



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

**REFUSAL OF PLANNING PERMISSION**

**[Forres]  
Planning Permission in Principle**

TO Renaissance Care (No 1) Limited  
c/o Davidson Baxter Partnership Ltd  
Daen House  
191A Nicol Street  
Kirkcaldy  
KY1 1PF

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

**Proposed residential development for 6 houses on Land Adjacent To Meadowlark Nursing Home Mannachie Road Forres Moray**

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

Date of Notice: **11th December 2012**

**HEAD OF DEVELOPMENT SERVICES**

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

The proposal would be contrary to policies IMP1 and H3 in the Moray Council Local Plan for the following reason:

- (i) The openness of the area makes a valuable contribution to the setting of the nursing home and to the character of the area and the development would have an adverse impact on the surrounding environment.

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

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

Reference	Version	Title
PL 001		Location plan
PL003	D	Proposed site plan
PL004		Proposed site sections

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

- 1 Amended plan submitted with minor alterations to the access road and plan provided showing sections. These plans were not considered to give rise to the need for re-neighbour notification.

**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, The Moray Council Local Review Body, Legal and Committee Services, Council Offices, High Street, Elgin IV30 1BX. This form is also available and can be submitted online or downloaded from [www.eplanning.scotland.gov.uk](http://www.eplanning.scotland.gov.uk)

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