



MORAY LOCAL REVIEW BODY

29 NOVEMBER 2018

SUMMARY OF INFORMATION FOR CASE No LR216

Planning Application 18/00628/PPP – Erect dwelling house on site adjacent to Bracobrae, Grange, Keith

Ward 2: Keith & Cullen

Planning permission in principle was refused under the Statutory Scheme of Delegation by the Appointed Officer on 3 July 2018 for the following reasons:

The proposal is unacceptable and contrary to the provisions of the adopted Moray Local Development Plan 2015 (Policies H7 and IMP1) and, as a material consideration, the associated Supplementary Guidance 'Housing in the Countryside' where, because of its location/siting, this would be an inappropriately located site as development thereon would lead to a joining up and coalescence of development in the vicinity of the site, and in creating and serving to reinforce a ribbon or linear form of development extending along the C47H road, the proposal would therefore be detrimental to and undermine the character, appearance and amenity of the open countryside within this part of Grange.

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

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

Site Plan for Neighbour Notification purposes only

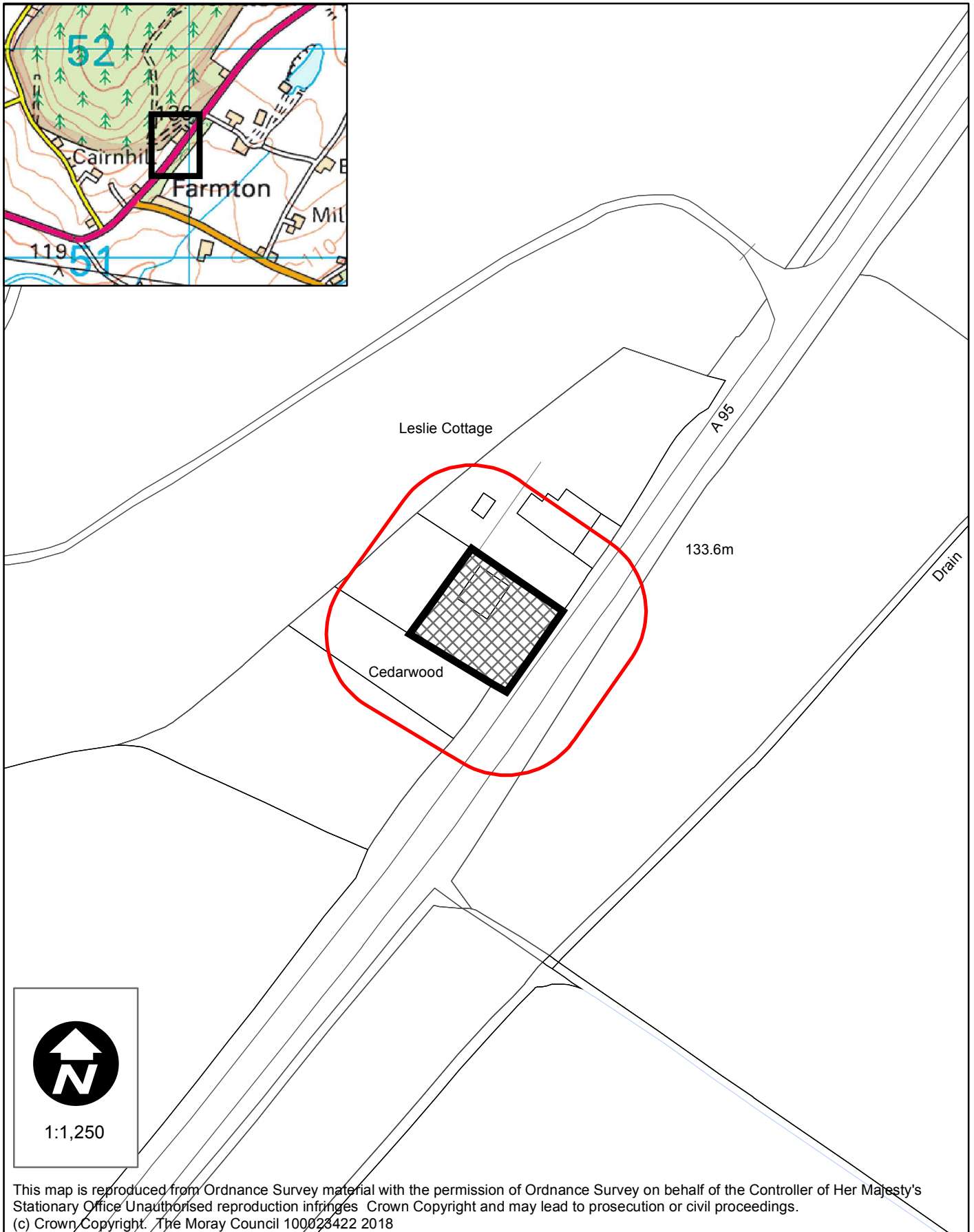
Town and Country Planning

(Development Management Procedure)(Scotland) Regulations 2008



Planning Application Reference Number:

18/00628/PPP



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APPENDIX 1

DOCUMENTS CONSIDERED OR PREPARED BY THE APPOINTED OFFICER



The Moray Council Council Office High Street Elgin IV30 1BX Tel: 01343 563 501 Fax: 01343 563 263 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 100099817-001

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

Type of Application

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

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

Description of Proposal

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

Proposed change of use from agricultural land to domestic. Proposed dwellinghouse under Policy H7 New Housing in the Open Countryside.

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:	John Wink Design		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	John	Building Name:	Midtown of Foudland
Last Name: *	Wink	Building Number:	
Telephone Number: *	01464841113	Address 1 (Street): *	Glens of Foudland
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Huntly
Fax Number:		Country: *	Scotland
		Postcode: *	AB54 6AR
Email Address: *	planning@johnwinkdesign.co.uk		
Is the applicant an individual or an organisation/corporate entity? *			
<input checked="" type="checkbox"/> Individual <input type="checkbox"/> 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:	Seggiecrook
First Name: *	Ian	Building Number:	
Last Name: *	Riddoch	Address 1 (Street): *	Grange
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Keith
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	AB55 6ST
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

Northing

853171

Easting

350762

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☐ Yes ☒ No

Site Area

Please state the site area:

12607.00

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)

Agricultural Land.

Access and Parking

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

☒ Yes ☐ No

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

<p>Are you proposing any change to public paths, public rights of way or affecting any public right of access? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>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.</p>
<h2 style="margin: 0;">Water Supply and Drainage Arrangements</h2> <p>Will your proposal require new or altered water supply or drainage arrangements? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *</p> <p><input type="checkbox"/> Yes – connecting to public drainage network</p> <p><input checked="" type="checkbox"/> No – proposing to make private drainage arrangements</p> <p><input type="checkbox"/> Not Applicable – only arrangements for water supply required</p>
<p>As you have indicated that you are proposing to make private drainage arrangements, please provide further details.</p> <p>What private arrangements are you proposing? *</p> <p><input checked="" type="checkbox"/> New/Altered septic tank.</p> <p><input type="checkbox"/> Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed).</p> <p><input type="checkbox"/> Other private drainage arrangement (such as chemical toilets or composting toilets).</p>
<p>What private arrangements are you proposing for the New/Altered septic tank? *</p> <p><input checked="" type="checkbox"/> Discharge to land via soakaway.</p> <p><input type="checkbox"/> Discharge to watercourse(s) (including partial soakaway).</p> <p><input type="checkbox"/> Discharge to coastal waters.</p>
<p>Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: *</p> <div style="border: 1px solid black; padding: 10px; min-height: 100px; margin-top: 5px;"> <p>Foul water waste to be discharged to land via treatment plant and foul water soakaway. Surface water to surface water soakaway.</p> </div>
<p>Do your proposals make provision for sustainable drainage of surface water?? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>(e.g. SUDS arrangements) *</p> <p>Note:-</p> <p>Please include details of SUDS arrangements on your plans</p> <p>Selecting 'No' to the above question means that you could be in breach of Environmental legislation.</p>
<p>Are you proposing to connect to the public water supply network? *</p> <p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No, using a private water supply</p> <p><input type="checkbox"/> No connection required</p> <p>If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).</p>

Assessment of Flood Risk

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

☐ Yes ☒ No ☐ Don't Know

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

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

☐ Yes ☒ No ☐ Don't Know

Trees

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

☐ Yes ☒ No

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

All Types of Non Housing Development – Proposed New Floorspace

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

☐ Yes ☒ No

Schedule 3 Development

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

☐ Yes ☒ No ☐ Don't Know

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

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

Planning Service Employee/Elected Member Interest

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

☐ Yes ☒ No

Certificates and Notices

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

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

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

☒ Yes ☐ No

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

☒ Yes ☐ No

Do you have any agricultural tenants? *

☐ Yes ☒ No

Certificate Required

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

Certificate E

Land Ownership Certificate

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

Certificate E

I hereby certify that –

(1) – No person other than myself/the applicant was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) - The land to which the application relates constitutes or forms part of an agricultural holding and there are no agricultural tenants

Or

(1) – No person other than myself/the applicant was the owner of any part of the land to which the application relates at the beginning of the period 21 days ending with the date of the application.

(2) - The land to which the application relates constitutes or forms part of an agricultural holding and there are agricultural tenants.

Name:

Address:

Date of Service of Notice: *

(4) – I have/The applicant has taken reasonable steps, as listed below, to ascertain the names and addresses of the other owners or agricultural tenants and *have/has been unable to do so –

Signed: John Wink

On behalf of: Mr Ian Riddoch

Date: 09/05/2018

☒ 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 principle 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 John Wink

Declaration Date: 09/05/2018

Payment Details

Online payment: 629876

Payment date: 09/05/2018 17:27:17

Created: 09/05/2018 17:27



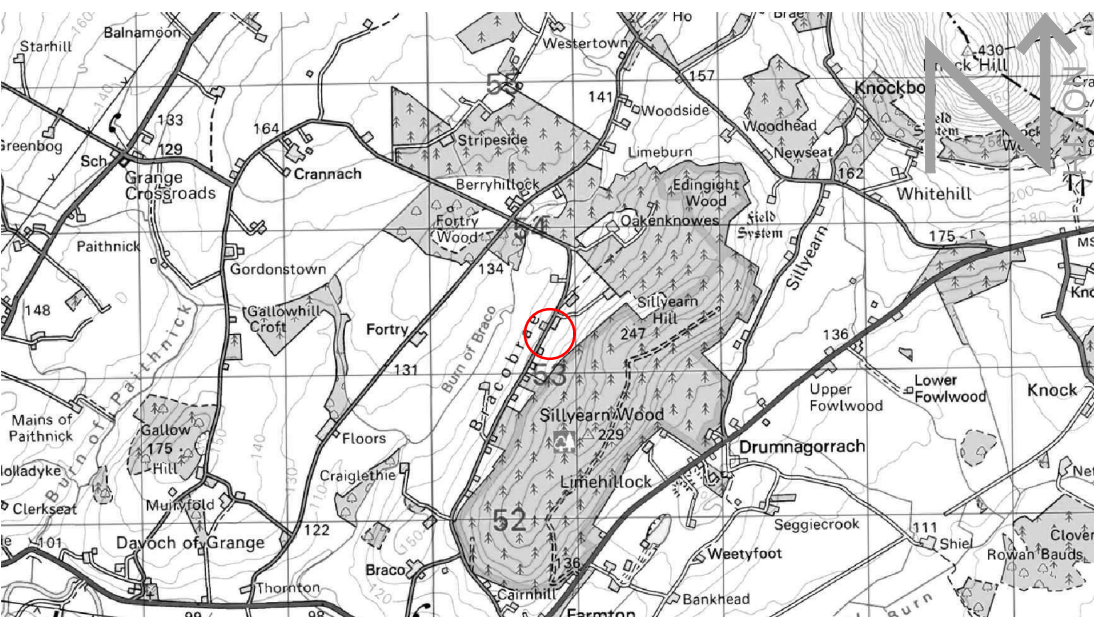
Approaching Site from North



View of Woodland Boundary to the South



View of Forrest Backdrop at Site Access



OS Map
Not to Scale

NOTE:
Dimensions must not be scaled from this drawing. If in any doubt - ask! All dimensions to be checked prior to work commencing or prior to any components being manufactured. Any discrepancy to be reported. All work and material to comply fully with all current British Standards Codes of Practice, building regulations, IEE regulations and all HSE acts.

john wink design
www.johnwinkdesign.co.uk

Midtown of Foudland, Glens of Foudland, Huntly, Aberdeenshire, AB54 6AR
Tel: 01464 841113 e: office@johnwinkdesign.co.uk

Project
**Proposed New House
Site Adjacent Bracobrae
Grange, Keith
Moray**

For - Mr Ian Riddoch

Drawing
Site Plan ☐ **Site Photos**

Scale	Date
As noted	April 2018
Revision	Dwg No
-	1860 - 020

This drawing is copyright of John Wink Design.

Consultation Request Notification

Planning Authority Name	The Moray Council
Response Date	25th May 2018
Planning Authority Reference	18/00628/PPP
Nature of Proposal (Description)	Erect dwellinghouse on
Site	Site Adjacent To Bracobrae Grange Keith
Site Postcode	N/A
Site Gazetteer UPRN	999999999999
Proposal Location Easting	350785
Proposal Location Northing	853219
Area of application site (Ha)	12607 m²
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=P810RQBGKAO00
Previous Application	17/01780/PPP
Date of Consultation	11th May 2018
Is this a re-consultation of an existing application?	No
Applicant Name	Mr Ian Riddoch
Applicant Organisation Name	
Applicant Address	Seggiecrook Grange Keith Scotland AB55 6ST
Agent Name	John Wink Design
Agent Organisation Name	
Agent Address	Midtown Of Foudland Glens Of Foudland Huntly Aberdeenshire AB54 6AR
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Shona Strachan
Case Officer Phone number	01343 563303
Case Officer email address	shona.strachan@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.

Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Contaminated Land

Planning Application Ref. No: 18/00628/PPP

Erect dwellinghouse on Site Adjacent To Bracobrae Grange Keith for Mr Ian Riddoch

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 | X |
| (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: Adrian Muscutt
email address:
Consultee:

Date..... 15/5/2018.....
Phone No 3496

Return response to	consultation.planning@moray.gov.uk
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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://public.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.

14th May 2018

Moray Council
Council Office High Street
Elgin
IV30 9BX



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

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

Dear Local Planner

AB55 Keith Grange Site Adj To Bracobrae
PLANNING APPLICATION NUMBER: 18/00628/PPP
OUR REFERENCE: 760989
PROPOSAL: Erect dwellinghouse

Please quote our reference in all future correspondence

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

Water

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

Foul

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

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

Surface Water

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

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

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

General notes:

- **Scottish Water asset plans can be obtained from our appointed asset plan providers:**

Site Investigation Services (UK) Ltd

Tel: 0333 123 1223

Email: sw@sisplan.co.uk

www.sisplan.co.uk

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

- The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.
- **Please find all of our application forms on our website at the following link**
<https://www.scottishwater.co.uk/business/connections/connecting-your-property/new-development-process-and-applications-forms>

Next Steps:

- **Single Property/Less than 10 dwellings**

For developments of less than 10 domestic dwellings (or non-domestic equivalent) we will require a formal technical application to be submitted directly to Scottish Water or via the chosen Licensed Provider if non domestic, once full planning permission has been granted. Please note in some instances we will require a Pre-Development Enquiry Form to be submitted (for example rural location which are deemed to have a significant impact on our infrastructure) however we will make you aware of this if required.

- **10 or more domestic dwellings:**

For developments of 10 or more domestic dwellings (or non-domestic equivalent) we require a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

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

- **Non Domestic/Commercial Property:**

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

- **Trade Effluent Discharge from Non Dom Property:**

Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants.

If you are in any doubt as to whether or not the discharge from your premises is likely to be considered to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found using the following link <https://www.scottishwater.co.uk/business/our-services/compliance/trade-effluent/trade-effluent-documents/trade-effluent-notice-form-h>

Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.

For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.

The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

If the applicant requires any further assistance or information, please contact our Development Operations Central Support Team on 0800 389 0379 or at planningconsultations@scottishwater.co.uk.

Yours sincerely

Robert Lamont
Development Operations Technical Analyst
Robert.Lamont@scottishwater.co.uk

Consultation Request Notification

Planning Authority Name	The Moray Council
Response Date	25th May 2018
Planning Authority Reference	18/00628/PPP
Nature of Proposal (Description)	Erect dwellinghouse on
Site	Site Adjacent To Bracobrae Grange Keith
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Site Gazetteer UPRN	999999999999
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Proposal Location Northing	853219
Area of application site (Ha)	12607 m²
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=P8I0RQBGKAO00
Previous Application	17/01780/PPP
Date of Consultation	11th May 2018
Is this a re-consultation of an existing application?	No
Applicant Name	Mr Ian Riddoch
Applicant Organisation Name	
Applicant Address	Seggiecrook Grange Keith Scotland AB55 6ST
Agent Name	John Wink Design
Agent Organisation Name	
Agent Address	Midtown Of Foudland Glens Of Foudland Huntly Aberdeenshire AB54 6AR
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Shona Strachan
Case Officer Phone number	01343 563303
Case Officer email address	shona.strachan@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

NOTE:

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

Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Transportation Manager

Planning Application Ref. No: 18/00628/PPP

Erect dwellinghouse on Site Adjacent To Bracobrae Grange Keith for Mr Ian Riddoch

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 type="checkbox"/> |
| (d) | Further information is required in order to consider the application as set out below | <input checked="" type="checkbox"/> |

In the interests of road safety a new access should not normally be situated within 90 metres of a road junction or within 30 metres of an existing property access. The proposed access appears to be located closer than 30m to the previously consented access (17/01780/PPP).

A visibility splay 2.4m x 120m is required at the access onto the public road clear of any obstruction greater than 0.6m measured from the level of the carriageway. The drawing shows a visibility splay of 2.4m x 90m (with no maintenance regime).

Note – for the previously consented adjacent proposal which was for planning permission in principle (17/01780/PPP) Transportation recommended ‘suspensive’ conditions in relation to provision of a Passing Place (and correction to the visibility splay information). For the benefit of clarity although the drawing showed a shared passing place/Lay-by this would not be acceptable and the Lay-by must be completely separate from the passing place. The same applies to this proposal. Therefore to avoid any potential confusion the ‘passing place’ text on the drawing should be removed and replaced only with an 8m Lay-by only. As with the adjacent application the location of the passing place will require to be agreed with Transportation in due course, (normally at the time of any subsequent application for planning permission in full).

Further information required to consider the application

Updated drawings are required showing the access moved slightly to the south; and showing visibility splays 2.4m x 120m visibility (clear of any obstruction greater than 0.6m measured from the level of the road); and the 8m access layby shown without reference to a passing place.

A ‘suspensive’ condition would be applied in relation to the provision of the required passing place.

Contact: DA/AG
email address: transport.develop@moray.gov.uk
Consultee: TRANSPORTATION

Date 21 May 2018

Return response to	consultation.planning@moray.gov.uk
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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://public.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.

Consultation Request Notification

Planning Authority Name	The Moray Council
Response Date	25th May 2018
Planning Authority Reference	18/00628/PPP
Nature of Proposal (Description)	Erect dwellinghouse on
Site	Site Adjacent To Bracobrae Grange Keith
Site Postcode	N/A
Site Gazetteer UPRN	999999999999
Proposal Location Easting	350785
Proposal Location Northing	853219
Area of application site (Ha)	12607 m²
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=P8I0RQBGKAO00
Previous Application	17/01780/PPP
Date of Consultation	11th May 2018
Is this a re-consultation of an existing application?	No
Applicant Name	Mr Ian Riddoch
Applicant Organisation Name	
Applicant Address	Seggiecrook Grange Keith Scotland AB55 6ST
Agent Name	John Wink Design
Agent Organisation Name	
Agent Address	Midtown Of Foudland Glens Of Foudland Huntly Aberdeenshire AB54 6AR
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Shona Strachan
Case Officer Phone number	01343 563303
Case Officer email address	shona.strachan@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.

Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Transportation Manager

Planning Application Ref. No: 18/00628/PPP

Erect dwellinghouse on Site Adjacent To Bracobrae Grange Keith for Mr Ian Riddoch

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"/> |

Note: For this Planning Consultation Transportation issued a 'Further Information' response seeking updated drawings from the applicant to reflect comments provided. However the applicant has not submitted updated drawings and as the application is to be determined Transportation considers that the use of suspensive conditions would be acceptable. The following conditions therefore apply:

Condition(s)

1. Notwithstanding the submitted details no development shall commence until:
 - i) a detailed drawing (scale 1:500 or 1:1000 which shall also include details to demonstrate control of the land) showing the visibility splay 2.4 metres by 120 metres in both directions, and a schedule of maintenance for the splay area shall be submitted to and approved by the Council, as Planning Authority in consultation with the Roads Authority; and
 - ii) the visibility splay shall be provided in accordance with the approved drawing prior to any works commencing (except for those works associated with the provision of the visibility splay); and
 - iii) thereafter the visibility splay shall be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the carriageway in accordance with the agreed schedule of maintenance.

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.

2. Notwithstanding the submitted details no development shall commence until a detailed drawing (scale 1:500) showing the location and design of a passing place on the section of the C47H Fortry Crossroads – Grange Station Road located between the site and the

junction with the A95 (to the Moray Council standards and specification), has been submitted to and approved in writing by the Council, as Planning Authority in consultation with the Roads Authority; and

ii) thereafter the passing place shall be constructed in accordance with the approved drawing prior to any development works commencing (except for those works associated with the provision of the passing place).

Reason: To enable drivers of vehicles to have adequate forward visibility to see approaching traffic and for two vehicles to safely pass each other ensuring the safety and free flow of traffic on the public road.

3. No development shall commence until details have been submitted for the approval in writing of the Planning Authority, in consultation with the Roads Authority, to ensure no water or loose material shall be permitted to drain or be carried onto the public footpath/carriageway for the life time of the development.

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. Prior to the occupation of the dwellinghouse, the first 5m of the access track, measured from the edge of the public carriageway, shall be constructed to the Moray Council specification and surfaced with bituminous macadam. The width of the vehicular access shall be minimum 3.5 metres, and have a maximum gradient of 1:20 measured for the first 5.0m from the edge of the public carriageway.

Reason: To ensure acceptable infrastructure at the development access.

5. Notwithstanding the submitted details prior to the occupation of the dwellinghouse an access lay-by 8.0m long by 2.5m wide with 30 degrees splayed ends shall be provided at the edge of the public road. The vehicular access should lead off the lay-by. The lay-by must be constructed in accordance with the Moray Council specification and surfaced with bituminous macadam.

Reason: To enable visiting service vehicles to park clear of the public road in the interests of road safety.

6. Any existing ditch, watercourse or drain under the site access shall be piped using a suitable diameter of pipe, agreed with the Roads Maintenance Manager (300mm minimum). The pipe shall be laid to a self-cleansing gradient and connected to an outfall.

Reason: To ensure the construction of an acceptable access in the interests of road safety and effective drainage infrastructure.

7. Parking provision shall be as follows:

- 2 spaces for a dwelling with three bedrooms or less; or
- 3 spaces for a dwelling with four bedrooms or more.

The car parking spaces shall be provided within the site prior to the occupation or completion of the dwellinghouse, 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.

8. A turning area shall be provided within the curtilage of the site to enable vehicles to enter and exit in a forward gear.

Reason: To ensure the provision for vehicles to enter/exit in a forward gear in the interests of the safety and free flow of traffic on the public road

9. No boundary fences, hedges, walls or any other obstruction whatsoever over 1.0m in height (measured from the level of the road) and fronting onto the public road shall be within 2.4m of the edge of the carriageway.

Reason: To enable drivers of vehicles entering or exiting the site to have a clear view so that they can undertake the manoeuvre safely and with the minimum interference to the safety and free flow of traffic on the public road.

10. Boundary walls/fences shall be set back from the edge of the public carriageway at a minimum distance of 3.5m and to a position behind the required visibility splays.

Reason: To ensure acceptable development in the interests of road safety.

Further comment(s) to be passed to applicant

The formation of the required visibility splay will involve the removal of gorse and vegetation.

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

Before commencing development the applicant is obliged to apply for Construction Consent in accordance with Section 21 of the Roads (Scotland) Act 1984 for new roads. The applicant will be required to provide technical information, including drawings and drainage calculations. Advice on this matter can be obtained from the Moray Council web site or by emailing road.maint@moray.gov.uk

Before starting any work on the existing public road the applicant is obliged to apply for a road opening permit in accordance with Section 56 of the Roads (Scotland) Act 1984. This includes any temporary access joining with the public road. Advice on these matters can be obtained by emailing roadspermits@moray.gov.uk

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: DA/AG

Date 15 June 2018

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

Return response to	consultation.planning@moray.gov.uk
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From: DeveloperObligations
Sent: 22 May 2018 12:34:38 +0100
To: Shona Strachan
Subject: 18/00628/PPP Erect dwellinghouse on Site Adjacent to Bracobrae, Grange, Keith
Attachments: 18-00628-PPP Erect dwellinghouse on Site Adjacent to Bracobrae, Grange, Keith.pdf

Hi

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

Regards

Hilda

Find us on 

[Moray Council Planning](#)

Hilda Puskas

Developer Obligations Officer

Development Plans

hilda.puskas@moray.gov.uk

01343 563265

The logo for Moray Council, featuring the word "moray" in a stylized, lowercase, pinkish-red font, with the word "council" in a smaller, lowercase, blue font directly beneath it.

Developer Obligations: ASSESSMENT REPORT



MORAY
council

Date: 22/05/2018

Reference: 18/00628/PPP

Description: Erect dwellinghouse on Site
Adjacent to Bracobrae, Grange, Keith

Applicant: Mr Ian Riddoch

Agent: John Wink Design

This assessment has been carried out by Moray Council. This assessment is carried out in relation to policy IMP3 Developer Obligations of the Moray Local Development Plan 2015 (LDP) and associated Supplementary Guidance (SG) on Developer Obligations which was adopted on 1 March 2018.

The LDP and SG can be found at
http://www.moray.gov.uk/moray_standard/page_100443.html

Summary of Obligations

Primary Education	Nil
Secondary Education	Nil
Transport	Nil
Healthcare (<i>Contribution towards Replacement Health Centre in Keith</i>)	
Sports and Recreation	Nil
Total Developer Obligations	

Breakdown of Calculation

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

3 bed = 1 SRUE

This assessment is therefore based on 1 SRUE.

Developer Obligations Discount for Small Scale Development

A discount of 80% will be applied to the contribution for single unit developments to reflect their small scale nature.



Moray Council **DEVELOPER OBLIGATIONS**

INFRASTRUCTURE

Education

Primary Education

Pupils generated by this development are zoned to Crossroads Primary School. The school is currently operating at 40% functional capacity and the additional pupil as a result of this development can be accommodated. As a result, no mitigation is necessary.

Contribution towards Primary Education = Nil

Secondary Education

Pupils generated by this development are zoned to Keith Grammar School. The school is currently operating at 69% functional capacity and the additional pupil as a result of this development can be accommodated. As a result, no mitigation is necessary.

Contribution towards Secondary Education = Nil

Transport

The Moray Council Transportation Services has confirmed that no developer obligations will be sought for this proposal.

Contributions towards Transport = Nil

Healthcare

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

General Practitioner (GP) and floorspace requirement per GP is 271m².

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

Keith Medical Group is the nearest GP Practice within which healthcare facilities can be accessed by the proposed development. NHS Grampian has confirmed that Keith Medical Group is working well beyond design capacity with no room for expansion on existing site. Contributions will be sought towards a Replacement Health Centre.

Contributions are calculated based on a proportional contribution of [REDACTED] per SRUE.

[REDACTED]

[REDACTED]

Contribution towards Healthcare= [REDACTED]

Sports and Recreational Facilities

Sports and Recreation Facilities

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

Contribution for Sports and Recreation Facilities = Nil



TERMS OF ASSESSMENT

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

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

PAYMENT OF CONTRIBUTIONS

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

INDEXATION

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

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



Consultation Request Notification

Planning Authority Name	The Moray Council
Response Date	25th May 2018
Planning Authority Reference	18/00628/PPP
Nature of Proposal (Description)	Erect dwellinghouse on
Site	Site Adjacent To Bracobrae Grange Keith
Site Postcode	N/A
Site Gazetteer UPRN	999999999999
Proposal Location Easting	350785
Proposal Location Northing	853219
Area of application site (Ha)	12607 m²
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=P810RQBGKAO00
Previous Application	17/01780/PPP
Date of Consultation	11th May 2018
Is this a re-consultation of an existing application?	No
Applicant Name	Mr Ian Riddoch
Applicant Organisation Name	
Applicant Address	Seggiecrook Grange Keith Scotland AB55 6ST
Agent Name	John Wink Design
Agent Organisation Name	
Agent Address	Midtown Of Foudland Glens Of Foudland Huntly Aberdeenshire AB54 6AR
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Shona Strachan
Case Officer Phone number	01343 563303
Case Officer email address	shona.strachan@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

NOTE:

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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.

Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Environmental Health Manager

Planning Application Ref. No: 18/00628/PPP

Erect dwellinghouse on Site Adjacent To Bracobrae Grange Keith for Mr Ian Riddoch

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 | X |
| (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: James McLennan
email address:
Consultee:

Date..... 14/5/2018
Phone No 3360

Return response to	consultation.planning@moray.gov.uk
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Consultation Request Notification

Planning Authority Name	The Moray Council
Response Date	25th May 2018
Planning Authority Reference	18/00628/PPP
Nature of Proposal (Description)	Erect dwellinghouse on
Site	Site Adjacent To Bracobrae Grange Keith
Site Postcode	N/A
Site Gazetteer UPRN	999999999999
Proposal Location Easting	350785
Proposal Location Northing	853219
Area of application site (Ha)	12607 m²
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=P810RQBGKAO00
Previous Application	17/01780/PPP
Date of Consultation	11th May 2018
Is this a re-consultation of an existing application?	No
Applicant Name	Mr Ian Riddoch
Applicant Organisation Name	
Applicant Address	Seggiecrook Grange Keith Scotland AB55 6ST
Agent Name	John Wink Design
Agent Organisation Name	
Agent Address	Midtown Of Foudland Glens Of Foudland Huntly Aberdeenshire AB54 6AR
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Shona Strachan
Case Officer Phone number	01343 563303
Case Officer email address	shona.strachan@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

NOTE:

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

Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Aberdeenshire Council Archaeology Service

Planning Application Ref. No: 18/00628/PPP

Erect dwellinghouse on Site Adjacent To Bracobrae Grange Keith for Mr Ian Riddoch

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 | x |
| (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"/> |

Reason(s) for objection

None

Condition(s)

None

Further comment(s) to be passed to applicant

Further information required to consider the application

Contact: Claire Herbert
email address:
archaeology@aberdeenshire.gov.uk
Consultee: Archaeology service

Date...14/05/2018.....
Phone No ...01467 537717

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

REPORT OF HANDLING

Ref No:	18/00628/PPP	Officer:	Shona Strachan
Proposal Description/ Address	Erect dwellinghouse on Site Adjacent To Bracobrae Grange Keith		
Date:	03/07/18	Typist Initials:	FJA

RECOMMENDATION

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

CONSULTATIONS

Consultee	Date Returned	Summary of Response
Aberdeenshire Council Archaeology Service	14/05/18	No objection
Planning And Development Obligations	22505/18	Obligation required for healthcare (towards replacement health centre in Keith)
Environmental Health Manager	15/05/18	No objection
Contaminated Land	15/05/18	No objection
Transportation Manager	15/06/18	No objection subject to conditions and informatives. In absence of requested up-dated drawings, use of suspensive conditions would be acceptable.
Scottish Water	14/05/18	No objection but this does not confirm that the proposal can be serviced. Further investigation on water supply capacity may be required and there is no public waste water infrastructure in the vicinity of the development.

DEVELOPMENT PLAN POLICY

Policies	Dep	Any Comments (or refer to Observations below)
PP3: Placemaking	Y	
H7: New Housing in the Open Countryside	Y	
EP5: Sustainable Urban Drainage Systems	N	
EP9: Contaminated Land	N	

EP10: Foul Drainage	N	
PP1: Sustainable Economic Growth	N	
T2: Provision of Access	N	
T5: Parking Standards	N	
IMP1: Developer Requirements	Y	
IMP3: Developer Obligations	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

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 2015 (MLDP 2015) unless material considerations indicate otherwise. In this case the main planning issues are considered below.

Proposal

This application seeks planning permission in principle for the erection of a dwellinghouse on a site adjacent to Bracobrae, Grange.

The site plan includes an indicative location and footprint for the proposed dwelling but given the "in principle" nature of the permission being sought, no detailed design and site layout information has been provided.

The site plan also shows the location of the proposed access (to be taken off the C47H public road which is situated towards the northwest corner of the site), driveway and on-site parking. The associated servicing arrangements include a treatment plant and foul water soakaway, a separate on-site surface water soakaway, and a connection to the public water supply.

Characteristics of the Site and Surrounds

The site covers an area of 12607.00 sq m and is located on the corner of a field on the lower slopes of Sillyearn Hill with the land rising above the site. Extensive woodland lies beyond the extent of the field to the east of the site. The property, Sunnyside neighbours the site immediately to the south. The public road is located to the west of the site with a cluster of buildings at Bracobrae beyond. The land immediately adjacent to the north of the site is a house plot, as approved under application 17/01780/PPP (on 15 January 2018). The properties, Braeside and Bracobrae Croft are located further to the north.

N.B. the aforementioned dwellings are identified on a plan showing the build up of development in this location as an appendix to this report.

In addition to the identified existing and proposed dwellings, there are a number of existing properties located along the C47H road.

Policy Assessment

Siting and Impact on the Rural Character of the Surrounding Area (H7, IMP1 + Supplementary Guidance: Housing in the Countryside)

Policy H7 contains the location/siting and design criteria for assessing the acceptability of applications for new build houses in the open countryside. In terms of location/siting, this policy requires proposals to reflect the existing traditional pattern of settlement in the locality, be sensitively integrated and not obtrusive in the landscape, not detract from the character or setting of existing development, and not contribute to a build-up of development that detracts from the rural character of the area. The development plan notes that particular attention will be given to proposals in the open countryside where there has been a significant growth in the number of new house applications. Policy H7 also requires that at least 50% of the boundaries are long established and capable of distinguishing the site from the surrounding landscape. Thereafter, the policy requires any development to be acceptable in design terms including requirements for landscape planting to be provided within the site.

With specific reference to the issue of inappropriate ribbon development, further advice is provided in the Council's associated Supplementary Guidance: Housing in the Countryside (SPG), advising that "*... ribbon development will not be acceptable where it results in an accumulation of houses along a road or landscape feature.*" (page 16). The SPG also provides further guidance on the matter of build-up, advising that "*... A proposal that contributes to a build-up of development that is considered to undermine the rural character of the locality will not be acceptable.*" From the SPG (page 14), it is also noted that the countryside around Grange is identified as an area that has been subject to significant build-up of housing, and considered to have reached a level where further development could irreversibly alter the character of the area. According to the SPG, this impact upon the distinctive rural character, qualities and appearance of the area can result from the provision of housing in the corner of fields, which is the case here.

Policy IMP1 seeks compatibility in terms of scale, density and character, requiring new development to integrate into the surrounding landscape and be sensitively sited, designed and serviced appropriate to the amenity and character of the area.

The prevailing housing pattern at this locality is characterised by single houses, pairs of houses or (small) clusters of houses along the C47H public road with sufficient separation between the houses (including the small clusters) to prevent a coalescence of development along the roadside. However, in this instance, the proposed site, taken together with the adjacent house plot to the north (17/01780/PPP), would lead to a joining up and coalescence of development at this location. As a result, this proposal would then create and serve to re-inforce a resultant extended ribbon form of development extending along the roadside effectively joining up the property Sunnyside to the south and Bracobrae Croft to the north (as demonstrated by the build up map which is appended to this report). This elongated, linear, accumulation of houses along the road site is uncharacteristic of the rural housing pattern in this location and is therefore contrary to policy in these terms.

It is worth noting here, that the adjacent house plot to the north of the site 17/01780/PPP was considered as acceptable infill development which would maintain a sufficient gap between property to the south and prevent a coalescence of development along the roadside.

Having considered these points, this current proposal would, as an additional dwelling, create a prolonged ribbon/linear form of development and be detrimental to, and undermine, the character and appearance of, the surrounding countryside. Therefore, in these terms, the proposed site for the development is inappropriately located and the development is unacceptable in relation to the location/siting criteria of H7 and IMP1, and the associated SPG.

Following consideration, the proposal could potentially satisfy the rural house design requirements of

Policy H7, subject to appropriate conditions given the 'in principle' nature of the permission being sought. However, this does not over-ride the main policy objections concerning the unacceptable location/siting characteristics and resultant build-up arising from this development in this locality.

Water and Drainage (EP5 and EP10)

Scottish Water has no objection to the planning application however, they also advise that the applicant should liaise directly with Scottish Water regarding available capacity within, and all required/proposed connection arrangements to, their network.

The acceptability of the proposed arrangements for on-site disposal of foul and surface water drainage will require to be determined as part of any Building Standards application but generally, and in principle, the proposed arrangements are likely to satisfy the requirements of Policies EP10 and EP5. That said, such acceptability does not over-ride the main policy objection to this proposal in terms of it's inappropriate siting/location.

Access and Parking (T2 and T5)

Whilst the Council's Transportation Service originally sought amended drawings from the applicant/agent regarding details of the required visibility splay and separation between the requirements for an access lay by and a passing place, the applicant/agent has not submitted the recommended amended drawings. In this instance, the Transportation Service considers that the use of suspensive conditions would be an acceptable way to address this matter. Therefore, subject to compliance with conditions as recommended, the proposal would be acceptable in relation to Policies T2 and T5. This conditional approach over transport requirements does not over-ride the main policy objection to this proposal in terms of it's inappropriate siting/location.

Developer Obligations (IMP3)

An assessment has been carried out in relation to Policy IMP3 Developer Obligations and associated Supplementary Guidance on Developer Obligations (March 2018). The assessment identifies that an obligation towards a replacement healthcare centre in Keith would be required.

The agent has confirmed acceptance of the identified obligation, adding that the obligation would be settled up-front before the issue of any planning consent. This acceptance of developer obligations does not over-ride the unacceptable nature of the proposal based upon it's location/siting characteristics.

Conclusion

The application is considered to result in an unacceptable form of development which does not comply with the provisions of the local development plan and is therefore recommended for refusal.

Recommendation

Refuse

OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT

HISTORY

Reference No.	Description			
17/01780/PPP	Erect dwellinghouse on Site Opposite Bracobrae Grange Keith Moray			
	Decision	Permitted	Date Of Decision	15/01/18

ADVERT		
Advert Fee paid?	Yes	
Local Newspaper	Reason for Advert	Date of expiry
Banffshire Herald	No Premises	07/06/18
PINS	No Premises	07/06/18

DEVELOPER CONTRIBUTIONS (PGU)	
Status	CONT 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?		NO
Summary of main issues raised in each statement/assessment/report		
Document Name:	Policy Justification	
Main Issues:	Statement provides illustrative information which seeks to demonstrate how the proposal complies with Policy H7 New Housing in the Open Countryside. In siting terms, it is highlighted that the site reflects the traditional settlement pattern at this location, benefits from a natural backdrop and that 50% of the site boundaries are established. In design terms, an indicative design is shown to demonstrate compliance with the design requirements of Policy H7.	

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)			



18/00628/PPP

ry Wood

Oakenknowes

Well

Burn of Braco

(course of)

Little Fortry

Sillyearn Croft

Bracobrae

Sillyearn Hill

Wattie's Cairn

Sillyearn Wood

17/01780/PPP

18/00628/PPP

Fortry

Well

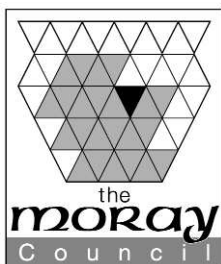
Well

Burn of Braco

Cold Wells

Well

Legend



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

REFUSAL OF PLANNING PERMISSION

**[Keith And Cullen]
Planning Permission in Principle**

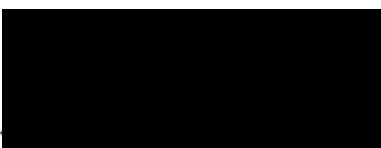
TO Mr Ian Riddoch
c/o John Wink Design
Midtown Of Foudland
Glens Of Foudland
Huntly
Aberdeenshire
AB54 6AR

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

Erect dwellinghouse on Site Adjacent To Bracobrae Grange Keith

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

Date of Notice: **3 July 2018**

Pp 

HEAD OF DEVELOPMENT SERVICES

Environmental Services Department
The Moray Council
Council Office
High Street
ELGIN
Moray IV30 1BX

IMPORTANT
YOUR ATTENTION IS DRAWN TO THE REASONS and NOTES BELOW

SCHEDULE OF REASON(S) FOR REFUSAL

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

The proposal is unacceptable and contrary to the provisions of the adopted Moray Local Development Plan 2015 (Policies H7 and IMP1) and, as a material consideration, the associated Supplementary Guidance 'Housing in the Countryside' where, because of its location/siting, this would be an inappropriately located site as development thereon would lead to a joining up and coalescence of development in the vicinity of the site, and in creating and serving to reinforce a ribbon or linear form of development extending along the C47H road, the proposal would therefore be detrimental to and undermine the character, appearance and amenity of the open countryside within this part of Grange.

LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT

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

Reference	Version	Title
1860-020		Site and location plan

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

N/A

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

If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to The Clerk, 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.scot/eplanningClient

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



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 100099817-002

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:	John Wink Design		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	John	Building Name:	Midtown of Foudland
Last Name: *	Wink	Building Number:	
Telephone Number: *	01464841113	Address 1 (Street): *	Glens of Foudland
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Huntly
Fax Number:		Country: *	Scotland
		Postcode: *	AB54 6AR
Email Address: *	planning@johnwinkdesign.co.uk		

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" value="Seggiecrook"/>
First Name: *	<input type="text" value="Ian"/>	Building Number: <input type="text"/>
Last Name: *	<input type="text" value="Riddoch"/>	Address 1 (Street): * <input type="text" value="Grange"/>
Company/Organisation	<input type="text"/>	Address 2: <input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: * <input type="text" value="Keith"/>
Extension Number:	<input type="text"/>	Country: * <input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text" value="AB55 6ST"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text"/>	

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

Northing	<input type="text" value="853171"/>	Easting	<input type="text" value="350762"/>
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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 Site Adjacent To Bracobrae Grange Keith.

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.

We seek a review on the afore mentioned application as we believe the proposal to comply with the relative planning policy as set out in the 2015 Moray Local Development Plan. Full supporting statement included in supporting documents.

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)

1860 - Supporting Statement, 1860 - 020 - A1 - Site Plan & Photos, 1860 - 021 - A1 - Policy Justification.

Application Details

Please provide details of the application and decision.

What is the application reference number? *

18/00628/PPP

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

10/05/2018

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

03/07/2018

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 John Wink

Declaration Date: 01/10/2018

The Moray Council
Council Offices
High Street
Elgin
IV30 1BX

1st October 2018
Our ref: 1860
Planning Reference No. - 18/00628/PPP

Dear Sir / Madam,

Erect Dwellinghouse

On Site Adjacent To Bracobrae, Grange, Keith

Please find below our supporting statement to appeal the refusal decision of the above application.

We seek a review on the afore mentioned application as we believe the proposal to comply with the relative planning policy as set out in the 2015 Moray Local Development Plan.

The proposal reflects the natural development of the area which is characterised by small clusters of buildings along the C47H road. There is a natural backdrop provided by the Sillyearn Wood to the East of the development along with two long established boundaries to the north and south of the area under ownership of the client. The natural topography of the site, sloping down towards the road for the woodland to the east, also serves to illustrate the appropriateness of this site for development. The proposal follows all the guidance set out in the policy in terms of traditional pattern of development, form and landscaping.

The refusal is based on the view that this application would create a 'ribbon development' [Housing in the Countryside, Supplementary Guidance, 4) Policy H7: New Housing in the Open Countryside, iv) Prominence]. We would argue that given the existing, long established boundaries, that this proposal should be considered as an infill development and therefore compliant with policy. The existing layout of the field has been divided to create two sites, one of which planning permission in principle was granted for in 2017 (Planning Reference No. 17/01780/PPP). As there is no possibility for any further development, ribbon or otherwise, along this boundary with the road, we would ask that this application be reconsidered for approval as an infill development of a single dwelling, thus completing the cluster of housing already present in the area.

Yours faithfully,



Alan Chalmers
Architectural Assistant
for
John Wink Design



Where complete replacement of substantially intact stone and slate buildings, such as churches, mills, farmhouses, granaries and schools, etc is being proposed, the Council will require the submission of evidence to their satisfaction as to why conversion or renovation is not being pursued.

Buildings that are robust and long-established, such as stone built steadings, stores and cattle sheds, may form part of a reuse or rehabilitation scheme. The replacement of temporary structures such as wooden or corrugated-iron sheds or stores, stables and cattlesheds will not be considered eligible under this category.

Supplementary Guidance (SG) has been produced in order to provide further advice on the interpretation of this policy, and will be used in the process of determining planning applications.

Other considerations such as noise contours, developer contributions and energy efficiency will be taken into account in the determination of a planning application, and advice on these matters can be viewed in the aforementioned SG.

Policy H7 New Housing in the Open Countryside

This policy assumes in favour of an application for a new house in the open countryside provided all of the following requirements are met:

Siting

- It reflects the traditional pattern of settlement in the locality and is sensitively integrated with the surrounding landform using natural backdrops, particularly where the site is clearly visible in the landscape. Obtrusive development (i.e. on a skyline, artificially elevated ground or in open settings such as the central area of a field) will not be acceptable;
- It does not detract from the character or setting of existing buildings or their surrounding area when added to an existing grouping or create inappropriate ribbon development;
- It does not contribute to a build-up of development where the number of houses has the effect of changing the rural character of the area. Particular attention will be given to proposals in the open countryside where there has been a significant growth in the number of new house applications; and,
- At least 50% of the site boundaries are long established and are capable of distinguishing the site from surrounding land (e.g. dykes, hedgerows, fences, watercourses, woodlands, tracks and roadways).

Justification

The Plan aims to allow housing in the open countryside that can be easily absorbed into the landscape. New development should be low impact and reflect the character of the surrounding area in terms of the traditional pattern of settlement and the scale and design of housing. The introduction of suburban layouts and house styles and the incremental build up of new houses have the potential to alter the rural character and detrimentally impact on the area's high quality rural environment.

Proposals that add to an existing grouping, such as an established re-use or rehabilitation scheme, will be more satisfactorily integrated where they connect through built form, layout and landscape features. Development that adds to an existing suburban layout should be avoided. Infill development along a road or landscape feature may be appropriate where this does not detract from the character or setting of existing houses. Innovative modern design and energy efficiency measures are encouraged to promote sustainable development.

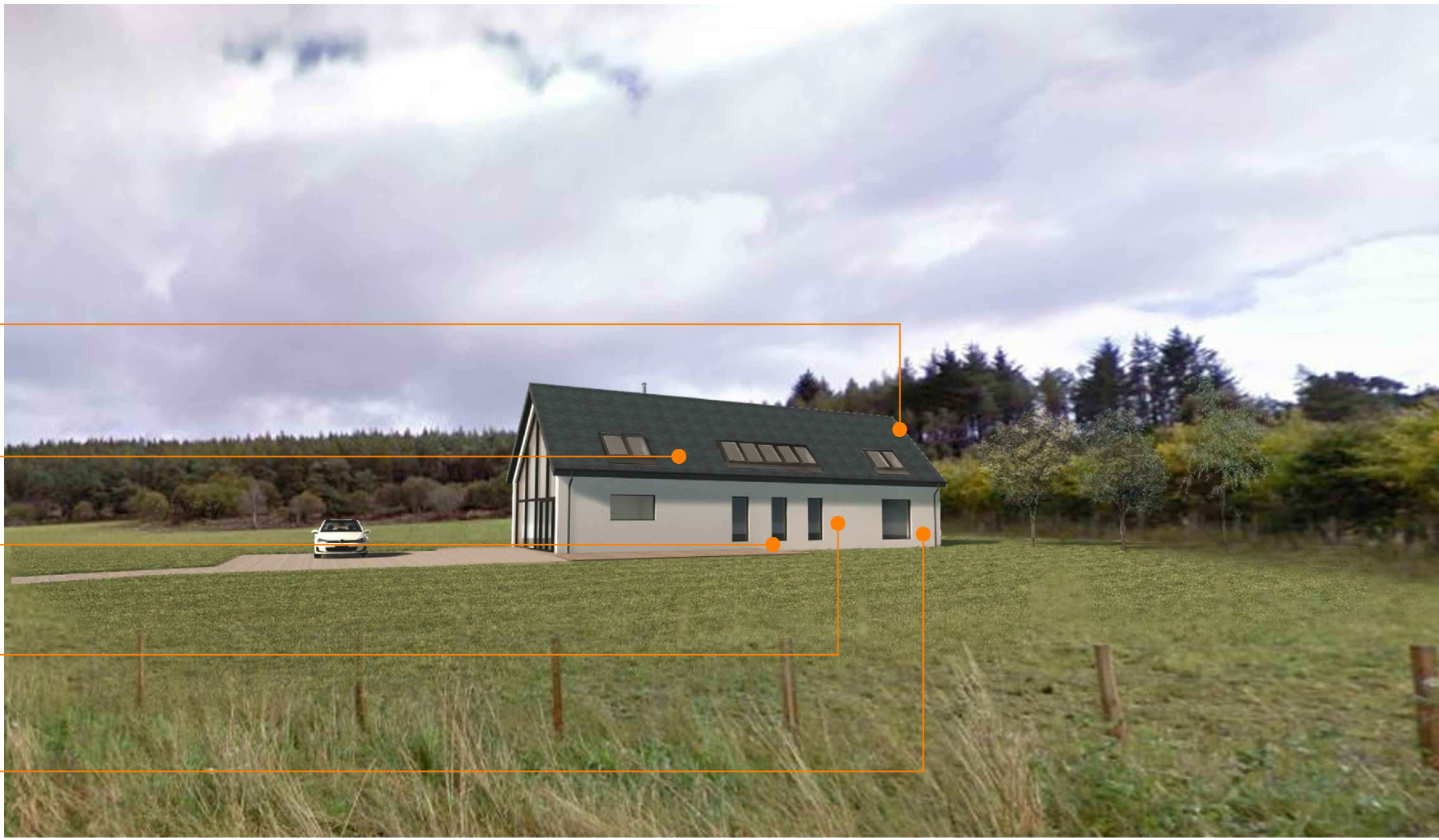
Traditional 42 degree roof pitch

Natural slate roof

Windows with vertical emphasis

Uniform external finishes

Simple traditional vernacular form



View A - Roadside View

Visualisation

NOTE:
Dimensions must not be scaled from this drawing. If in any doubt - ask! All dimensions to be checked prior to work commencing or prior to any components being manufactured. Any discrepancy to be reported. All work and material to comply fully with all current British Standards Codes of Practice, building regulations, IEE regulations and all HSE acts.

john wink design
www.johnwinkdesign.co.uk

Midtown of Foudland, Glens of Foudland, Huntly, Aberdeenshire, AB54 6AR
t: 01464 841113 e: office@johnwinkdesign.co.uk

Project

Proposed New House
Site Adjacent Bracobrae
Grange, Keith
Moray

For - Mr Ian Riddoch

Drawing

Policy Justification

Scale	Date
As noted	April 2018
Revision	Dwg No
-	1860 - 021

This drawing is copyright of John Wink Design.



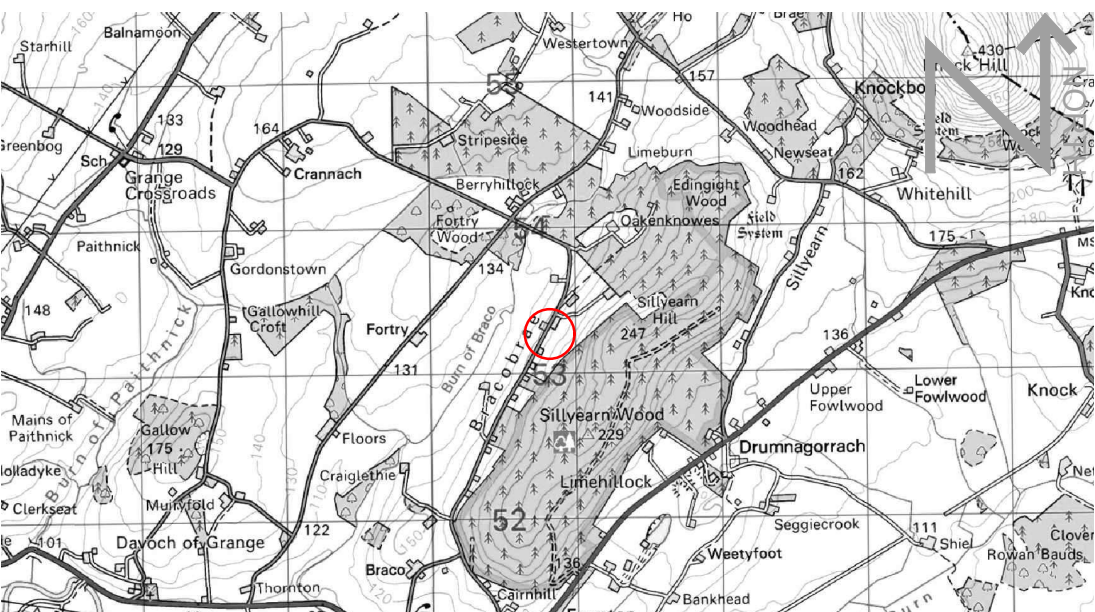
Approaching Site from North



View of Woodland Boundary to the South



View of Forrest Backdrop at Site Access



OS Map
Not to Scale

NOTE:
Dimensions must not be scaled from this drawing. If in any doubt - ask! All dimensions to be checked prior to work commencing or prior to any components being manufactured. Any discrepancy to be reported. All work and material to comply fully with all current British Standards Codes of Practice, building regulations, IEE regulations and all HSE acts.

john wink design
www.johnwinkdesign.co.uk

Midtown of Foudland, Glens of Foudland, Huntly, Aberdeenshire, AB54 6AR
Tel: 01464 841113 e: office@johnwinkdesign.co.uk

Project
**Proposed New House
Site Adjacent Bracobrae
Grange, Keith
Moray**

For - Mr Ian Riddoch

Drawing
Site Plan + Site Photos

Scale	Date
As noted	April 2018
Revision	Dwg No
-	1860 - 020

This drawing is copyright of John Wink Design.