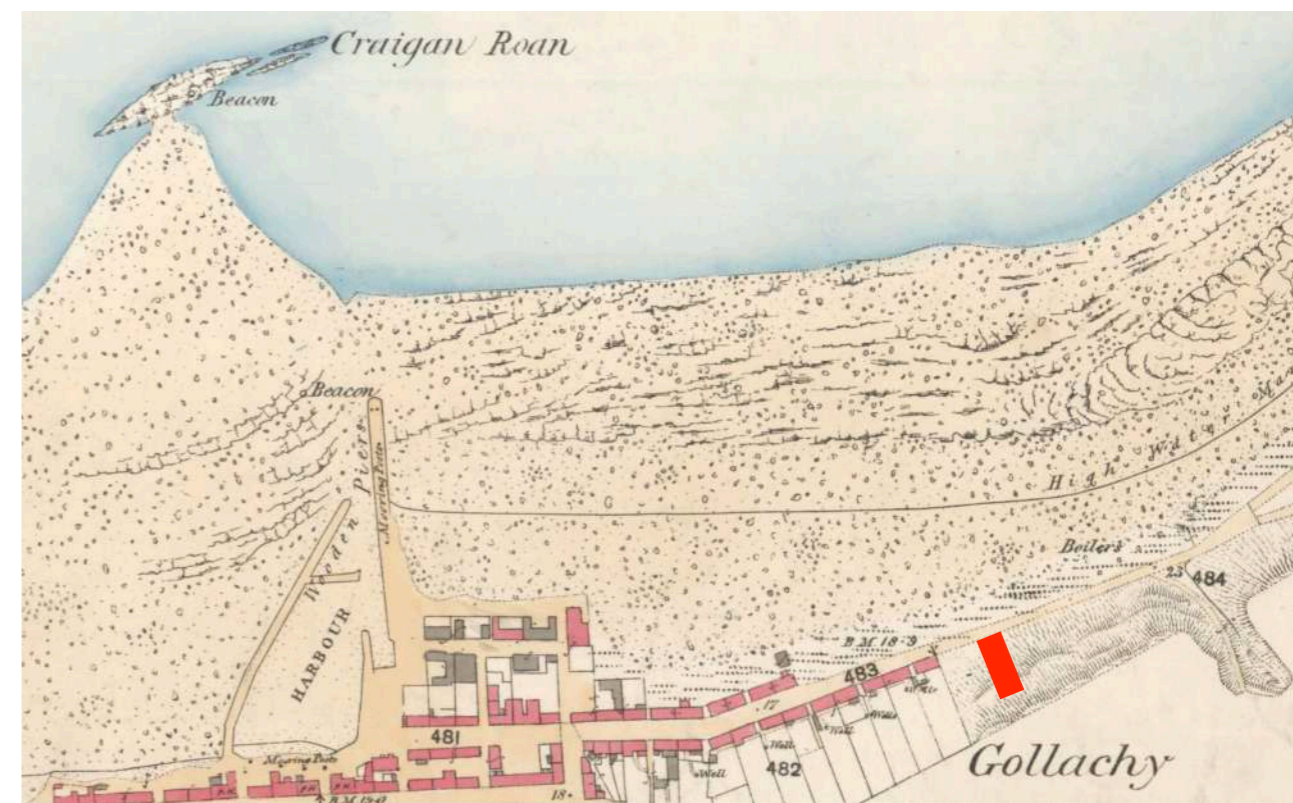
The house was built just before the railway was built, as it's shown on the 1870's plan proposals which the applicant has sourced from the National Record in Edinburgh - but not on the 1860's survey. Various routes were mooted for the coastal railway between Portsoy and Elgin with the route through the village being established by an Act of Parliament 1881 and following a line through the mid level of the coastal slope, avoiding most of the existing dwellings, though not requiring to climb to the higher ground to the south of the village. The railway has defined the southern limit of the property, with Gordon Street to the north.

With the railway planned in about 1845 and built and opened by 1886, as referenced in the searches in the title documents for the No 35 property.

In 1956 No 35 came into the family who the current owner/applicant purchased it from. The current dormer windows were added later and from internal structural inspection, noting the carpentry & machine sawn timbers/fixings dates them around c1900, this corresponds with the decline of fishing and artisan uses of the properties when predominantly the upper floor was used for storage. It's likely that the first floor accommodation became habitable space.

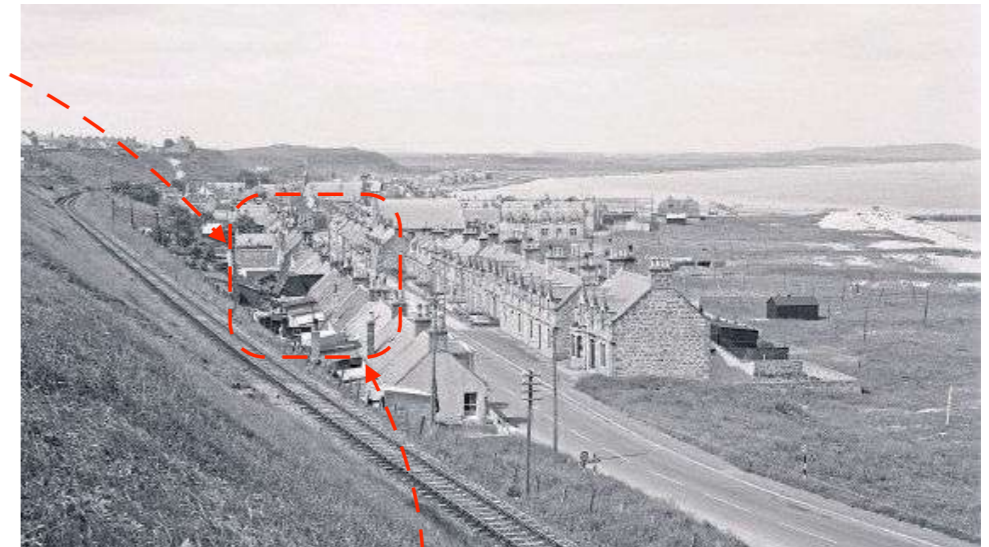
A boat-building industry began, and in the early 1900's local boat yards were ranged on the foreshore to the east of the harbour, first constructing Zulu's and from 1903 steam drifters. In 1907 one yard employed fifty men and launched a drifter every month or so - but this business in drifters had dried up by 1915, though the yard continued to produce salmon cobbles.

Since the 1960's there has been a steady decline in fishing & coastal industries, the village now has been occupied by families who draw occupations from a wider region, in the first part of the 21st C the village has seen people and families moving in from outside the local region, though the village is predominantly still owner occupiers, with only a very few holiday lettings or tourist related occupations.



map 1825-40's

Portgordon
harbour view
from west



context images views
from east & south

photographs show earlier
two storey mansard
roofed outbuilding
to the rear of 37/39

historic view of harbour
illustrating groupings
of ancillary sheds
& workshops

LISTED historic buildings locally

It is interesting that in the 'fisher town' of Portgordon there is only one listed building, as there are many good examples of heritage dwellings & structures, all with their own merit, that create the unique setting and character of this historic coastal settlement.

PORTGORDON 2 EAST HIGH STREET LB15522 Category C

Date Added 22/02/1972
Local Authority Moray
Planning Authority Moray
Parish Rathven
NGR NJ 39650 64244
Coordinates 339650, 864244



Description

Early 19th century. Single storey, 4-bay cottage with single bay return elevation to Gordon Square (W). Rendered rubble with later long and short detailing. Entrance with panelled door flanked by windows with varied glazing; blocked doorway in outer bay at right; single window in W elevation (to Gordon Square). Renewed brick end stacks; piended slate roof.

PORTGORDON, GOLLACHY ICE HOUSE LB15546 Category B

Date Added 25/04/1989
Local Authority Moray
Planning Authority Moray
Parish Rathven
NGR NJ 40260 64565
Coordinates 340260, 864565



Description

Earlier 19th century. Rectangular rubble ice house with long elevations E and W, and off-centre entrance in E. Modern pinkish harl. Piended turfed roof with blocked chute. Ramp at W leads from road to ice house at roof-height. INTERIOR: steps descend from doorway to ante-room (cool chamber) from whence a further doorway leads to single chambered vaulted ice house.

Statement of Special Interest - Unusual ice house in that it is sited on the shore and excavated rather than being built into side of hill. Restored by Moray District in 1970s.

Gollachy Ice House planning approval 17/00155/LBC

ASSET nature & context

Whilst there are only two immediate Listed Buildings close to the applicants property and the village is not a Conservation Area, the heritage assets form this planned village and the inherent preserved history of the settlement, this places it equally with other historic settlements on the Moray Coast. It is relevant with new proposals for development to be conscious of the heritage setting, the quality of environment and the catalogue of vernacular properties that are a good record of the social and economic development along this immediate part of the coastal strip.

The applicants property is part of the latter construction of the eastern end of Gordon Street in the mid 1800's, the linear development of the Gollachy part of the village, built on the available land that is slightly higher than the foreshore with its naval uses and the abrupt coastal slope to the south, this slope was likely steepened at this eastern end of the village with the construction of the railway.

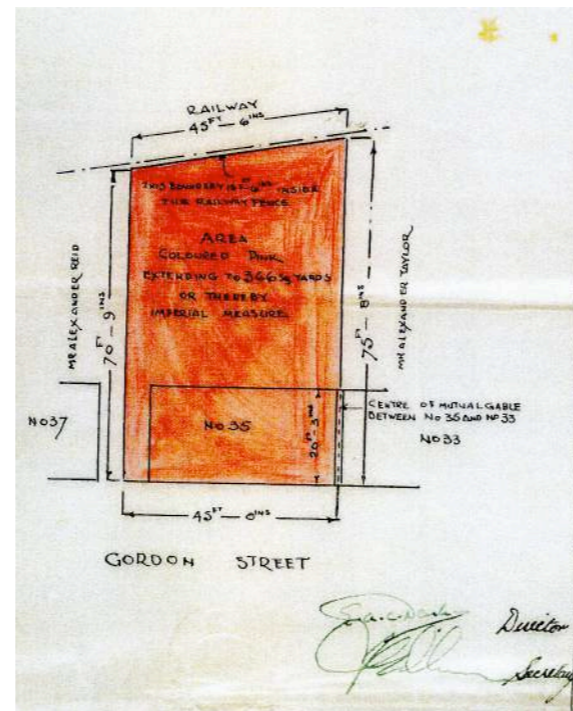
The original properties prior to the planning of railway on Gordon Street were likely to have been built in the first quarter of the 19th C, as the railway was at this point planned on the south side of the village at the top of the coastal slope - these properties we know through discussion with owners on Gordon Street, had longer gardens extending right up to the top of the coastal slope and to the rear of where it was, until more modern development, just farmland.

The gardens to the last 9 properties on the south side of Gordon Street from 33-49 were planned with shorter or no gardens [see the map/plan below] though its likely concurrent with the railway construction, as the land was all in the ownership of the Duke of Gordon gardens were bundled together, when the railway was built or later in 1956 when the land was sold by the benefactors of the Gordon Estate into private ownership. This indicates that the nature of the street and the land adjoining the property has altered little since the mid 1800's.

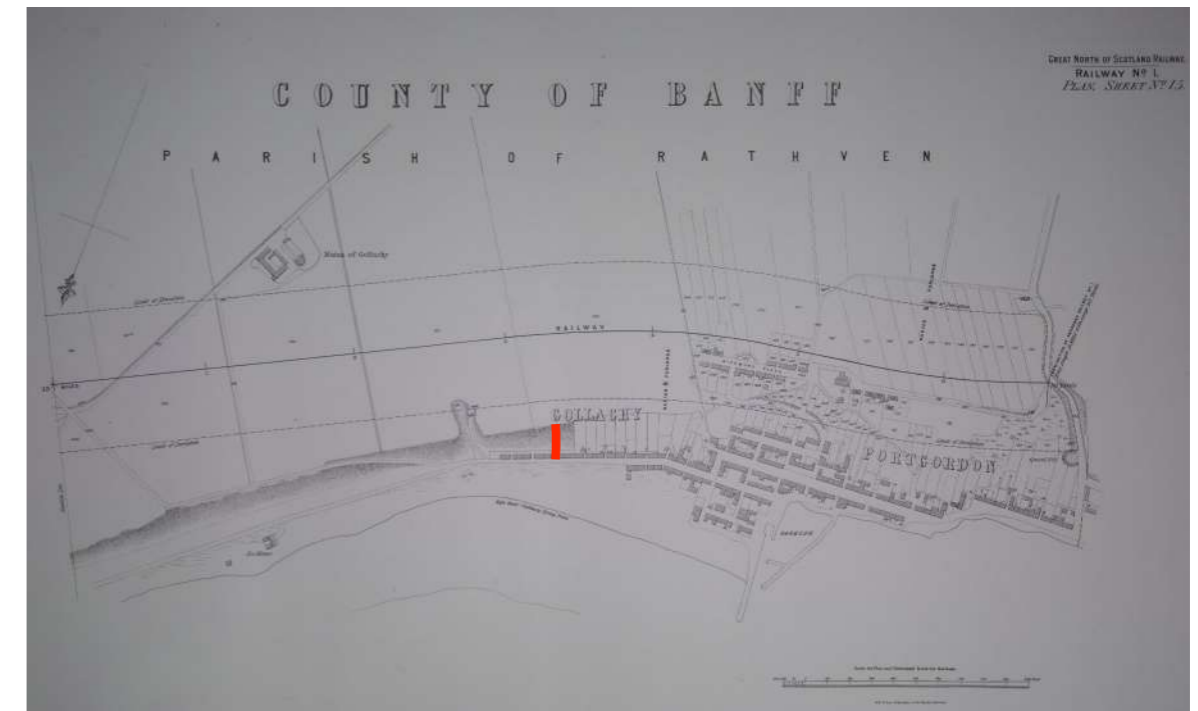
With the proposal we are conscious of the social & economic progression of the village and this design reflects the architectural history of the immediate area whilst also bringing to a fore the contemporary style and use for this property into the 21st C and beyond.



map 1902



legal document 1956



archive map pre Act Of Parliament for railway construction 1825-50

This historic dialogue is evidenced for properties along Gordon Street being used for the boat building and fishing industry. The photographs shown on the adjoining page 5, shows the property to the east of No 35., [No 37/39] had well into the 1950-60's a large sail/net loft or 2 storey workshop to the south. As a full two storey structure, it appears to be dark stained, presumably timber framed/planked building, with a steep mansard type roof and a flattened top. This style of building is typical of sail/net lofts from many east coast communities, where sails or nets could be rigged and stored vertically for repair and drying.

The photographs and mapping [pages 5-9] also show that previously the area to the south of the ribbon of symmetrical houses along Gordon Street, had many varied and different forms of outhouse and potentially ad-hoc dwellings/workshops, mostly on the flat low area before the coastal slope developing a tight and varied built form under the coastal slope.

Many of these forms and structures remain and more recently there has been a steady growth in new 'garden and workshop' ancillary buildings developed as adjuncts to the historic properties. Often these structures are single storey with flat or pitched roofing, though some are two storey. A strong relationship is established between the formality of the street frontage and back plot ancillary accommodation which creates varied and visually interesting variation in scale and forms within the tight village plots.

This is a typical character of the areas to the south of Gordon Street and the loose grid of dwellings closer to the harbour - historically there will have been more shed, workshops and storage buildings around the harbour [image page 5].

Some of the rear development to property along Gordon Street is attached to the existing houses or equally detached. Development has historically been tight on boundaries and parallel with neighbour structures. The aspect from dwellings is predominantly north and south with very little gable or boundary fenestration.

The images [on page 9] illustrate the close knit ad-hoc arrangements of the 'backland' structures and vernacular forms of roofscape, sheds and workshops, compared to the more formal linear character of the Gordon Street frontage, Hope Street and leading into east High Street East and Gordon Square to the south of the harbour. Despite the more formal planned nature of some of the historic villages, the true Moray character is made up with the ranges of cottages and by the varied scales around each property, vernacular forms and the loose development of ancillary buildings that is part of the predominance of the Moray village characteristics.

The growth of Portgordon within the topographical constraints and within the older part of the village beyond the ribbon layout, has to a greater extent been organic, built structures and forms of varying scale, one two and three storey sometimes with high pitched roofing and steep gables, these dwellings fill the spaces between the harbour shore, roadways and alleys.

Giving an intense footprint of buildings, that only dissipates suddenly to the east on the side of the foreshore, this is where the ownership of the land is that of the Crown and to the south where the village was ultimately confined by the railway.



The foreshore historically provided for boat building, the sheds and enclosures must have been transient as little on the historic map surveys records this industry. The now privately owned ranges of drying frames were apparent for fishing equipment and then more latterly used as communal washing lines - the immediate foreshore/access lane now provides for parking and access to the houses on the north side of Gordon Street - as the north side of the A990 roadway is not usually used for residential parking.

The houses on Gordon Street to the south use the street frontage for parking, the frontages of the dwellings stretching to +13m providing ample space for 2-3 vehicles outside each dwelling.

CONTEXTUAL vernacular precedents



Tannachy - out buildings



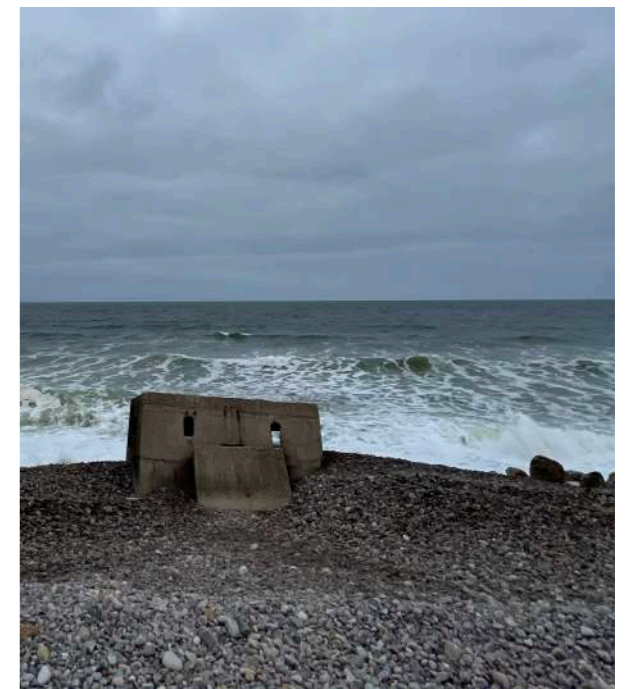
Gordon Street - outbuildings



Kingston - outbuildings



Spey Bay - varied forms & outbuildings

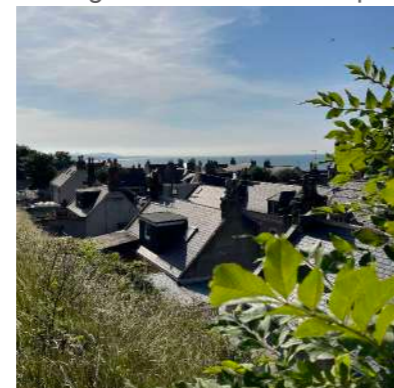


Kingston WW2 vernacular

Portgordon varied roofscape



Portgordon varied roofscape



Gordon Street view west



No 35 & 37

Tannachy varied forms



Kingston - monopitch



CONTEXTUAL contemporary precedents



West Bank GARMOUTH
18/00843/APP

incongruous modern box
dormer to front elevation



130 Seatown CULLEN
15/02162/APP

modern well designed two
storey addition to dwelling
in Conservation Area



Lennox Brae FOCHABERS
17/00907/APP

modern replacement
dwelling - well
designed form and
context in
Speyside setting



Dalmunach Distillery STRATHSPEY

large contemporary
structure in rural
open setting contextual forms
relating to historic vernacular

© Norr Design



Strone Cottage NEWTONMORE

contemporary refurbishment &
extension of existing croft
exemplary modern building
within Cairngorm National Park

© Loader Monteith

NEW BUILD intent

The intent is to alter and update the property, to provide an extra bedroom at ground floor to support multi generational accessible living, extend the roof level/first floor accommodation to improve head height and volume to the existing bedroom/living spaces and to extend the roof pitch over the flat roofed ground floor bathroom to create a first floor ensuite bathroom.

Overall a complete 21st C renovation of the building fabric, to highly insulate to near Passive Haus standards, damp proof the structure and create an environmentally friendly airtight envelope with an energy efficient wet underfloor heating system [UFH], married to well managed smart energy control, with the allowance for future incorporation of either heat pump technology or hydrogen heat source generation.

VISUAL and local amenity

The existing fabric and materials will be retained externally to the north Gordon Street Elevation there will be no outward alteration or physical changes. The intent is to be contemporary both in the arrangement of the dwelling and also in the visual aspects of the new additions to the south/rear.

Contextually the intent for the new build rear/south additions, is to carefully moderate the scale and form, the roof level additions are to be built within the roof and to reuse the existing slate for the new pitches, the 'dormer' window arrangements are to be varied pitched forms, with a shallow pitched capping in standing seam zinc or folded aluminium sheet. The new wall cladding is to be a crisp dark stained larch boarding, whilst window openings are to be contrasted with natural coloured timber edge framing - these are all vernacular features, reinterpreted and expressed in a contemporary form - the pitched roofing moves away from the plethora of awkward 'box dormers' dotted around the village on historic properties, here we intend for the scale of the additions to create a comfortable dialogue with the host dwelling, respecting the form and mass, not to be over bearing, creating additions which are obviously 'of a time' and visually pleasing but secondary to the host form.

Looking into the site from neighbours the aspect of the new forms will be pitched slate roofing reusing the small format natural slates, longer views into the dwelling from the south are from the higher ground of the old railway/coastal trail, this aspect is physically separated from the public domain by a 1.5m earth bund and currently low 1.2m boundary fence, reinforcing the separation of the property from public areas. Mature planting in the garden area breaks up any direct views of or into the the property. The partial views of the additions that can be seen from the neighbours and the public realm will be visually interesting and protect amenity.

Non of the new first floor windows overlook the neighbours private amenity and the window facing west from the first floor ensuite bathroom is to have obscured glass.

The flat roof over the SE bathroom addition is removed by building over with a 'within the roof' two storey [inc. the roof] pitched roof addition, this form sits below the existing ridge and only extends over the existing footprint of the bathroom.

The flat roofed garden store to the SW is to be rebuilt utilising only the existing footprint and volume, it is to be joined to the main house, building over the void and filling the space and minor opening to No 33, the new build footprint proposed here is c6.5sm in total [1.8x3.6m] and 2.4m high to the gutter line.

This existing partial boundary opening is currently screened by the No 33 garden fence which is at a higher elevation and the lower cement rendered boundary wall to No 35 - the height of this link will be below the gutter line and contiguous with the existing storeroom height.

It should be noted that building on boundaries with single storey adjuncts are typical of the Portgordon plots, with a recent large scale infill at No 17 Gordon Street [18/00193/APP], adding a two storey extension on the boundary, in contemporary style with a distinctive mono pitch roof. Closing this boundary gap to the east of No 33 will have little detriment to amenity and increase privacy.

The neighbour to the west at No 33 has now constructed a garden extension structure, single storey under Permitted Development [PD], other than the extension over the bathroom at No 35, the other proposed works to provide the roof dormers and the garden store rebuild, would all have been permitted under PD. We do not consider the proposals reduce visual or domestic amenity of neighbours. The neighbour at No 37 to the east has a large box dormer the length of the property, the new roof pitch over the bathroom at No 35 screens any direct views from No 37.

CONTEXT for the design

The proposals relate to the examples of vernacular forms and secondary adjuncts to dwellings found locally around Portgordon and in the immediate coastal vicinity.

The dark stained timber and simple recessed window and door openings are typical of the extensions, sheds and workshops found along the coast [see page 9-10], varied heights and massing are typical of additions to the historic dwellings, varied roof pitches and contrasting use of materials are reflected in many of the coastal villages.

We have chosen forms that reflect the sheds and additions to older dwellings - but we have with crisp architectural detail and careful selection of materials, attempted to design a response that is 21st C, whilst borrowing its lead from history. The additions will be subtle and secondary to the host dwelling, of a scale and form that marries well in local context and built in a manner that weathers well and requires simple yet minimal maintenance.

The contrast of stained timber, sheet metal with simple and defined openings all features that have a contemporary vernacular dialogue, whilst reflecting the history of build techniques and the locally sourced and used materials. The forms are subtle, visually interesting - but not so overt as to contrast awkwardly in the neighbourhood.

MATERIALS and build

We have spent time sourcing windows and doors in particular, we do not specify, where possible plastics in our builds, this is paramount in window and door specification, we feel it is important to use window and door units that in their detail and function give a strong visual reference and contribute to the overall quality of the project.

The proposal is to replace windows with the traditional format and proportion of casement timber windows with a natural low gloss paint finish, to pick-up on the existing local heritage style and forms, whilst ensuring a contemporary unit is used that provides the best performance, style and eco credentials.

We have a track record of over 25 years working with high performance triple glazed factory painted, authentic 'Scandinavian' style windows. We propose a traditional style and construction of casement sash window, available in high quality sustainably sourced laminated SW timber framing, with a low gloss self coloured aluminium skin externally.

Narrow traditional format 24 mm glazing bars maintain the heritage style, as well as being low maintenance long-lasting windows - high quality crafted windows that are CE-marked, using FSC timber - guarantee of energy performance - with a cottage window style, this is a rare proposition



Designed to provide an effective barrier against inclement Scandinavian weather, a triple-glazed argon filled window unit is one of the best solutions available. It allows us to strike the balance between a light-filled home with views of the outdoors, and one that will stay warm and cosy throughout the chilliest of winters - in addition to impressively low U-values 1.0 or better, the low-maintenance outer-face gives great performance for years to come with minimal upkeep. The solid timber core of the windows means they score high in terms of acoustic and thermal performance whilst looking good.

The new structures to the rear/south side of the house will be highly insulated timber frame panels, clad vertically in locally sourced T&G smooth sawn larch, tightly jointed. Dark stained with black Sadolin Extra a low sheen high performance low maintenance opaque wood stain - this form is redolent of the vernacular vertical plank on plank boarding found in the coastal buildings along the Moray coast.

The shape of the roof extension and the build-up over the bathroom reflects previously the neighbour structure of the workshops, net and sail lofts [page 5], tar painted, board on board cladding, bluff facades and sculptural yet functional built form.

Through the Pre App discussion and understanding the new 'Local Plan' guidance, we know there is a move away from the plethora of applied 'box dormers', in some cases there are good examples though often these additions are awkward and out of scale with the host dwelling [page 10].

The proposal with the redevelopment of No 35 is to bring a heritage asset back to good repair and to upgrade the scope of the accommodation and renew the fabric to foster a good 21st Century living environment.

The property had until mid 2021 been empty since 2019, there had been only minor upgrading in the last decade, with a grant funded basic central heating system, plastic UPVC windows and a plastic lined wetroom/accessible bathroom installed for an elderly occupant.

The scope of the accommodation is dated and largely unchanged in the layout from the early 1900's. The property is by today's standards poorly insulated and has a relatively primitive heating system with very limited management/control not conducive to energy efficient comfortable 21st C living.

The intent is to complete an invasive refurbishment, strip and remove wet/dry rot and all deleterious material. Currently the ground floor timber floor joist structures sit within the sand & gravel of the foreshore, there is no damp proofing. The dwelling structure is of solid sandstone walling, this typically the lowland Moray outcrop sandstones of Upper Old Red Sandstone age, which were widely quarried along the ridges from Alves to Elgin, with very large workings at Newton and in Quarry Wood.

This stone is creamy yellow to pale pink in colour and the textures vary from pebbly, through gritty to fine-grained varieties. Externally the higher quality fine grained dressed sandstone is used around openings to the north, whilst internally the softer [cheaper] pinker sandstone rubble walling is predominant.

Externally the bays of north facing walling are courses of mis-shapen random or field rubble, that are infilled or caulked with smaller pieces, locally known as 'cherry-cocking'. This is a very old practice which has continued well into this century. Amongst early examples are the walls enclosing the garden at medieval Pluscarden Abbey and the park walls at Rothiemay House, occupying the site of Rothiemay Castle.

The intent is to re point the external walling with a lime/grit mortar, the rendered areas of walling to the east/south will be retained as they are in good condition.

Typically internally the walls are dry lined/battened in hardboard/plasterboard, with the original roof structure slated/boarded over a heavy 'A' frame rafter and floor joist, half lapped joints and skew nailed. The low slate pitched dormer faceted windows are from the early 1900's and cut through the roof frame structure and extend into what was formerly roof void. The staircase and ground floor partitions are relatively modern and plasterboard.

The interior will be stripped out, new dry lining to the walls with near Passive House insulation installed, floors removed and excavated and relaid with damp proof tanking, insulation and a wet underfloor heating system run off either an air source heat pump or eventually a hydrogen ready boiler system. The upper floor will see the roof stripped internally and insulated to the same high standards, vapour barriers installed and relined. The existing roof is to be relaid with the existing slates with reclaimed matching slate to replace/add-to as required.

ENVIRONMENT low embodied carbon - principles of design

NMD only specify natural and sustainably sourced materials, we tend not to specify first use plastics where possible, preferring recycled building products reusing plastics, polyester and natural materials, we don't use plastics in situations where they can degrade and breakdown into micro particles or give off toxic gaseous emissions that cause illness, pollute living environments and the natural environment.

We look to buildings to be very low maintenance, minimise intensive maintenance like repainting, this reduces the breakdown of deleterious materials into the environment - as such specifying natural materials that need little or no protection with products like solvent based paints or stain coatings:

- We often use Larch from sustainable local sources, which akin to Cedar when used where it is properly detailed, has a 90+ year design life and carries a very low embodied carbon.
- We frequently use Sheep wool insulation, which is a grass fed natural grown organic material, this uses a material that is now virtually a 'modern waste product' - in use it absorbs toxins and locks them away, it filters moisture and dries out structures naturally and is one of the only high performance 'quilt' like insulants that has a very high insulating value when damp. It is not an irritant when being installed and has a design life when correctly installed in excess of 100 years.
- Recycled polyester insulation married to recycled plasticised aluminium foil membranes, create a high performance airtight 'thin layer' quilt, that also acts as a vapour barrier and providing internal waterproofing to solid masonry structures - with a 70+ yr life.
- Recycled slate for roofing repairs is a material with a design life that is almost infinite, within a correct traditional installation - very low in embodied carbon.
- We minimise concrete/cement use and maximise use of natural lime/sand mortars.
- We minimise blown gas slab insulant slab use, only using it 'sealed' within structures to prevent the breakdown of the material and release of deleterious toxic gases into living spaces.
- We do not specify any products with embedded formaldehyde or solvents.
- We limit the use of gypsum products.
- When we specify aluminium and steel - it has long life galvanised or powder coat finishes - used in shallow pitch roofing and/or preformed gutter and downpipes.
- We only specify smart heating systems - designing dwellings to be close to Passiv Haus standards, energy systems that are 'hydrogen ready' or run from bio source materials or heat pumps and MHVR systems with smart user friendly control systems collect and recycle heat.
- All our dwelling designs rely on natural ventilation patterns.
- We design all buildings to maximise natural daylighting to provide a good natural living environment for all seasons.
- We specify argon filled energy coated triple glazing, in aluminium skinned natural timber framed windows, low maintenance and high eco performance - also offering high security and good acoustic insulation. The units generally have a minimum 75 yr design life and are warrantied for 25 yrs.
- We only install LED lighting with dimming and temperature control 'app' operated smart systems to manage switching periods.

- We source the majority of build elements local to the build site, to reduce embodied carbon, minimise vehicle movements and to support small local business & economy.

- We design build programmes to minimise local disruption with a zero tolerance on emissions of dust and dirt, we design in working practice on site to create clean safe working environments.
- We do not use suppliers or practises that support 'modern day slavery', we do not source materials from parts of the world or regimes where the environment, human rights and basic freedoms are not respected.
- Already No. 35 is zero fossil fuel - it only uses wind/solar source electricity and renewable bio gas.
- We incorporate where possible 'flat-roof' Sedum Turf planting or similar, to foster bio diversity and modify surface run-off to reduce local flash flood drainage issues. We minimise hard surfaces to reduce surface run-off and incorporate natural ground percolation for managing storm water/surface water and flash flooding.

DRAINAGE SUDs - reduction in surface water run-off

The scheme overall improves surface water run-off and reduces the amount of hard surface drainage going to the local drainage system and modifies peak rainfall drainage from flat roof areas by introducing Sedum Turf that slows surface storm water surge run-off.

The run-off currently from pitched, flat roofing and concrete areas is collected by gutters, RWP's and back inlet gullies, that drain to the combined sewerage/rainwater system locally in the village.

Currently the house and garden store has a combined plan footprint of 102sm, the link addition between the house and store will add 6.5sm, a 6% increase in 'built over' area for this development.

Though this is tempered by the intended removal of the south side concrete forecourt in the garden, this is to be replaced with a free draining gravel area, allowing a natural soak-away into the ground for these external amenity areas, this is an area of 35.5sm [equivalent to 33% of the building footprint], by removing this concrete area, we reduce the drained surface area going to surface water run-off and the existing drainage system by 24%.

A gross mitigation of a **reduction of 24%** surface area rainwater to the drainage system.

HIGHWAYS sustainable access & parking

The dwelling is served locally by the Inverness to Aberdeen No 35 bus route within some 20m of the front access door on Gordon Street, this links the village directly on a near hourly basis from 5.00am-11.pm daily Mon-Sat and 10.30am-11.00pm Sundays, this system allows connections to mainline railway stations in Elgin, Inverness, Aberdeen and local points in-between. And allows bus links from Elgin, Inverness & Nairn direct to Inverness Airport. This allows sustainable access to local, regional and national access to education, healthcare, retail outlets, employment and leisure opportunities.

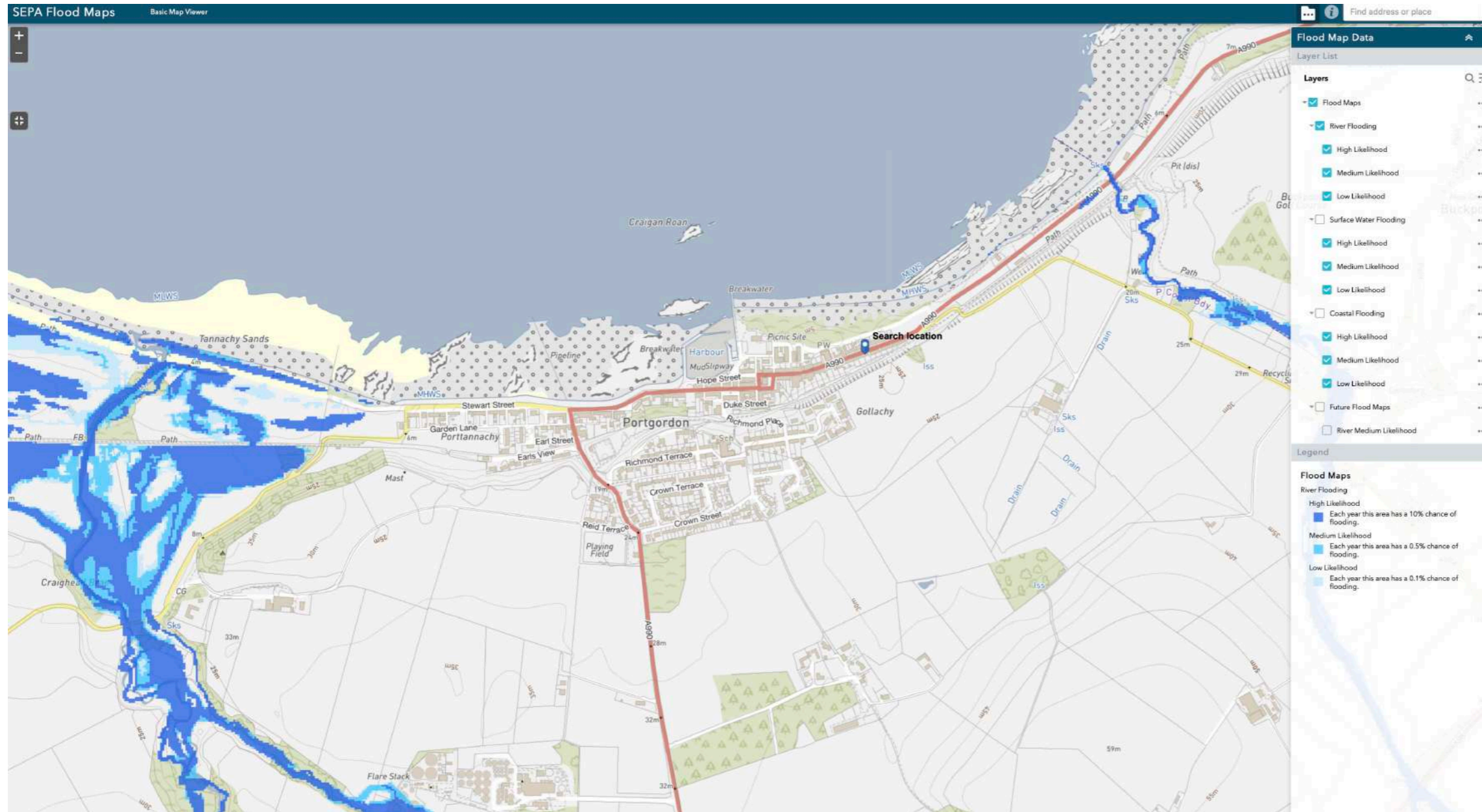
Parking is available on the south side of Gordon Street, with nominal 2-3 spaces per dwelling, with north side Gordon Street residents having private off road parking behind their properties on the north side foreshore lane or within their own garden forecourts. There is also availability of extra visitor parking within 300m, at the 'free-use' harbour car park.

FLOOD risk - non for applicant site - even with predicted 1m level increases for coastal flooding/surges as the property sits 5.5m above the high tide level

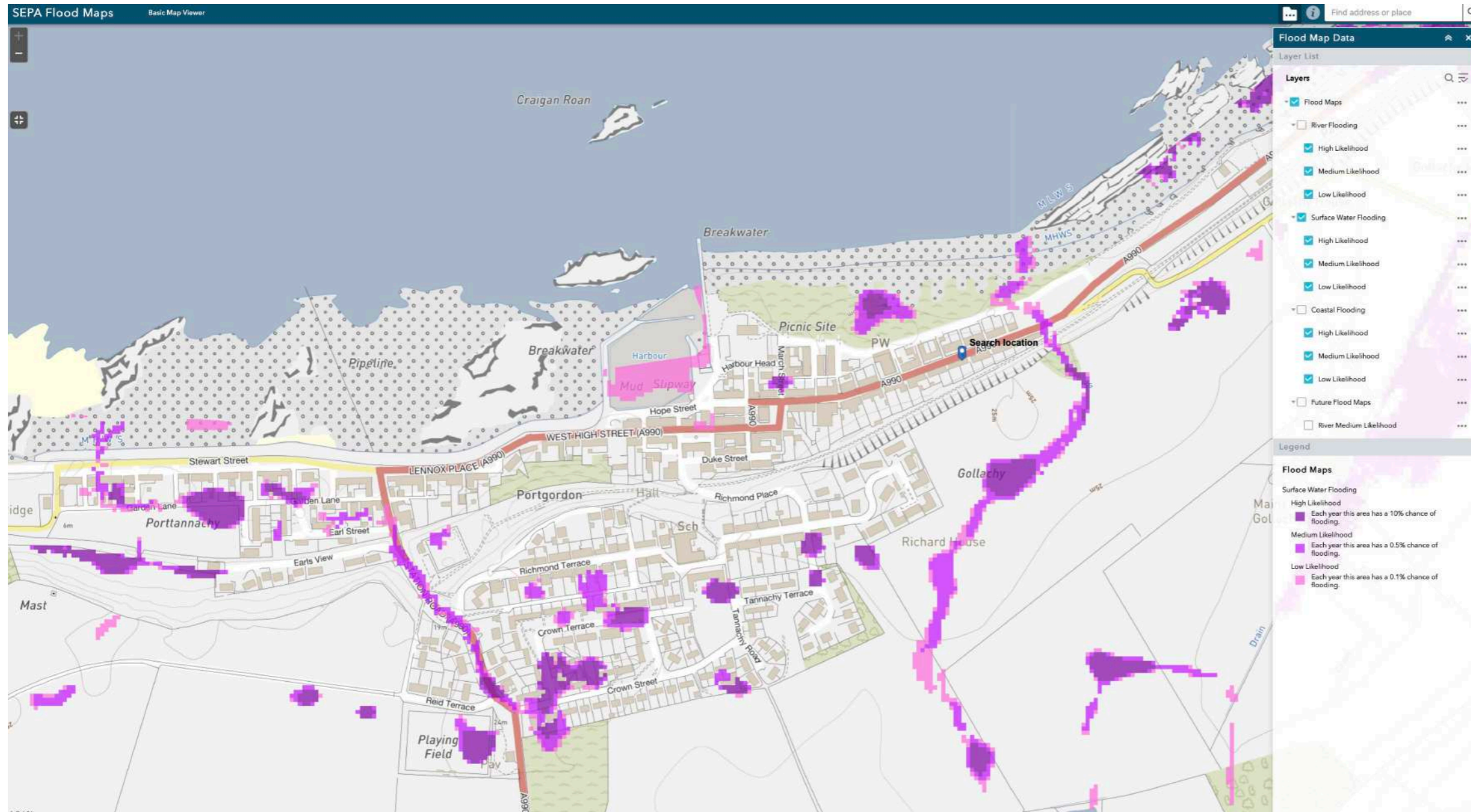
COASTAL flood risk



RIVER flood risk



SURFACE water flood risk



IMPACT on the asset positive outcomes

All the intent is to improve upon the status quo, to add to the longevity of the property with a sustainable, workable, contextual renovation and maintenance programme, that is easy to carry forward enhancing the accommodation for modern living.

Whilst retaining in balance an historic perspective - with the intact heritage assets along Gordon Street and within the historic setting of the village and in the wider aspect of the Moray coastal area.

This dwelling is an important part of the village - in the here and now, historically and in the future - by developing this property to foster renewed use and life for the 21st C, we can preserve historic features, the vernacular detail and character, making sure that for generations to come, that the village of Portgordon and the context of the setting is enhanced and preserved.

FEEDBACK 21/01027/PEHOU in blue NMD response from Pre App

- As a semi-detached property due regard must be given to neighbouring residential amenity. It is recommended that any future planning application provide details of any overshadowing analysis undertaken as part of the proposal development. Whilst the presence of the high boundary fence is noted, the proposed ground floor link lobby will effectively enclose an existing gap to the proposed downstairs studio/bedroom.
 - The neighbour at 33 has started a Permitted Development ground floor single storey extension across the rear/south of their property - this occupies a larger area than the proposal at 35, it is at a similar height to our proposal, the gap between 33 & 35 and the aspect of over looking and/or over bearing will be mitigated by the side/boundary with both properties being largely unaltered as there is already a tall fence, as shown on the design information, closing most of the boundary on the side of No 33, our extension/infill is the same height as the existing outbuilding and lower than the fence at 2.4m.
- The contemporary design proposed is recognised and understood, however, reference is drawn to part g of the policy which highlights that pitched roofs will be preferred to flat roofs and box dormers are not acceptable. In light of this parts of the design could be reconsidered, albeit it is recognised that the flat roof on to the adjoining property serves to limit the height of that part of the development and incorporates a living/green roof which could bring bio diversity benefits. It is also acknowledged that flat roofs are already present at the property. In terms of the policy wording it is ultimately box dormers which are not permissible under the terms of the policy, and could be addressed by deploying a shallow downward pitch to the single box dormer window.
 - We acknowledge the 'DP1' we have amended the original design and copy here the intent to only have pitched roofing - we now have more detail measured survey information for the property and the proposed new roof pitch to the 'top' of the proposed roof adjuncts, serves to create adequate 'head room' internally and incorporate pitched roof extensions, whilst also maintaining the roof extensions well below the existing ridge, we have spaced out the roof interventions and removed the plain box dormer from the Pre App proposal. The intent is to form this volume as an asymmetrical slate roofed, pitched dormer - picking up on the form of our contemporary design theme, the dormer proposals now marry the design intent with the extension at first floor to the east over the bathroom - we read that the Pre App response has broad policy support for these contemporary forms and materials.
- The materials suit the design proposed and would likely sit well as part of the overall contemporary design alongside the existing property given the use of slate roof tiles to tie the extension into the existing roof.
- The proposal is proposals a contemporary intervention to a traditional property and an overall scale which would appear appropriate to the existing property, there would appear to be scope to alter the proposal to comply more readily with Policy DP1 part g.
 - Noted

Transportation comments:

This proposal is for alterations and extension to an existing dwelling and does not trigger the requirement to provide additional parking.

Note - Parking is on- street only and there is an informal agreement in place between

the property owners to park only on the northern side of Gordon Street.

No alterations are proposed to the existing entrance doorway onto Gordon Street. Transportation would therefore have no objections to the proposal.

The property owners on the north side of Gordon Street invariably use the open access lane to foreshore in the the north and park within or behind the properties on private land - there is no intensity of parking on the south side of Gordon Street and frontages of properties are usually in the applicants section of the neighbourhood of c14.5m giving ample space for upto 3 vehicles parallel parked.

All applications must make provision for surface water drainage and this means that all applications must be supported by a drainage statement which details and evidences the drainage design proposed. More information can be found on the Supplementary Guidance for all developments on drainage design and flood risk:

The intent with the reduced run-off of storm water by incorporating sedum roof turf planting is also to remove the concrete hard standing to the rear/south of the property with free draining ground build-up - this reduces surface run-off and reliance on surface water drainage this removes 24% of the existing areas relying on drainage services.

In all there will be a reduction in surface run-off by 24% due to this design mitigation for handling surface water and there will be a reduction in surface water going to the existing top water drainage system in the village.

Design Statement to support the contemporary design

This document embraces the 'Design & Access Statement' which explains the rationale of the acces, living, form of the design and submission in the context of the location and planning policy

POLICY sources particular relevance in blue

Moray Local Development Plan 2020

PP1 Placemaking

- a) Development must be designed to create successful, healthy places that support good physical and mental health, help reduce health inequalities, improve people's wellbeing, safeguard the environment and support economic development.
- b) A Placemaking Statement is required for residential developments of 10 units and above to be submitted with the planning application to articulate how the development proposal addresses the requirements of policy PP1 Placemaking and other relevant LDP policies and guidance. The Placemaking Statement must include sufficient information for the council to carry out a Quality Audit. Where considered appropriate by the council, taking account of the nature and scale of the proposed development and of the site circumstances, this shall include a landscaping plan, a topographical survey, slope analysis, site sections, 3D visualisations, a Street Engineering Review and a Biodiversity Plan. The Placemaking Statement must demonstrate how the development promotes opportunities for healthy living and working. The landscape plan must set out details of species type, size, timescales for planting and maintenance.
- c) To create successful, healthy places residential developments of 10 units and above must comply with Scottish Government policy Creating Places and Designing Streets and must incorporate the following fundamental principles:

(i) Character and Identity

Create places that are distinctive to prevent homogenous 'anywhere' development;

Provide a number of character areas reflecting site characteristics that have their own distinctive identity and are clearly distinguishable;

Provide distinctiveness between and in each character area through a combination of measures including variation in urban form, street structure/network, architecture and masonry, accent features (such

as porches), surrounds and detailing, materials (buildings and surfaces), colour, boundary treatments, hard/soft landscaping and a variety of approaches to tree species and planting that emphasises the hierarchy of open spaces and streets within a cohesive design strategy for the whole development

PP1 Placemaking supports the Scottish Government's aims to create healthy places through high quality design and ensure that Moray remains an attractive place to live and work, and encouraging inward investment and economic development opportunities.

DP1 Development Principles

This policy applies to all development, including extensions and conversions and will be applied reasonably taking into account the nature and scale of a proposal and individual circumstances.

The Council will require applicants to provide impact assessments in order to determine the impact of a proposal. Applicants may be asked to determine the impacts upon the environment, transport network, town centres, noise, air quality, landscape, trees, flood risk, protected habitats and species, contaminated land, built heritage and archaeology and provide mitigation to address these impacts.

Development proposals will be supported if they conform to the relevant Local Development Plan policies, proposals and additional guidance, meet the following criteria and address their individual and cumulative impacts:

(i) Design

- a) The scale, density and character must be appropriate to the surrounding area and create a sense of place (see Policy PP1) and support the principles of a walkable neighbourhood.
- b) The development must be integrated into the surrounding landscape which will include safeguarding existing trees and undertaking replacement planting to include native trees for any existing trees that are felled, and safeguarding any notable topographical features (e.g. distinctive knolls), stone walls and existing water features by avoiding channel modifications and culverting. A tree survey and tree protection plan must be provided with planning applications for all proposals where mature trees are present on site or that may impact on trees outwith the site. The strategy for new tree provision should follow the principles of the "Right Tree in the Right Place".
- c) Make provision for new open space and connect to existing open space under the requirements of Policy EP5 and provide details of the future maintenance of these spaces. A detailed landscape plan must be

submitted with planning applications and include information about green/blue infrastructure, tree species, planting, ground/soil conditions, and natural and man-made features (e.g. grass areas, wildflower verges, fencing, walls, paths, etc.).

d) Demonstrate how the development will conserve and enhance the natural and built environment and cultural heritage resources, retain original land contours and integrate into the landscape.

e) Proposals must not adversely impact upon neighbouring properties in terms of privacy, daylight or overbearing loss of amenity.

f) Proposals do not result in backland development or plots that are subdivided by more than 50% of the original plot. Sub-divided plots must be a minimum of 400m², excluding access and the built-up area of the application site will not exceed one-third of the total area of the plot and the resultant plot density and layout reflects the character of the surrounding area.

g) Pitched roofs will be preferred to flat roofs and box dormers are not acceptable.

h) Existing stone walls on buildings and boundaries must be retained. Alterations and extensions must be compatible with the character of the existing building in terms of design, form, choice of materials and positioning and meet all other relevant criteria of this policy.

i) Proposals must orientate and design buildings to maximise opportunities for solar gain.

j) All developments must be designed so as to ensure that all new buildings avoid a specified and rising proportion of the projected greenhouse gas emissions from their use (calculated on the basis of the approved design and plans for the specific development) through the installation and operation of low and zero-carbon generating technologies.

(ii) Transportation

- a) Proposals must provide safe entry and exit from the development, including the appropriate number and type of junctions, maximise connections and routes for pedestrians and cyclists, including links to active travel and core path routes, reduce travel demands and ensure appropriate visibility for all road users at junctions and bends. Road, cycling, footpath and public transport connections and infrastructure must be provided at a level appropriate to the development and connect people to education, employment, recreation, health, community and retail facilities.
- b) Car parking must not dominate the street scene and must be provided to the side or rear and behind the building line. Maximum (50%) parking to the front of buildings and on street may be permitted provided that the visual impact of the parked cars is mitigated by hedging or low stone boundary walls. Roadways with a single carriageway must provide sufficient off road parking to avoid access routes being blocked to larger service vehicles and prevent parking on pavements.
- c) Provide safe access to and from the road network, address any impacts on road safety and the local road, rail and public transport network. Any impacts identified through Transport Assessments/ Statements must be identified and mitigated. This may include but would not be limited to, passing places, road widening, junction improvements, bus stop infrastructure and drainage infrastructure. A number of potential mitigation measures have been identified in association with the development of sites and the most significant are shown on the Proposals Map as TSP's.
- d) Provide covered and secure facilities for cycle parking at all flats/apartments, retail, community, education, health and employment centres.

Garages and parking provision must be designed to comply with Moray Council parking specifications see Appendix 2.

The road layout must be designed to allow for the efficient mechanical sweeping of all roadways and channels, pavements, turning areas and junctions. The road layout must also be designed to enable safe working practices, minimising reversing of service vehicles, with hammerheads minimised in preference to turning areas such as road stubs or hatchets, and to provide adequate space for the collection of waste and movement of waste collection vehicles.

The road and house layout in urban development should allow for communal refuse collection points where the design does not allow for individual storage within the curtilage and / or collections at kerbside. Communal collection points may either be for the temporary storage of containers taken by the individual householder or for the permanent storage of larger containers. The requirements for a communal storage area are stated within the Council's Kerbside Collection Policy, which will be a material consideration.

Road signs should be minimised designed and placed at the back of footpaths to reduce street clutter, avoid obstructing pedestrian movements and safeguarding sightlines;

Within communal parking areas there will be a requirement for electric car charging points. Parking spaces for car sharing must be provided where a need is identified by the Transportation Manager.

(iii) Water environment, pollution, contamination

- a) Acceptable water and drainage provision must be made, including the use of sustainable urban drainage systems (SUDS) for dealing with surface water including temporary/ construction phase SUDS (see Policy EP12).
- b) New development should not be located in areas at flood risk or increase vulnerability to flooding (see Policy EP12). Exceptions to this would only be considered in specific circumstances, e.g. extension to an existing building or change of use to an equal or less vulnerable use. Where this exception is applied the proposed development must include resilience measures such as raised floor levels and electrical sockets.
- c) Proposals must avoid major hazard sites and address any potential risk of pollution including ground water contamination in accordance with recognised pollution prevention and control measures.
- d) Proposals must protect and wherever practicable enhance water features through for example naturalisation of watercourses by introducing a more natural planform and removing redundant or unnecessary structures.
- e) Proposals must address and sufficiently mitigate any contaminated land issues.
- f) Make acceptable arrangements for waste collection and management and encourage recycling.
- g) Avoid sterilising significant workable reserves of minerals, prime agricultural land or productive forestry.
- h) Proposals must avoid areas at risk of coastal erosion and coastal change.

Justification/ Notes

The policy sets out detailed criteria to ensure that proposals meet siting, design and servicing requirements, provide sustainable drainage arrangements and avoid any adverse effects on environmental interests.

Adopted Moray Council Supplementary Planning Guidance

Accessible Housing Affordable Housing

This policy refers mostly to wheelchair accessible housing - the proposal here whilst not a new build have at various points single steps for access and internally - the main intent has been to create a fully ambulant disabled ground floor private bedroom with an adjacent walk/roll-in wet room shower area in a private lobby that can be screened from the living area.

Scottish Planning Policy and Guidance

[NPF 4 broadly refers policy back to regional Local Plans as does:](#)

Scottish Planning Policy (SPP)

Purpose

i. The purpose of the SPP is to set out national planning policies which reflect Scottish Ministers' priorities for operation of the planning system and for the development^[1] and use of land. The SPP promotes consistency in the application of policy across Scotland whilst allowing sufficient flexibility to reflect local circumstances. It directly relates to:

- the preparation of development plans;
- the design of development, from initial concept through to delivery; and
- the determination of planning applications and appeals.

Status

ii. The SPP is a statement of Scottish Government policy on how nationally important land use planning matters should be addressed across the country. It is non-statutory. However, Section 3D of the Town and Country Planning (Scotland) 1997 Act requires that functions relating to the preparation of the National Planning Framework by Scottish Ministers and development plans by planning authorities must be exercised with the objective of contributing to **sustainable development**. Under the Act, Scottish Ministers are able to issue guidance on this requirement to which planning authorities must have regard. The Principal Policy on Sustainability is guidance under section 3E of the Act.

iii. The 1997 Act requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. As a statement of Ministers' priorities the content of the SPP is a material consideration that carries significant weight, though it is for the decision-maker to determine the appropriate weight in each case. Where development plans and proposals accord with this SPP, their progress through the planning system should be smoother.

iv. The SPP sits alongside the following Scottish Government planning policy documents:

- the [National Planning Framework \(NPF\)](#)^[2], which provides a statutory framework for Scotland's long-term spatial development. The NPF sets out the Scottish Government's spatial development priorities for the next 20 to 30 years. The SPP sets out policy that will help to deliver the objectives of the NPF;
- [Creating Places](#)^[3], the policy statement on architecture and place, which contains policies and guidance on the importance of architecture and design;
- [Designing Streets](#)^[4], which is a policy statement putting street design at the centre of placemaking. It contains policies and guidance on the design of new or existing streets and their construction, adoption and maintenance; and
- [Circulars](#)^[5], which contain policy on the implementation of legislation or procedures.
Circulars

Consultation Request Notification

Planning Authority Name	Moray Council
Response Date	10th August 2022
Planning Authority Reference	22/01066/APP
Nature of Proposal (Description)	Alter and extend dwellinghouse at
Site	35 Gordon Street Portgordon Buckie Moray AB56 5QR
Site Postcode	N/A
Site Gazetteer UPRN	000133029837
Proposal Location Easting	339940
Proposal Location Northing	864334
Area of application site (M²)	
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	https://publicaccess.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=RFCWQTBGH9N00
Previous Application	
Date of Consultation	27th July 2022
Is this a re-consultation of an existing application?	No
Applicant Name	Ms Claire Lambert
Applicant Organisation Name	
Applicant Address	35 Gordon Street Portgordon Buckie Moray AB56 5QR
Agent Name	Nick Midgley Design
Agent Organisation Name	
Agent Address	Feral Studios Wellington Mills Quebec Street Elland Hx5 9AS
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Fiona Olsen
Case Officer Phone number	01343 563189
Case Officer email address	fiona.olsen@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: 22/01066/APP

Alter and extend dwellinghouse at 35 Gordon Street Portgordon Buckie Moray for Ms Claire Lambert

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

Please

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

This proposal is for an extension to an existing property which does not trigger the requirement to provide additional parking. No off street parking presently exists or is proposed; and no alterations are proposed to the existing frontage. Transportation has no objections to the proposal.

Further comment(s) to be passed to applicant

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

It should be highlighted that an informal agreement is in place between the property owners within this localised area, to park only on the northern side of Gordon Street.

Public utility apparatus may be affected by this proposal. Contact the appropriate utility service in respect of any necessary utility service alterations which have to be carried out at the expense of the developer.

No building materials/scaffolding/builder's skip shall obstruct the public road (including footpaths) without permission from the Roads Authority.

Contact: AG

Date 29 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.

Consultee Comments for Planning Application 22/01066/APP

Application Summary

Application Number: 22/01066/APP

Address: 35 Gordon Street Portgordon Buckie Moray AB56 5QR

Proposal: Alter and extend dwellinghouse at

Case Officer: Fiona Olsen

Consultee Details

Name: Mr CL Consultations

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

Email: Not Available

On Behalf Of: Contaminated Land

Comments

Approved unconditionally

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Moray Flood Risk Management

Planning Application Ref. No: 22/01066/APP

Alter and extend dwellinghouse at 35 Gordon Street Portgordon Buckie Moray for Ms Claire Lambert

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	Date02/08/2022
email address:	Javier.cruz@moray.gov.uk	Phone No
Consultee:	The Moray Council, Flood Risk Management	

From: Tracey Dickieson <Tracey.Dickieson@moray.gov.uk>
Sent: 09 Aug 2022 09:18:44
To: DMSMyEmail@moray.gov.uk
Cc:
Subject: FW: Application 22/01066/APP - Archaeology comments
Attachments:

From: Claire Herbert <claire.herbert@aberdeenshire.gov.uk>
Sent: 08 August 2022 14:09
To: Fiona Olsen <Fiona.Olsen@moray.gov.uk>; Planning Consultation <consultation.planning@moray.gov.uk>
Subject: Application 22/01066/APP - Archaeology comments

Warning. This email contains web links and originates from outside of the Moray Council network. You should only click on these links if you are certain that the email is genuine and the content is safe.

Planning Reference: 22/01066/APP
Case Officer Name: Fiona Olsen
Proposal: Alter and extend dwellinghouse
Site Address: 35 Gordon Street Portgordon Buckie Moray
Site Post Code: AB56 5QR
Grid Reference: NJ 3994 6432

Having considered the above application, which affects a house dating to the 19th Century located within the historic core of Portgordon (Moray HER NJ36SE0137), I would ask that the following condition is applied:

Photographic survey

No demolition or any other works in connection with the development hereby approved shall commence unless a photographic survey of the existing buildings and structures on the application site has been submitted to and approved in writing by the planning authority. All external and internal elevations of the buildings and structures together with the setting of the buildings and structures and any unusual features of the existing buildings and structures shall be photographed. The photographic viewpoints must be clearly annotated on a plan to accompany the survey. The photographs and plan must be in a digital format and must be clearly marked with the planning reference number.

Reason: To ensure that a historic record of the building is made for inclusion in the National Monuments Record for Scotland and in the local Sites and Monuments Record.

Should you have any comments or queries regarding the above, please do not hesitate to contact me.

Kind regards,
Claire

Claire Herbert MA(Hons) MA MCIfA

Archaeologist

Archaeology Service, Planning and Economy, Environment and Infrastructure Services
Aberdeenshire Council

T: 01467 537717

E: Claire.herbert@aberdeenshire.gov.uk

W: <https://www.aberdeenshire.gov.uk/leisure-sport-and-culture/archaeology>

Search the Historic Environment Record: <https://online.aberdeenshire.gov.uk/smrpub>

Archaeology Service for Aberdeenshire, Moray, Angus & Aberdeen City Councils

Your feedback is important to us and helps us to improve our service – we value your [comments](#).

Please note office working hours: Monday - Friday, 9.30am – 5.30pm

Explore the historic environment - find and follow the Archaeology Service on social media:

Instagram: https://www.instagram.com/abshire_archaeology

Twitter: https://twitter.com/AbshireArch_CH/

YouTube: <https://www.youtube.com/channel/UCI3fCWk-cwaN2Nj1G0BkHPg>

This e-mail may contain privileged information intended solely for the use of the individual to whom it is addressed. If you have received this e-mail in error, please accept our apologies and notify the sender, deleting the e-mail afterwards. Any views or opinions presented are solely those of the e-mail's author and do not necessarily represent those of Aberdeenshire Council.

Dh'fhaodadh fiosrachadh sochaire, a tha a-mhàin airson an neach gu bheil am post-dealain air a chur, a bhith an seo. Ma tha thu air am post-dealain fhaighinn mar mhearachd, gabh ar leisgeul agus cuir fios chun an neach a chuir am post-dealain agus dubh às am post-dealain an dèidh sin. 'S e beachdan an neach a chuir am post-dealain a tha ann an gin sam bith a thèid a chur an cèill agus chan eil e a' ciallachadh gu bheil iad a' riochdachadh beachdan Chomhairle Shiorrachd Obar Dheathain.

www.aberdeenshire.gov.uk

REPORT OF HANDLING

Ref No:	22/01066/APP	Officer:	Fiona Olsen
Proposal Description/ Address	Alter and extend dwellinghouse at 35 Gordon Street Portgordon Buckie Moray		
Date:	30.09.2022	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
Aberdeenshire Council Archaeology Service	08/08/22	No Objections
Contaminated Land	01/08/22	No Objections
Transportation Manager	29/07/22	No Objections subject to informatives
Moray Flood Risk Management	02/08/22	No Objections

DEVELOPMENT PLAN POLICY

Policies	Dep	Any Comments (or refer to Observations below)
PP1 Placemaking	N	Complies
PP2 Sustainable Economic Growth	N	Complies
PP3 Infrastructure and Services	N	Complies
DP1 Development Principles	Y	See below
EP8 Historic Environment	N	Complies
EP12 Management and Enhancement Water	N	Complies
EP13 Foul Drainage	N	Complies
EP14 Pollution Contamination Hazards	N	Complies

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

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:

Proposal

The application seeks planning permission to alter and extend an existing dwellinghouse.

The alterations proposed are to the rear of the property only. These involve the creation of two irregular shaped first floor dormers on the rear roof plane, a first floor extension over an existing single storey flat roof, and the joining and conversion of an existing external garden store to form a ground floor bedroom.

The westernmost dormer proposed contains a single square window and incorporates a shallow pitch at the top, followed by a sharp (45 degree) pitch extending in an easterly direction towards the eaves of the roof. The easternmost dormer contains a shallow pitch at the top and connects to the proposed first floor extension on the western edge. Both dormers are proposed to be finished in natural slate to the sides and standing steam metal roofing to the top.

The proposed extension above the existing single storey flat roof extension, again contains a shallow pitched roof, with a steep (45 degree) pitch extending to eaves of the roof and would measure approx. 5.1m to the highest part of the roof. This extension is proposed to be finished in vertical larch cladding and finished in natural slate.

Finally, an existing external store is proposed to be connected to the main dwellinghouse via a flat roof extension and conversion of the store to an additional bedroom on the ground floor. The existing single storey and connecting extension are proposed to be finished again in vertical larch cladding, with a green living roof Sedum planted with a slight overhang/shelter on the eastern side.

Extensive discussions have taken place with the agent and applicant on the proposed design however the agent and applicant have stated that they wish for the proposal to be determined as it currently stands.

Site

The site is located at 35 Gordon Street, Portgordon and is an existing traditional semi-detached dwellinghouse believed to have been constructed in the mid-1880s. The building is not listed nor in a Conservation Area.

The house is however located within the historic core of Portgordon which is identified on the Historic Environment Record (HER) as a site of archaeological interest.

There are neighbouring properties to the east and west (attached) of the site and the site is bound by the public road to the north and the old railway line to the south (designated as a 'Core Path' and open space within the MLDP 2020).

Policy Assessment

Siting and Design (MLDP 2020 Policy DP1)

Policy DP1 requires that the scale, density and character of all development be appropriate to the surrounding area, be integrated into the surrounding landscape and not adversely impact upon neighbouring properties in terms of privacy, daylight or overbearing loss of amenity. Policy DP1 also states that pitched roofs are preferred to flat roofs and that box dormers are not acceptable.

As outlined, the application seeks planning permission to alter and extend an existing dwellinghouse. This includes a proposal for an irregular shaped rear dormer and an extension that also has an irregular form and includes a dormer with an irregular shape. The westernmost dormer contains a single square window and incorporates a shallow pitch at the top, followed by a sharp (45 degree) pitch extending in an easterly direction towards the eaves of the roof. The easternmost dormer also contains a single square window and incorporates a shallow pitch at the top connecting to the proposed extension on the western edge. The dormers are of a highly irregular shape and therefore represent an inappropriate form of development for this location as they are not in keeping with the form and character of the main (parent) property and neighbouring housing. On the plans and supporting documents submitted the agent has shown examples of other developments within Moray, however the dormers shown in these examples have a simple square shape, not the irregular shape presented here. Whilst it is acknowledged that the design reflects an attempt to provide a modern alternative to the conventional box dormers found on neighbouring properties, the irregular shaped dormers proposed here are unacceptable as they are not in keeping with the form or character of the existing property or surrounding area.

The proposed first floor extension above the existing flat roof extension again incorporates a shallow pitched roof, following by a sharp (45 degree) pitch, extending down towards eaves level. Whilst the sharp pitch would give the appearance of a traditional pitched roof when viewed from the east, it would give a box-like and flat roof appearance when viewed from the west. Policy DP1 states that pitched roofs are preferred to flat roofs and although the extension would replace an existing single storey flat roof, it would create unnecessary bulk through the appearance of a 'box-like' two storey flat roof extension when viewed from the west. The irregular shaped roof form of the first floor extension is considered incongruous with the form and character of the main traditional dwellinghouse and surrounding area and would not comply with policy DP1 and therefore the application will be refused.

Finally it is proposed to create a single storey 'link' extension and convert an existing store to form a ground floor bedroom. Although this proposal incorporates a flat roof, it extends an existing flat roof, with no increase in height (remaining at single storey) and the addition of Sedum roof planting would bring biodiversity benefits to the site. The extension is also located to the rear and is considered a small scale intervention. This element of the proposal is acceptable.

A design and access statement and further supporting statement have been submitted in light of the proposals. This gives examples of local buildings, both modern and traditional which incorporate traditional pitched roofs finished in traditional materials. The Design and Access Statement states that the dormer window arrangements proposed as part of this application are to be 'varied pitch forms, with shallow pitched capping' and goes on to state that these are 'vernacular features, reinterpreted and expressed in a contemporary form'. It also refers to the first floor extension and states that this reflects the 'neighbour structure of the workshops, net and sail lofts, sculptural yet function built form'. It is noted none of the examples given exemplify a roof design akin to that of the proposed irregular shaped dormers or first floor extension and whilst an effort has been made to create an alternative design to the common 'box-dormer', the alternative presented does not relate to the form, character or detailing of the parent dwelling or surrounding properties and therefore is not considered acceptable in terms of the design requirements of policy DP1.

A further supporting statement (received on 26/08/2022) outlines that the proposed alterations create only 6.5sqm of additional footprint. Whilst efforts to minimise additional footprint and ensure that the alterations do not result in overdevelopment of the existing site are commended, this does not

overcome the fact that both the dormers and first floor extension are of an irregular shape and design which is not in keeping with the form or character of the existing main property and therefore would not comply with policy DP1. The statement also outlines the requirement for a ground floor bedroom for multi-generational living and as outlined this element of the proposals, occupying the extended ground floor is deemed acceptable. Finally the statement outlines that the first floor extension will result in the removal of a flat roof and the creation of a pitched roof to the east. The statement fails to note however that the roof of the extension of an irregular shape and when viewed from the west, the first floor extension would create the appearance of a two storey flat roof 'box' which ultimately has a detrimental impact on the character of the dwelling, particularly when compared with the existing small scale single storey flat roof extensions.

With regard to the external finishes, the dormers are proposed to be finished in natural slate on the sides, with the shallow roof over in metal standing seam roofing. The flat roof extension is proposed to be finished in vertical larch cladding with a living roof planted in Sedum over. Finally the first floor extension is proposed to be finished again in vertical larch cladding with a natural slate roof over. These traditional materials would accord with the stone and slate finish of the main dwellinghouse and would therefore be acceptable.

In summary, the proposed rear dormers are considered unacceptable as they are of an irregular shape which is out of keeping with the form and character of the existing property and surrounding area. The irregular roof shape of the proposed first floor extension would give the appearance of a two storey flat roof extension (when viewed from the west) which creates unnecessary bulk and is incongruous with the main parent property and therefore the proposals are contrary to the design requirements of policy DP1 and the application will be refused.

In terms of proposed openings within the extensions and dormers, these will largely be orientated onto the applicant's existing garden ground, or old railway to the south of the site. The only opening to be orientated onto a neighbouring property is a single full length window on the western elevation of the first floor extension and is to be fitted with opaque glass. Therefore, no openings within the proposed alterations are deemed to give rise to any unacceptable loss of light or overlooking to neighbours. In terms of any loss of light or overshadowing, the extensions are either single storey or set back sufficiently and with an acceptable wall-head height so as not to give rise to adverse amenity impact to neighbours. Therefore, these aspects would be considered to comply with policy DP1.

Drainage (DP1, EP12)

The site is not within any areas identified to be at risk of flooding. Drainage information is provided within the Design and Access statement and outlines that the increase in roof area as a result of the proposals is only 6.5sqm. An area of concrete is also proposed to be replaced with free-draining gravel and the addition of a Sedum roof which slows surface water run-off. Moray Flood Risk Management have been consulted and have raised no objections therefore the drainage proposals would comply with policy DP1.

Protected Species (EP1)

As bats are a European Protected Species, the impact of the proposal on the species must be considered prior to determining the application and in line with the current Habitat Regulations 1994 as amended. If the application were to be approved an informative should be added to any final consent reminding the developer of their duties should any evidence of bats be uncovered during construction works and this would ensure compliance with policy EP1.

Archaeology (EP8)

As outlined, an area of archaeological interest lies over the site relating to the historic village of Portgordon. The Council's archaeologist has been consulted and requested a photographic survey be undertaken of the building for inclusion in the National Monuments Record for Scotland and local Sites and Monuments Record. This has been done and the Council's archaeologist is satisfied with

the information submitted. As a result the proposal would comply with policy EP8.

Parking and Access (DP1)

The site is currently accessed via the public road to the north of the site and parking is via on-street parking again to the north. No alterations to either of these are proposed and the Moray Council Transportation Section has been consulted and has raised no objections, subject to a series of informatives to be added to any final consent, should the application be approved. This ensure compliance with the Transportation requirements of policy DP1.

Conclusion

The proposed rear dormers are considered unacceptable as they are of an irregular shape which is not keeping with the form and character of the existing traditional property and surrounding area. The proposed first floor extension incorporates an irregular roof shape which would give the appearance of a two storey flat roof extension which creates unnecessary bulk and is incongruous with the main parent property and therefore the proposals are contrary to the design requirements of policy DP1 and the application is refused.

OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT

None

HISTORY

Reference No.	Description		
	Decision		Date Of Decision

ADVERT

Advert Fee paid?	N/A	
Local Newspaper	Reason for Advert	Date of expiry

DEVELOPER CONTRIBUTIONS (PGU)

Status	N/A
--------	-----

DOCUMENTS, ASSESSMENTS etc. *

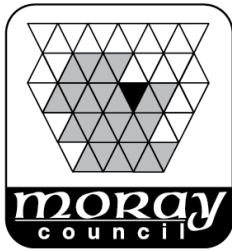
* Includes Environmental Statement, Appropriate Assessment, Design Statement, Design and Access Statement, RIA, TA, NIA, FRA etc

Supporting information submitted with application?	YES
Summary of main issues raised in each statement/assessment/report	
Document Name:	Design and Access Statement (dated 18/07/2022)
Main Issues:	Outlines background and justification for design shown. Also gives details on drainage proposals.
Document Name:	Supporting Statement (dated 26/08/2022)
Main Issues:	Statement prepared in response to Planning Officer's email sent on 22/08/2022 raising concern with regard to extension and dormers.

Document Name:	Photographic Survey (dated 12/08/2022)
Main Issues:	Photographic historical record of the building, both internally and externally, requested by the Council's Archaeologist.

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]
Application for Planning Permission**

TO Ms Claire Lambert
c/o Nick Midgley Design
Feral Studios
Wellington Mills
Quebec Street
Elland
Hx5 9AS

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:-

Alter and extend dwellinghouse at 35 Gordon Street Portgordon Buckie Moray

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

Date of Notice: **30 September 2022**

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 proposed alterations and extension are contrary to Moray Local Development Plan 2020 policy DP1(i)(a) for the following reasons:

1. The proposed rear dormers are considered unacceptable as they are of an irregular shape which is not keeping with the form and character of the existing traditional property and surrounding area.
2. The proposed first floor extension incorporates an irregular roof shape giving the appearance of a two storey flat roof extension which creates unnecessary bulk and is incongruous with the main parent property.

LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT

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

Reference	Version	Title
POR.P.007		Proposed south elevation and section
POR.P.027		Existing and proposed roof plan
		Block plan
POR.P.009		Proposed elevation
POR.P.010		Proposed east elevation
POR.P.006		Proposed first floor plan
POR.P.012		Proposed elevation
POR.P.008		Proposed south elevation
POR.P.005		Proposed ground floor plan
POR.P.011		Proposed west elevation and section
POR.P.014		Perspective view from south east
		Location plan
POR.P.004		Site plan

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

If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning

(Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to The Clerk, Moray Council Local Review Body, Legal and Committee Services, Council Offices, High Street, Elgin IV30 1BX. This form is also available and can be submitted online or downloaded from www.eplanning.scotland.gov.uk

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.