



MORAY LOCAL REVIEW BODY

16 MAY 2023

SUMMARY OF INFORMATION FOR CASE No LR289

Ward 4 – Fochabers Lhanbryde

Planning Application 22/01292/APP – Erect dwellinghouse on Plot 3, Milnuff, Drybridge, Buckie

Planning permission was granted under the Statutory Scheme of Delegation by the Appointed Officer on 16 January 2023 subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of 3 years beginning with the date on which the permission is granted.

Reason: The time limit condition is imposed in order to comply with the requirements of section 58 of the Town and Country Planning (Scotland) Act 1997 as amended.

2. No development works shall commence on the dwelling house until a detailed drawing (scale 1:200) has been submitted to and approved in writing by the Council, as Planning Authority in consultation with the Roads Authority confirming the provision of, or location where a future Electric Vehicle (EV) charging unit is to be connected to an appropriate electricity supply, including details (written proposals and plans) to confirm the provision of the necessary cabling, ducting, and consumer units capable of supporting the future charging unit; and thereafter the EV charging infrastructure shall be provided in accordance with the approved drawing and details prior to the first occupation of the dwelling house.

Reason: In the interests of an acceptable form of development and the provision of infrastructure to support the use of low carbon transport, through the provision of details currently lacking.

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

Reason: To ensure the safety and free flow of traffic on the public road and access to the site by minimising the road safety impact from extraneous material and surface water in the vicinity of the new access.

4. A visibility splay 2.4 metres by 120 metres to the north-west shall be provided at the access onto the public road, and maintained thereafter at all times free from any obstruction greater than 0.6m in height measured from the level of the carriageway.

Reason: To enable drivers of vehicles leaving the site to have a clear view over a length of road sufficient to allow safe exit, in the interests of road safety for the proposed development and other road users.

5. Three car parking spaces shall be provided within the site prior to the occupation or completion of the dwelling house, whichever is the sooner. The parking spaces shall thereafter be retained throughout the lifetime of the development, unless otherwise agreed in writing with the Council as Planning Authority.

Reason: To ensure the permanent availability of the level of parking necessary for residents/visitors/others in the interests of an acceptable development and road safety.

6. Prior to the occupation of the house hereby approved a scheme of effective treatment to the private water supply shall be fully installed and properly maintained for the lifetime of the development. The scheme must ensure that the water to the house would fully comply with the regulatory limits stated in The Water Intended for Human Consumption (Private Supplies) (Scotland) regulations 2017 and should specifically include effective point of entry ultraviolet treatment, prefiltration, pH correction measures and iron/manganese treatment.

Reason: To ensure that the development is served by an adequate and wholesome water supply.

7. The paddock area associated with the plot as identified in the approved site plan, shall be only used as paddock land, and not for domestic garden purposes. Note. For the avoidance of doubt, the paddock does not have the benefit of permitted development rights under Article 2(4), Schedule, Part 1 Classes 3B (Building, engineering, installation or other operation within the curtilage of a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse) of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, as amended by the Town & Country Planning (General Permitted Development) (Scotland) Amendment Order 2011 (or any Order revoking and re-enacting that Order(s) with or without modifications).

Reason: To safeguard the rural character of the site and its surroundings, by mitigating against any domestic encroachment into adjoining farm/paddock land.

8. Unless otherwise agreed in writing with the Planning Authority, boundary enclosures surrounding the site hereby approved shall only comprise post and wire fencing or hedging made up of native species (birch, gean, hawthorn, scots pine, beech, oak, holly). In addition 15% of the plot must be landscaped with native tree species (whips and feathered trees at least 1.5 metres in

height, planted at a density of 1 per 4 sqm). All planting, seeding or turfing shall be carried out in the first planting and seeding seasons following the commencement of development. Any trees or plants which within a period of five years from the completion of the development die, for whatever reason are removed or damaged shall be replaced in the next planting season with others of the same size and species.

Reason: To ensure an acceptable scheme of landscaping to aid the integration of the house into the surrounding landscape and ensure the planting is timeously provided.

9. Notwithstanding the details shown on the approved plans, the roof of the dwellinghouse hereby approved shall be finished in natural slate.

Reason: To ensure the highest standards of material finish are achieved for new housing in the countryside and that new housing is finished in a manner which reflects the traditional material finishes of houses in Moray.

10. The residential caravan hereby permitted is solely for the use of the applicant or developer for the duration of the construction works associated with the development hereby approved. Within 3 years from the date of this decision notice or within 2 months following the occupation or completion of the dwellinghouse, whichever is the sooner, the caravan shall be removed permanently from the site, along with all associated fixtures and fittings.

Reason: To ensure the removal of the residential caravan from the site following the completion of the adjacent house, in the interests of minimising and removing the visual impact of the caravan.

Documents considered or prepared by the Appointed Officer in respect of the above planning application are attached as **Appendix 1**.

The Notice of the Review, Grounds for Review and any supporting documents submitted by the Applicant are attached as **Appendix 2**.

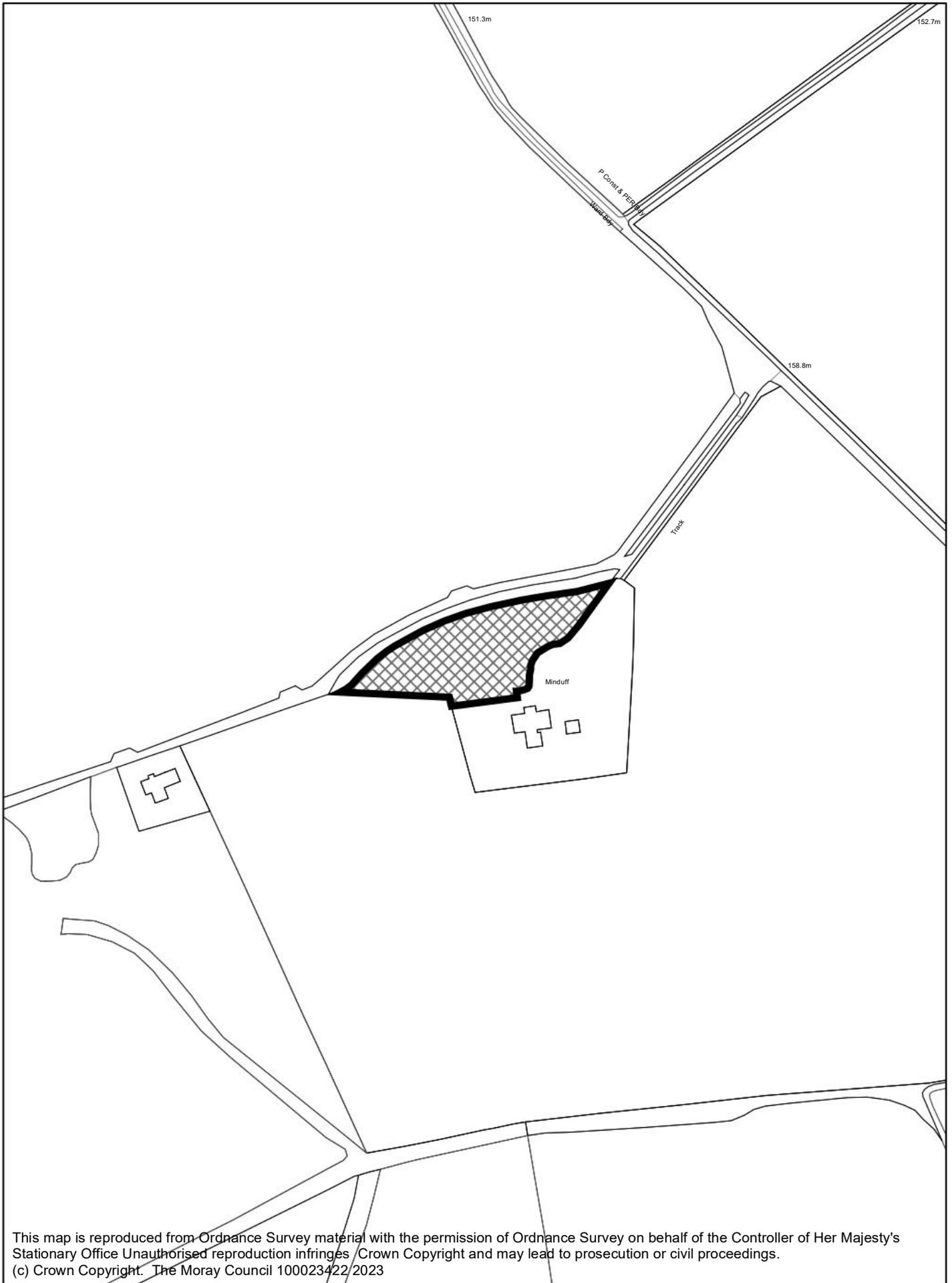
No Further Representations were received in response to the Notice of Review.

At the meeting of the Moray Local Review Body (MLRB) on 16 February 2023, the MLRB noted that National Planning Framework 4 (NPF4) had been adopted by the Council on Monday 13 February 2023 and that all planning applications determined beyond this date would have to take NPF4 into consideration, as this is now part of the MLDP 2020 and deferred consideration of the above Review to request further information from the Appointed Officer and Interested Parties after considering the planning application in light of NPF4 with any response received being forwarded to the Applicant for comment.

NPF4 has no impact on this LRB case.



**Location plan for Planning Application Reference Number :
22/01292/APP**





APPENDIX 1

DOCUMENTS CONSIDERED OR PREPARED BY THE APPOINTED OFFICER



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 100475230-004

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

Type of Application

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

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

Description of Proposal

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

Erect dwelling house

Is this a temporary permission? * Yes No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) * Yes No

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

No Yes – Started Yes - Completed

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:

Ref. Number:

You must enter a Building Name or Number, or both: *

First Name: *

Christopher

Building Name:

Minduff

Last Name: *

Bremner

Building Number:

Telephone Number: *

07876758717

Address 1
(Street): *

Drybridge

Extension Number:

Address 2:

Mobile Number:

Town/City: *

Buckie

Fax Number:

Country: *

Scotland

Postcode: *

AB56 5LB

Email Address: *

christopher.bremner@hotmail.com

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:

Mr

You must enter a Building Name or Number, or both: *

Other Title:

Building Name:

First Name: *

Timothy

Building Number:

23

Last Name: *

Wright

Address 1
(Street): *

Cameron Crescent

Company/Organisation

Address 2:

Telephone Number: *

Town/City: *

Buckie

Extension Number:

Country: *

Scotland

Mobile Number:

Postcode: *

AB56 1AG

Fax Number:

Email Address: *

Site Address Details

Planning Authority:

Moray Council

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

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Plot 3 Minduff

Northing

860411

Easting

343427

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)

Revised design sent to achieve 6.75m ridge height.

Title:

Mr

Other title:

First Name:

Iain

Last Name:

Drummond

Correspondence Reference Number:

Date (dd/mm/yyyy):

12/08/2022

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

Site Area

Please state the site area:

4381.00

Please state the measurement type used:

Hectares (ha) Square Metres (sq.m)

Existing Use

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

House plot with previous approval

Access and Parking

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

Yes No

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

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

Yes No

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

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

0

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

4

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

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? *

Yes No

Do your proposals make provision for sustainable drainage of surface water?? * (e.g. SUDS arrangements) *

Yes No

Note:-

Please include details of SUDS arrangements on your plans

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

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

Yes

No, using a private water supply

No connection required

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

Assessment of Flood Risk

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

Yes No Don't Know

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

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

Yes No Don't Know

Trees

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

Yes No

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

Waste Storage and Collection

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

Yes No

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

area to store bins. collection from the existing turning area at the end of the Minduff road.

Residential Units Including Conversion

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

Yes No

How many units do you propose in total? *

1

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

All Types of Non Housing Development – Proposed New Floorspace

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

Yes No

Schedule 3 Development

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

Yes No Don't Know

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

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

Planning Service Employee/Elected Member Interest

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

Yes No

Certificates and Notices

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

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

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

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

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: Christopher Bremner

On behalf of: Mr Timothy Wright

Date: 01/09/2022

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

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

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

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

Yes No Not applicable to this application

b) If this is an application for planning permission or planning permission in principal where there is a crown interest in the land, have you provided a statement to that effect? *

Yes No Not applicable to this application

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

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

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

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

Site Layout Plan or Block plan.

Elevations.

Floor plans.

Cross sections.

Roof plan.

Master Plan/Framework Plan.

Landscape plan.

Photographs and/or photomontages.

Other.

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

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. * Yes N/A

A Design Statement or Design and Access Statement. * Yes N/A

A Flood Risk Assessment. * Yes N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * Yes N/A

Drainage/SUDS layout. * Yes N/A

A Transport Assessment or Travel Plan Yes N/A

Contaminated Land Assessment. * Yes N/A

Habitat Survey. * Yes N/A

A Processing Agreement. * Yes N/A

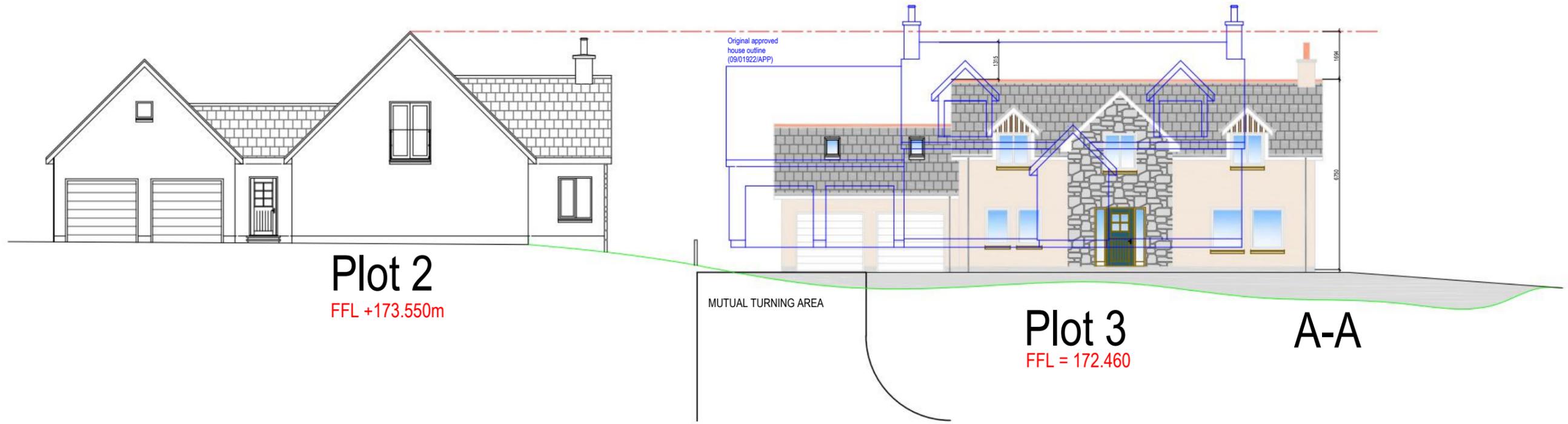
Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

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

Declaration Name: Mr Christopher Bremner

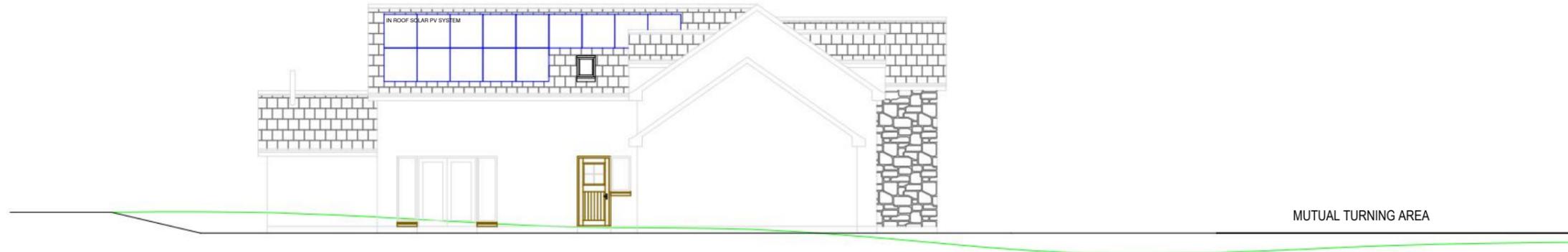
Declaration Date: 01/09/2022



Plot 2
FFL +173.550m

Plot 3
FFL = 172.460

A-A



Plot 3
FFL = 172.460

B-B

Mr & Mrs Wright
Plot 3 Minduff,
Drybridge, Buckie

Site Sections
18-08-22 1:150@A3
Drawing No. 20-121-PL02

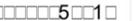


**CHRISTOPHER BREMNER
PLANS**

Planning and Building Warrant applications...

New House - Conversion -
Garage - Extension...

christopher.bremner@hotmail.com





LANSCAPE LEGEND

A range of 'Selected Standard'

- S - Silver Birch (Betula Pendula) Whip/Feather
- O - Oak (Quercus Petraea) Whip/Feather
- B - Beech (Fagus sylvatica) Whip/Feather
- R - Rowan (Sorbus Aucupata) Whip/Feather

Spacing - 2m x 2m

Notes

All planting, seeding or turfing as may be compromised in the approved details shall be carried out in the first planting and seeding seasons following the commencement of the development.

Any trees, plants or hedging, which within a period of five years from the completion of the development die, for whatever reason are removed or damaged shall be replaced in the next planning season with others of the same size and species

Mr & Mrs Wright
Plot 3 Minduff,
Drybridge, Buckie

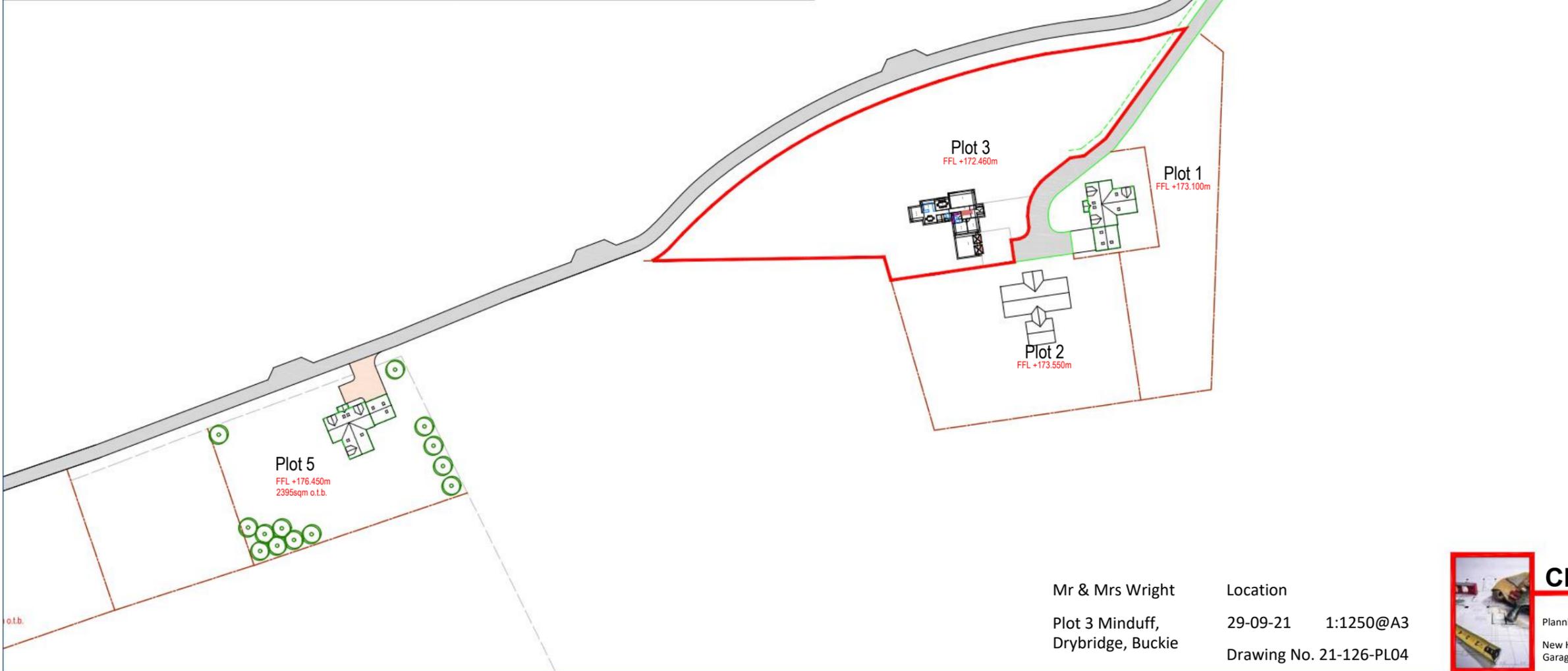
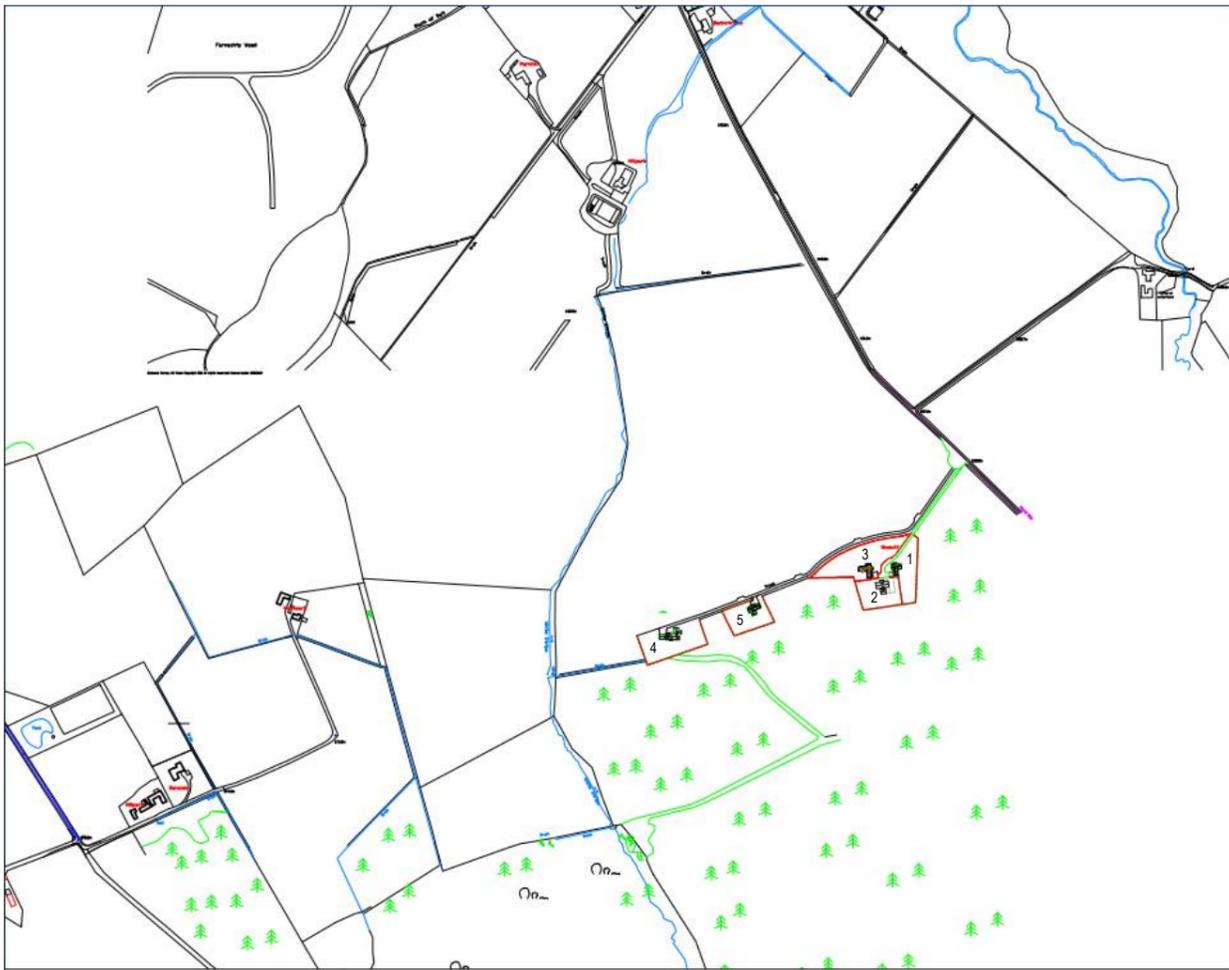
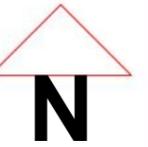
Site Plan
29-09-21 1:500@A3
Drawing No. 20-121-PL03



CHRISTOPHER BREMNER PLANS

Planning and Building Warrant applications...
07876758717
christopher.bremner@hotmail.com

New House - Conversion -
Garage - Extension...



Mr & Mrs Wright
Plot 3 Minduff,
Drybridge, Buckie

Location
29-09-21 1:1250@A3
Drawing No. 21-126-PL04



CHRISTOPHER BREMNER
PLANS

Planning and Building Warrant applications...
New House - Conversion -
Garage - Extension...
07876758717
christopher.bremner@hotmail.com



East Elevation



North Elevation

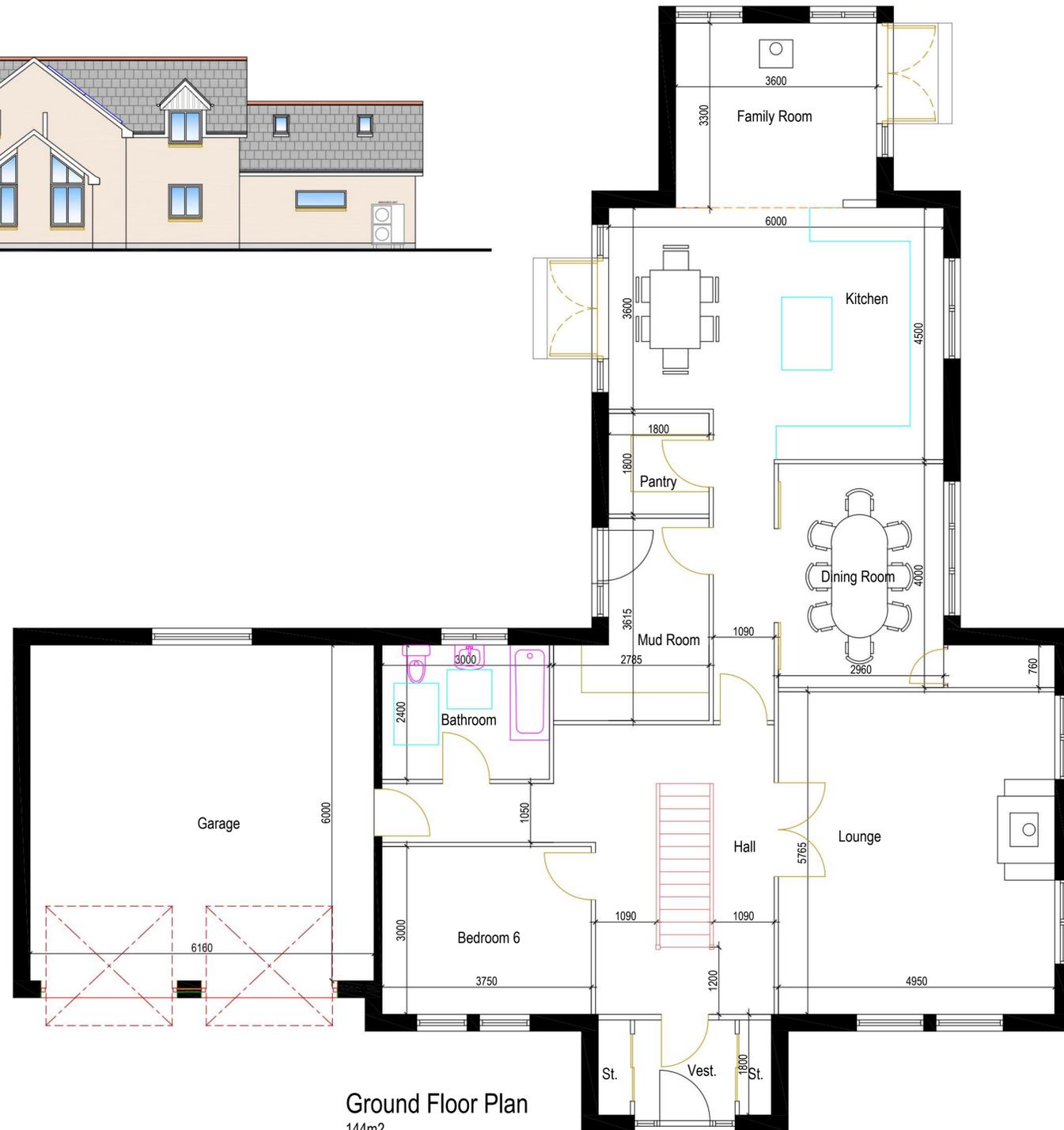


South Elevation

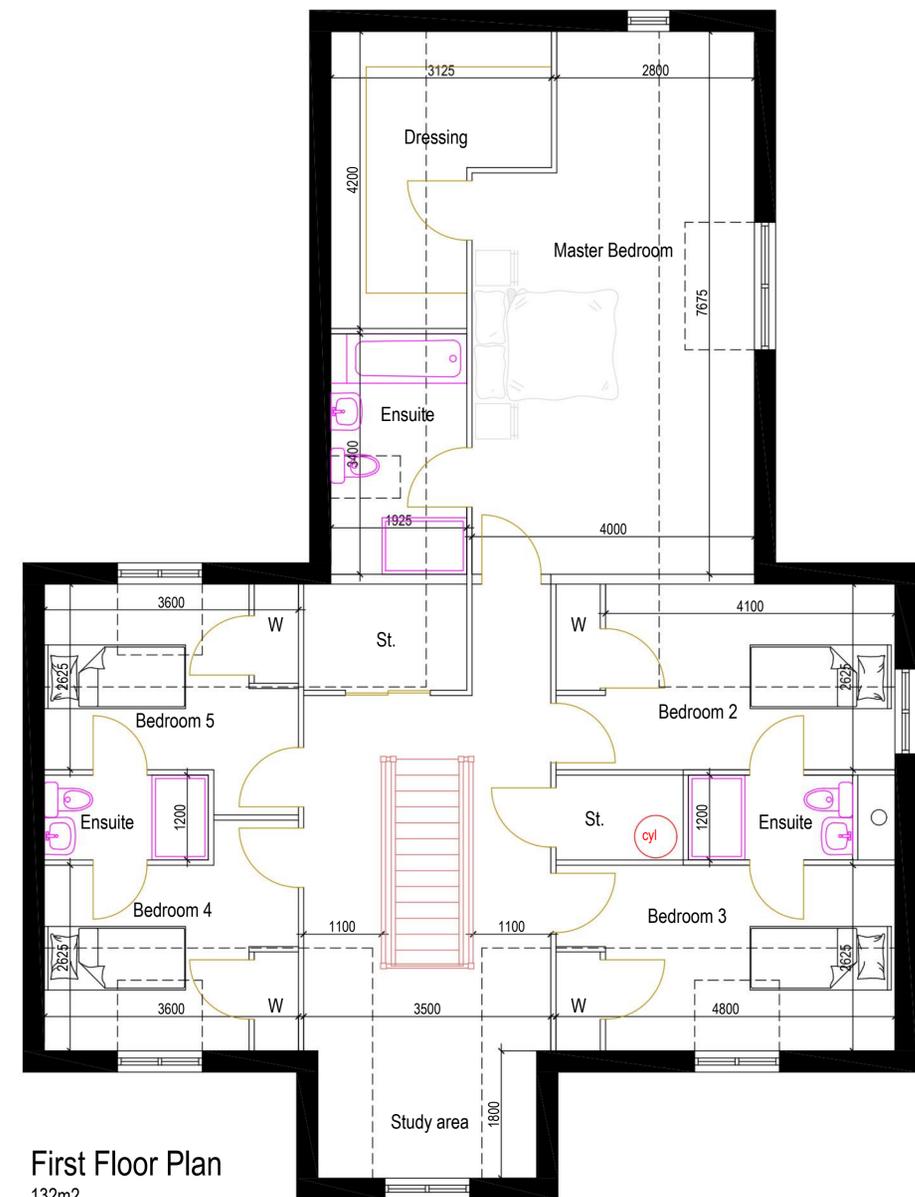


West Elevation

- EXTERNAL FINISHES:-**
1. Slate effect tiles
 2. Tuscany beige Roughcast.
 3. Natural stone feature gable.
 4. White UPVC Windows & Doors.
 5. White UPVC Soffit and Fascia.



Ground Floor Plan
144m²



First Floor Plan
132m²

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

gmsurveys

Surveys, Setting-Out Civil Engineering Design

Site Investigation & Drainage Assessment

PLOT 3 MINDUFF

Gary Mackintosh Bsc
gmsurveys@gmail.com

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Client:

Mr and Mrs Wright

Site Address:

Proposed Dwelling
Minduff
Buckie

Planning Reference:

TBC

Date:

12th January 2022

Job Number:

GMC22-009

Company Information:

Assessment completed by:

Gary Mackintosh Bsc

GMCSurveys

34 Castle Street

Forres

Moray

IV36 1PW

Email: gmcsurveys@gmail.com

Telephone: 07557431702

Introduction:

The proposals are to erect a new private dwelling within Plot 3 of the previously approved development located at Minduff, By Buckie together with all associated infrastructure.

The SEPA Flood maps have been consulted which confirm the property is not at risk of fluvial or pluvial flooding during a 1:200year event.

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

Soil Conditions:

Excavations were carried out by mechanical excavator on 26th November 2021 to assess the existing ground conditions and carry out infiltration and percolation testing for the management of foul and surface waters via soakaways.

The trial pits were excavated to depths of 1.8m and no groundwater was encountered.

The excavations consisted of 0 – 300mm Topsoil, 300 – 1200mm brown/red, firm to stiff, gravelly Clays overlying mixed gravels and rock easily broken with the teeth of the excavator proved to the depth of the excavations.

There was no evidence of fill material or contamination within the trial pits and no ground water was encountered. The natural soils have a minimum bearing capacity of 75kn/m².

Percolation/Soakaway Testing:

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

| | 1 st | 2 nd | 3 rd | Mean |
|------------------------|------------------|-----------------|-----------------|-------|
| Date of Test | 26/11/21 | 26/11/21 | 26/11/21 | |
| TH01 | 1440S | 2040S | 2340S | 1940S |
| Average Soil Vp | 12.93S/mm | | | |

Infiltration testing:

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

| Infiltration Test | Pit Dimensions (w/l) | Test Zone (mbgl) | Infiltration Rate (m/s) |
|--------------------------|-----------------------------|-------------------------|--------------------------------|
| INF01 | 1.2m x 1.2m | 1.0 - 1.8 | 2.43×10^{-5} |

Conclusion and Recommendations:

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

The Vp rate is below the maximum threshold of 15S/mm therefore a 'Packaged Sewage Treatment Plant' would be required, the final details of which are to be confirmed by the chosen supplier.

Foul Water Discharge via Soakaway:

As the Vp rate is below 15s/mm, in addition to the package sewage treatment plant, SEPA require that 3.6m² per person or 25m² minimum be allowed for the foul water soakaway, whichever is greater.

$$3.6 \times 8 \text{ (6 Bedroom)} = \underline{\mathbf{28.80m^2}}$$

It is therefore proposed to install a soakaway with a minimum base area of 25m². This area can be provided with soakaway plan dimensions 7.20m x 4.00m at a depth of 0.45m below invert level. Alternative dimensions may be adopted to better suit the site layout ensuring that the minimum base area of **28.80m²** is maintained.

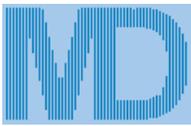
Surface Water Dispersal via Soakaway:

Please see attached surface water calculations detailing the requirement and suitability for soakaway dimensions of 8.0m x 3.5m at a depth of 1.50m below the invert level based on the proposed contributing area of 315m² (proposed roof area) up to and including a 1:30year event with 35% allowance for climate change.

Soakaway Details can be found in Appendix A.

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

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



MasterDrain
SW 16.10

gmcsurveys
Surveys, Setting Out Civil Engineering Design

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

| | | |
|-----------------------------|---------|----------|
| Job No. GMC22-009 | | |
| Sheet no. 1 | | |
| Date 12/01/22 | | |
| By GM | Checked | Approved |

| |
|--|
| Project Plot 3 Minduff, Buckie |
| Title Surface Water Soakaway |

Rectangular pit design data:-

| | |
|-----------------------------------|--------------------------------|
| Pit length = 8 m | Pit width = 3.5 m |
| Depth below invert = 1.5 m | Percentage voids = 30.0% |
| Imperm. area = 315 m ² | Infiltr. factor = 0.000024 m/s |
| Return period = 100 yrs | Climate change = 30% |

Calculations :-

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

$$a_{s50} = 2 \times (\text{length} + \text{width}) \times \text{depth}/2 = 17.2 \text{ m}^2$$

Outflow factor : $O = a_{s50} \times \text{Infiltration rate} = 0.000414 \text{ m/s}$

Soakaway storage volume : $S_{\text{actual}} = \text{length} \times \text{width} \times \text{depth} \times \% \text{voids}/100 = 12.6 \text{ m}^3$

| Duration | Rainfall mm/hr | Inflow m ³ | Depth (hmax) m | Outflow m ³ | Storage m ³ |
|----------|-------------------|--------------------------|-------------------|---------------------------|---------------------------|
| 5 mins | 111.6 | 2.9 | 0.33 | 0.12 | 2.79 |
| 10 mins | 87.1 | 4.6 | 0.51 | 0.25 | 4.31 |
| 15 mins | 72.9 | 5.7 | 0.64 | 0.37 | 5.37 |
| 30 mins | 51.7 | 8.1 | 0.88 | 0.75 | 7.39 |
| 1 hrs | 34.9 | 11.0 | 1.13 | 1.49 | 9.50 |
| 2 hrs | 22.5 | 14.2 | 1.33 | 2.98 | 11.20 |
| 4 hrs | 14.3 | 18.0 | 1.43 | 5.96 | 12.02 |
| 6 hrs | 10.9 | 20.5 | 1.38 | 8.94 | 11.60 |
| 10 hrs | 7.7 | 24.2 | 1.11 | 14.90 | 9.31 |
| 24 hrs | 4.2 | 31.9 | 0.00 | 35.77 | 0.00 |

Actual volume : $S_{\text{actual}} = 12.600 \text{ m}^3$

Required volume : $S_{\text{reqd.}} = 12.020 \text{ m}^3$

Soakaway volume storage OK.

Minimum required a_{s50} : 16.46 m²

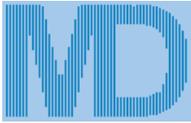
Actual a_{s50} : 17.25 m²

Minimum depth required: 1.43 m

Time to maximum 4 hrs

Emptying time to 50% volume = $t_{s50} = S_{\text{reqd}} \times 0.5 / (a_{s50} \times \text{Infiltration rate}) = 04:01 \text{ (hr:min)}$

Soakaway emptying time is OK.



MasterDrain
SW 16.10

gmcsurveys
Surveys, Setting Out Civil Engineering Design

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

| | | |
|-----------------------------|---------|----------|
| Job No. GMC22-009 | | |
| Sheet no. 2 | | |
| Date 12/01/22 | | |
| By GM | Checked | Approved |

| |
|--|
| Project Plot 3 Minduff, Buckie |
| Title Surface Water Soakaway |

Location hydrological data (FSR):-

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

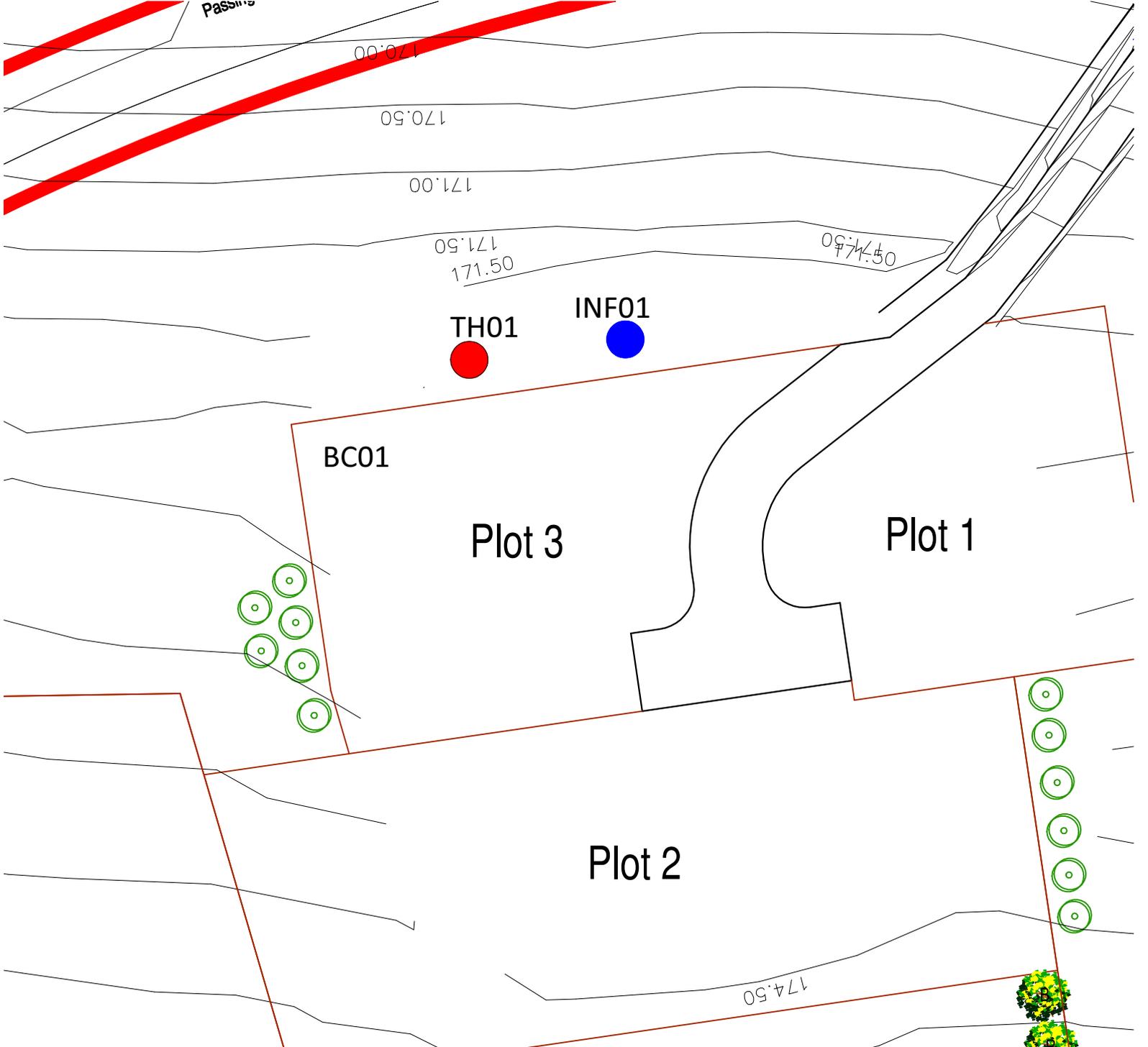
Soil classification for WRAP type 1

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

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

Appendix A

Test Hole Locations



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

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

CLIENT:
Mr and Mrs Wright

SITE:
**Plot 3 Minduff
 By Buckie**

TITLE:
Test Hole Location

| | | | |
|--------------------------|---------------------------|--------------|----------|
| SCALE AT A4: NTS | DATE: JAN22 | DRAWN: GM | CHECKED: |
| PROJECT NO: GMC22-009 | DRAWING NO: Appendix A | REVISION: | - |

Appendix B

Soakaway Details/Certificates

Certificate For Proposed Sub – Surface Soakaways
Foul Water

Applicants Name: Mr and Mrs Wright
Address: Plot 3, Minduff, By Buckie
Site Address: Proposed New Dwelling at Above Address
Date of Tests: 26th November 2021
Weather Conditions: Dry/Overcast

Percolation Test/Soakaway Sizing:

| | 1 st | 2 nd | 3 rd | Mean |
|------------------------|------------------|-----------------|-----------------|-------|
| Date of Test | 26/11/21 | 26/11/21 | 26/11/21 | |
| TH01 | 1440s | 2040s | 2340s | 1940s |
| Average Soil Vp | 12.93s/mm | | | |

Location: TP1
Average Soil Vp: 12.93s/mm
PE: 8
Base Area (min): 28.80m² (as per SEPA requirements)

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

Signed: G Mackintosh Gary Mackintosh BSc. Date: 12th January 2022

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

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

Certificate For Proposed Sub – Surface Soakaways
Surface Water

Applicants Name: Mr and Mrs Wright
Address: Plot 3, Minduff, By Buckie
Site Address: Proposed New Dwelling at Above Address
Date of Tests: 26th November 2021
Weather Conditions: Dry/Overcast

Trial Pit Test – Surface Water:

Depth of Excavation: 1.8
Water Table Present: No

Infiltration Test:

Location: INF01
Infiltration Test Zone: 1.0 – 1.8mbgl
Infiltration Rate (m/s): 2.43×10^{-5}
Contributing Area: 315m²
Soakaway Size: 8.0m x 3.5m x 1.5 below the invert of the pipe (30year)

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

Signed: G Mackintosh Gary Mackintosh BSc. Date: 12th January 2021

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

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

Certificate of Chemical Analysis

Potable Private Water Sample

Laboratory Reference: 10222035
Your Reference: 13760
For the attention of: D Taylor
Received From: Filpumps Thainstone Business Park Inverurie
 Aberdeenshire
Received On: 25 October 2021
Taken From: Top of borehole, Plot (caravan), Minduff
Taken On: 22 October 2021
Appearance: Hazy, faintly yellow, no sediment.
Odour: Mild, musty.

Results of Analysis

| Method Code | Determination | Result | Prescribed Concentration or Value |
|-----------------|--|-----------------|-----------------------------------|
| i4203 | pH | 6.0 | 6.5 to 9.5 |
| i4204 | Conductivity | 190 µS/cm | not more than 2500 µS/cm |
| i4205 | Turbidity | 6.1 NTU | not more than 4.0 NTU |
| i4222a | Total Dissolved Solids | 130 mg/l | |
| i4102c | Nitrate (as NO ₃) | 35 mg/l | not more than 50 mg/l |
| i4523_Pb | Lead (as Pb) | < 2 µg/l | not more than 10 µg/l |
| i4523_Mn | Manganese (as Mn) | 116 µg/l | not more than 50 µg/l |
| i4523_Ca | Calcium (as Ca) | 10.2 mg/l | |
| i4523_Mg | Magnesium (as Mg) | 4.0 mg/l | |
| i4523_TH | Total Hardness (perm't)(mg/l CaCO ₃) | 42 mg/l | |
| i4523_Fe | Iron (as Fe) | 479 µg/l | not more than 200 µg/l |
| i4523dFe | Iron (dissolved) (as Fe) | < 2 µg/l | not more than 200 µg/l |

Comments:(1)

The pH value of the sample was outside of the range prescribed in The Private Water Supplies (Scotland) Regulations 2006.

The turbidity of the sample exceeded the maximum concentration or value prescribed in The Private Water Supplies (Scotland) Regulations 2006.

The manganese level of the sample exceeded the maximum concentration or value prescribed in The Private Water Supplies (Scotland) Regulations 2006.

(1) Comments, opinions and interpretations are outside the scope of UKAS accreditation.

| | |
|-------------------|---|
| Signature: | |
| Name: | James Darroch BSc, CChem, MRSC |
| Status: | Laboratory Manager |
| Official Address: | Aberdeen Scientific Services Laboratory, Old Aberdeen House, Dunbar Street, Aberdeen, AB24 3UJ |
| Telephone Number: | (01224) 491648 |
| Date of Report: | 8 November 2021 |
| Issue Number: | 1 |



Page 1 of 2

Certificate of Chemical Analysis

Potable Private Water Sample

Laboratory Reference: 10222035
Your Reference: 13760
For the attention of: D Taylor
Received From: Filpumps Thainstone Business Park Inverurie
Aberdeenshire
Received On: 25 October 2021
Taken From: Top of borehole, Plot (caravan), Minduff
Taken On: 22 October 2021

The iron level of the sample exceeded the maximum concentration or value prescribed in The Private Water Supplies (Scotland) Regulations 2006.

The remaining results of analysis complied with the requirements of the above Regulations.

(1) Comments, opinions and interpretations are outside the scope of UKAS accreditation.

Signature:



Name: James Darroch BSc, CChem, MRSC

Status: Laboratory Manager

Official Address: Aberdeen Scientific Services Laboratory, Old Aberdeen House,
Dunbar Street, Aberdeen, AB24 3UJ

Telephone Number: (01224) 491648

Date of Report: 8 November 2021

Issue Number: 1



Form 172C Engineering Services Indicative Yield Test Data Sheet for Boreholes and Wells Revision 8



| Filpumps Information | | | |
|---|---|--|--------------------|
| Engineer R. Pitt | Date of Test 21-10-2021 | SOP / Job No 13760 | Page No of |
| Customer Information | | | |
| Company | Contact Address | Site Address | |
| Contact Tim Wright | | Plot (Caravan) Minduff | |
| Phone No / Fax No | | | |
| email Address | Post Code | Post Code AB56 5LB | |
| <u>Borehole Details</u> | | | |
| Flow required (if known) 1500 LTRS/DAY | Drillers Yield Estimate (if known) 7000 LTRS/HR | | |
| Test Location CARAVAN PLOT, MINDUFF | | | |
| Depth of borehole 45mtrs | Depth of water table in borehole 5mtrs BGL | | |
| Diameter of casing 139mm | Diameter of well screen 90mm | | |
| Measuring Point (Datum) TOP OF CASING | GPS Location of Borehole 57.629890 -2.949870 | | |
| <u>Test Equipment Details</u> | | | |
| Pump Model No. SQ3-65 | Kw 1.1 | | |
| Flowmeter 1" MULTI-JET | Dipper GREEN BGS | | |
| Any problems with pump? NO | Power Supply Available NO | | |
| Diameter of well screen (must be checked on site) 90mm | | | |
| <u>Flow at Stabilised Water Level</u> | | | |
| Flow 4.3m ³ /h | Total volume pumped 15.4m ³ | | |
| Level 7m below datum | | | |
| <u>Water Analysis</u> | | | |
| Sample taken for analysis: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | Type A <input type="checkbox"/> | Type B <input checked="" type="checkbox"/> | |
| <u>Borehole Indicative Yield</u> | | | |
| The borehole was pumped for 4 hours. A total volume of 15.4m ³ was pumped. | | | |
| The final flowrate (calculated from Form 172A) was 4.3m ³ /hr | | | |
| The estimated potential flowrate at this site is therefore 104m ³ / day, which equals 10400 (litres / day). | | | |
| This quantity of water is sufficient to provide a supply for up to 520 people at a consumption of 200 litres / person / day. | | | |
| You may also have to consult SEPA regarding water abstraction. | | | |
| NOTE: It may be necessary to install a storage tank to comply with Building Regulations or where water demand varies throughout the day. | | | |
| This indicative test does not predict water table rise and fall throughout the year and is based on the water availability at the time of the test. For this reason it is therefore only indicative of the longer term yield. | | | |
| Operations Manager A. McLeod | Signature | | Date 27-10-2021 |

**MORAY COUNCIL
PLANNING CONSULTATION RESPONSE**

From: The Moray Council, Flood Risk Management
Planning Application Ref. No: 21/01560/APP

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: Leigh Moreton Date 23/11/22
email address: leigh.moreton@moray.gov.uk Phone No

Consultee: The Moray Council, Flood Risk Management

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

Sent: 13 Sep 2022 10:31:31

To: DMSMyEmail@moray.gov.uk

Cc:

Subject: FW: 22/01292/APP Erect dwellinghouse on Plot 3 Minduff, Drybridge, Buckie

Attachments:

Hi,

No developer obligations will be sought for this application as it relates to an extant consent, 09/01922/APP.

Thanks

Rebecca

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

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

MORAY
council

Consultee Comments for Planning Application 22/01292/APP

Application Summary

Application Number: 22/01292/APP

Address: Plot 3 Minduff Drybridge Buckie Moray

Proposal: Erect dwellinghouse on

Case Officer: Iain T Drummond

Consultee Details

Name: Mr CL Consultations

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

Email: Not Available

On Behalf Of: Contaminated Land

Comments

Approved unconditionally

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Transportation Manager

Planning Application Ref. No: 22/01292/APP

Erect dwellinghouse on Plot 3 Minduff Drybridge Buckie Moray for Mr Timothy Wright

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

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

This proposal is for the erection of a new dwelling which is to be served via an existing access which is to be shared by two other new properties. The overall development requires the provision of a turning area for refuse vehicles at the end of the public road. The turning area has now been constructed (and is presently within the 1 year maintenance period prior to formally being adopted as part of the public road network (Roads Construction Consent (RCC 595) relates). The access to the site has also been surfaced. The following conditions would therefore apply:

Conditions

1. No development works shall commence on the dwelling house until a detailed drawing (scale 1:200) has been submitted to and approved in writing by the Council, as Planning Authority in consultation with the Roads Authority confirming the provision of, or location where a future Electric Vehicle (EV) charging unit is to be connected to an appropriate electricity supply, including details (written proposals and plans) to confirm the provision of the necessary cabling, ducting, and consumer units capable of supporting the future charging unit; and thereafter the EV charging infrastructure shall be provided in accordance with the approved drawing and details prior to the first occupation of the dwelling house.

Reason: In the interests of an acceptable form of development and the provision of infrastructure to support the use of low carbon transport, through the provision of details currently lacking.

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

Reason: To ensure the safety and free flow of traffic on the public road and access to the site by minimising the road safety impact from extraneous material and surface water in the vicinity of the new access.

3. A visibility splay 2.4 metres by 120 metres to the north-west shall be provided at the access onto the public road, and maintained thereafter at all times free from any obstruction greater than 0.6m in height measured from the level of the carriageway.

Reason: To enable drivers of vehicles leaving the site to have a clear view over a length of road sufficient to allow safe exit, in the interests of road safety for the proposed development and other road users.

4. Three car parking spaces shall be provided within the site prior to the occupation or completion of the dwelling house, whichever is the sooner. The parking spaces shall thereafter be retained throughout the lifetime of the development, unless otherwise agreed in writing with the Council as Planning Authority.

Reason: To ensure the permanent availability of the level of parking necessary for residents/visitors/others in the interests of an acceptable development and road safety.

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.

The provision of Electric Vehicle (EV) chargers and/or associated infrastructure shall be provided in accordance with Moray Council guidelines. Cabling between charging units and parking spaces must not cross or obstruct the public road including footways. Infrastructure provided to enable EV charging must be retained for this purpose for the lifetime of the development unless otherwise agreed in writing by the Planning Authority. Guidance on Electric Vehicle (EV) Charging requirements can be found at: <http://www.moray.gov.uk/downloads/file134860.pdf>

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

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

The applicant shall free and relieve the Roads Authority from any claims arising out of their operations on the road or extension to the road.

Contact: AG
email address: Transport.develop@moray.gov.uk
Consultee: TRANSPORTATION

Date 13 September 2022

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://www.moray.gov.uk/development>. (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.

Consultation Request Notification - Private Water Supplies

| | |
|--|---|
| Planning Authority Name | Moray Council |
| Response Date | 20th September 2022 |
| Planning Authority Reference | 22/01292/APP |
| Nature of Proposal (Description) | Erect dwellinghouse on |
| Site | Plot 3 Minduff Drybridge Buckie Moray |
| Site Postcode | N/A |
| Site Gazetteer UPRN | 000133059924 |
| Proposal Location Easting | 343431 |
| Proposal Location Northing | 860397 |
| Area of application site (M²) | 4381 |
| Additional Comments | |
| Development Hierarchy Level | LOCAL |
| Supporting Documentation URL | https://publicaccess.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=RHKJDOBG16F00 |
| Previous Application | 12/02050/APP 21/01560/APP |
| Date of Consultation | 6th September 2022 |
| Is this a re-consultation of an existing application? | Yes |
| Applicant Name | Mr Timothy Wright |
| Applicant Organisation Name | |
| Applicant Address | 23 Cameron Crescent Buckie Moray AB56 1AG |
| Agent Name | Christopher Bremner |
| Agent Organisation Name | |
| Agent Address | Minduff Drybridge Buckie Moray AB56 5LB |
| Agent Phone Number | Telephone : 07876758717 |
| Agent Email Address | N/A |
| Case Officer | Iain T Drummond |

| | |
|-----------------------------------|------------------------------------|
| Case Officer Phone number | 01343 563607 |
| Case Officer email address | iaın.drummond@moray.gov.uk |
| PA Response To | consultation.planning@moray.gov.uk |

NOTE:

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

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

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

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

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

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

Please respond using the attached form:-

**MORAY COUNCIL
PLANNING CONSULTATION RESPONSE**

From: Environmental Health – Private Water Supplies

Planning Application Ref. No: 22/01292/APP

Erect dwellinghouse on Plot 3 Minduff Drybridge Buckie Moray for Mr Timothy Wright

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

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

HOLDING COMMENTS

- | | |
|---|--------------------------|
| (d) Further information in relation to the proposed private water supply has been requested from the applicant and the application should not be approved nor submitted to committee for determination until the final consultation response clearing the supply has been received from Environmental Health (Private Water Supplies) | <input type="checkbox"/> |
|---|--------------------------|

Reason(s) for objection

To ensure that the development is served by an adequate and wholesome water supply.

Condition(s)

Prior to the occupation of the house hereby approved a scheme of effective treatment to the private water supply shall be fully installed and properly maintained for the lifetime of the development. The scheme must ensure that the water to the house would fully comply with the regulatory limits stated in The Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017 and should specifically include effective point of entry ultraviolet treatment, prefiltration, pH correction measures and iron/manganese treatment.

Further comment(s) to be passed to applicant

Contact: Adrian Muscutt

email address:

Consultee: Environmental Health – Private Water Supplies

Date...15/9/22.....

Phone No

Return response to

consultation.planning@moray.gov.uk

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

Consultee Comments for Planning Application 22/01292/APP

Application Summary

Application Number: 22/01292/APP

Address: Plot 3 Minduff Drybridge Buckie Moray

Proposal: Erect dwellinghouse on

Case Officer: Iain T Drummond

Consultee Details

Name: Mr EH Consultations

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

Email: Not Available

On Behalf Of: Environmental Health C12

Comments

Approved unconditionally

REPORT OF HANDLING

| | | | |
|--------------------------------------|--|-------------------------|-----------------|
| Ref No: | 22/01292/APP | Officer: | Iain T Drummond |
| Proposal Description/ Address | Erect dwellinghouse on Plot 3 Minduff Drybridge Buckie Moray | | |
| Date: | 09.01.2023 | Typist Initials: | SS |

RECOMMENDATION

| | | |
|---|--------------------------|----------|
| Approve, without or with condition(s) listed below | Y | |
| Refuse, subject to reason(s) listed below | N | |
| 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 |
|--------------------------------------|----------------------|--|
| Planning And Development Obligations | 09/09/22 | No contributions sought due to extant consent on site. |
| Moray Flood Risk Management | 12/09/22 | No objections |
| Environmental Health Manager | 12/09/22 | No objections |
| Contaminated Land | 14/09/22 | No objections |
| Private Water Supplies | 15/09/22 | No objections subject to condition |
| Transportation Manager | 13/09/22 | No objections subject to conditions and informatives. |

DEVELOPMENT PLAN POLICY

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

REPRESENTATIONS

| | | |
|--|--|----|
| Representations Received | | NO |
| Total number of representations received | | |

| |
|---|
| Names/Addresses of parties submitting representations |
| Summary and Assessment of main issues raised by representations |
| Issue: |
| Comments (PO): |

OBSERVATIONS – ASSESSMENT OF PROPOSAL

Proposal & Site

- This application seeks to amend the design of the houses approved on site via applications 09/01922/APP and 12/02050/APP, both of which have had a lawful start to the consents in the form of the partial formation of access and therefore remain extant.
- The proposed house consists of a one and a half storey, T-shaped house with integral double garage.
- The proposed amended house design overlaps and largely sits on the same footprint as the previously consented houses on this site.
- This application seeks detailed planning permission for the amendment of the design previously approved on site from a larger one and a half storey house.
- Use of a private water supply is proposed with foul drainage disposed of via a treatment plant and soakaway and surface water disposed of via a separate soakaway.
- The temporary siting of a static caravan is also proposed throughout the duration of the construction of the dwellinghouse.

Appraisal

Section 25 of the 1997 Act as amended requires applications to be determined in accordance with the development plan i.e. the adopted Moray Local Development Plan 2020 (MLDP) unless material considerations indicate otherwise. The main planning issues are considered below:

Principle of the development (PP1, DP1 and DP2)

The principle of erecting a house on this site has already been established via the approval of applications 09/01922/APP and 12/02050/APP and therefore what requires to be considered as part of this application is the amendments to the design and siting of the house.

Design and amenity (PP1, DP1, DP4 and EP2)

In terms of the amended house design, with the exception of the roof finish, the proposal is compliant with the design and material finish requirements of policy DP4. Where the applicants have specified the use of slate effect tiles, policy DP4 specifically stipulates the use of natural slate or corrugated roofing on houses in the countryside and precludes the use of concrete tiles and as such a condition has been attached to the consent to ensure the finish of the house is natural slate in line with policy requirements. Landscaping proposals are lacking from the scheme, however, a condition has been attached to ensure tree planting covering 15% of the site as required by policy is achieved.

No tree removal is proposed as part of this application and in terms of biodiversity, the provision of planting across the site will ensure biodiversity levels within the plot are enhanced.

The temporary siting of a static caravan throughout the duration of the construction of the house is also considered to be acceptable, subject to the condition as applied that the caravan is removed following the completion or occupation of the dwellinghouse.

Overall the proposals are considered to be compliant with policies PP1, DP1, DP4 and EP2.

Drainage (EP12, EP13)

Drainage information has been provided with the application and identifies the means of surface water disposal from the site. Moray Flood Risk Management have assessed this information and have no objections to the approval of the application. Environmental Health have also confirmed that the proposed private water supply is sufficient to serve the proposed house subject to condition as recommended and as such the proposal is considered to comply with policy EP12 and EP13.

Access (DP1)

Transportation have no objection to the approval of the application subject to conditions as recommended and as such the development complies with policy DP1 in this regard.

Developer obligations and affordable housing (PP3 and DP2)

Developer obligations have already been paid in relation to the extant consent on site and as such the proposals are compliant with policies PP3 and DP2.

Conclusion and Recommendation

Based on all of the above, taking into account comments received from consultees, this application is considered to comply with development plan policy and is therefore recommended for approval subject to conditions.

REASON(S) FOR DECISION

The Council's reason(s) for making this decision are:-

The proposal complies with the provisions of the Moray Local Development Plan 2020 and there are no material considerations that indicate otherwise.

OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT

None.

HISTORY

| Reference No. | Description | | |
|----------------------|--|-----------|----------------------------------|
| 12/02050/APP | Erect house at Plot 3 Minduff Drybridge Buckie Moray | | |
| | Decision | Permitted | Date Of Decision 24/05/13 |
| 21/01560/APP | Erect dwellinghouse on Plot 3 Minduff Drybridge Buckie Moray | | |
| | Decision | Refuse | Date Of Decision 02/02/22 |

ADVERT

| Advert Fee paid? | Yes | |
|----------------------------------|--------------------------|-----------------------|
| Local Newspaper | Reason for Advert | Date of expiry |
| Banffshire Advertiser and Herald | No Premises | 03/10/22 |
| PINS | No Premises | 03/10/22 |

| DEVELOPER CONTRIBUTIONS (PGU) | |
|--------------------------------------|-------------|
| Status | NONE SOUGHT |

| DOCUMENTS, ASSESSMENTS etc. * | | |
|--|---|--|
| * Includes Environmental Statement, Appropriate Assessment, Design Statement, Design and Access Statement, RIA, TA, NIA, FRA etc | | |
| Supporting information submitted with application? | YES | |
| Summary of main issues raised in each statement/assessment/report | | |
| Document Name: | Drainage assessment | |
| Main Issues: | Outlines the drainage methodology for the site. | |

| S.75 AGREEMENT | | |
|--|--|----|
| Application subject to S.75 Agreement | | NO |
| Summary of terms of agreement: | | |
| Location where terms or summary of terms can be inspected: | | |

| 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**

PERMISSION FOR DEVELOPMENT

**[Fochabers Lhanbryde]
Application for Planning Permission**

TO



With reference to your application for planning permission under the above-mentioned Act as amended, Moray Council in exercise of its powers hereby **GRANT** planning permission for the following development:-

Erect dwellinghouse on Plot 3 Minduff Drybridge Buckie Moray

in accordance with the plan(s) docquetted as relative hereto and the particulars given in the application, and where appropriate, subject to the condition(s) and reason(s) as set out in the attached schedule.

This permission does not carry with it any necessary consent or approval to the proposed development under the building regulations or other statutory enactments and the development should not be commenced until all consents have been obtained.

Date of Notice: **16 January 2023**



Head Economic Growth and Development Services

Economy, Environment and Finance
Moray Council
Council Office
High Street
ELGIN
Moray
IV30 1BX

IMPORTANT NOTE

YOU ARE OBLIGED TO COMPLY WITH THESE CONDITIONS AND NOTES

SCHEDULE OF CONDITIONS

By this Notice the Moray Council has **GRANTED PLANNING PERMISSION** for this proposal subject to conditions as appropriate to ensure implementation of the proposal under the Town & Country Planning (Scotland) Act 1997, as amended. **It is important that these conditions are adhered to and failure to comply may result in enforcement action being taken.**

CONDITION(S)

Permission is granted subject to the following conditions: -

- 1 The development to which this permission relates must be begun not later than the expiration of 3 years beginning with the date on which the permission is granted.

Reason: The time limit condition is imposed in order to comply with the requirements of section 58 of the Town and Country Planning (Scotland) Act 1997 as amended.

- 2 No development works shall commence on the dwelling house until a detailed drawing (scale 1:200) has been submitted to and approved in writing by the Council, as Planning Authority in consultation with the Roads Authority confirming the provision of, or location where a future Electric Vehicle (EV) charging unit is to be connected to an appropriate electricity supply, including details (written proposals and plans) to confirm the provision of the necessary cabling, ducting, and consumer units capable of supporting the future charging unit; and thereafter the EV charging infrastructure shall be provided in accordance with the approved drawing and details prior to the first occupation of the dwelling house.

Reason: In the interests of an acceptable form of development and the provision of infrastructure to support the use of low carbon transport, through the provision of details currently lacking.

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

Reason: To ensure the safety and free flow of traffic on the public road and access to the site by minimising the road safety impact from extraneous material and surface water in the vicinity of the new access.

- 4 A visibility splay 2.4 metres by 120 metres to the north-west shall be provided at the access onto the public road, and maintained thereafter at all times free from any obstruction greater than 0.6m in height measured from the level of the carriageway.

Reason: To enable drivers of vehicles leaving the site to have a clear view over a length of road sufficient to allow safe exit, in the interests of road safety for the proposed development and other road users.

- 5 Three car parking spaces shall be provided within the site prior to the occupation or completion of the dwelling house, whichever is the sooner. The parking spaces shall thereafter be retained throughout the lifetime of the development, unless otherwise agreed in writing with the Council as Planning Authority.

Reason: To ensure the permanent availability of the level of parking necessary for residents/visitors/others in the interests of an acceptable development and road safety.

- 6 Prior to the occupation of the house hereby approved a scheme of effective treatment to the private water supply shall be fully installed and properly maintained for the lifetime of the development. The scheme must ensure that the water to the house would fully comply with the regulatory limits stated in The Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017 and should specifically include effective point of entry ultraviolet treatment, prefiltration, pH correction measures and iron/manganese treatment.

Reason: To ensure that the development is served by an adequate and wholesome water supply.

- 7 The paddock area associated with the plot as identified in the approved site plan, shall be only used as paddock land, and not for domestic garden purposes. Note. For the avoidance of doubt, the paddock does not have the benefit of permitted development rights under Article 2(4), Schedule, Part 1 Classes 3B (Building, engineering, installation or other operation within the curtilage of a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse) of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, as amended by the Town & Country Planning (General Permitted Development) (Scotland) Amendment Order 2011 (or any Order revoking and re-enacting that Order(s) with or without modifications).

Reason: To safeguard the rural character of the site and its surroundings, by mitigating against any domestic encroachment into adjoining farm/paddock land.

- 8 Unless otherwise agreed in writing with the Planning Authority, boundary enclosures surrounding the site hereby approved shall only comprise post and wire fencing or hedging made up of native species (birch, gean, hawthorn, scots pine, beech, oak, holly). In addition 15% of the plot must be landscaped with native tree species (whips and feathered trees at least 1.5 metres in height, planted at a density of 1 per 4 sqm).

All planting, seeding or turfing shall be carried out in the first planting and seeding seasons following the commencement of development. Any trees or plants which within a period of five years from the completion of the

development die, for whatever reason are removed or damaged shall be replaced in the next planting season with others of the same size and species.

Reason: To ensure an acceptable scheme of landscaping to aid the integration of the house into the surrounding landscape and ensure the planting is timeously provided.

- 9 Notwithstanding the details shown on the approved plans, the roof of the dwellinghouse hereby approved shall be finished in natural slate.

Reason: To ensure the highest standards of material finish are achieved for new housing in the countryside and that new housing is finished in a manner which reflects the traditional material finishes of houses in Moray.

10. The residential caravan hereby permitted is solely for the use of the applicant or developer for the duration of the construction works associated with the development hereby approved. Within 3 years from the date of this decision notice or within 2 months following the occupation or completion of the dwellinghouse, whichever is the sooner, the caravan shall be removed permanently from the site, along with all associated fixtures and fittings.

Reason: To ensure the removal of the residential caravan from the site following the completion of the adjacent house, in the interests of minimising and removing the visual impact of the caravan.

REASON(S) FOR DECISION

The Council's reason(s) for making this decision are:-

The proposal complies with the provisions of the Moray Local Development Plan 2020 and there are no material considerations that indicate otherwise.

LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT

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

| Reference | Version | Title |
|------------------|----------------|----------------------------|
| 20-121-PL02 | | Site sections |
| 20-121-PL03 | | Site plan |
| 20-126-PI04 | | Location plan |
| 20-121-PL01 | | Elevations and floor plans |

IMPORTANT NOTES ABOUT THIS DECISION

COMMENCEMENT AND COMPLETION OF THE DEVELOPMENT

The following are statutory requirements of the Town & Country Planning (Scotland) Act 1997, as amended. Failure to meet their respective terms represents a breach of planning control and may result in formal enforcement action. Copies of the notices referred to below are attached to this permission for your use.

NOTIFICATION OF INITIATION OF DEVELOPMENT

S.27A of the 1997 Act, as amended requires that any person who has been granted planning permission (including planning permission in principle) and intends to start development must, as soon as practicable after deciding the date they will start work on the development, give notice to the planning authority of that date. This ensures that the planning authority is aware that the development is underway and can follow up on any suspensive conditions attached to the permission. Therefore, prior to any work commencing on site, the applicant/developer must complete and submit to the Moray Council, as planning authority, the attached Notification of Initiation of Development.

NOTIFICATION OF COMPLETION OF DEVELOPMENT

S.27B of the 1997 Act, as amended requires that any person who completes a development for which planning permission (including planning permission in principle) has been given must, as soon as practicable after doing so, give notice of completion to the planning authority. This will ensure that the planning authority is aware that the development is complete and can follow up any planning conditions. Therefore, on completion of the development or as soon as practicable after doing so, the applicant/developer must complete and submit to the Moray Council, as planning authority the attached Notification of Completion of Development.

NOTIFICATION OF COMPLETION OF PHASED DEVELOPMENT

Under S.27B(2) of the 1997 Act, as amended where permission is granted for phased development, the permission is subject to a condition (see Schedule of Conditions above) requiring the applicant/developer as soon as practicable after each phase to give notice of that completion to the planning authority. This will allow the planning authority to be aware that particular phase(s) of the development is/are complete.

When the last phase is completed the applicant/developer must also complete and submit a Notification of Completion of Development.

ADDITIONAL NOTES FOR INFORMATION OF THE APPLICANT

The following notes are provided for your information including comments received from consultees:-

THE TRANSPORTATION MANAGER, DIRECT SERVICES has commented that:-

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

The provision of Electric Vehicle (EV) chargers and/or associated infrastructure

shall be provided in accordance with Moray Council guidelines. Cabling between charging units and parking spaces must not cross or obstruct the public road including footways. Infrastructure provided to enable EV charging must be retained for this purpose for the lifetime of the development unless otherwise agreed in writing by the Planning Authority. Guidance on Electric Vehicle (EV) Charging requirements can be found at:
<http://www.moray.gov.uk/downloads/file134860.pdf>

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

No building materials/scaffolding/builder's skip shall obstruct the public road (including footpaths) without permission from the Roads Authority. The applicant shall free and relieve the Roads Authority from any claims arising out of their operations on the road or extension to the road.

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

None

**DETAILS WHERE DIFFERENT TIME-PERIOD(S) FOR DURATION OF PLANNING
PERMISSION IMPOSED (S.58/59 of 1997 ACT)**

None

TERMS OF S.75 AGREEMENT RELATING TO THIS APPLICATION

The terms, or summary of terms of the Agreement can be inspected at:-

None

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

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.



APPENDIX 2

NOTICE OF REVIEW, GROUNDS FOR REVIEW & SUPPORTING DOCUMENTS



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 100475230-006

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.

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: | <input type="text"/> | | |
| Ref. Number: | <input type="text"/> | You must enter a Building Name or Number, or both: * | |
| First Name: * | <input type="text" value="Christopher"/> | Building Name: | <input type="text" value="Minduff"/> |
| Last Name: * | <input type="text" value="Bremner"/> | Building Number: | <input type="text"/> |
| Telephone Number: * | <input type="text" value="07876758717"/> | Address 1 (Street): * | <input type="text" value="Drybridge"/> |
| Extension Number: | <input type="text"/> | Address 2: | <input type="text"/> |
| Mobile Number: | <input type="text"/> | Town/City: * | <input type="text" value="Buckie"/> |
| Fax Number: | <input type="text"/> | Country: * | <input type="text" value="Scotland"/> |
| | | Postcode: * | <input type="text" value="AB56 5LB"/> |
| Email Address: * | <input type="text" value="christopher.bremner@hotmail.com"/> | | |

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

| | | | |
|----------------------|--|--|---|
| Title: | <input type="text" value="Mr"/> | You must enter a Building Name or Number, or both: * | |
| Other Title: | <input type="text"/> | Building Name: | <input type="text"/> |
| First Name: * | <input type="text" value="T"/> | Building Number: | <input type="text" value="23"/> |
| Last Name: * | <input type="text" value="Wright"/> | Address 1 (Street): * | <input type="text" value="Cameron Crescent"/> |
| Company/Organisation | <input type="text"/> | Address 2: | <input type="text"/> |
| Telephone Number: * | <input type="text"/> | Town/City: * | <input type="text" value="Buckie"/> |
| Extension Number: | <input type="text"/> | Country: * | <input type="text" value="Scotland"/> |
| Mobile Number: | <input type="text"/> | Postcode: * | <input type="text" value="AB56 1AG"/> |
| Fax Number: | <input type="text"/> | | |
| Email Address: * | <input type="text" value="christopher.bremner@hotmail.com"/> | | |

Site Address Details

| | |
|---|--|
| Planning Authority: | <input type="text" value="Moray Council"/> |
| Full postal address of the site (including postcode where available): | |
| Address 1: | <input type="text"/> |
| Address 2: | <input type="text"/> |
| Address 3: | <input type="text"/> |
| Address 4: | <input type="text"/> |
| Address 5: | <input type="text"/> |
| Town/City/Settlement: | <input type="text"/> |
| Post Code: | <input type="text"/> |

Please identify/describe the location of the site or sites

| |
|---|
| <input type="text" value="Plot 3 Minduff"/> |
|---|

| | | | |
|----------|-------------------------------------|---------|-------------------------------------|
| Northing | <input type="text" value="860411"/> | Easting | <input type="text" value="343427"/> |
|----------|-------------------------------------|---------|-------------------------------------|

Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Erect dwellinghouse on Plot 3 Minduff Drybridge Buckie Moray

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Review of condition 9 to allow tile roof finish.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

Yes No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Approved documents - Site plan, site sections, location plan, floor plans & elevations. Report of Handing Planning decision

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

22/01292/APP

What date was the application submitted to the planning authority? *

02/09/2022

What date was the decision issued by the planning authority? *

16/01/2023

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

Yes No

Is it possible for the site to be accessed safely and without barriers to entry? *

Yes No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

Yes No

Have you provided the date and reference number of the application which is the subject of this review? *

Yes No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

Yes No N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

Yes No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

Yes No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Christopher Bremner

Declaration Date: 12/04/2023

Plot 3 Minduff, Drybridge, AB56 5LB

22/01292/APP

We wish to appeal condition 9 on as detailed below.

9. Notwithstanding the details shown on the approved plans, the roof of the dwellinghouse hereby approved shall be finished in natural slate.

Reason:

To ensure the highest standards of material finish are achieved for new housing in the countryside and that new housing is finished in a manner which reflects the traditional material finishes of houses in Moray.



A slate roof would not be in keeping with the immediately adjacent plot 2 and plot 5 which can be seen in the background.

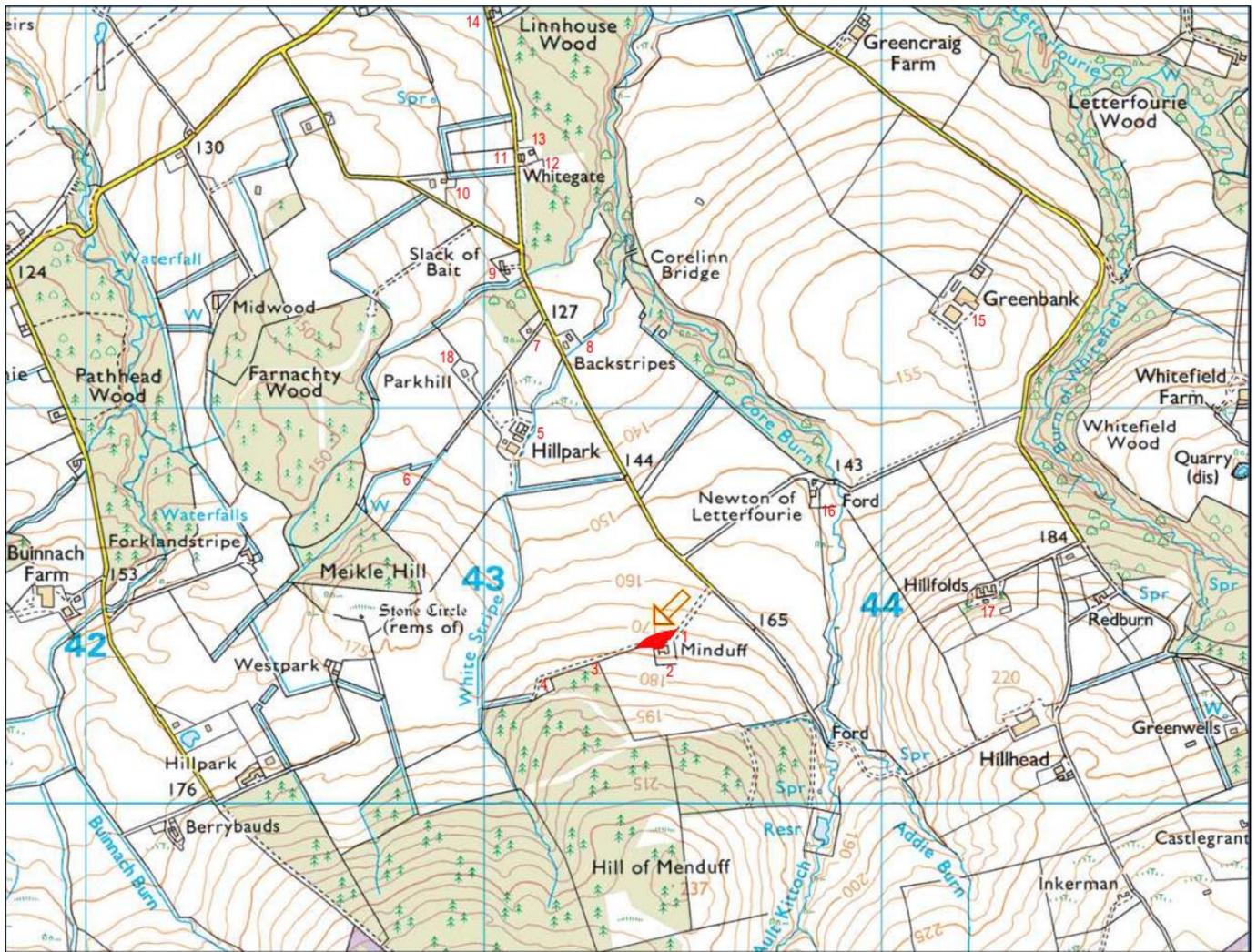
Plot 2 - 18/00446/APP - Completed 30/03/2021

Plot 5 - 15/01553/APP – Completed 23/06/2022

Both of these properties were approved and recently completed with Rathmore roof tiles.

The Rathmore is a flat concrete interlocking tile with a smooth finish, its thin leading edge and hidden interlocking features provides a slate like appearance.

Plot 1 is also about to commence on site and has a live consent with a condition to use artificial Slate. 09/01922/APP.



This OS plan shows all the properties on this stretch of road and ones visible from the site. There aren't many with slate roofs.

- | | |
|------------------------|--|
| 1. Plot 1 Minduff | – Approved Planning permission |
| 2. Plot 2 Minduff | – Recently completed with Quinn Rathmore roof tiles |
| 3. Plot 5 Minduff | - Recently completed with Quinn Rathmore roof tiles |
| 4. Plot 4 Minduff | – Approved Planning permission |
| 5. Hillpark | – Tiles |
| 6. Mandara | – Red tiles |
| 7. Kingswood | – Tiles |
| 8. Backstripes | – Tiles |
| 9. Slack of Bait | – Tiles |
| 10. Bramble cottage | – Tiles |
| 11. Glenshee | – Tiles |
| 12. Whitegate | – Tiles |
| 13. Whitegate lodge | – Tiles |
| 14. Little Thorneybank | – Tiles |
| 15. Greenbank | – Massive shed with profile cladding that can be seen for miles. |
| 16. Newton | – Old stone house with slate roof |
| 17. Hillfolds | – Old stone house with slate roof |
| 18. Parkhill | – Old stone house with slate roof |

We could understand having to comply with the slate roof policy if this was a new site on its own with no historic consent, but this is not the case with this application.

We therefore would like the condition to use Slates removed from this consent.

REPORT OF HANDLING

| | | | |
|--------------------------------------|--|-------------------------|-----------------|
| Ref No: | 22/01292/APP | Officer: | Iain T Drummond |
| Proposal Description/ Address | Erect dwellinghouse on Plot 3 Minduff Drybridge Buckie Moray | | |
| Date: | 09.01.2023 | Typist Initials: | SS |

RECOMMENDATION

| | | |
|---|--------------------------|----------|
| Approve, without or with condition(s) listed below | Y | |
| Refuse, subject to reason(s) listed below | N | |
| 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 |
|--------------------------------------|----------------------|--|
| Planning And Development Obligations | 09/09/22 | No contributions sought due to extant consent on site. |
| Moray Flood Risk Management | 12/09/22 | No objections |
| Environmental Health Manager | 12/09/22 | No objections |
| Contaminated Land | 14/09/22 | No objections |
| Private Water Supplies | 15/09/22 | No objections subject to condition |
| Transportation Manager | 13/09/22 | No objections subject to conditions and informatives. |

DEVELOPMENT PLAN POLICY

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

REPRESENTATIONS

| | | |
|--|--|----|
| Representations Received | | NO |
| Total number of representations received | | |

| |
|---|
| Names/Addresses of parties submitting representations |
| Summary and Assessment of main issues raised by representations |
| Issue: |
| Comments (PO): |

OBSERVATIONS – ASSESSMENT OF PROPOSAL

Proposal & Site

- This application seeks to amend the design of the houses approved on site via applications 09/01922/APP and 12/02050/APP, both of which have had a lawful start to the consents in the form of the partial formation of access and therefore remain extant.
- The proposed house consists of a one and a half storey, T-shaped house with integral double garage.
- The proposed amended house design overlaps and largely sits on the same footprint as the previously consented houses on this site.
- This application seeks detailed planning permission for the amendment of the design previously approved on site from a larger one and a half storey house.
- Use of a private water supply is proposed with foul drainage disposed of via a treatment plant and soakaway and surface water disposed of via a separate soakaway.
- The temporary siting of a static caravan is also proposed throughout the duration of the construction of the dwellinghouse.

Appraisal

Section 25 of the 1997 Act as amended requires applications to be determined in accordance with the development plan i.e. the adopted Moray Local Development Plan 2020 (MLDP) unless material considerations indicate otherwise. The main planning issues are considered below:

Principle of the development (PP1, DP1 and DP2)

The principle of erecting a house on this site has already been established via the approval of applications 09/01922/APP and 12/02050/APP and therefore what requires to be considered as part of this application is the amendments to the design and siting of the house.

Design and amenity (PP1, DP1, DP4 and EP2)

In terms of the amended house design, with the exception of the roof finish, the proposal is compliant with the design and material finish requirements of policy DP4. Where the applicants have specified the use of slate effect tiles, policy DP4 specifically stipulates the use of natural slate or corrugated roofing on houses in the countryside and precludes the use of concrete tiles and as such a condition has been attached to the consent to ensure the finish of the house is natural slate in line with policy requirements. Landscaping proposals are lacking from the scheme, however, a condition has been attached to ensure tree planting covering 15% of the site as required by policy is achieved.

No tree removal is proposed as part of this application and in terms of biodiversity, the provision of planting across the site will ensure biodiversity levels within the plot are enhanced.

The temporary siting of a static caravan throughout the duration of the construction of the house is also considered to be acceptable, subject to the condition as applied that the caravan is removed following the completion or occupation of the dwellinghouse.

Overall the proposals are considered to be compliant with policies PP1, DP1, DP4 and EP2.

Drainage (EP12, EP13)

Drainage information has been provided with the application and identifies the means of surface water disposal from the site. Moray Flood Risk Management have assessed this information and have no objections to the approval of the application. Environmental Health have also confirmed that the proposed private water supply is sufficient to serve the proposed house subject to condition as recommended and as such the proposal is considered to comply with policy EP12 and EP13.

Access (DP1)

Transportation have no objection to the approval of the application subject to conditions as recommended and as such the development complies with policy DP1 in this regard.

Developer obligations and affordable housing (PP3 and DP2)

Developer obligations have already been paid in relation to the extant consent on site and as such the proposals are compliant with policies PP3 and DP2.

Conclusion and Recommendation

Based on all of the above, taking into account comments received from consultees, this application is considered to comply with development plan policy and is therefore recommended for approval subject to conditions.

REASON(S) FOR DECISION

The Council's reason(s) for making this decision are:-

The proposal complies with the provisions of the Moray Local Development Plan 2020 and there are no material considerations that indicate otherwise.

OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT

None.

HISTORY

| Reference No. | Description | | |
|----------------------|--|-----------|----------------------------------|
| 12/02050/APP | Erect house at Plot 3 Minduff Drybridge Buckie Moray | | |
| | Decision | Permitted | Date Of Decision 24/05/13 |
| 21/01560/APP | Erect dwellinghouse on Plot 3 Minduff Drybridge Buckie Moray | | |
| | Decision | Refuse | Date Of Decision 02/02/22 |

ADVERT

| Advert Fee paid? | Yes | |
|----------------------------------|--------------------------|-----------------------|
| Local Newspaper | Reason for Advert | Date of expiry |
| Banffshire Advertiser and Herald | No Premises | 03/10/22 |
| PINS | No Premises | 03/10/22 |

| DEVELOPER CONTRIBUTIONS (PGU) | |
|--------------------------------------|-------------|
| Status | NONE SOUGHT |

| DOCUMENTS, ASSESSMENTS etc. * | | |
|---|---|--|
| <i>* Includes Environmental Statement, Appropriate Assessment, Design Statement, Design and Access Statement, RIA, TA, NIA, FRA etc</i> | | |
| Supporting information submitted with application? | YES | |
| Summary of main issues raised in each statement/assessment/report | | |
| Document Name: | Drainage assessment | |
| Main Issues: | Outlines the drainage methodology for the site. | |

| S.75 AGREEMENT | | |
|--|--|----|
| Application subject to S.75 Agreement | | NO |
| Summary of terms of agreement: | | |
| Location where terms or summary of terms can be inspected: | | |

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



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

PERMISSION FOR DEVELOPMENT

**[Fochabers Lhanbryde]
Application for Planning Permission**

TO Mr Timothy Wright
c/o Christopher Bremner
Minduff
Drybridge
Buckie
Moray
AB56 5LB

With reference to your application for planning permission under the above-mentioned Act as amended, Moray Council in exercise of its powers hereby **GRANT** planning permission for the following development:-

Erect dwellinghouse on Plot 3 Minduff Drybridge Buckie Moray

in accordance with the plan(s) docquetted as relative hereto and the particulars given in the application, and where appropriate, subject to the condition(s) and reason(s) as set out in the attached schedule.

This permission does not carry with it any necessary consent or approval to the proposed development under the building regulations or other statutory enactments and the development should not be commenced until all consents have been obtained.

Date of Notice: **16 January 2023**

Head Economic Growth and Development Services

Economy, Environment and Finance
Moray Council
Council Office
High Street
ELGIN
Moray
IV30 1BX

IMPORTANT NOTE

YOU ARE OBLIGED TO COMPLY WITH THESE CONDITIONS AND NOTES

SCHEDULE OF CONDITIONS

By this Notice the Moray Council has **GRANTED PLANNING PERMISSION** for this proposal subject to conditions as appropriate to ensure implementation of the proposal under the Town & Country Planning (Scotland) Act 1997, as amended. **It is important that these conditions are adhered to and failure to comply may result in enforcement action being taken.**

CONDITION(S)

Permission is granted subject to the following conditions: -

- 1 The development to which this permission relates must be begun not later than the expiration of 3 years beginning with the date on which the permission is granted.

Reason: The time limit condition is imposed in order to comply with the requirements of section 58 of the Town and Country Planning (Scotland) Act 1997 as amended.

- 2 No development works shall commence on the dwelling house until a detailed drawing (scale 1:200) has been submitted to and approved in writing by the Council, as Planning Authority in consultation with the Roads Authority confirming the provision of, or location where a future Electric Vehicle (EV) charging unit is to be connected to an appropriate electricity supply, including details (written proposals and plans) to confirm the provision of the necessary cabling, ducting, and consumer units capable of supporting the future charging unit; and thereafter the EV charging infrastructure shall be provided in accordance with the approved drawing and details prior to the first occupation of the dwelling house.

Reason: In the interests of an acceptable form of development and the provision of infrastructure to support the use of low carbon transport, through the provision of details currently lacking.

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

Reason: To ensure the safety and free flow of traffic on the public road and access to the site by minimising the road safety impact from extraneous material and surface water in the vicinity of the new access.

- 4 A visibility splay 2.4 metres by 120 metres to the north-west shall be provided at the access onto the public road, and maintained thereafter at all times free from any obstruction greater than 0.6m in height measured from the level of the carriageway.

Reason: To enable drivers of vehicles leaving the site to have a clear view over a length of road sufficient to allow safe exit, in the interests of road safety for the proposed development and other road users.

- 5 Three car parking spaces shall be provided within the site prior to the occupation or completion of the dwelling house, whichever is the sooner. The parking spaces shall thereafter be retained throughout the lifetime of the development, unless otherwise agreed in writing with the Council as Planning Authority.

Reason: To ensure the permanent availability of the level of parking necessary for residents/visitors/others in the interests of an acceptable development and road safety.

- 6 Prior to the occupation of the house hereby approved a scheme of effective treatment to the private water supply shall be fully installed and properly maintained for the lifetime of the development. The scheme must ensure that the water to the house would fully comply with the regulatory limits stated in The Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017 and should specifically include effective point of entry ultraviolet treatment, prefiltration, pH correction measures and iron/manganese treatment.

Reason: To ensure that the development is served by an adequate and wholesome water supply.

- 7 The paddock area associated with the plot as identified in the approved site plan, shall be only used as paddock land, and not for domestic garden purposes. Note. For the avoidance of doubt, the paddock does not have the benefit of permitted development rights under Article 2(4), Schedule, Part 1 Classes 3B (Building, engineering, installation or other operation within the curtilage of a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse) of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, as amended by the Town & Country Planning (General Permitted Development) (Scotland) Amendment Order 2011 (or any Order revoking and re-enacting that Order(s) with or without modifications).

Reason: To safeguard the rural character of the site and its surroundings, by mitigating against any domestic encroachment into adjoining farm/paddock land.

- 8 Unless otherwise agreed in writing with the Planning Authority, boundary enclosures surrounding the site hereby approved shall only comprise post and wire fencing or hedging made up of native species (birch, gean, hawthorn, scots pine, beech, oak, holly). In addition 15% of the plot must be landscaped with native tree species (whips and feathered trees at least 1.5 metres in height, planted at a density of 1 per 4 sqm).

All planting, seeding or turfing shall be carried out in the first planting and seeding seasons following the commencement of development. Any trees or plants which within a period of five years from the completion of the

development die, for whatever reason are removed or damaged shall be replaced in the next planting season with others of the same size and species.

Reason: To ensure an acceptable scheme of landscaping to aid the integration of the house into the surrounding landscape and ensure the planting is timeously provided.

- 9 Notwithstanding the details shown on the approved plans, the roof of the dwellinghouse hereby approved shall be finished in natural slate.

Reason: To ensure the highest standards of material finish are achieved for new housing in the countryside and that new housing is finished in a manner which reflects the traditional material finishes of houses in Moray.

10. The residential caravan hereby permitted is solely for the use of the applicant or developer for the duration of the construction works associated with the development hereby approved. Within 3 years from the date of this decision notice or within 2 months following the occupation or completion of the dwellinghouse, whichever is the sooner, the caravan shall be removed permanently from the site, along with all associated fixtures and fittings.

Reason: To ensure the removal of the residential caravan from the site following the completion of the adjacent house, in the interests of minimising and removing the visual impact of the caravan.

REASON(S) FOR DECISION

The Council's reason(s) for making this decision are:-

The proposal complies with the provisions of the Moray Local Development Plan 2020 and there are no material considerations that indicate otherwise.

LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT

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

| Reference | Version | Title |
|-------------|---------|----------------------------|
| 20-121-PL02 | | Site sections |
| 20-121-PL03 | | Site plan |
| 20-126-PI04 | | Location plan |
| 20-121-PL01 | | Elevations and floor plans |

IMPORTANT NOTES ABOUT THIS DECISION

COMMENCEMENT AND COMPLETION OF THE DEVELOPMENT

The following are statutory requirements of the Town & Country Planning (Scotland) Act 1997, as amended. Failure to meet their respective terms represents a breach of planning control and may result in formal enforcement action. Copies of the notices referred to below are attached to this permission for your use.

NOTIFICATION OF INITIATION OF DEVELOPMENT

S.27A of the 1997 Act, as amended requires that any person who has been granted planning permission (including planning permission in principle) and intends to start development must, as soon as practicable after deciding the date they will start work on the development, give notice to the planning authority of that date. This ensures that the planning authority is aware that the development is underway and can follow up on any suspensive conditions attached to the permission. Therefore, prior to any work commencing on site, the applicant/developer must complete and submit to the Moray Council, as planning authority, the attached Notification of Initiation of Development.

NOTIFICATION OF COMPLETION OF DEVELOPMENT

S.27B of the 1997 Act, as amended requires that any person who completes a development for which planning permission (including planning permission in principle) has been given must, as soon as practicable after doing so, give notice of completion to the planning authority. This will ensure that the planning authority is aware that the development is complete and can follow up any planning conditions. Therefore, on completion of the development or as soon as practicable after doing so, the applicant/developer must complete and submit to the Moray Council, as planning authority the attached Notification of Completion of Development.

NOTIFICATION OF COMPLETION OF PHASED DEVELOPMENT

Under S.27B(2) of the 1997 Act, as amended where permission is granted for phased development, the permission is subject to a condition (see Schedule of Conditions above) requiring the applicant/developer as soon as practicable after each phase to give notice of that completion to the planning authority. This will allow the planning authority to be aware that particular phase(s) of the development is/are complete.

When the last phase is completed the applicant/developer must also complete and submit a Notification of Completion of Development.

ADDITIONAL NOTES FOR INFORMATION OF THE APPLICANT

The following notes are provided for your information including comments received from consultees:-

THE TRANSPORTATION MANAGER, DIRECT SERVICES has commented that:-

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

The provision of Electric Vehicle (EV) chargers and/or associated infrastructure

shall be provided in accordance with Moray Council guidelines. Cabling between charging units and parking spaces must not cross or obstruct the public road including footways. Infrastructure provided to enable EV charging must be retained for this purpose for the lifetime of the development unless otherwise agreed in writing by the Planning Authority. Guidance on Electric Vehicle (EV) Charging requirements can be found at:
<http://www.moray.gov.uk/downloads/file134860.pdf>

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

No building materials/scaffolding/builder's skip shall obstruct the public road (including footpaths) without permission from the Roads Authority. The applicant shall free and relieve the Roads Authority from any claims arising out of their operations on the road or extension to the road.

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

None

**DETAILS WHERE DIFFERENT TIME-PERIOD(S) FOR DURATION OF PLANNING
PERMISSION IMPOSED (S.58/59 of 1997 ACT)**

None

TERMS OF S.75 AGREEMENT RELATING TO THIS APPLICATION

The terms, or summary of terms of the Agreement can be inspected at:-

None

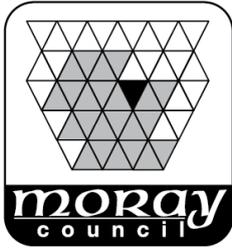
NOTICE OF APPEAL

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

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.



MORAY COUNCIL

NOTIFICATION OF INITIATION OF DEVELOPMENT

Section 27A Town and Country Planning (Scotland) Act 1997

Application Number **22/01292/APP**

Date Decision Issued

Location and Description of Development Erect dwellinghouse on Plot 3 Minduff Drybridge Buckie Moray

Please note that all suspensive conditions must be discharged prior to commencement of development

| | |
|-----------------------------------|--|
| Date works are to Commence | |
|-----------------------------------|--|

Name, Address and contact details of developer

.....
.....
.....

The Full name and Address and contact details of the landowner, if a different person

.....
.....
.....

Where an agent is appointed, their full name and contact details

.....
.....
.....

Signed

Name (Print)

Date

.....
.....
.....

Please complete and return this form to:

Development Management & Building Standards Manager, Moray Council, PO Box 6760, Elgin, Moray, IV30 1BX

OR

E-mail: development.control@moray.gov.uk



MORAY COUNCIL

NOTIFICATION OF COMPLETION OF DEVELOPMENT

Section 27A Town and Country Planning (Scotland) Act 1997

Application Number **22/01292/APP**

Date Decision Issued

Location and Description of Development Erect dwellinghouse on Plot 3 Minduff Drybridge
Buckie Moray

| | |
|------------------------------------|--|
| Date of completion of works | |
|------------------------------------|--|

Name, Address and contact details of developer

.....
.....
.....

The Full name and Address and contact details of the landowner, if a different person

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.....

Where an agent is appointed, their full name and contact details

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Signed

Name (Print)

Date

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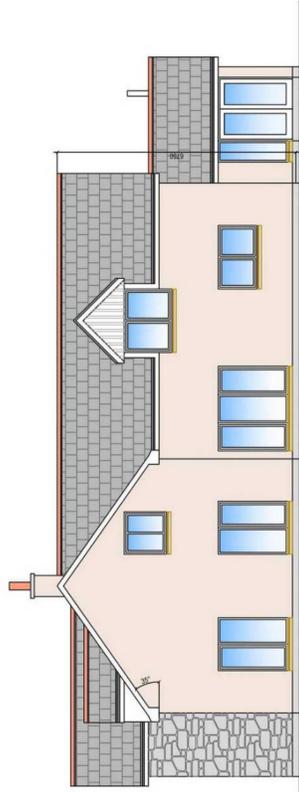
Please complete and return this form to:

**Development Management & Building Standards Manager, Moray Council, PO
Box 6760, Elgin, Moray IV30 1BX**

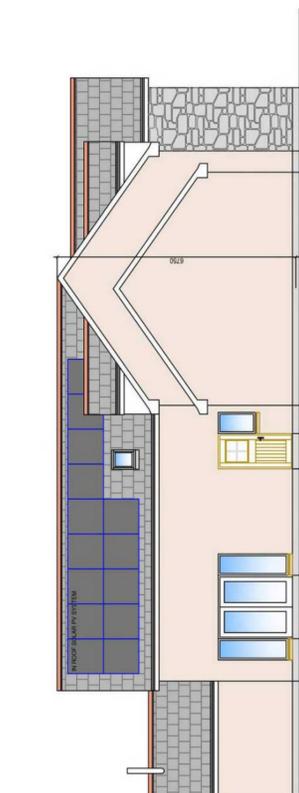
E-mail: development.control@moray.gov.uk



East Elevation



North Elevation



South Elevation

- EXTERNAL FINISHES:-**
1. Slate effect tiles
 2. Tuscany beige Roughcast
 3. Natural stone feature gable
 4. White UPVC Windows & Doors.
 5. White UPVC Soffit and Fascia.



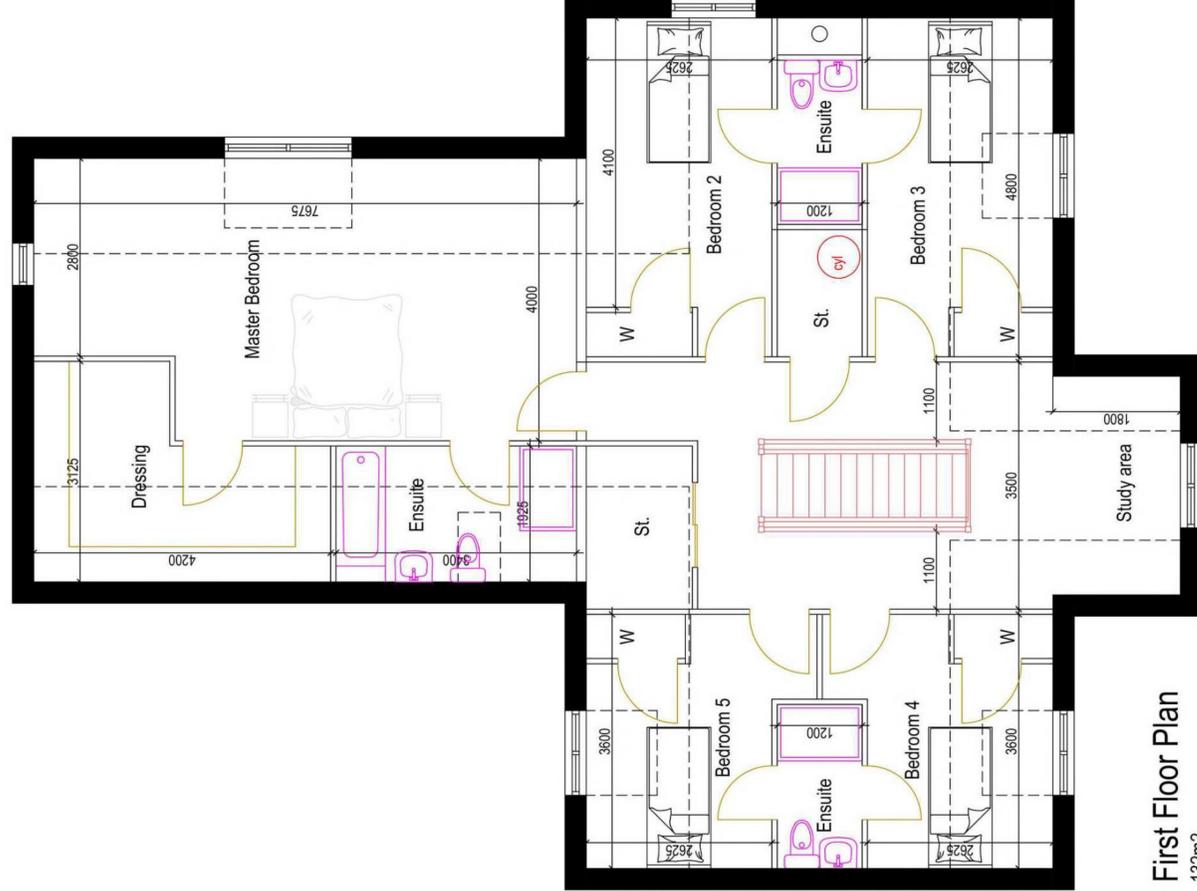
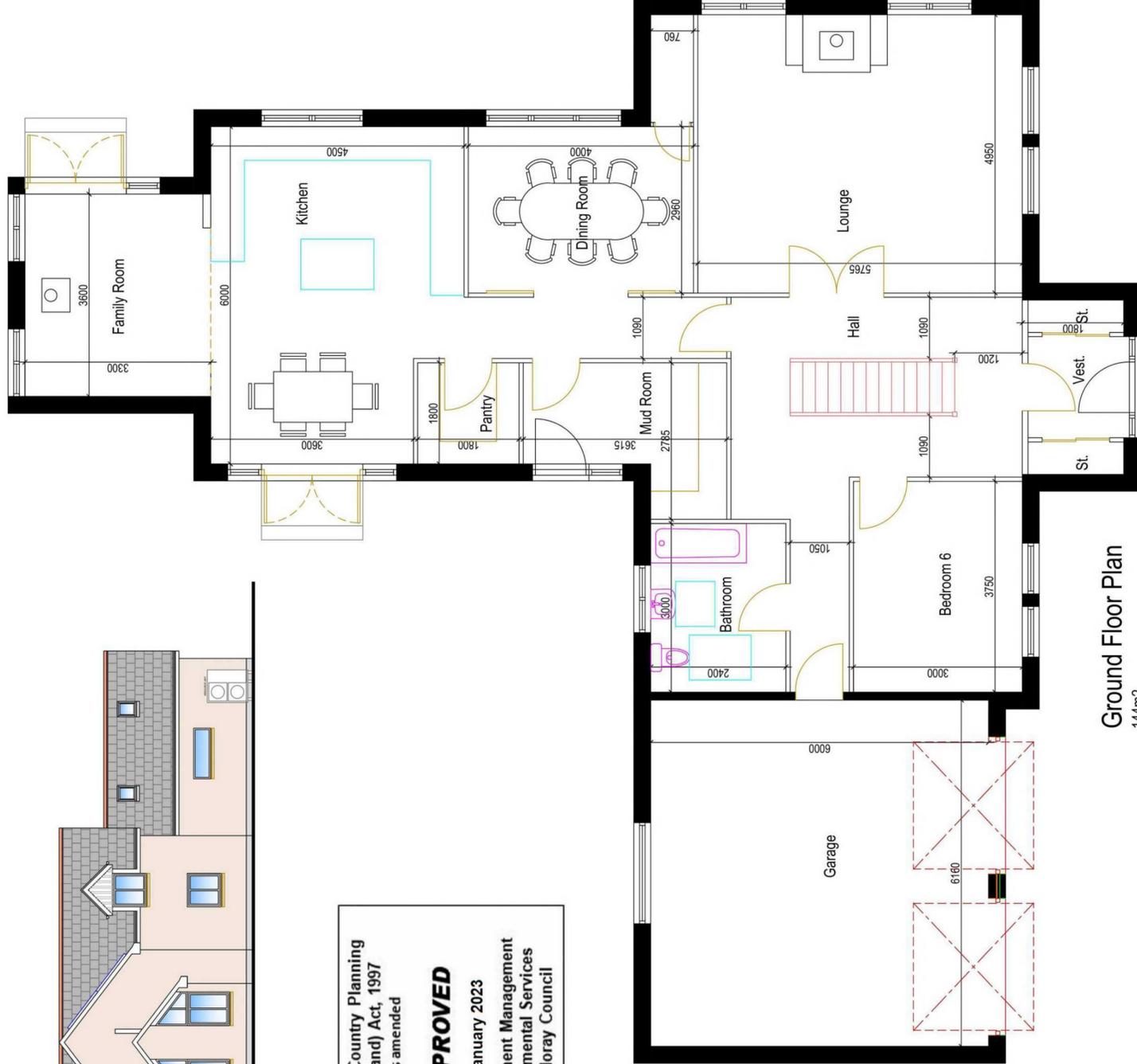
West Elevation

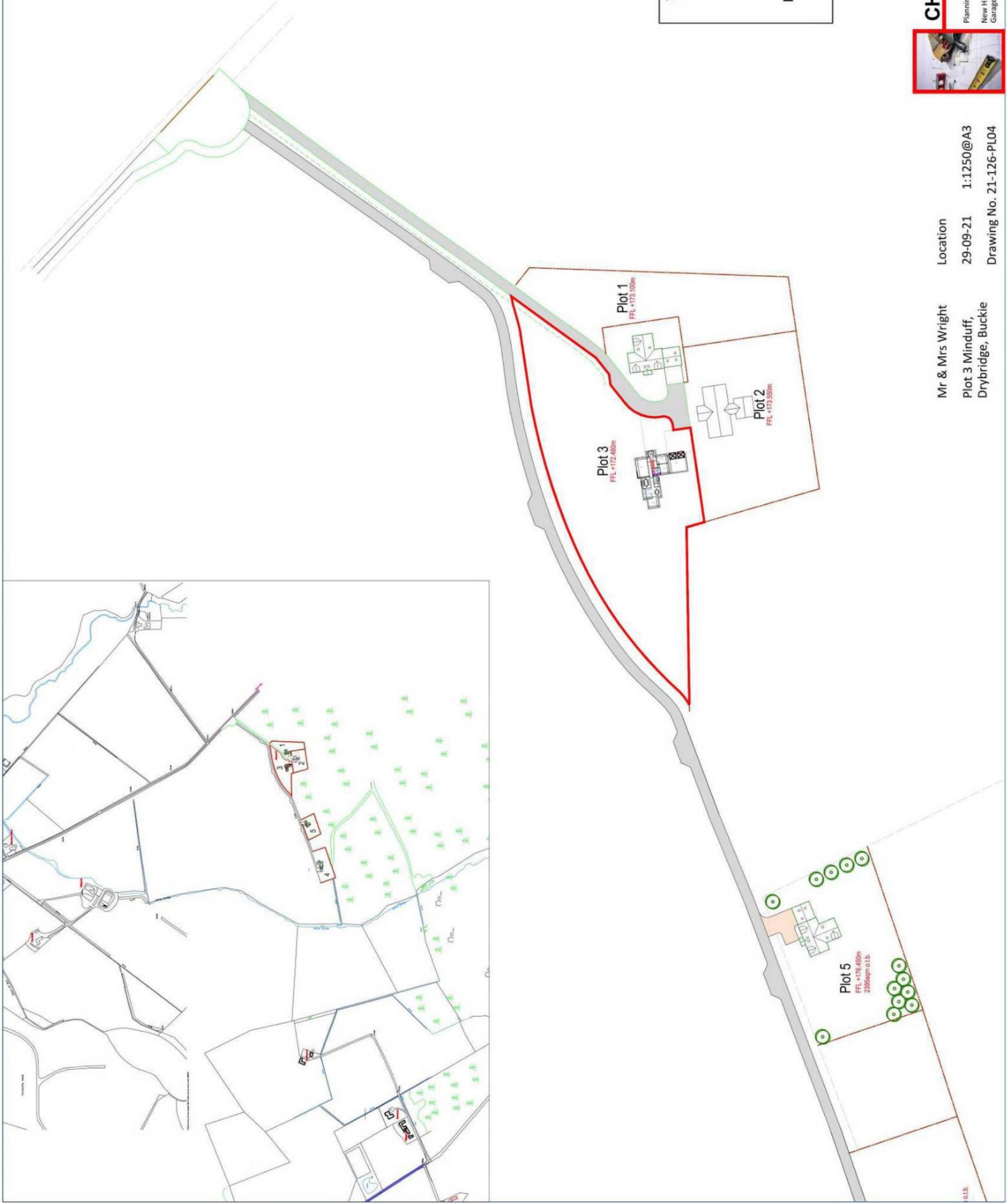
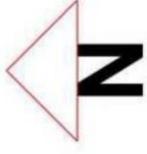
Town & Country Planning
(Scotland) Act, 1997
as amended

APPROVED

16 January 2023

Development Management
Environmental Services
The Moray Council





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

APPROVED

16 January 2023

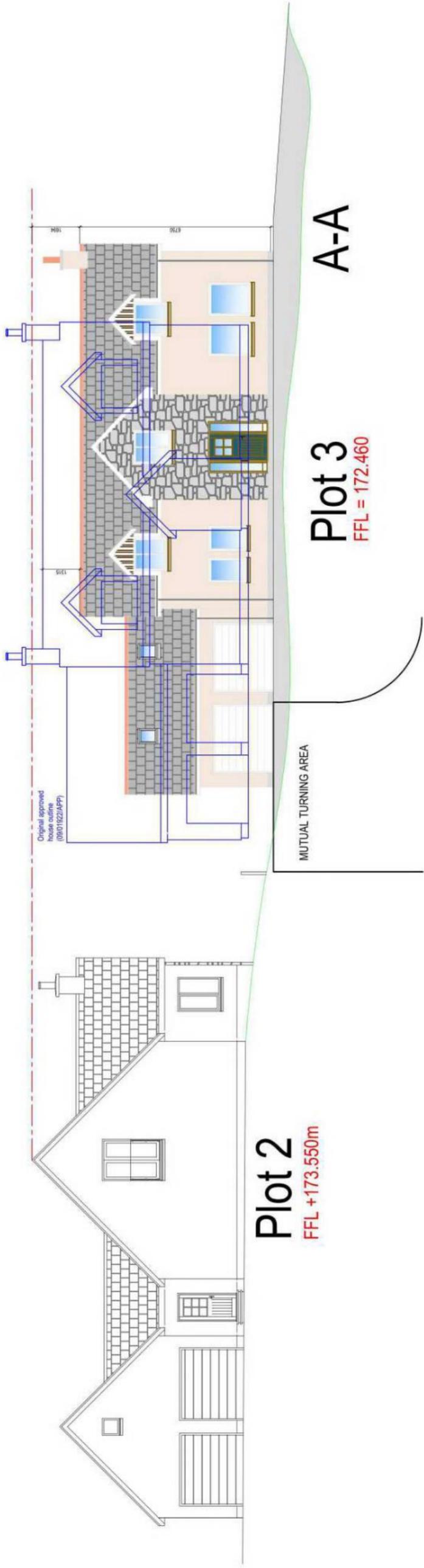
Development Management
Environmental Services
The Moray Council



CHRISTOPHER BREMNER
PLANS
07876758717
christopher.bremner@hotmail.com

Mr & Mrs Wright
Plot 3 Minduff,
Drybridge, Buckie

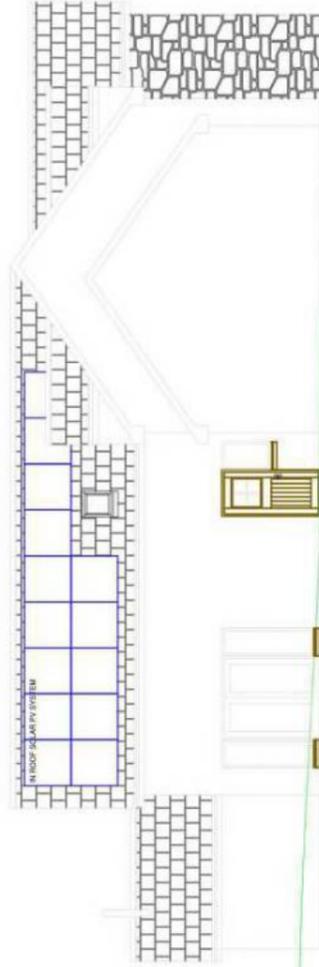
Location
29-09-21
1:1250@A3
Drawing No. 21-126-PL04



Plot 2
FFL +173.550m

Plot 3
FFL = 172.460

A-A



Plot 3
FFL = 172.460

B-B

MUTUAL TURNING AREA

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

APPROVED

16 January 2023
Development Management
Environmental Services
The Moray Council

Mr & Mrs Wright
Plot 3 Minduff,
Drybridge, Buckie

Site Sections
18-08-22 1:150@A3
Drawing No. 20-121-PL02



CHRISTOPHER BREMNER
PLANS

Planning and Building Warrant applications... 07876758717
New House - Conversion - christopher.bremner@hotmail.com
Garage - Extension... christopher.bremner@hotmail.com