



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 100142653-001

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)

New single storey house within grounds of Torrieston House (Previously Refused Application Ref: 18/00246/APP)

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

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

Site Address Details

Planning Authority:

Moray Council

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

Address 1:

TORRIESTON HOUSE

Address 2:

PLUSCARDEN

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

ELGIN

Post Code:

IV30 8TZ

Please identify/describe the location of the site or sites

Northing

858466

Easting

316009

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)? *

2

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?? *
(e.g. SUDS arrangements) *

Yes No

Note:-

Please include details of SUDS arrangements on your plans

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

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

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

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

Assessment of Flood Risk

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

Yes No Don't Know

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

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

Yes No Don't Know

Trees

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

Yes No

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

Waste Storage and Collection

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

Yes No

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

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? *

1

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

All Types of Non Housing Development – Proposed New Floorspace

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

Yes No

Schedule 3 Development

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

Yes No Don't Know

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

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

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? * Yes No

Certificates and Notices

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

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

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

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

Certificate Required

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

Certificate A

Land Ownership Certificate

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

Certificate A

I hereby certify that –

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

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

Signed: Craig Mackay

On behalf of: Ms K Gosling-Crockart

Date: 06/11/2018

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. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Flood Risk Assessment. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| Drainage/SUDS layout. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Transport Assessment or Travel Plan | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| Contaminated Land Assessment. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| Habitat Survey. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Processing Agreement. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |

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

Supporting Statement

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: 19/11/2018

- Finishes**
- Roof**
- Slate/ slate effect tile
 - 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
- Windows & Doors**
- Painted timber finish with sandstone precast cills or timber edgings



FRONT ELEVATION
(Scale 1:100)



SIDE ELEVATION
(Scale 1:100)



REAR ELEVATION
(Scale 1:100)

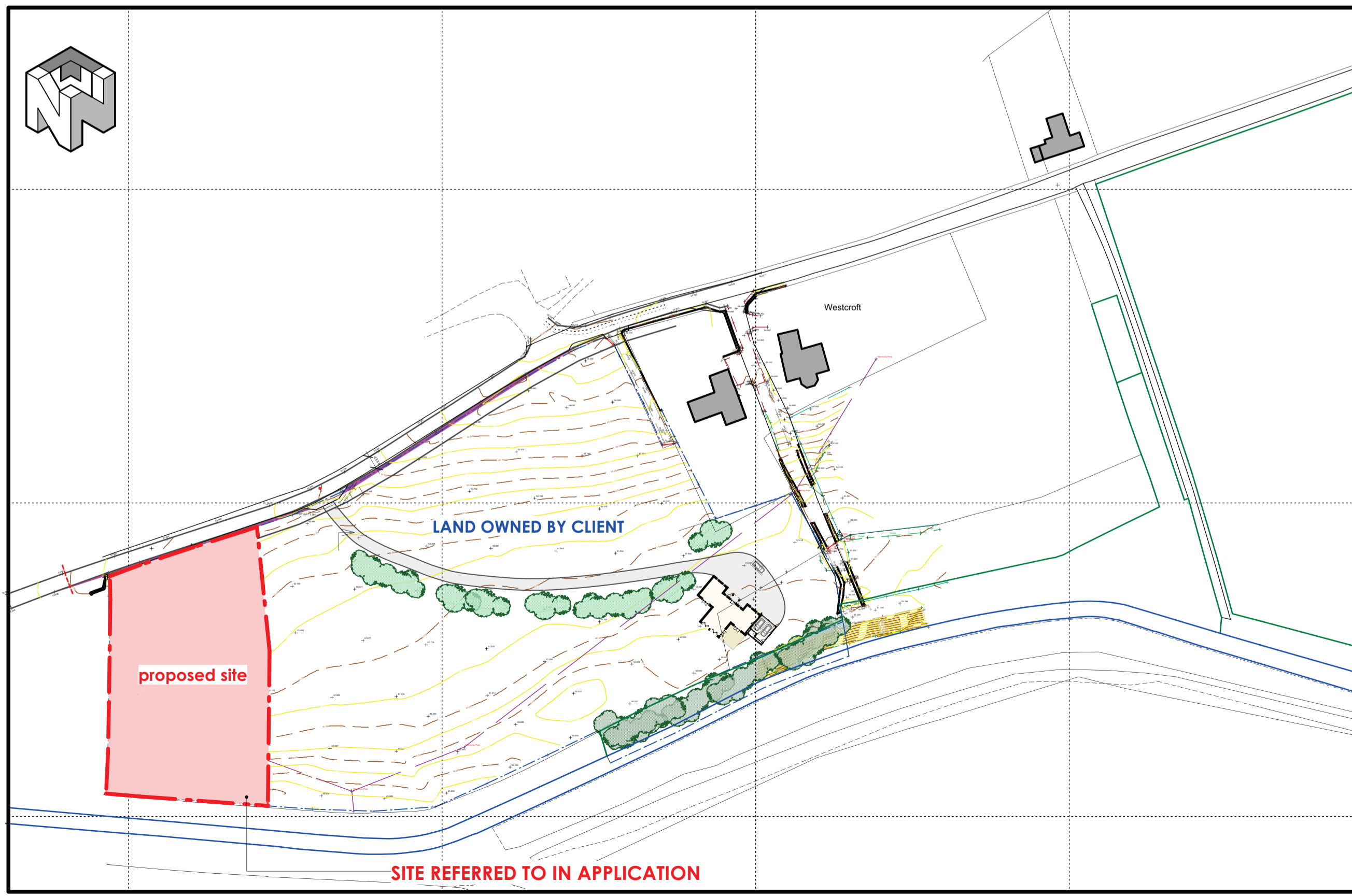
A GABLE WIDTH OF NO MORE THAN 2.5 TIMES THE HEIGHT OF THE WALL FROM GROUND TO EAVES LEVEL.
 GROUND TO EAVES = 2858mm
 SO GABLE CANNOT BE ANY GREATER THAN:
 2858mm x 2.5 = 7145mm
 ACTUAL GABLE WIDTH = 4887mm



SIDE ELEVATION
(Scale 1:100)



FLOOR PLAN
(Scale 1:100) Total floor area: 285sqm



LOCATION PLAN
(Scale 1:1250)

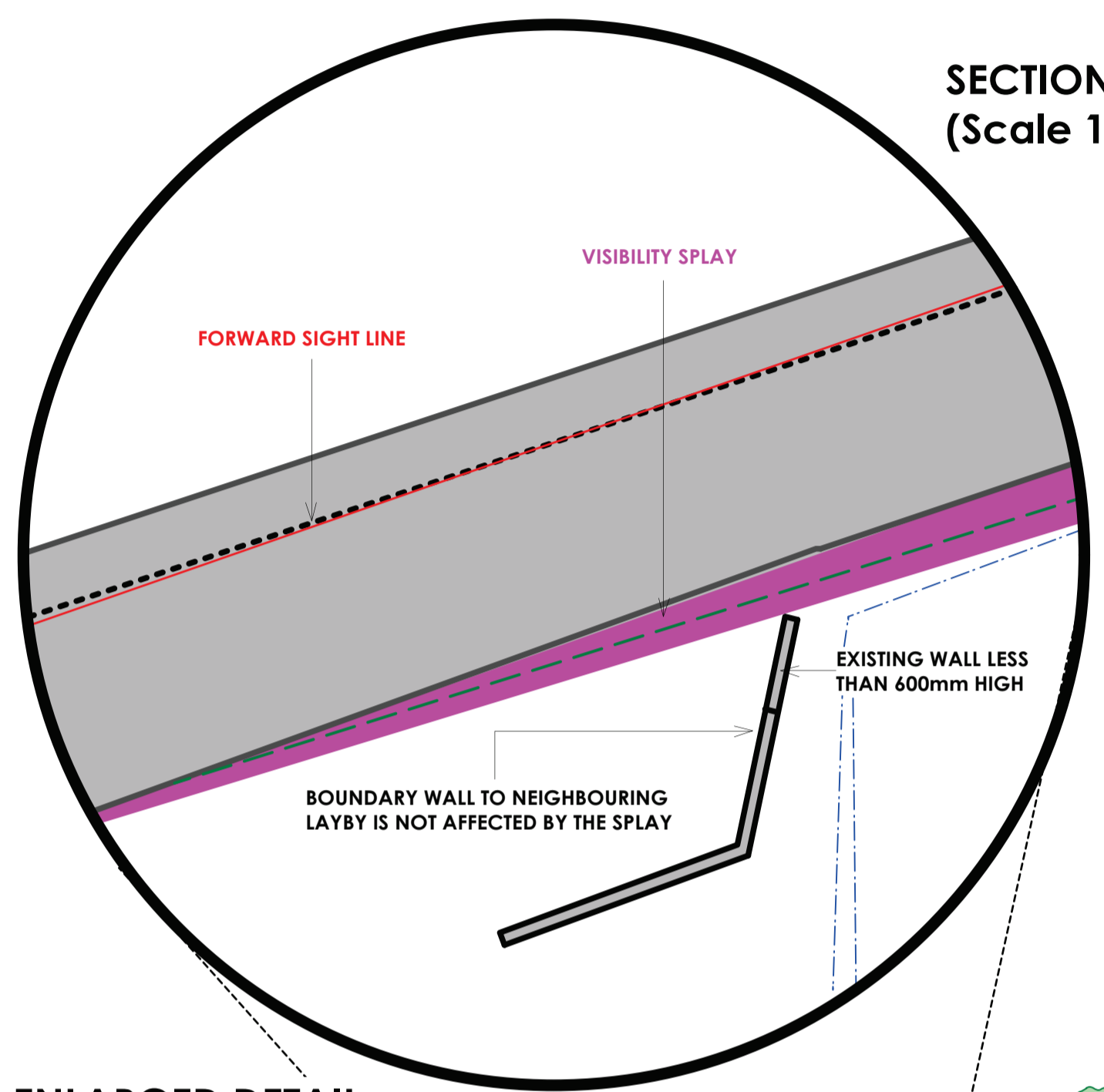
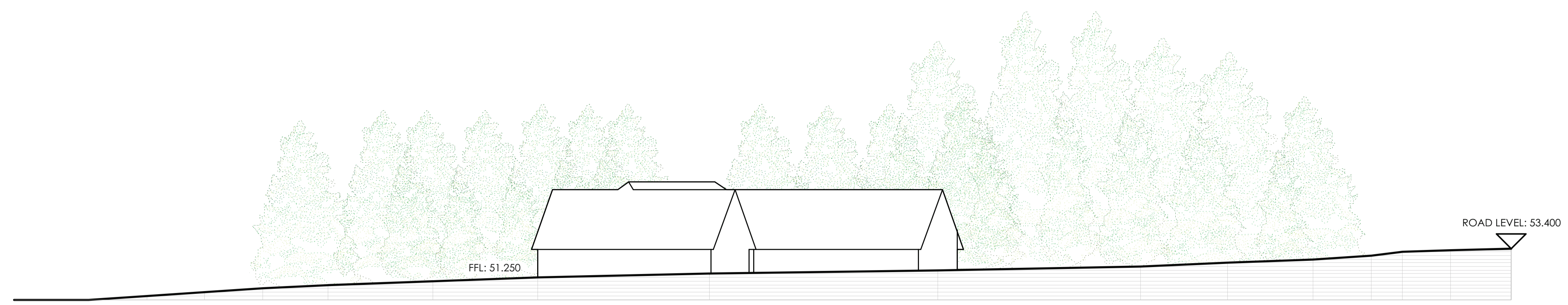
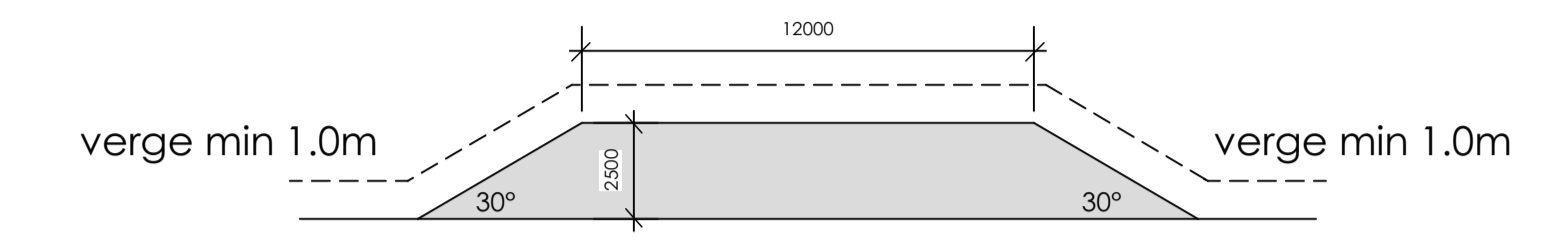


HEAD OFFICE - MORAY
 51 Brendans, 69 South Guildry Street, Elgin, IV30 1GN
 1 01343 540020
HIGHLANDS
 4 Bridge Street, Nairn, Highlands, IV12 4EJ
 1 01667 300230
 m 0781 3872818 w cmdesign.biz e office@cmdesign.biz

LOSSIEMOUTH OFFICE
 Ellet, James Street, Moray, IV30 6BX
 1 01343 810175
DEVON OFFICE
 1 01392 345566

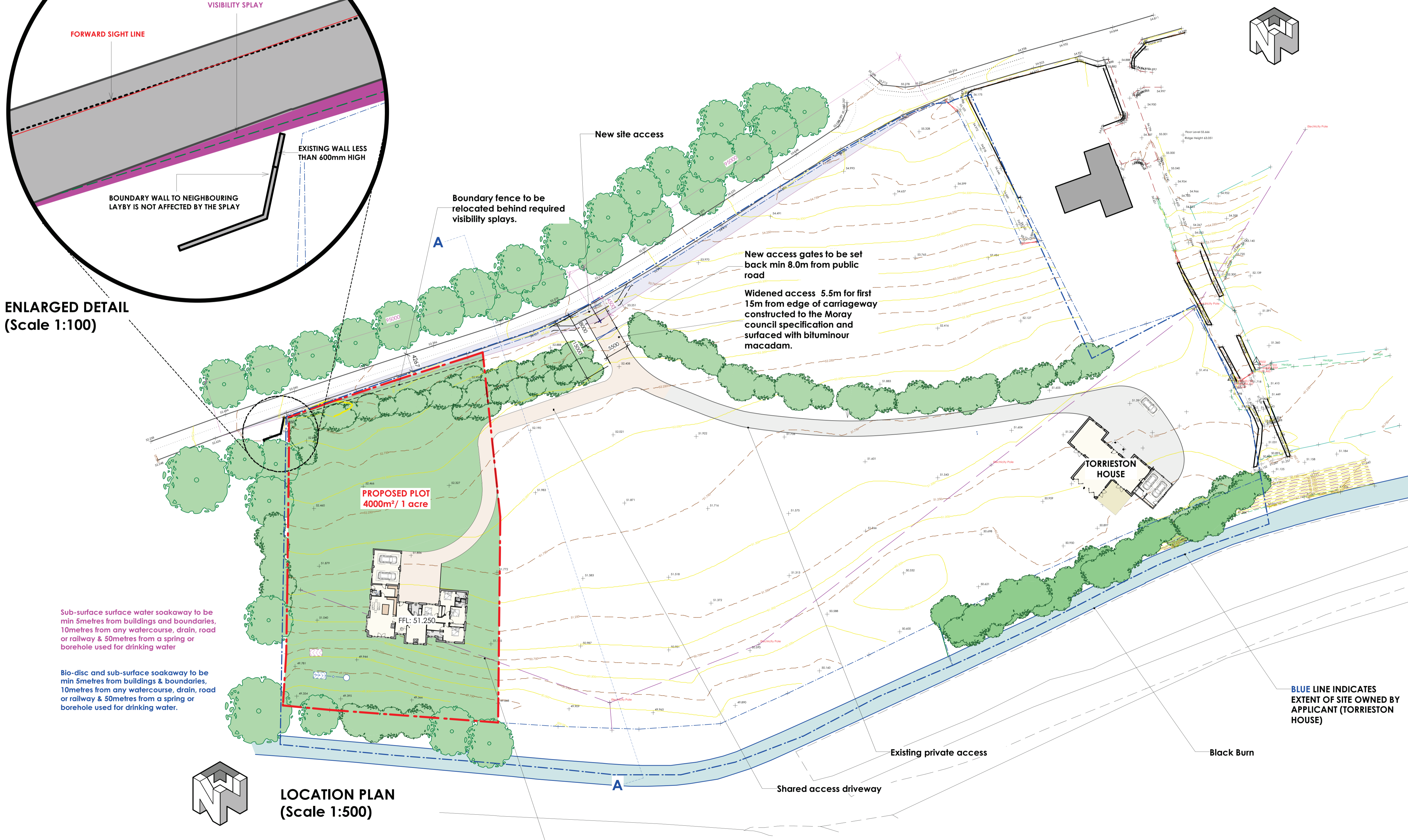
Ms. Gosling-Crockart
 NEW SINGLE STOREY WITHIN GROUNDS OF TORRIESTON HOUSE, TORRIESTON, PLUSCARDEN
PLANNING PROPOSALS
 PLANS, ELEVATIONS & LOCATION PLAN
 Date: Amendments: Rev:
 Drawn By: A. CARSWELL Date: 02.11.18 Checked By: Date:
180005.CROCKART.06PP

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.



SECTION VIEW A-A
(Scale 1:200)

ENLARGED DETAIL
(Scale 1:100)



LOCATION PLAN
(Scale 1:500)

Sub-surface surface water 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

Bio-disc 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.

BLUE LINE INDICATES EXTENT OF SITE OWNED BY APPLICANT (TORRIESTON HOUSE)

cmdesign
architectural consultants

HEAD OFFICE - MORAY
57 Barendans, 69 South Guildry Street, Elgin, IV30 1GN
T 01343 540020

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4 Bridge Street, Nairn, Highlands, IV12 4EJ
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LOSSIEMOUTH OFFICE
Ellet, James Street, Moray, IV30 6BX
T 01343 810175

DEVON OFFICE
T 01392 345566

Ms. Gosling-Crockart

NEW SINGLE STOREY WITHIN GROUNDS OF TORRIESTON HOUSE, TORRIESTON, PLUSCARDEN

PLANNING PROPOSALS
PROPOSED SITE PLAN

Date:	Amendments:	Rev:

Drawn By:	Date:	Checked By:	Date:
A. CARSWELL	02.11.2018		

180005.CROCKART.05PP

From: DeveloperObligations
Sent: Fri, 30 Nov 2018 09:33:49 +0000
To: Emma Mitchell
Cc: DC-General Enquiries
Subject: 18/01478/APP Erect single storey dwellinghouse on Sites at Torrington, Pluscarden, Elgin
Attachments: 18-01478-APP Erect single storey dwellinghouse on Site at Torrington, Pluscarden, Elgin.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

moray
council



Developer Obligations: ASSESSMENT REPORT



MORAY
council

Date: 30/11/2018

Reference: 18/01478/APP

Description: Erect single storey dwellinghouse on Site at Torrleston, Pluscarden, Elgin

Applicant: Ms K Gosling-Crockart

Agent: C M 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 extension to Maryhill Medical Practice and 5 Additional Dental Chairs</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:

1 x 4-bed= 1.2 SRUE

This assessment is therefore based on 1.2 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 Mosstowie Primary School. The school is currently operating at 93% functional capacity. Contributions are sought to mitigate the impact of a development when the functional capacity of a school is at, or above 90%. However, given that Mosstowie Primary School roll is expected to fall from 2021 onwards and the low development rate within the catchment area, Education Services has confirmed that no contribution towards mitigation is necessary in this instance.

Contribution towards Primary Education = Nil

Secondary Education

Pupils generated by this development are zoned to Elgin High School. The school is currently operating at 68% 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).

Maryhill Practice is the nearest GP Practice within which healthcare facilities can be accessed by the proposed development. NHS Grampian has confirmed that Maryhill Practice is working beyond design capacity and existing space will be required to be extended and that 5 Additional Dental Chairs will be required.

Contributions are calculated based on a proportional contribution of [REDACTED] per SRUE for the healthcentre and additional dental chairs each.

[REDACTED]

[REDACTED]

Contribution towards Healthcare= [REDACTED]

Sports and Recreational Facilities

Sports and Recreation Facilities



Existing sports provision within Elgin 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	Moray Council
Response Date	5th December 2018
Planning Authority Reference	18/01478/APP
Nature of Proposal (Description)	Erect single storey dwellinghouse on
Site	Sites At Torrirston 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 m ²
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	https://publicaccess.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=PIHCV8BGKRM00
Previous Application	18/00246/APP
Date of Consultation	21st November 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	Emma Mitchell
Case Officer Phone number	01343 563326
Case Officer email address	emma.mitchell@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

NOTE:

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

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

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

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

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

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

Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Environmental Health Manager

Planning Application Ref. No: 18/01478/APP

Erect single storey dwellinghouse on Sites At Torriston Pluscarden Elgin Moray for Ms K Gosling-Crockett

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

Condition(s)

Further comment(s) to be passed to applicant

Further information required to consider the application

Contact: Kevin Boyle

email address:

Consultee:

Date: 12/12/2018

Phone No

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

From: Hay, David
Sent: Fri, 30 Nov 2018 12:49:10 +0000
To: Emma Mitchell
Subject: [GCSX] 18/01478/APP - Erect a dwelling house within Grounds Of Torrleston House - Previously 18/00246/APP

Dear Emma,

FCS Response to 18/01478/APP-Erect 1no dwelling houses within Grounds Of Torrleston House.

Thank-you for the opportunity to consult on the above planning application.

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 likely to be adversely affected. Therefore, FCS advice regarding development contiguous with woodland would apply and this is articulated in the Moray Development Plan - Trees in Development - Supplementary Guidance (Aug 2008).

With the exception of the above advice Forestry Commission Scotland (FCS) has no additional comments 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.

Consultee Comments for Planning Application 18/01478/APP

Application Summary

Application Number: 18/01478/APP

Address: Sites At Torrison Pluscarden Elgin Moray

Proposal: Erect single storey dwellinghouse on

Case Officer: Emma Mitchell

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 comments.

Adrian Muscutt

Consultation Request Notification

Planning Authority Name	Moray Council
Response Date	5th December 2018
Planning Authority Reference	18/01478/APP
Nature of Proposal (Description)	Erect single storey dwellinghouse on
Site	Sites At Torrirston 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 m ²
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	https://publicaccess.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=PIHCV8BGKRM00
Previous Application	18/00246/APP
Date of Consultation	21st November 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	Emma Mitchell
Case Officer Phone number	01343 563326
Case Officer email address	emma.mitchell@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

NOTE:

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

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

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

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

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

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

Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Moray Flood Risk Management

Planning Application Ref. No: 18/01478/APP

Erect single storey dwellinghouse on Sites at Torrleston Pluscarden Elgin Moray 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 | x
<input type="checkbox"/> |
| (b) I have NO OBJECTIONS to the application and have no condition(s) and/or comment(s) to make on the proposal | <input checked="" type="checkbox"/> |
| (c) I have NO OBJECTIONS to the application subject to condition(s) and/or comment(s) about the proposal as set out below | <input type="checkbox"/> |
| (d) Further information is required in order to consider the application as set out below | <input type="checkbox"/> |

Contact: Leigh Moreton

email address: leigh.moreton@moray.gov.uk

Consultee:

Date: 14/01/2019

Phone No: 01343 563773 (3773)

Return response to

consultation.planning@moray.gov.uk

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

23rd November 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

**IV30 Elgin Torrison Site At
PLANNING APPLICATION NUMBER: 18/01478/APP
OUR REFERENCE: 769762
PROPOSAL: Erect single storey 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

- 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 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

Angela Allison

Angela.Allison@scottishwater.co.uk

29 November 2018

Emma Mitchell
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 Ms Mitchell

Town and Country Planning (Scotland) Acts
Planning application: 18/01478/APP
Erect single storey dwellinghouse on
Sites At Torriston Pluscarden Elgin Moray

Thank you for your consultation email which SEPA received on 21 November 2018 specifically requesting our advice on flood risk. We note that we responded to a previous application on this site (your ref: 18/00246/APP) in our letters referenced PCS/157812 (8 March 2018) and PCS/158150 (28 March 2018).

In relation to this current application, we have considered the information available to us and we have **no objection** on flood risk grounds. Please note the advice provided below.

1. Flood risk

- 1.1 The proposed single house, as shown on the site plan (ref: 180005.crockard.05PP (02.11.2018)), has a ground level of approximately 51mAOD with a proposed Finished Floor Level (FFL) of 51.25mAOD.
- 1.2 A topographic survey was carried out in support of the previous planning application at this site. Two cross-sections BL1 and BL2 were taken through the Plot and another two cross-sections BL3 and BL4 were taken through the adjacent land to the east of the Plot. These north-south sections cross the Black Burn and the land on the southern bank.
- 1.3 Cross-sections BL1 and BL2 show that the ground level falls in a southerly direction. At cross-section BL1 the top of the Burn bank rises slightly to a level of approximately 50.853mAOD which is shown to be a steep bank, 4.294m above the Black Burn channel bed (level of 46.559mAOD). The southern bank of the channel rises more gradually to a level of 49.609mAOD which is 1.244m lower than the northern bank. Therefore in a high

flow event with out-of-bank flow, water would spill out over the southern bank inundating land away from this proposed development site.

- 1.4 Although cross-sections BL2, BL3 and BL3 display that there is not such a steep drop in the northern bank of the watercourse, they all demonstrate that the southern bank is lower and therefore any out-of-bank flow during a flood would also flow in a southerly direction away from the proposed development site.
- 1.5 Therefore this topographic information demonstrates that the proposed house is considerably elevated above the Black Burn and that in times of flood, out-of-banks flows would spill out onto the land on the southern bank of the Burn and away from the proposed development. Therefore it would seem unlikely that this site would be a medium to high risk of flooding and so we have **no objection** to this development on flood risk grounds.

2. Other planning matters

- 2.1 For all other matters we provide [standing advice](#) applicable to this type of local development.

3. Regulatory advice for the applicant

- 3.1 Discharges to ground or the water environment from private waste water treatment systems require authorisation from SEPA under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR) (as amended).
- 3.2 Details of regulatory requirements and good practice advice for the applicant can be found on the [Regulations section](#) of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory services team in your local SEPA office at: 28 Perimeter Road, Pinefield, Elgin, IV30 6AF, Tel: 01343 547663.

If you have any queries relating to this letter, please contact me by telephone on 01224 266698 or e-mail at planning.aberdeen@sepa.org.uk.

Yours sincerely

Jessica Fraser
Planning Officer
Planning Service

ECopy to: office@cmdesign.biz and emma.mitchell@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](#).

Consultation Request Notification

Planning Authority Name	Moray Council
Response Date	5th December 2018
Planning Authority Reference	18/01478/APP
Nature of Proposal (Description)	Erect single storey dwellinghouse on
Site	Sites At Torriston 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 m ²
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	https://publicaccess.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=PIHCV8BGKRM00
Previous Application	18/00246/APP
Date of Consultation	21st November 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	Emma Mitchell
Case Officer Phone number	01343 563326
Case Officer email address	emma.mitchell@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

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

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

Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Transportation Manager

Planning Application Ref. No: 18/01478/APP

Erect single storey dwellinghouse on Sites At Torriston Pluscarden Elgin Moray 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 | x
<input type="checkbox"/> |
| (b) I have NO OBJECTIONS to the application and have no condition(s) and/or comment(s) to make on the proposal | <input type="checkbox"/> |
| (c) I have NO OBJECTIONS to the application subject to condition(s) and/or comment(s) about the proposal as set out below | x |
| (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:LL
email address:transport.develop@moray.gov.uk
Consultee: Transportation

Date 23.11.18

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



26 November 2018

Our ref: HCC/plan/T2

Moray Council

Development Management

Environmental Services

Council Offices

High Street

Elgin

IV30 1BX

Dear Sirs

Planning reference 18/01478/APP- Planning application erect single storey dwellinghouse on site at Torrieston, Pluscarden, Elgin

In terms of the above planning application, Heldon CC hereby provide a planning representation against this application on the following:-

Background

The original application (planning reference 18/00246/APP) all be it for 2 dwellings were refused on the basis *"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 character of the Pluscarden valley setting would be diminished"*

Within the officer handling report it notes *"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"*.

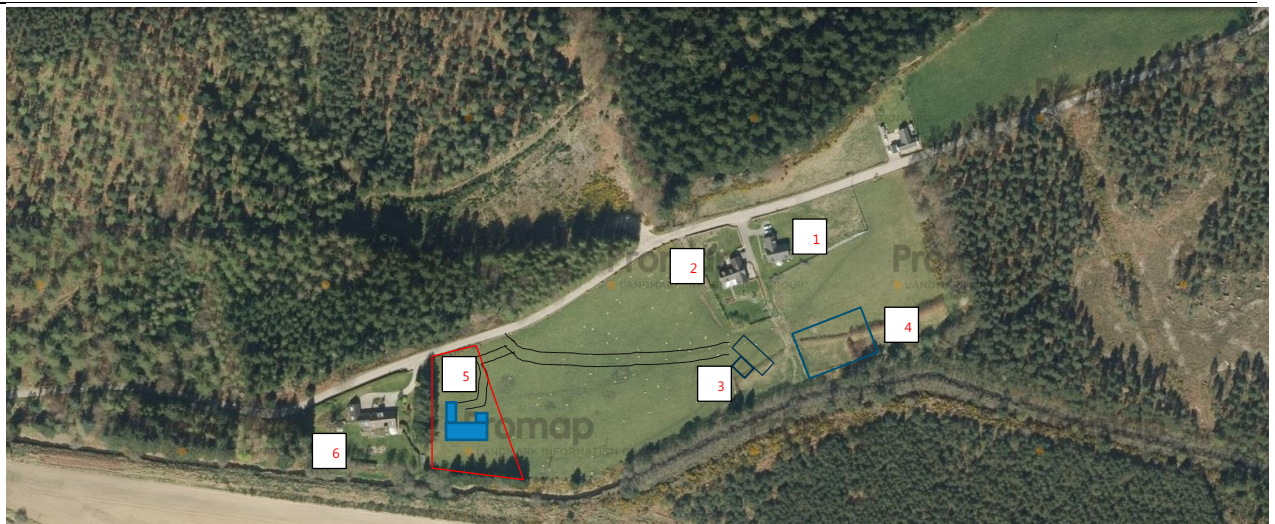
It continues *" The current proposals represent obtrusive roadside development. Combined with the new and established housing in the vicinity ribbon development would be involved. A significant build-up of housing is represented by the proposals and the attractive qualities of this Pluscarden valley road would be detrimentally impacted on"*



The applicant appealed the earlier application via the Local review Body which upheld the original decision by the appointed officer to refuse. The councillors on the LRB visited the site agreed with the grounds for refusal

Turning to the current application (planning reference 18/01478/APP)

- Planning policy H7 item B states " it does not detract from the character or setting of existing buildings or their surrounding area when added to an existing groupings or create inappropriate ribbon development"
- planning policy H7 item C States " 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 application "
- Currently there are 4 houses (Westcroft, Torrieston croft, Torrieston House & Torrieston).
- There is also an extant planning consent for a site at the hedges (reference 16/01833/app).
- These 5 houses and a further 1 would remove the rural nature of this area and constitute an unacceptable build up.
- Policy H7 is quite specific in terms of not to detract from the character or setting of the surrounding area (item B) and 6 houses in one area will change the character of this rural area and have significant impact on the natural qualities of the area within the Pluscarden valley which is designed as an "Area of Great Landscape value (AGLV)



1. Westcroft
2. Torrieston Croft
3. Torrieston House
4. The hedges (consented only)
5. Proposed planning application (18/01478)
- Torrieston



- Housing in the Countryside supplementary guidance has a few points to note

page 14 *"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. Where a considerable level of development has taken place, another dwelling may adversely impact on the distinctive rural qualities of the area."*

Page 26 *"the cumulative impact of an additional houses(s) to an existing cluster and the surrounding area will be taken into consideration."*

Page 26 *"Ribbon development will not be acceptable where it results in an accumulation of houses along a road or landscape feature."*

These provisions within the guidance provides adequate reasons for a refusal on this application on the grounds that the application is not in compliant and creates build-up through cumulative impact.

- The supporting statement on page 3 suggest *"a topography that drops away from the main road, thus diminishing any views of new house to approaching vehicles from the East"*.
The main point is that ALL vehicles approaching from the east (Elgin) will see the house structure as this is direct view due to the angle of the road. Therefore this will impinge in the view of the valley as this will catch your eye directly and will therefore create an impediment of the landscape and produce the build up on the ribbon development.
- The supporting statement makes comment under page 4 of the visibility which is further covered by the Transportation Departments consultee response, though as we represent this community, we do not agree with this statement and make the following comments:-
 - While we do not support the applicant visibility splay of 4.5 x 95m, which would be suffice for a single plot, though 2 units from the same junction will increase the traffic accessing / exiting and would not be sufficient in our opinion.
 - A recent application upon the C3E, same road (reference 18/00040/APP north west of Burnside, Pluscarden) required under condition a visibility splay of 4.5 x 215 and suggest that this should be applied.
 - the point of access is on a bend, with the road width only circa 4.2m wide and we are concerned that this could provide a safety issues on traffic in & out if a reduced visibility was proposed.



- Supporting statement from the applicant under page 4 in terms of Policy E7 Areas of Great Landscape Value. The Pluscarden valley is part of the AGLV and this states that *"new development should be designed to reflect the landscape characteristics and special qualities "* and continues to state *"Proposals which are likely to result in a significant adverse impact on the landscape will not be supported."*
As stated above we believe that any form of development will impact on the Countryside landscape and have a significant impact on the AGLV
- Moray Council Main Issue Report 2018 (reference LDP2020_BID_T001) reviewed this area to include as a rural grouping & concluded that this would not be supported.
 - *"impact on landscape the bid is not supported"*
 - *" transportation - bid not supported - visibility splays are restricted and require third party land. Road widening to 5.5m to enable two way movement.*
 - *The level of the road is also falling at that location which further limits sight lines"*
- The main point this report by Planning & Facilitation for the LDP 2020 states **"impact on landscape the bid is not supported"**
- Within the final document it states *"suitable access into the site cannot be achieved"*

On this basis and points noted above Heldon CC seek that this application is refused on grounds that it is not in accordance with Policy H7 and transportation safety issues.

Sent of behalf of Heldon CC

Yours sincerely

Jim Mountford

Chair

Comments for Planning Application 18/01478/APP

Application Summary

Application Number: 18/01478/APP

Address: Sites At Torriston Pluscarden Elgin Moray

Proposal: Erect single storey dwellinghouse on

Case Officer: Emma Mitchell

Customer Details

Name: [REDACTED]

Address: [REDACTED]

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Contrary to Local Plan
- Over-development of site

Comment: Dear Sir/Madam

I wish to object to the above application on the grounds of visual impact and potential ribbon development. The existing permission for Torrieston House was a departure from the previously proposed grouping of houses by extending it into the previous agricultural field. A further application earlier in 2018 sought to further develop the site with two additional dwellings. The amendment to a single house adjacent to a long established dwelling and less than 130 metres from the boundary of Torrieston House which in turn is only 40 metres from two existing dwellings constitutes ribbon development. The supporting statement also maintains that the visual impact will be minimal. The dwelling will be in the forefront of view as vehicles round the corner from the East looking directly at the site. The background of trees is believed not to be in the owners occupation and historically these are cut back to ground level every 15-20 years to maintain the drainage channel of the Black Burn, the site itself is completely devoid of trees adding to its visual impact.

Received by e-mail

Planning Reference 18/01478/APP- Planning application for House on site at Torrleston, Pluscarden by Elgin.

Dear Sirs,

We wish to comment on this Application,

A recent application for two Houses on this site was refused because it would be visually intrusive to the scenic value of the Pluscarden Valley.

The houses adjacent to this site and further site at the Hedges ref 16/01833/app.

And this application ref 18/01478 will destroy the rural nature of this area ,

Also will cause a build up of further developments, which is not acceptable, as it will alter the character of rural life in an outstanding area of Beauty.

We think this application should be refused again, which we have pointed out in our comments above .

We agree with the Moray Council on the grounds they refused it on the previous Applications .

Yours sincerely

████████████████████

Received by e-mail

Dear Sirs

I wish to object to the above Planning Application for the following reasons:

1 TRAFFIC AND ACCESS PROBLEMS

I have lived in Torrieston for about 25 years and what used to be a quiet country road has turned out to be very busy and often quite dangerous. The volume and size of the vehicles using the road has increased dramatically. I feel the road is now no longer fit for purpose. I have a reasonable site line on to the road from my house but great care is needed as the volume and speed of traffic is worrying. The site line going on to the road from the proposed new build is even more restricted coming west from Elgin.

2 IMPACT ON THE BUILT ENVIRONMENT

I note from the plans, screening will be used to try and mask the building from the road. However, coming round the bend from Elgin - going west - the house will be clearly visible and no amount of screening will restrict the visual impact.

3 RESIDENTIAL AMENITY

This building application will have an enormous impact on the space, peace and tranquillity we now enjoy. The applicant is a property developer and it seems wrong that she should be allowed to build in an open field space and destroy the surrounding environment.

I hope you take my comments into consideration.

Yours faithfully

████████████████████

████████████

Received by e-mail

Dear Sirs

I write in objection to the above planning application.

The original application for 2 houses on this site was refused on the grounds of "intrusive roadside development." It was not supported by SEPA or the transport department. I refer to the Refusal of Planning Application on 16th April 2018 which states " To the west there is a wall and hedge within the grounds of Torrieston House which restricts the visibility splay. The level of the road is also falling at that location which further limits sight. The proposal is not supported on transport grounds. Transport have objected to the proposal as the necessary visibility splays cannot be achieved."

Although some remedial work has been undertaken the road levels are still very poor and are falling away at one side. Added to which there is a wall on the opposite side of the road; the combination of these two factors means that traffic is forced into the centre of the road before negotiating a very tight bend. There has been a very significant increase in traffic through the glen in recent times. This is a rural farming community and the road is used by very large tractors, lorries carrying livestock, log lorries, school buses, coaches accessing the abbey, oil tankers, cyclists and people going to businesses in Pluscarden. The road is used as a "rat run" to avoid the main route to Forres.

There is also consent for another house (the hedges) on a nearby site, which makes this an area already well developed with five houses. Another property would have a cumulative impact on the surrounding area.

This application is for a very large property which would be the first view of traffic entering the Pluscarden valley and spoil the rural character of this area.

During its construction I would have real concerns for the impact on red squirrels, pine martins and badgers which are regularly seen in this area.

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Received by e-mail

Dear Sir/Madam

I am writing in objection to the planning application for the erection of a large dwelling house at Torrleston, Pluscarden.

The following are my concerns in respect of this application.

The Pluscarden Glen with its Abbey dating back to 1230 is recognised as a major historic visitor destination in Moray and plays a significant role in the Moray Council's, Moray's Great Places programme. New developments in this area have an adverse effect on the natural beauty and amenity of the area.

The proposed development will create the potential for a ribbon development in an area of natural beauty which also embraces the Forestry Commission Scotland walks at Torrleston and Monaghty. The condition and route of the road in the area from the Torrleston car park to Pluscarden hall has a number of dangerous stages particularly in the area of this proposed development. It would appear that access to the road from an increasing number of dwelling houses will result in the potential for traffic incidents in the area.

In my view this development is insensitive to the area, will contribute to potential problems with traffic and reduce the the great asset the natural landscape of this historic glen provides.

Yours sincerely

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Received by e-mail

I wish to raise an objection to the above planning application. I note that it follows a separate application made earlier in 2018 (18/00246/APP) to erect 2 houses on the same site which was refused. That decision was upheld at the Local Review Body on 30 August 2018.

My objection is made on the following grounds:

1. Transport and road safety

The application claims that there are no access issues at the site. In fact the Copy of the Main Issues Report appended to the first application states that the application is not supported due to visibility splays being restricted. Further, the "Rural Groupings" Report included in the Moray Local Development Plan 2020 concludes that further development on the site is "not supported as a suitable access into the site cannot be achieved".

Notwithstanding the restricted visibility splay which is unchanged and remains an issue as with the previous application, the road through Pluscarden which passes this property is increasingly busy and is heavily used by forestry and other HGVs, tractors and large farm machinery and coaches going to and from Pluscarden Abbey. For traffic travelling along the road, the access point is on a blind bend and is within a short distance of two concealed entrances, one to a private residence and one to a parking area used extensively by walkers and cyclists for access to Monaughty woods. The road is narrow and on one side there is an old retaining wall with heavy undergrowth and on the other there is a distinct edge and drop off to the side of the surfaced road. Both these factors force oncoming traffic towards the centre of the road which makes the bend particularly dangerous. Additional traffic joining the road at this point, or traffic turning into the entrance off the road would exacerbate the problem.

2. Visually intrusive development

The original application was refused as contrary to policies IMP1 and H7 for the following reasons: "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"

I believe that this objection stands with respect to the new application and that any development on this site would change the rural character of the area. When travelling from Elgin the location is in the foreground of the first view the traveller has of the Pluscarden valley. Wherever it is located on the site the proposed development would necessarily be a prominent feature in that landscape and would unavoidably diminish the rural character of the setting. The planned property is a large bungalow and would significantly contribute to a build up of housing in the immediate vicinity.

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Received by e-mail

Subject : Planning Application 18/01487/APP

I object to the above planning application on the following grounds.

ACCESS AND ROAD SAFETY

This stretch of road has become noticeably busier recently and is used by more and more large vehicles such as timber lorries, agricultural vehicles and school buses. Several near misses have occurred. The width of the road is less than 4.5 m and as such two vehicles cannot pass safely. This is compounded by the current access being on a bend which restricts full vision of oncoming vehicles. Any further traffic movements onto such a narrow stretch would be dangerous. When approaching from the east (Elgin) drivers do not get a full view of the current exit until after the apex of the bend. The proposed building would then immediately catch the drivers eye-line, possibly slowing reaction time and leaving only 50-60 metres (max) to avoid vehicles exiting.

VISUAL IMPACT

The building of a bungalow of the size proposed would have a huge visual impact as you travel west from Elgin. Also, contrary to the content in the supporting statement, by moving the dwelling to the rear of the site it becomes more visible from the unclassified road (Pluscarden to Manbeen) and also the farm road which connects Wester Foresterseat to Easter Foresterseat stealing's and the properties between. This would impact on the view looking west towards the abbey.

OVER DEVELOPMENT OF THE SITE

I note in the supporting document "there is always a demand for housing in and around Elgin." Research tells me that it is affordable housing that is needed. I cannot comprehend how a large bungalow with a double garage in an acre of ground is in any way shape or form "affordable" housing. Any further development would seem to be ribbon development and would be visually intrusive in such a rural area.

DRAINAGE

While the site may not have flooded, the north bank of the burn suffered damage and erosion in the floods of 2002 and again in flash flooding (August 2014).

The footprint of such a large building could affect the natural drainage of this meadow which was once maintained and grazed. The water runoff from such a

large area may lead to instability of the bank of the burn. Soakaways could compound the problem, concentrating water in such close proximity to the burn.

NATURAL ENVIRONMENT

The proposed site was once well kept for agricultural use, mainly sheep grazing. The area and the surrounding area of the Torrieston woods and the Black Burn is prime habitat for many birds and mammals. This particular area is a well known haven for:

Red squirrels

Pine martins

Voles

Shrews

Bats

Otters (have been sighted on the Black Burn) Badgers (sett within 500 metres of proposed site, with badger runs adjacent to the burn) Some of these species are RED LISTED and in decline and highly protected.

Any further loss of habitat or disturbance would not help the population of these mammals.

Works to remove weirs on the Black Burn was carried out a few years ago to encourage migratory fish (sea trout) to return upstream to spawn. As the proposed site is so close to the burn it would almost certainly affect the integrity and purity of the burn.

SUMMARY

The proposed development would have a large negative visual impact, would cause more danger on the inadequate road and be ecologically and environmentally disastrous to the local area.

As such I strongly oppose the application.

██████████

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Comments for Planning Application 18/01478/APP

Application Summary

Application Number: 18/01478/APP

Address: Sites At Torrison Pluscarden Elgin Moray

Proposal: Erect single storey dwellinghouse on

Case Officer: Emma Mitchell

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
- Drainage
- Road access
- View affected

Comment: I wish to object to this proposed construction on the grounds that it will spoil the rural landscape, cause a hazard to road traffic, building and engineering work will cause pollution of the Black burn and thence interfere with salmon spawning down to the River Lossie. Ribbon development along the Pluscarden road

Is unwanted and utterly undesirable.

I could go on but further comment on this subject is surely not needful. Thankyou.

[REDACTED]

REPORT OF HANDLING

Ref No:	18/01478/APP	Officer:	Emma Mitchell
Proposal Description/ Address	Erect single storey dwellinghouse on Sites At Torriston Pluscarden Elgin Moray		
Date:	21/01/19	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
Planning And Development Obligations	30/11/18	Contribution sought
Environmental Health Manager	12/12/18	No objection
Contaminated Land	27/11/18	No objection
Transportation Manager	23/11/18	No objection subject to conditions and informatives
Scottish Water	23/11/18	No objection
Moray Flood Risk Management	14/01/19	No objection
Scottish Environment Protection Agency	29/11/18	No objection
Forestry Commission	30/11/18	No objection

DEVELOPMENT PLAN POLICY

Policies	Dep	Any Comments (or refer to Observations below)
PP3: Placemaking	Y	
H7: New Housing in the Open Countryside	Y	
E4: Trees and Development	N	
E7: AGLV and impacts on wider landscape	Y	
EP5: Sustainable Urban Drainage Systems	N	
EP9: Contaminated Land	N	
ER2: Development in Woodlands	N	
T2: Provision of Access	N	
T5: Parking Standards	N	

IMP1: Developer Requirements	Y	
IMP3: Developer Obligations	N	
EP7: Control of Develop in FloodRiskArea	N	

REPRESENTATIONS

Representations Received

YES

Total number of representations received 10

Names/Addresses of parties submitting representations

Name and address details of parties submitting representations withheld in accordance with the General Data Protection Regulations.

Summary and Assessment of main issues raised by representations

Issue: Road Safety

- The original application on the site was not supported by Transportation and they objected to the proposal as the necessary visibility splays could not be achieved.
- Road levels are poor and are falling away at one side, added to which there is wall on the opposite side of the road; the combination of these two factors means that traffic is forced into the centre of the road before negotiating a very tight bend.
- There has been a very significant increase in traffic through the glen in recent times. This is a rural farming community and the road is used by very large tractors, lorries carrying livestock, log lorries, school buses, coaches accessing the abbey, oil tankers, cyclists and people going to businesses in Pluscarden. The road is used as a "rat run" to avoid the main route to Forres.
- For traffic travelling along the road, the access point is on a blind bend and is within a short distance of two concealed entrances, one to a private residence and one to a parking area used extensively by walkers and cyclists for access to Monaughty woods. The road is narrow (less than 4.5m) and on one side there is an old retaining wall with heavy undergrowth and on the other there is a distinct edge and drop off to the side of the surfaced road. Both these factors force oncoming traffic towards the centre of the road which makes the bend particularly dangerous. Additional traffic joining the road at this point or traffic turning into the entrance off the road would exacerbate the problem.
- There have been several near misses on the public road.
- Two vehicles cannot pass each other safely on the public road.
- When approaching from the east (Elgin) drivers do not get a full view of the current exit until after the apex of the bend. The proposed building would then immediately catch the driver's eye-line, possibly slowing reaction time and leaving only 50-60 metres (max) to avoid vehicles exiting.
- The existing road is no longer fit for purpose.
- The site line is restricted for the proposal especially coming west from Elgin.

Comments (PO)

- With regards to planning application 18/00246/APP (the previous planning application on the site) Transportation were consulted on the proposal and their original consultation response requested further information to be submitted. The required information was submitted and as such Transportation did not object to the proposal subject to conditions and informatives being attached to the consent if it were to be permitted.
- Transportation have been consulted on the proposal and have no objection subject to conditions and informatives being attached to the consent if it were to be permitted. Therefore a safe access can be provided with the required visibility splays and sight lines.

Build Up

- Another property within this area would have a cumulative impact on the surrounding area.
- Currently there are 4 houses (Westcroft, Torrieston Croft, Torrieston House & Torrieston).
- There is also an extant planning consent for a site at the hedges (reference 16/01833/app). These 5 houses and a further 1 would remove the rural nature of this area and constitute an unacceptable build up.
- All vehicles approaching from the east (Elgin) will see the house structure as this is direct view due to the angle of the road. Therefore this will impinge in the view of the valley as this will catch your eye directly and will therefore create an impediment of the landscape and produce the build-up on the ribbon development.

Comments (PO)

- See observations section.

Siting

- Wherever it is located on the site the proposed development would necessarily be a prominent feature in that landscape and would unavoidably diminish the rural character of the setting.
- Policy H7 is quite specific in terms of not to detract from the character or setting of the surrounding area (item B) and 6 houses in one area will change the character of this rural area and have significant impact on the natural qualities of the area within the Pluscarden valley which is designated as an "Area of Great Landscape value (AGLV).
- Believe that any form of development will impact on the Countryside landscape and have a significant impact on the AGLV which is contrary to policy E7.
- It will cause ribbon development along the Pluscarden road.
- Provision within the Housing in the Countryside supplementary guidance provides adequate reasons for refusal on this application on the grounds that it is not compliant and creates build-up through cumulative impact.
- This building application will have an enormous impact on the space, peace and tranquillity neighbouring properties now enjoy. It will destroy the rural nature of the area.
- The Pluscarden Glen with its Abbey dating back to 1230 is recognised as a major historic visitor destination in Moray and plays a significant role in the Moray Council's, Moray's Great Places programme. New developments in this area have an adverse effect on the natural beauty and amenity of the area.
- The proposed development will create the potential for a ribbon development in an area of natural beauty which also embraces the Forestry Commission Scotland walks at Torrieston and Monaughty.
- It will reduce the great asset the natural landscape of this historic glen provides.

Comments (PO)

- See observations section.

Design

- The application is for a very large property which would be the first view of traffic entering the Pluscarden valley and spoil the rural character of this area.

Comments (PO)

- The design of the proposal is acceptable under policies H7 and IMP1 of the Moray Local Plan.

Comments (PO)

- See observation section.

Previous Application on the site (18/00246/APP)

- Reasons given for previous application refusal on the site still stand.

Comments (PO)

- See observations section.

Views

- When travelling from Elgin the location is in the foreground of the first view the traveller has of the Pluscarden valley.
- Contrary to the content in the supporting statement, by moving the dwelling to the rear of the site it becomes more visible from the unclassified road (Pluscarden to Manbeen) and also the farm road which connects Wester Foresterseat to Easter Foresterseat stealing's and the properties between. This would impact on the view looking west towards the abbey.
- Comments (PO)
- See observations section.
- Please note views are not a material planning consideration.

Drainage

- The site may not have flooded but the north bank of the burn suffered damage and erosion in the floods of 2002 and again in flash flooding (August 2014).
- The footprint of such a large building could affect the natural drainage of this meadow which was once maintained and grazed. The water runoff from such a large area may lead to instability of the bank of the burn. Soakaways could compound the problem, concentrating water in such close proximity to the burn.

Comments (PO)

- SEPA and Moray Flood Risk Management (MFRM) were consulted on the proposal and have no objections.
- A DIA was submitted. This was assessed by MFRM who were satisfied with it. If consent were to be permitted the DIA would be stamped as part of the approval.

Wildlife

- If the proposal were to be permitted, there are concerns for wildlife including red squirrels, pine martens, otters, bats, shrews and voles and badgers, which are regularly seen in the area, during construction.
- Further loss of these animals' habitat or disturbance would not help their populations.
- Works to remove weirs on the Black Burn was carried out a few years ago to encourage migratory fish (sea trout and salmon) to return upstream to spawn. As the proposed site is so close to the burn it would almost certainly affect the integrity and purity of the burn.

Comments (PO)

- Some of the animals mentioned are European Protected Species therefore are protected by the law under the Habitats Regulations 1994.
- It is unlikely given the small nature of the proposal that if it were to be permitted it would have a negative impact on existing wildlife within the area and the nearby burn.

Other

- Moray Council Main Issue Report 2018 (reference LDP2020_BID_T001) reviewed this area to include as a rural grouping & concluded that this would not be supported. Due to its "impact on landscape the bid is not supported" and " transportation - bid not supported - visibility splays are restricted and require third party land. Road widening to 5.5m to enable two way movement. The level of the road is also falling at that location which further limits sight lines" The main point in this report by Planning & Facilitation for the LDP 2020 states "impact on landscape the bid is not supported". Within the final document it states "suitable access into the site cannot be achieved".
- Building and engineering work will cause pollution of the Black burn.
- The applicant is a property developer and it seems wrong that she should be allowed to build

in an open field space and destroy the surrounding environment.

Comments (PO)

- The current application is not being supported due its impact on the landscape. Transportation do not object to the proposal subject to conditions and informatives being attached to the planning consent.
- It is speculation that the building and engineering works would cause pollution to the burn.
- Who the applicant is, is not a material planning consideration.

OBSERVATIONS – ASSESSMENT OF PROPOSAL

Proposal

- Planning permission is sought for the erection of a single storey dwelling with attached garage at Torrieston House, Pluscarden.
- The total floor area of the dwelling is 285 sqm in size (including the double garage).
- External materials include off white smooth render finish with slate/slate effect tile roof finish. The proposal has large glazed gable on the rear elevation.
- Access to the site is taken from the existing access to Torrieston House from the public road.
- Private drainage arrangements with a new septic tank are proposed. It is intended that the proposal is served by the public water supply.

Site Characteristics

- The site is located within a large meadow and is within an Area of Great Landscape Value (AGLV).
- The site is located approx. 2.7 km south west of Miltonduff.
- The site is approx. 4000 sqm in size.
- The proposed site access is located circa. 30m to the east of the site at the existing access to Torrieston House. A new track is proposed from the access.
- Tall mature conifer trees are located on the western and southern boundaries.
- The proposal is set within a western part of a large open meadow. The eastern boundary is undefined.
- The public road is located along the northern boundary.

Site and Surrounding Areas History

01/01725/FUL- The proposals for 2 houses are built, and are to the east of the site, across an open meadow. This consent involved the demolition of a croft at what is now "Torrieston 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'.

09/00133/OUT - The proposal is for a single dwelling which is now built (Torrieston House), it is located to the east of the site, south of Torrieston Croft. Subsequent planning applications were submitted to renew (12/01848/APP) and revise the design and site boundaries of the proposal (15/00888/APP and 16/0020/APP).

16/01833/APP - Proposal for a dwelling approved, it is located east of Torrieston House.

18/00246/APP - A proposal for 2 dwellings on current proposal site was refused (16th April 2018). The decision was appealed to the Local Review Body however the decision was upheld in August 2018.

Policy

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) unless material considerations indicate otherwise. The main planning issues are considered below.

Siting and Design (H7, IMP1, PP3 and the associated Supplementary Guidance: Housing in the Countryside)

Policy H7: New Housing in the Open Countryside of the Moray Local Development Plan 2015 contains the necessary siting and design criteria for assessing new housing proposals in the countryside. This aims to allow new housing in the open countryside provided it can be easily absorbed into the landscape, and for new development to be low impact and to reflect the character of the surrounding area. Policy IMP1 Developer Requirements requires new development proposals to be sensitively sited, designed and serviced appropriate to the amenity of the surrounding area and to be comply with set criterion (detailed within policy). These include amongst others the requirement for new development to be of a scale and character appropriate to its setting and for development to integrate into the landscape. Policy PP3 states that developments should maintain and enhance the natural landscape features and the distinctive character of the area.

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 (detailed above) in which the current proposal sites lie, which have already contributed to the rural character of the setting being eroded.

The proposal represents an obtrusive roadside development. It is noted that planting is proposed along the roadside which would provide screening to the proposal. With the site being part of an open meadow overlooking Pluscarden Valley, screening along the roadside would change the open rural character of this area and therefore is not supported. The proposal combined with the new and established housing in the vicinity, would represent ribbon development along the roadside. A significant build-up of housing is represented by the proposal when pooled with the neighbouring dwellings thereby it would detract from, and be detrimental to, the character, appearance and amenity of the surrounding rural area and the open rural character of the Pluscarden valley setting would be undesirably compromised. On this basis the proposals is contrary to policies H7, IMP1 and PP3.

The design of the proposal is acceptable in terms of both roof pitch and gable width and in terms of the external material finishes in terms of policy H7.

Areas of Great Landscape Value (AGLV) (E7)

The aim of policy E7 is to protect areas of strategically important landscapes from inappropriate development. Development proposals which have an significant adverse upon an Area of Great Landscape (AGLV) will not be supported unless they incorporate the highest standards of siting and design and will not have significant adverse effect on the landscape character of the area.

The proposal is located within the Pluscarden Area of Great Landscape Value. The proposal will have a significant adverse effect on the landscape character of the area as it will be viewed from the public road whilst looking south over Pluscarden valley. The proposal does not demonstrate high standards of siting as it will detrimentally change the rural character of the area. The proposal therefore does not comply with policy E7 and is an inappropriate form of development for the site.

Access and Parking (T2 and T5)

Policy T2 requires that new development proposals are designed to provide the highest level of access and for end users. Under policy T5 proposals must conform with the Council's current policy on Parking Standards.

The Transportation Manager was consulted on the proposal and does not object subject to conditions and informatives being attached to the consent.

Drainage and Water (EP5 and EP10)

Policy EP5 requires that surface water from development should be dealt with in sustainable manner that has a neutral effect on the risk of flooding or which reduces the risk of flooding. Policy EP10 aims to achieve the satisfactory disposal of sewage.

Further information regarding the drainage for the proposal was sought in the form of a Drainage Impact Assessment. The assessment was required to demonstrate that the post-development runoff rate does not exceed the pre-development runoff rate or increase flood risk through discharge to a receiving watercourse. The DIA was also required to demonstrate that the surface water drainage system adopts Sustainable urban Drainage System (SuDS) principles and specifications in accordance with current legislation and guidelines, such as CIRIA C697 - The SuDS Manual.

A DIA was submitted and Moray Flood Risk Management have no objections to it. Therefore if the proposal was to be permitted the DIA would be stamped as part of the consent.

In relation to policy EP10 and in the absence of any public foul drainage system being available, a septic tank and soakaway arrangement is proposed within the site. The acceptability of this non-mains drainage arrangement will also be determined as part of Building Standards requirements.

Control of Development within Flood Risk Areas (EP7)

Policy EP7: Control of Development in Flood Risk Areas states that new development should not take place if it would be at significant risk of flooding from any source or would materially increase the risk of flooding elsewhere. Where impacts are identified they should be satisfactorily mitigated without passing on the flood risk elsewhere.

The southern boundary of the development is subject to Fluvial and Pluvial Flood Risk for 1:200 year events, according to SEPA Flood Maps.

Moray Flood Risk Management were consulted on the proposal and requested a Level 1 Flood Risk Assessment however on liaising with SEPA the requirement for this was removed. SEPA had further topographic information that demonstrated that the proposed house is considerably elevated above the Black Burn and that in times of flood, out-of-banks flows would spill onto the land on the southern bank of the Burn and away from the proposed development making it unlikely that the site would be a medium to high risk of flooding.

With regards to flooding SEPA and MFRM have no objection to the proposal.

Developer Obligations (IMP3)

As from 14 October 2016, the Council has adopted Supplementary Guidance on developer obligations as a material consideration in the determination of planning applications. The proposal has been subject to an assessment for developer obligations.

If the application were to be permitted a contribution £619.20 towards healthcare would be sought prior to consent being issued.

Recommendation

Refuse.

OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT

None

HISTORY

Reference No.	Description		
18/00246/APP	Erect 2no dwellinghouses within Grounds Of Torrleston House Torrleston Pluscarden Elgin Moray		
	Decision	Refuse	Date Of Decision

ADVERT

Advert Fee paid?	Yes	
Local Newspaper	Reason for Advert	Date of expiry
Northern Scot	Departure from development plan No Premises	20/12/18
PINS	Departure from development plan No Premises	20/12/18

DEVELOPER CONTRIBUTIONS (PGU)

Status	CONT SOUGHT
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DOCUMENTS, ASSESSMENTS etc. *

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

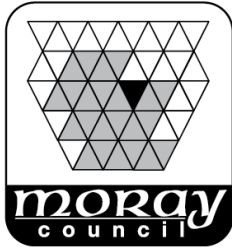
Supporting information submitted with application?	YES	
Summary of main issues raised in each statement/assessment/report		
Document Name:	Supporting Statement	
Main Issues:	Information supporting the proposal	
Document Name:	Drainage Impact Assessment	
Main Issues:	Information on drainage	

S.75 AGREEMENT

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

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

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



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

REFUSAL OF PLANNING PERMISSION

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

TO Ms K Gosling-Crockart
c/o C M Design
St Brendans
69 South Guildry Street
Elgin
Moray
IV30 1QN

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 single storey dwellinghouse on Sites At Torriston Pluscarden Elgin Moray

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

Date of Notice: **21 January 2019**



HEAD OF DEVELOPMENT SERVICES

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

IMPORTANT
YOUR ATTENTION IS DRAWN TO THE REASONS and NOTES BELOW

SCHEDULE OF REASON(S) FOR REFUSAL

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

The proposal is contrary to policies PP3, H7, IMP1 and E7 of the Moray Local Development Plan 2015 (MLDP) and the associated Supplementary Guidance: Housing in the Countryside for the following reason:

The site is part of a large open meadow and would be visually obtrusive 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 cumulatively, the introduction of an additional dwelling would contribute to the build-up of development within the surrounding area and thereby it would detract from, and be detrimental to, the character, appearance and amenity of the surrounding rural area and the open rural character of the Pluscarden valley setting would be undesirably compromised.

LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT

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

Reference	Version	Title
180005.CROCKART.06PP		
180005.CROCKART.05PP		Site plan

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

If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to The Clerk, Moray Council Local Review Body, Legal and Committee Services, Council Offices, High Street, Elgin IV30 1BX. This form is also available and can be submitted online or downloaded from www.eplanning.scotland.gov.uk

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

