



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 100084944-001

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)

2 New Houses within Ground of Torrieston 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?

Yes No

(Answer 'No' if there is no change of use.) *

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:	CM Design		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Craig	Building Name:	St Brendans
Last Name: *	Mackay	Building Number:	69
Telephone Number: *	01343540020	Address 1 (Street): *	South Guildry Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Elgin
Fax Number:		Country: *	United Kingdom
		Postcode: *	IV30 1QN
Email Address: *	office@cmdesign.biz		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Ms	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Torrieston House
First Name: *	K	Building Number:	
Last Name: *	Gosling-Crockart	Address 1 (Street): *	Pluscarden
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Elgin
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	IV30 8TZ
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

858449

Easting

315815

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Site Area

Please state the site area:

4000.00

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)

Garden Ground

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

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

- Yes – connecting to public drainage network
 No – proposing to make private drainage arrangements
 Not Applicable – only arrangements for water supply required

As you have indicated that you are proposing to make private drainage arrangements, please provide further details.

What private arrangements are you proposing? *

- New/Altered septic tank.
 Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed).
 Other private drainage arrangement (such as chemical toilets or composting toilets).

What private arrangements are you proposing for the New/Altered septic tank? *

- Discharge to land via soakaway.
 Discharge to watercourse(s) (including partial soakaway).
 Discharge to coastal waters.

Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: *

Please refer to plan

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

Note:-

Please include details of SUDS arrangements on your plans

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

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

- Yes
 No, using a private water supply
 No connection required

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

Assessment of Flood Risk

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

Yes No Don't Know

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

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

Yes No Don't Know

Trees

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

Yes No

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

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)

Please refer to plans

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? *

2

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: Craig Mackay

On behalf of: Ms K Gosling-Crockart

Date: 20/02/2018

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 Craig Mackay

Declaration Date: 20/02/2018

Payment Details

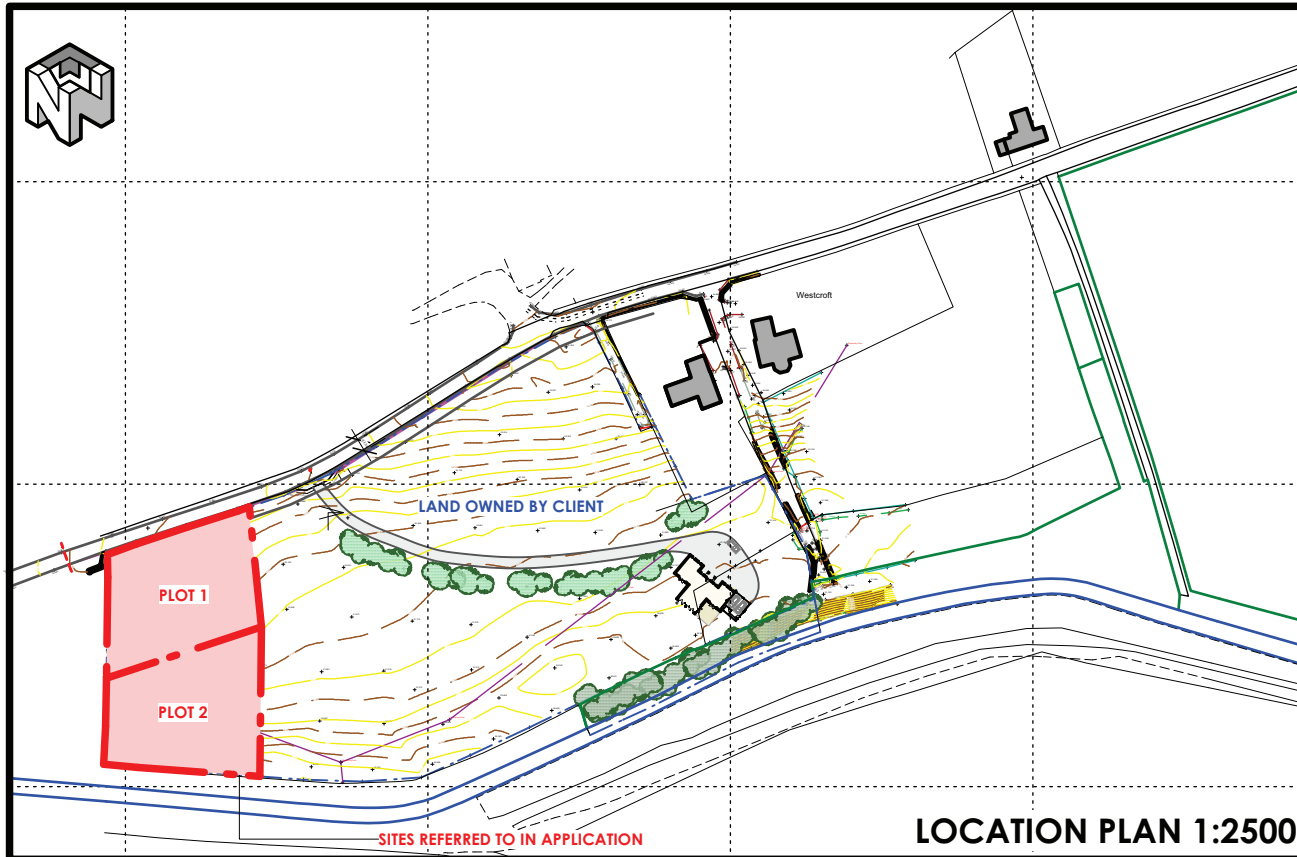
Online payment: 286236

Payment date: 20/02/2018 16:03:16

Created: 20/02/2018 16:03

DO NOT SCALE OFF DRAWINGS. ALL SIZES ARE TO BE CHECKED CONFIRMED ON SITE PRIOR TO COMMENCEMENT OF WORKS/ORDERING OF MATERIALS. NO WORK TO COMMENCE BEFORE APPROPRIATE APPROVALS ARE GRANTED CONTRACTORS RESPONSIBILITY TO ENSURE POSSESSION OF APPROVED DRAWINGS

CONTRACTOR/CLIENT TO ENSURE THAT ONLY THE APPROVED BUILDING WARRANT DRAWINGS ARE USED FOR CONSTRUCTION



Oikos Architectural Ltd Registered in Scotland No. 272963

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 St Brendans, 69 South Guildry Street, Elgin, IV30 1QN
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DEVON OFFICE
 † 01392 345566

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m 0781 3872818 w cmdesign.biz e office@cmdesign.biz

Ms. Gosling-Crockart

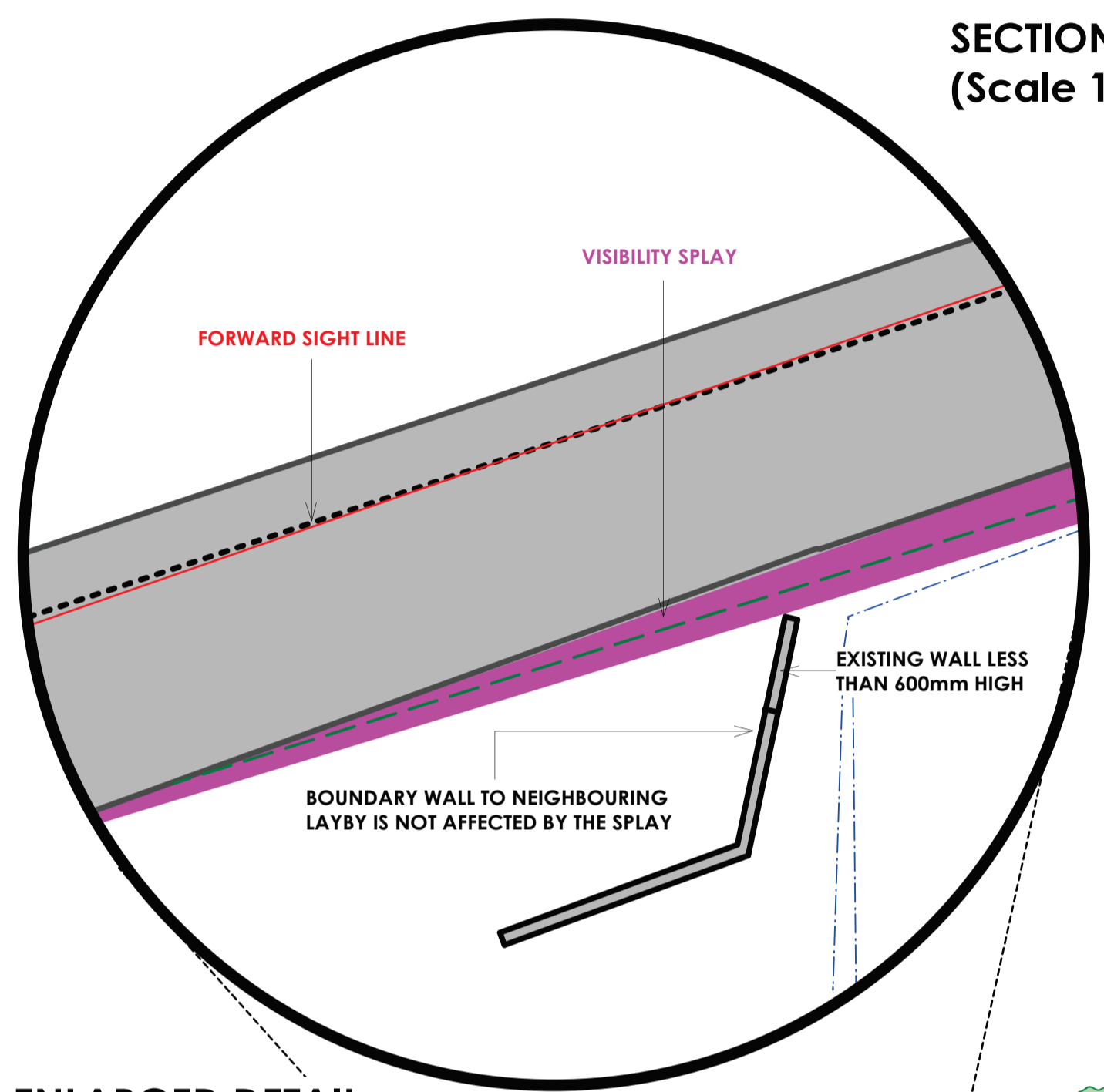
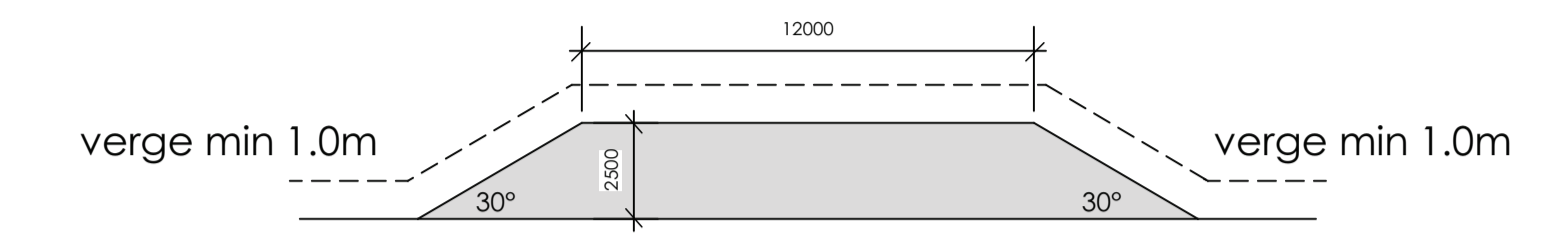
2NO. NEW HOUSES WITHIN GROUNDS OF TORRIESTON HOUSE, TORRIESTON, PLUSCARDEN

PLANNING PROPOSALS
 PROPOSED LOCATION PLAN

Date:	Amendments:	Rev:	
Drawn By:	Date:	Checked By:	Date:
A. CARSWELL	30.01.2018		

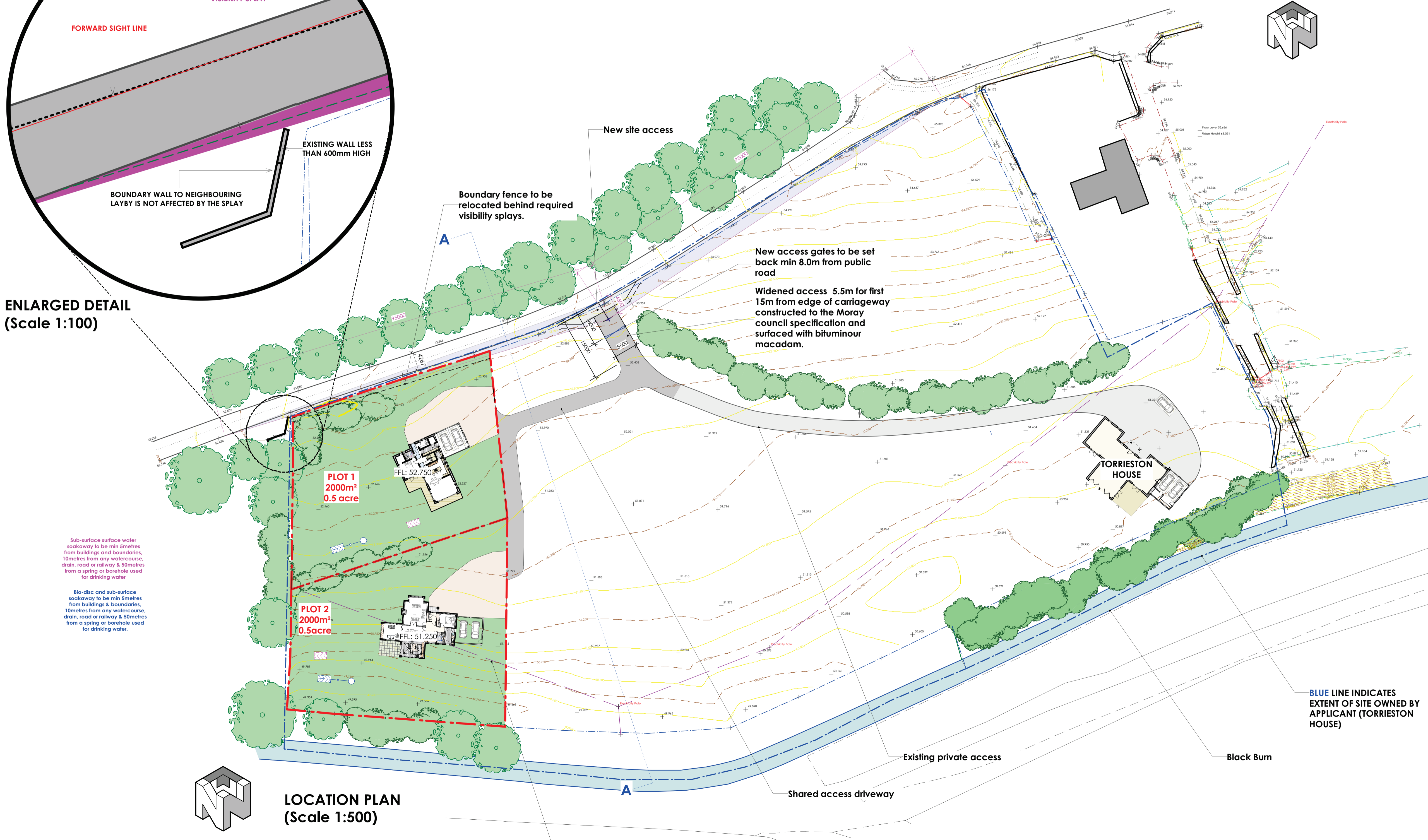
18005.CROCKART.04PP

New vehicular access formed onto public road, with a access layby 12.0m long by 2.5m wide with 30 degrees splayed ends to be provided at the edge of the public road to allow visiting and service vehicles to park clear of the public road. The vehicular access will lead off the layby. The layby will be constructed to the Council specification and be surfaced in bitmac.



ENLARGED DETAIL (Scale 1:100)

SECTION VIEW A-A (Scale 1:200)



LOCATION PLAN (Scale 1:500)

Sub-surface surface water soakaway to be min 5metres from buildings and boundaries, 10metres from any watercourse, drain, road or railway & 50metres from a spring or borehole used for drinking water.
Bio-dic and sub-surface soakaway to be min 5metres from buildings & boundaries, 10metres from any watercourse, drain, road or railway & 50metres from a spring or borehole used for drinking water.

cmdesign
architectural consultants

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M 0781 3872818 W cmdesign.biz E office@cmdesign.biz

LOSSIEMOUTH OFFICE
Ellie, James Street, Moray, IV30 6BX
T 01343 810175
DEVON OFFICE
T 01392 345566

Ms. Gosling-Crockart

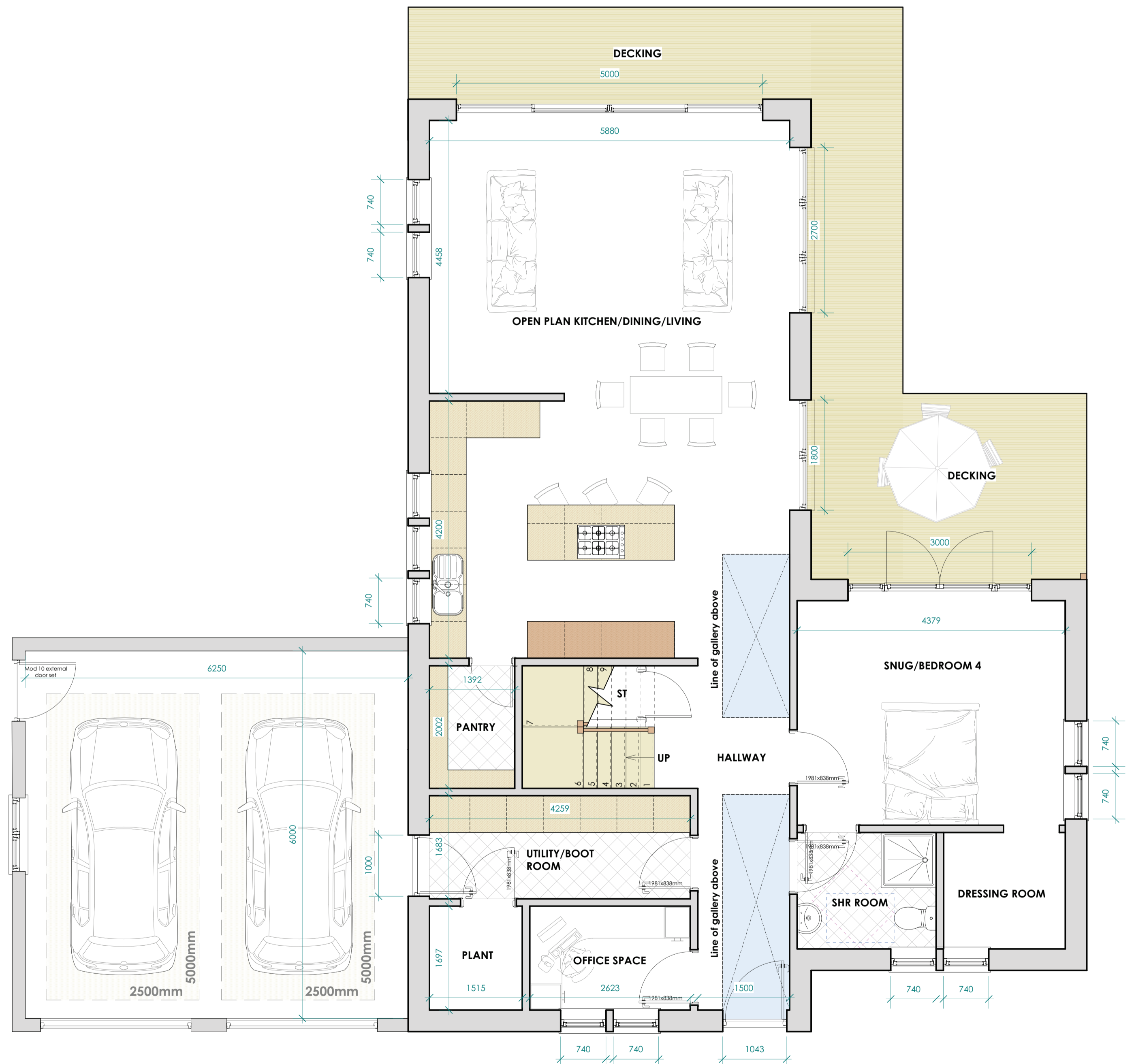
2ND. NEW HOUSES WITHIN GROUNDS OF TORRIESTON HOUSE, TORRIESTON, PLUSCARDEN

PLANNING PROPOSALS
PROPOSED SITE PLAN

Date:	Amendments:	Rev:
20.03.18	Planning point amendments	B
14.03.18	Planning point amendments	A

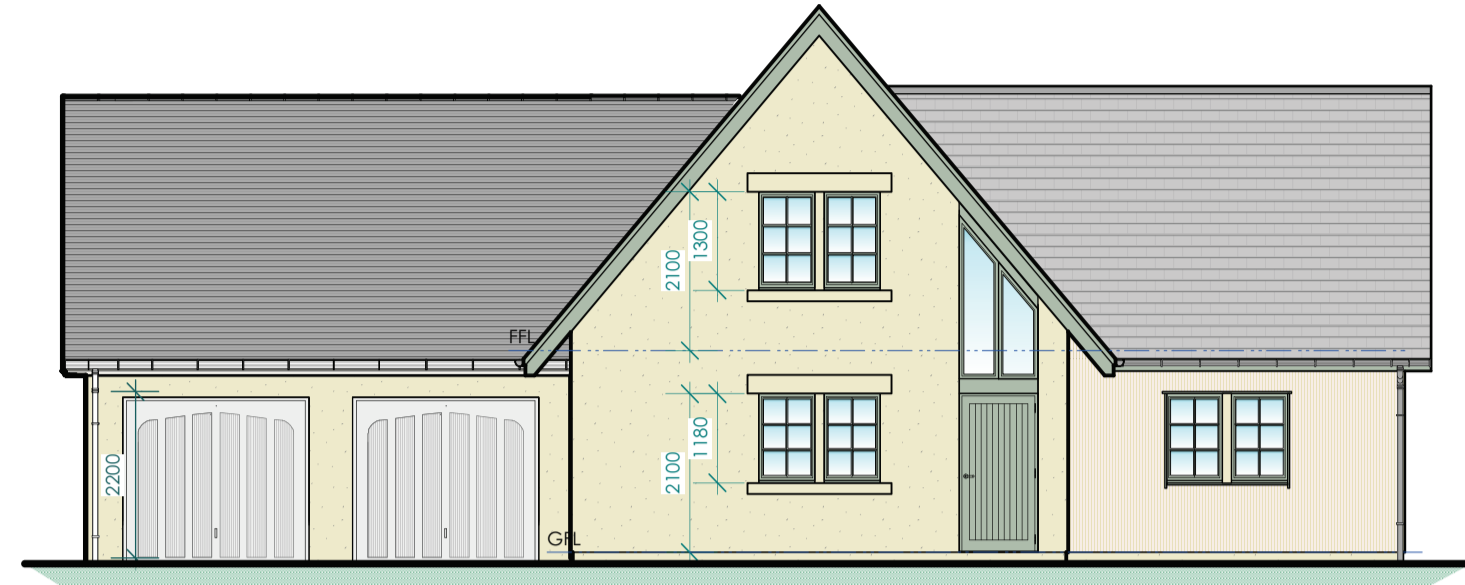
Drawn By:	Date:	Checked By:	Date:
A. CARSWELL	30.01.2018		

180005.CROCKART.01PP B



GROUND FLOOR PLAN
(Scale 1:50)

Ground Floor Area = 110m²
Garage Floor Area = 38m²



FRONT ELEVATION
(Scale 1:100)



REAR ELEVATION
(Scale 1:100)

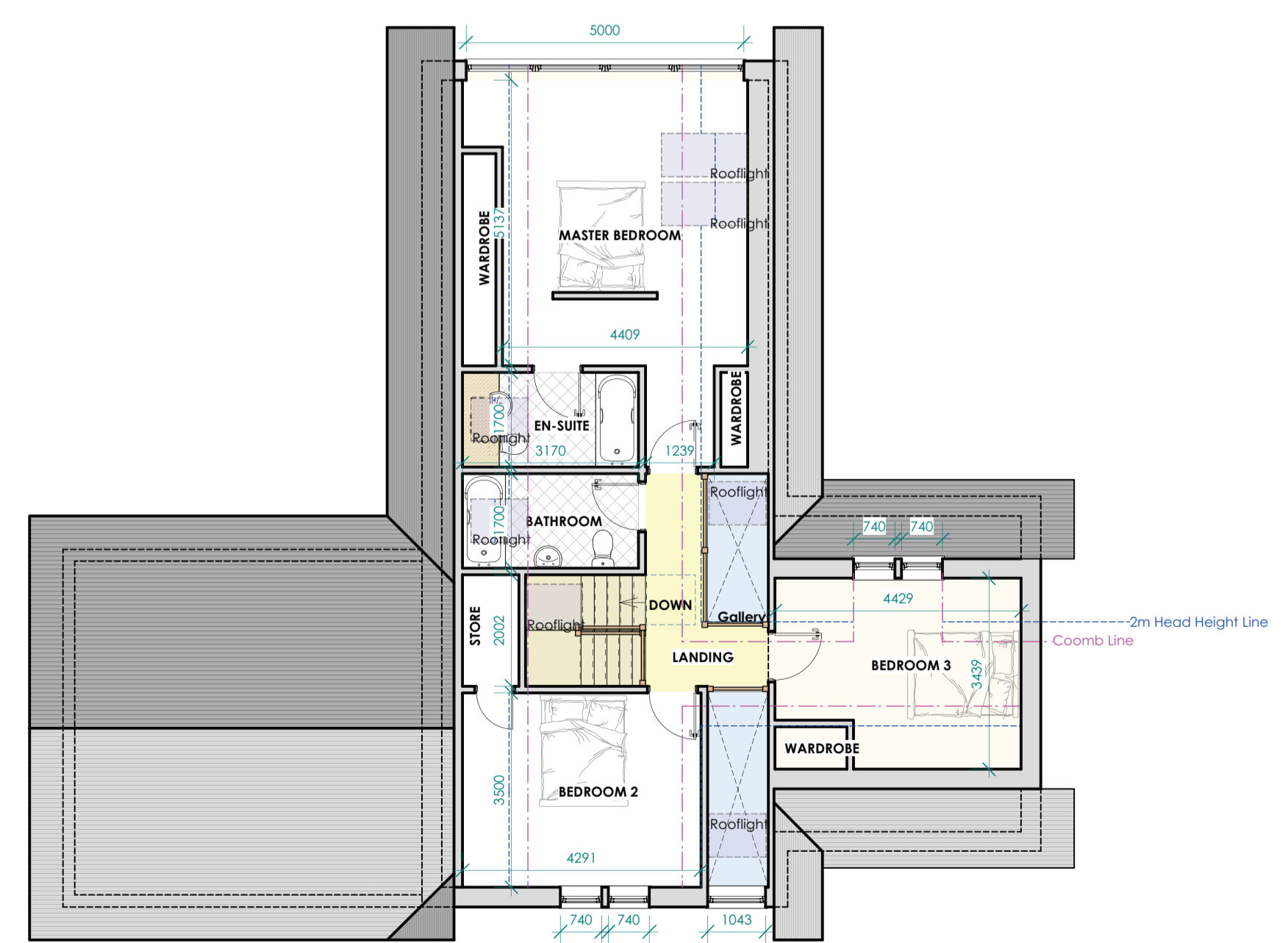
A GABLE WIDTH OF NO MORE THAN 2.5 TIMES THE HEIGHT OF THE WALL FROM GROUND TO EAVES LEVEL
 GROUND TO EAVES = 3450mm
 SO GABLE CANNOT BE ANY GREATER THAN: 3450mm x 2.5 = 8625mm
 ACTUAL GABLE WIDTH = 6580mm



EAST ELEVATION
(Scale 1:100)



WEST ELEVATION
(Scale 1:100)



FIRST FLOOR PLAN
(Scale 1:100)

First Floor Area = 85m²

Finishes

Roof

- Slate (Heavy Spanish)
- Timber fascia, barge board and soffit
- Aluminium deepflow gutters and downpipes, prefinished colour to clients choice

Walls, Basecourse & Dormers

- Cream or off white render
- Vertical larch cladding

Windows & Doors

- Painted timber finish with sandstone precast cills or timber edgings

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Ms. Gosling-Crockart

2ND, NEW HOUSES WITHIN GROUNDS OF TORRIESTON HOUSE, TORRIESTON, PLUSCARDEN

PLANNING PROPOSALS
PLOT 1 FLOOR PLANS AND ELEVATION

Date: Amendments: Rev:

Drawn By: A. CARSWELL Date: 08.02.18 Checked By: Date:

180005.CROCKART.02PP



FRONT ELEVATION
(Scale 1:100)



SIDE ELEVATION
(Scale 1:100)

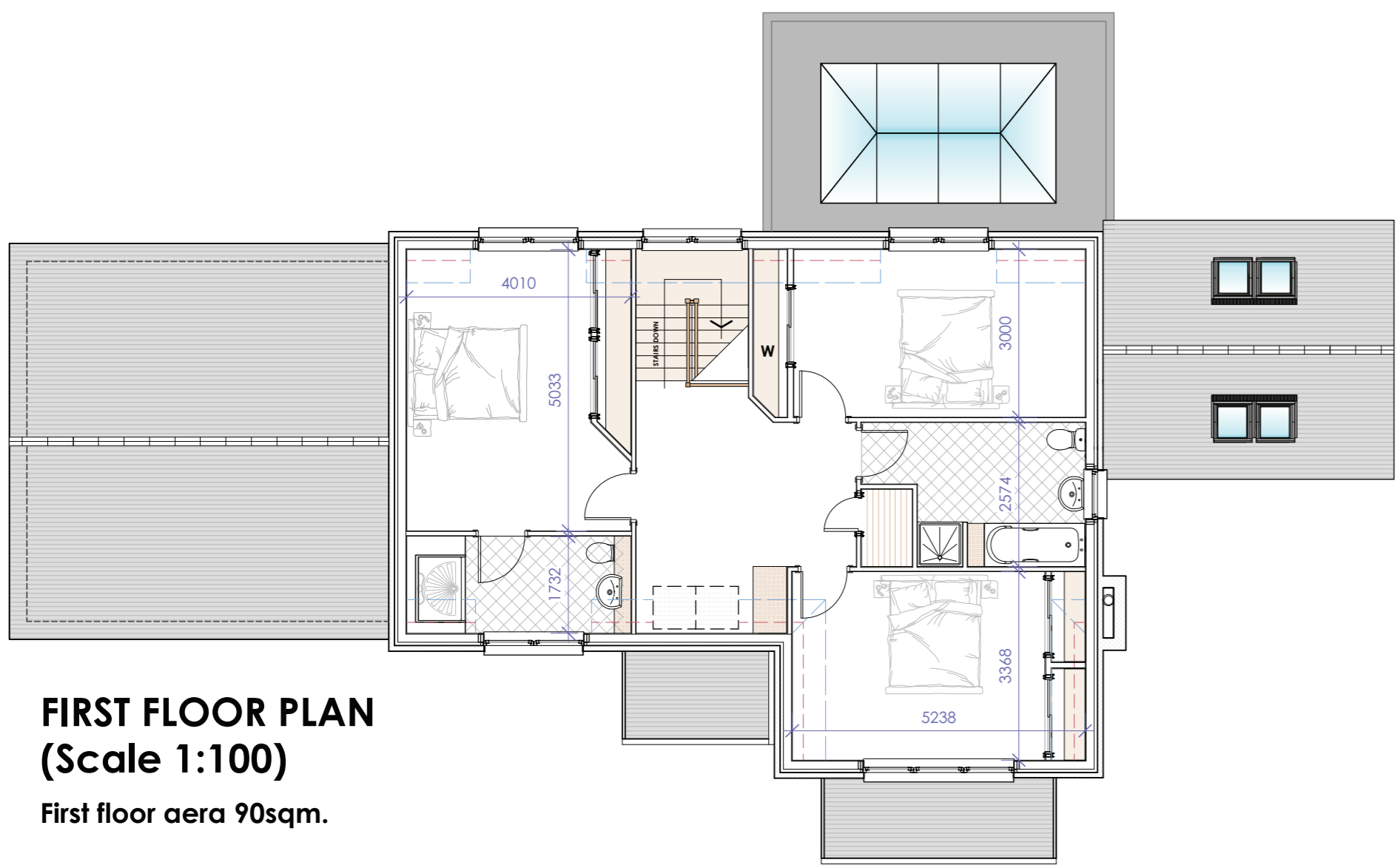


REAR ELEVATION
(Scale 1:100)



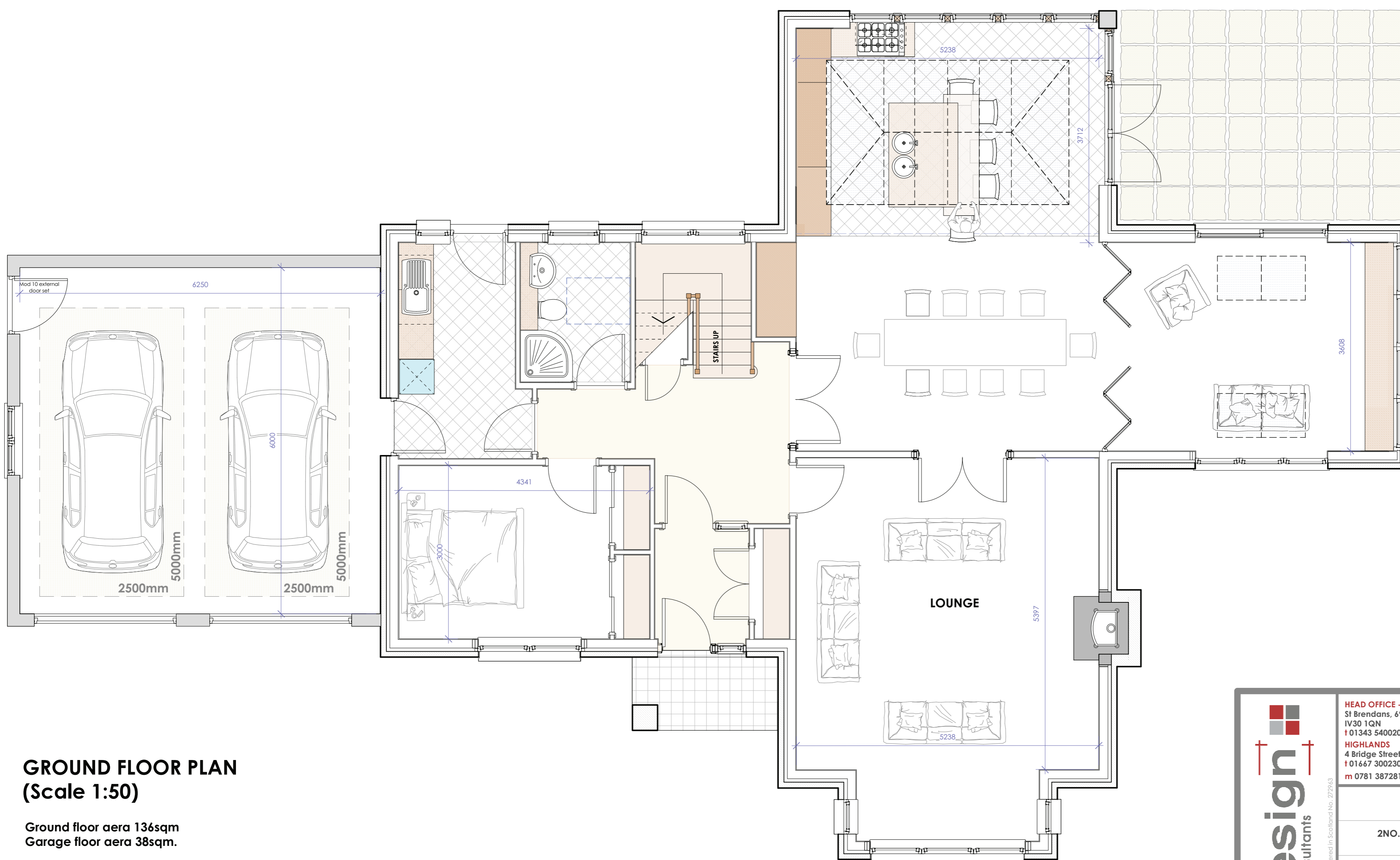
SIDE ELEVATION
(Scale 1:100)

A GABLE WIDTH OF NO MORE THAN 2.5 TIMES THE HEIGHT OF THE WALL FROM GROUND TO EAVES LEVEL
 GROUND TO EAVES = 4750mm
 SO GABLE CANNOT BE ANY GREATER THAN:
 4750mm x 2.5 = 11875mm
 ACTUAL GABLE WIDTH = 7495mm



FIRST FLOOR PLAN
(Scale 1:100)
First floor area 90sqm.

Finishes
Roof
 - Slate
 - Timber fascia, barge board and soffit
 - Aluminium deepflow gutters and downpipes, prefinished colour to clients choice
Walls
 - Off white smooth render
 - Grey or sandstone feature stonework cladding & basecourse
 - Vertical larch cladding
Windows & Doors
 - Painted timber finish with sandstone precast cills or timber edgings



GROUND FLOOR PLAN
(Scale 1:50)

Ground floor area 136sqm
 Garage floor area 38sqm.

cmdesign
 architectural consultants

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DEVON OFFICE
 T 01392 345566

Ms. Gosling-Crockart

2NO. NEW HOUSES WITHIN GROUNDS OF TORRIESTON HOUSE, TORRIESTON, PLUSCARDEN

PLANNING PROPOSALS
 PLOT 2 FLOOR PLANS AND ELEVATIONS

Date: Amendments: Rev:

Drawn By: A. CARSWELL Date: 30.01.2018 Checked By: Date:

180005.CROCKART.03PP

Consultee Comments for Planning Application 18/00246/APP

Application Summary

Application Number: 18/00246/APP

Address: Grounds Of Torrison House Torrison Pluscarden Elgin Moray

Proposal: Erect 2no dwellinghouses within

Case Officer: Maurice Booth

Consultee Details

Name: Mr CL Consultations

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

Email: clconsultations@moray.gov.uk

On Behalf Of: Contaminated Land

Comments

No Objections

Adrian Muscutt

Consultee Comments for Planning Application 18/00246/APP

Application Summary

Application Number: 18/00246/APP

Address: Grounds Of Torrison House Torrison Pluscarden Elgin Moray

Proposal: Erect 2no dwellinghouses within

Case Officer: Maurice Booth

Consultee Details

Name: Mr EH Consultations

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

Email: ehplanning.consultations@moray.gov.uk

On Behalf Of: Environmental Health C12

Comments

No Objection

Kevin Boyle

Consultation Request Notification

Planning Authority Name	The Moray Council
Response Date	15th March 2018
Planning Authority Reference	18/00246/APP
Nature of Proposal (Description)	Erect 2no dwellinghouses within
Site	Grounds Of Torrleston House Torrleston Pluscarden Elgin Moray
Site Postcode	N/A
Site Gazetteer UPRN	000133057690
Proposal Location Easting	315831
Proposal Location Northing	858437
Area of application site (Ha)	4000 m²
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=P4HNKBBGFZV00
Previous Application	13/02072/PE 02/02365/FUL 02/02051/FUL
Date of Consultation	1st March 2018
Is this a re-consultation of an existing application?	No
Applicant Name	Ms K Gosling-Crockart
Applicant Organisation Name	
Applicant Address	Torrieston House Pluscarden Elgin Scotland IV30 8TZ
Agent Name	C M Design
Agent Organisation Name	
Agent Address	St Brendans 69 South Guildry Street Elgin Moray IV30 1QN
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Maurice Booth
Case Officer Phone number	01343 563274
Case Officer email address	maurice.booth@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: 18/00246/APP

Erect 2no dwellinghouses within Grounds Of Torrleston House Torrleston Pluscarden Elgin for Ms K Gosling-Crockart

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"/> |

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 4.5 metres by 95 metres in both directions, with all boundaries set back to a position behind the required visibility splay, and a schedule of maintenance for the splay area has been submitted to and approved by the Council, as Planning Authority in consultation with the Roads Authority; and
 - ii) thereafter 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. Prior to the occupation of the first dwellinghouse, the first 15m 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 5.5 metres for the first 10.0 metres measured from the edge of the public carriageway, and have a maximum gradient of 1:20 measured for the first 5.0m from the edge of the public carriageway. Access gates should be located at a position set back a minimum distance of 8.0m from the edge of the public road.

Reason: To ensure acceptable infrastructure at the development access.

3. Prior to the occupation of the first dwellinghouse, an access lay-by 12.0m 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.

7. Three car parking spaces shall be provided within each site prior to the occupation or completion of each individual 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. No water shall be permitted to drain or loose material be carried onto the public footway/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.

9. A turning area shall be provided within the curtilage of each 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

Further comment(s) to be passed to applicant

The formation of the required visibility splays will require the relocation of the existing access, and the setting back of existing boundary fences.

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

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

Date 28 March 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.

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Moray Flood Risk Management

Planning Application Ref. No: 18/00246/APP

Erect 2no dwellinghouses within Grounds Of Torrleston House Torrleston Pluscarden Elgin for Ms K Gosling-Crockart

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"/> |

Condition(s)

1. A Level 1 flood risk statement will be required to confirm 1 in 200yr plus climate change water levels.
2. A drainage impact assessment will be required to ensure adequate SuDS design.

Contact: Stewart Gordon / James Ross
email address: stewart.gordon@moray.gov.uk
Consultee: Moray Flood Risk Management

Date.....02/03/2018.....
Phone No 01343 563767 / 3771.....

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.



2nd March 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](#)

SITE: IV30 Elgin Torrison Grand of Torrison House
PLANNING REF: 18/00246/APP
OUR REF: 757927
PROPOSAL: Erect 2no dwellinghouses within

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

- This proposed development will be fed from **Glenlatterach** Water Treatment Works. Unfortunately, Scottish Water is unable to confirm capacity at this time so to allow us to fully appraise the proposals we suggest that the applicant completes a Pre-Development Enquiry (PDE) Form and submits it directly to Scottish Water. The applicant can download a copy of our PDE Application Form, and other useful guides, from Scottish Water's website at the following link
www.scottishwater.co.uk/business/connections/connecting-your-property/new-development-process-and-applications-forms/pre-development-application

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 laundrettes. 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

Megan Innes

Technical Analyst

Megan.Innes2@scottishwater.co.uk

8 March 2018

Maurice Booth
The Moray Council
Development Services
Environmental Services Dept.
Council Office, High Street
Elgin
IV30 1BX

By email only to: consultation.planning@moray.gov.uk

Dear Mr Booth

Town and Country Planning (Scotland) Acts
Planning application: 18/00246/APP
Erect 2 dwellinghouses
Grounds Of Torriston House Torriston Pluscarden Elgin

Thank you for your consultation email which SEPA received on 1 March 2018 specifically requesting our advice in connection with flood risk for the above planning application.

Advice for the planning authority

We **object** to this planning application on the grounds of lack of information and that it may place buildings and persons at flood risk contrary to Scottish Planning Policy (SPP) and PAN 69. We will review this objection if the issues detailed in Section 1.1 below are adequately addressed.

In the event that the planning authority proposes to grant planning permission contrary to this advice on flood risk, the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 provides criteria for the referral to the Scottish Ministers of such cases. You may therefore wish to consider if this proposal falls within the scope of this Direction.

1. Flood Risk

1.1 We **request that additional information** is provided to demonstrate that the development accords with the principles of SPP. In the first instance, we request that it is demonstrated that the site is considerably elevated above the functional floodplain through either:

- North-south cross-sections upstream, downstream and through the site extending across the Black Burn including the channel bed levels and bank levels of the opposite bank (particularly to demonstrate that the ground levels on the southern bank are lower);

Or:

- It may be possible to illustrate there is a considerable embankment/drop from the edge of the development site to the Black Burn (as illustrated for the Torrieston House Site) by providing photographs. These photographs should be taken looking north from the banks of the Black Burn towards the site, with a person holding a metre stick (this should illustrate the height of the banks). Also photographs should be taken from the site looking south towards the opposite bank of the Black Burn. We also recommend photographs looking east and west (illustrating the nature of the Burn to the south of the site), to clearly demonstrate that the southern bank is considerably lower and in a high flow event water would spill from the Burn and occupy land to the south. If it can be shown that the embankment/drop below the site is of a considerable height, then this measurement, plus the change in ground level across the site (Plot 2- ground level of the house and FFL lie 1.634m and 1.884m respectively, above the southern boundary of the proposed site), would demonstrate that the site is sufficiently elevated and lies outwith the functional floodplain and the site would be unlikely to be at medium to high risk of flooding.
- 1.2 However, if this information is insufficient to provide a robust assessment of the risk of flooding to the development then a detailed flood risk assessment may need to be carried out by a suitably qualified professional.
 - 1.3 The two houses are sited on Plots 1 and 2 with Plot 1 lying adjacent to the unclassified road between Elgin and Pluscarden. Plot 2 lies to the south of Plot 1, with its southern boundary adjacent to the medium likelihood (0.5% annual probability or 1 in 200 year) flood extent of the SEPA Flood Map, and may therefore be at medium to high risk of flooding from the Black Burn. The SEPA Flood Maps have been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km² using a Digital Terrain Model (DTM) to define river corridors and low-lying coastal land. The maps are indicative and designed to be used as a strategic tool to assess flood risk at the community level and to support planning policy and flood risk management in Scotland. For further information please visit [Flood maps | Scottish Environment Protection Agency \(SEPA\)](#).
 - 1.4 Scottish Planning Policy (SPP) states (paragraph 255) that “the planning system should promote flood avoidance by safeguarding flood storage and conveying capacity, and locating development away from functional flood plains and medium to high risk areas.” It further defines (glossary) that “For planning purposes the functional flood plain will generally have a greater than 0.5% (1:200) probability of flooding in any year”. Built development should not therefore take place on the functional flood plain. SPP goes on to state (paragraph 256) “the planning system should prevent development which would have a significant probability of being affected by flooding or would increase the probability of flooding elsewhere”.

- 1.5 On the “Proposed Site Plan” drawing it is illustrated that the ground levels fall from the north of Plot 1, southwards through Plot 2, towards the Black Burn. The approximate ground level along the southern boundary of Plot 2 is approximately 49.366mAOD, which would appear to be situated above the Black Burn. The southern edge of Plot 1 has a ground level of approximately 52mAOD, which is 2.634m higher than the very southern edge of Plot 2 which borders the top of the boundary close to the Black Burn. The proposed Plot 1 house is sited on land with a ground level of approximately 52.5mAOD and has a proposed Finished Floor Level (FFL) of 52.750mAOD, which would therefore be 3.134m and 3.384m respectively above the edge of the southern boundary close to the Black Burn. Therefore, with this level data only, it appears unlikely that Plot 1 lies within the functional floodplain of the Black Burn and it is unlikely to be at medium to high risk of flooding.
- 1.6 Plot 2 lies closer to the Black Burn and the house site lies at an approximate level of 51mAOD with a proposed FFL of 51.25mAOD. Therefore the ground level of the house and FFL lies 1.634m and 1.884m respectively above the southern boundary of the proposed site.
- 1.7 Although on the “Proposed Site Plan” drawing, it would appear that a cross-section A-A has been taken through the adjacent field to the east of the site boundary of Plot 1 and Plot 2, the agent has advised by email (Anna Carswell Cdesign 7.3.2018) that *“we haven’t had the neighbouring field or burn surveyed yet. At this stage we simply wanted to indicate the topography of the site which runs into the burn and that the SEPA flood map show the field to the south flooding”*. It is also stated that “Torrieston house, noted on the proposed site plan as “Existing Dwelling” was subject to planning application no 15/0088/APP. On review of the report of the handling for the previous application it’s noted that the comments from SEPA is that the flood risk for this site is a probability of 1 in 200 years”. When consulted SEPA had no objection to the proposed development of Torrieston House (SEPA reference PCS/144795, application 16/00020/APP and previously 15/0088/APP) as topographic information was provided which illustrated that the existing ground levels at the site were above 50.0mAOD whereas the height of the bank of the burn was 45.5mAOD. The proposed finished floor level at the house was 50.9mAOD, which was 4.4m above the banks of the burn. We concluded that as the site was adjacent to the indicative flood envelope, was well elevated and we held no additional information to indicate that the site is at flood risk, we had no objection to the proposed development on flood risk grounds.
- 1.8 In the case of this development proposal we have not been provided with such clear evidence that this site is considerably elevated above the Black Burn. Therefore there is insufficient information available for us to assess flood risk and therefore we object to the proposal, specifically to the development of Plot 2.

If you have any queries relating to this letter, please contact me by telephone on 01224 266609 or e-mail at planning.aberdeen@sepa.org.uk.

Yours sincerely

Clare Pritchett
Senior Planning Officer
Planning Service

ECopy to: C M Design Anna Carswell anna@cmdesign.biz Maurice.booth@moray.gov.uk

Disclaimer

This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at this time. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning or similar application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application or similar application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue. For planning applications, if you did not specifically request advice on flood risk, then advice will not have been provided on this issue. Further information on our consultation arrangements generally can be found on our [website planning pages](#).

Lissa Rowan

From: Hay, David <David.Hay@forestry.gsi.gov.uk>
Sent: 05 March 2018 09:27
To: Planning Consultation
Cc: Maurice Booth
Subject: 18/00246/APP-Erect 2no dwelling houses within Grounds Of Torriston House

Dear Maurice,

FCS Response to 18/00246/APP-Erect 2no dwelling houses within Grounds Of Torriston House.

Although the development proposal is bordered by woodland to the south, the development site itself is not woodland and no woodland contiguous with the development proposal is adversely affected. Therefore, Forestry Commission Scotland (FCS) has no comment to make at this time.

If you require clarification or additional information please do not hesitate to contact me.

Kind regards

David Hay BSc(Hons) MICFor | Woodland Officer (Moray) | Forestry Commission Scotland | Grants and Regulations | Grampian Conservancy | Huntly | Aberdeenshire | AB54 4SJ
Office 0300 067 6210 | Direct Dial: 0300 067 6281 | Mob: 07733308259

www.forestry.gov.uk/scotland

www.facebook.com/forestrycommissionscotland

www.twitter.com/fcscotlandnews

Forestry Commission Scotland is the Scottish Government's forestry advisor and regulator.

+++++ The Forestry Commission's computer systems may be monitored and communications carried out on them recorded, to secure the effective operation of the system and for other lawful purposes. +++++

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Comments for Planning Application 18/00246/APP

Application Summary

Application Number: 18/00246/APP

Address: Grounds Of Torrison House Torrison Pluscarden Elgin Moray

Proposal: Erect 2no dwellinghouses within

Case Officer: Maurice Booth

Customer Details

Name: [REDACTED]

Address: [REDACTED]

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Drainage
- Loss of privacy (being overlooked)
- Noise
- Over-development of site
- Road access
- Road safety

Comment: We live where we are because we like the privacy and peacefulness of the area. This new proposal [REDACTED] will have a big impact on the peace and tranquillity we enjoy at the moment.

Comments for Planning Application 18/00246/APP

Application Summary

Application Number: 18/00246/APP

Address: Grounds Of Torrison House Torrison Pluscarden Elgin Moray

Proposal: Erect 2no dwellinghouses within

Case Officer: Maurice Booth

Customer Details

Name: [REDACTED]

Address: [REDACTED]

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Contrary to Local Plan
- Noise
- Over-development of site
- Traffic
- View affected

Comment: We purchased this house [REDACTED] after the Planning Department informed us that under no circumstances no more than 4 Houses would be built on this site due to the conservation of the area. This would not be in keeping with amenity of the area.

As our land borders this planning application We would have expected to have been notified in writing.

Comments for Planning Application 18/00246/APP

Application Summary

Application Number: 18/00246/APP

Address: Grounds Of Torrison House Torrison Pluscarden Elgin Moray

Proposal: Erect 2no dwellinghouses within

Case Officer: Maurice Booth

Customer Details

Name: [REDACTED]

Address: [REDACTED]

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Drainage
- Loss of privacy (being overlooked)
- Over-development of site
- View affected

Comment: In consideration of this location and the effects further development would have in wrecking the peace and beauty of a lovely valley I object most strongly to the plan to build more housing in Torrison.

The potential for pollution of the Black burn becomes ever more predictable with each set of septic tank/soakaway units.

Drainage of the lower part of the site is already very poor as will be easily seen by visiting the Torrison House property after rain.

A bad idea all round, please stop it!

Comments for Planning Application 18/00246/APP

Application Summary

Application Number: 18/00246/APP

Address: Grounds Of Torrison House Torrison Pluscarden Elgin Moray

Proposal: Erect 2no dwellinghouses within

Case Officer: Maurice Booth

Customer Details

Name: [REDACTED]

Address: [REDACTED]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Road access
- Road safety
- Traffic

Comment: The access for these two properties would be onto a very narrow road with sight restrictions due to a sharp bend. Over the last few years the speed of much of the traffic has increased to a dangerous level with many near accidents. This part of the country road is not designed for more access at this point.

[REDACTED]

Heldon Community Councillor

REPORT OF HANDLING

Ref No:	18/00246/APP	Officer:	Maurice Booth
Proposal Description/ Address	Erect 2no dwellinghouses within Grounds Of Torriston House Torriston Pluscarden Elgin		
Date:	16/04/18	Typist Initials:	FJA

RECOMMENDATION

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

CONSULTATIONS

Consultee	Date Returned	Summary of Response
Environmental Health Manager	06/03/18	No objection
Contaminated Land	06/03/18	No objection
Transportation Manager	27/03/18	No objection subject to standard conditions and informatives.
Scottish Water	02/03/18	No objection
Planning And Development Obligations	14/03/18	A developer contribution has been identified but this not been pursued since the application is being refused.
Moray Flood Risk Management	02/03/18	No objection subject to conditions on flood and drainage risk statements
Scottish Environment Protection Agency	28/03/18	No objection
Forestry Commission	05/03/18	No objection – no woodland affected by he proposal

DEVELOPMENT PLAN POLICY

Policies	Dep	Any Comments (or refer to Observations below)
IMP3: Developer Obligations		
PP3: Placemaking		
H7: New Housing in the Open Countryside	Y	
EP9: Contaminated Land		
IMP1: Developer Requirements	Y	
EP10: Foul Drainage		

T2: Provision of Access		
T5: Parking Standards		
EP2: Recycling Facilities		
E7: AGLV and impacts on wider landscape		
E4: Trees and Development		
ER2: Development in Woodlands		
EP7: Control of Develop in FloodRiskArea		
EP5: Sustainable Urban Drainage Systems		

REPRESENTATIONS

Representations Received	YES	
Total number of representations received FOUR		
Names/Addresses of parties submitting representations		
Name and address details of parties submitting representations withheld in accordance with the Data Protection Act.		
Summary and Assessment of main issues raised by representations		
Issue: Traffic hazards Comments (PO): Reasonable visibility can be achieved from the site and subject to conditions Transportation have no objections to the proposals.		
Issue: Detrimental impact on valley setting and over-development Comments (PO): See Observations		
Issue: Drainage problems Comments (PO): SEPA have been specifically consulted in this respect and raise no objections. Moray Flood Risk Management do not object subject to conditions.		
Issue: Loss privacy Comments (PO): In relation to the distances, orientation and relationship with the neighbouring house to the west it is not considered that this would be a material issue.		
Issue: Effect on natural environment Comments (PO): No environmental designations are involved in the site and there is no evidence of any species or habitat that would be detrimentally impacted on.		
Issue: Loss of view Comments (PO): This is not a planning issue.		

OBSERVATIONS – ASSESSMENT OF PROPOSAL

History

01/01725/FUL- The proposals for 2 houses are built, and are to the east of the site, across an open field. This consent involved the demolition of a croft at what is now "Torrison Croft" (western-most house) and "West Croft" (eastern-most).

02/02365/FUL has been mis-plotted in Uniform -. at the time that application was permitted the house on Plot "A" (02/02051, site now identified as "West Croft" on the OS base map) had been completed. 02/02365/FUL was for a revised house type, understood to refer to this being a revision of 01/01725/FUL which was the original full consent for 2 houses - besides these there are no other previous applications that could have been 'revised'.

On this basis the proposal site has no previous house consents, and even had there been any such consent that would have been long ago under quite different policy considerations.

The Site

Western part of a large open meadow area, with a 25m road frontage. Plot 1 is to the front and plot 2 extends to the rear of the meadow area.

There are tall mature conifer trees to the western and southern boundaries

The Proposal

APP for the erection of two houses.

The houses are reasonably compact units, well proportioned and with slate to the roof and render/larch boarding to the walls.

Housing in the Countryside Policy (H7, IMP1)

At a general level policy IMP1 requires that the scale, density and character of new development must be appropriate and integrated in the surrounding area. However, the specific policy for assessing new housing in the countryside is H7. This policy assumes in favour of new houses in the countryside providing all of the four stated criteria are met

Under H7 the specific requirements are:-

- a) 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;
- b) 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;
- c) 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,
- d) 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)."

The proposal site is part of a large open meadow in an extensively forested area. Across the meadow there are distant views of the attractive Pluscarden valley.

There are already a number of new houses west of the meadow area in which the current proposal sites lie, and there is already evidence of the attractive rural character of the setting being eroded. Reflecting this there has been a refusal for a further house to the east (far side) of the existing housing (reference 10/00115/APP).

The current proposals represent obtrusive roadside development. Combined with the new and established housing in the vicinity ribbon development would be involved. A significant build-up of housing is represented by the proposals and the attractive qualities of this Pluscarden valley road would be detrimentally impacted on. In this basis the proposals should be refused as specifically breaching H7 (a), (b) and (c).

House Design (H7)

The concern with the proposal is specifically with the principle of any new house on the area, and in itself the overall scale, detailing and finishes of the houses are not such that house design would be a reason for refusal.

Developer Obligations (IMP3)

A Developer Obligation contribution has been identified for healthcare and the applicant has indicated that they would be willing to make this contribution.

As the application is being refused this matter has not been pursued.

Conclusion

For the reasons stated the proposal would be contrary to the specific provisions of policy H7 and should be refused.

OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT

None

HISTORY

Reference No.	Description			
13/02072/PE	Proposed house on Sites At Torriston Pluscarden Moray			
	<table border="1"><tr><td>Decision</td><td>ID/PE Answered</td><td>Date Of Decision</td><td>27/01/14</td></tr></table>	Decision	ID/PE Answered	Date Of Decision
Decision	ID/PE Answered	Date Of Decision	27/01/14	
02/02365/FUL	Amend house design and erect new dwellinghouse on Pot 2 on Sites At Torriston Pluscarden Elgin Moray			
	<table border="1"><tr><td>Decision</td><td>Permitted</td><td>Date Of Decision</td><td>25/03/03</td></tr></table>	Decision	Permitted	Date Of Decision
Decision	Permitted	Date Of Decision	25/03/03	
02/02051/FUL	Erect new dwellinghouse and integral double garage on Plot A on Sites At Torriston Pluscarden Elgin Moray			
	<table border="1"><tr><td>Decision</td><td>Permitted</td><td>Date Of Decision</td><td>16/01/03</td></tr></table>	Decision	Permitted	Date Of Decision
Decision	Permitted	Date Of Decision	16/01/03	
00/01100/OUT	Outline to erect new dwellinghouse on Sites At Torriston Pluscarden Elgin Moray			
	<table border="1"><tr><td>Decision</td><td>Refuse</td><td>Date Of Decision</td><td>15/08/00</td></tr></table>	Decision	Refuse	Date Of Decision
Decision	Refuse	Date Of Decision	15/08/00	
99/00805/OUT	Outline to erect new dwellinghouse at Sites At Torriston Pluscarden Elgin Moray			
	<table border="1"><tr><td>Decision</td><td>Refuse</td><td>Date Of Decision</td><td>16/09/99</td></tr></table>	Decision	Refuse	Date Of Decision
Decision	Refuse	Date Of Decision	16/09/99	

ADVERT

Advert Fee paid?	No	
Local Newspaper	Reason for Advert	Date of expiry
Northern Scot	No PremisesDeparture from development plan	29/03/18
PINS	No PremisesDeparture from development plan	29/03/18

DEVELOPER CONTRIBUTIONS (PGU)

Status	A developer contribution has been identified but this not been pursued since the application is being refused.
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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
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Summary of main issues raised in each statement/assessment/report

Document Name:

Main Issues:

S.75 AGREEMENT

Application subject to S.75 Agreement		NO
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Summary of terms of agreement:

Location where terms or summary of terms can be inspected:

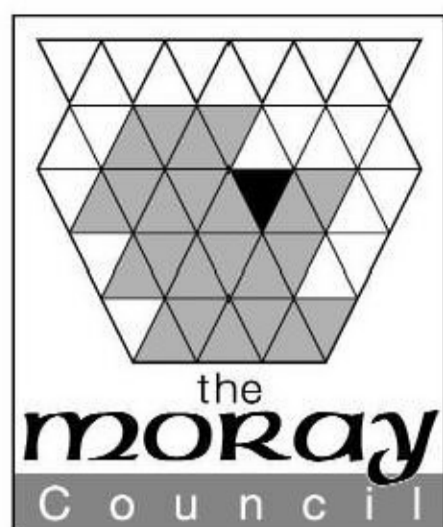
DIRECTION(S) MADE BY SCOTTISH MINISTERS (under DMR2008 Regs)

Section 30	Relating to EIA		NO
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Section 31	Requiring planning authority to provide information and restrict grant of planning permission		NO
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Section 32	Requiring planning authority to consider the imposition of planning conditions		NO
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Summary of Direction(s)

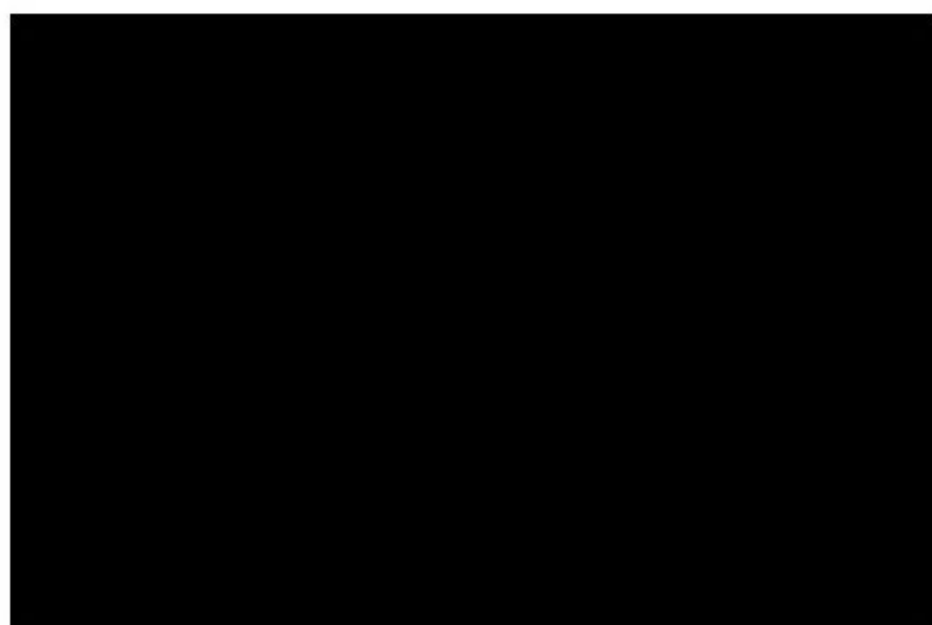


**THE MORAY COUNCIL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997,
as amended**

REFUSAL OF PLANNING PERMISSION

**[Heldon And Laich]
Application for Planning Permission**

TO

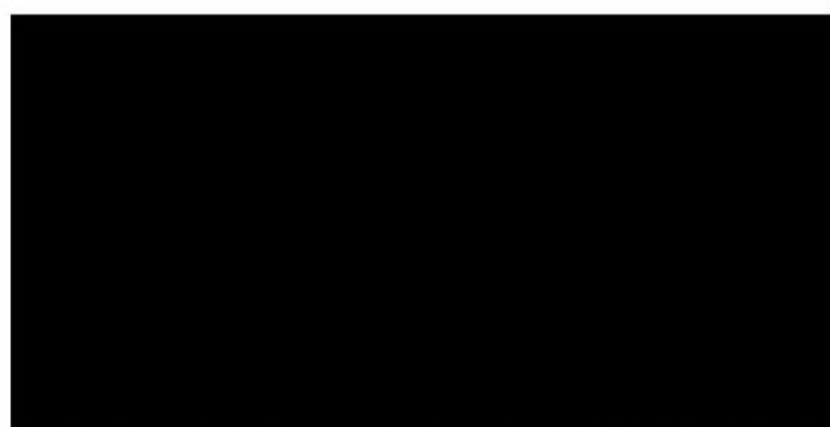


With reference to your application for planning permission under the above mentioned Act, the Council in exercise of their powers under the said Act, have decided to **REFUSE** your application for the following development:-

Erect 2no dwellinghouses within Grounds Of Torriston House Torriston Pluscarden Elgin

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

Date of Notice: **16 April 2018**



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 contrary to policies IMP1 and H7 for the following reasons :

- (i) The site is part of a large open meadow and would be visually intrusive roadside development. It would be a ribbon form of development diminishing the open separation of houses along the public road. The new house would not be integrated in the landscape and would contribute to a build-up of housing such that the open rural character of the Pluscarden valley setting would be diminished.

LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT

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

Reference	Version	Title
180005.CROCKART.04PP		Location plan
180005.CROCKART.02PP		Plot 1 - elevations and floor plans
180005.CROCKART.03PP		Plot 2 elevations and floor plans
180005.CROCKART.01PP		Site plan
180005.CROCKART.01PP	B	Proposed site 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.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.