

07/02113/OUT  
2nd November 2007

Outline to erect 5no dwellinghouses on Site At Cardhu  
Knockando Aberlour Moray for Knockando Estate

---

**Comments:**

- MEMBERS WILL HAVE VISITED THE SITE.
- Competent written objections received from more than 5 separate households/premises/organisations.

**Procedure:**

- If minded to approve, hearing not required.

**Recommendation:      **Permit - Subject To The Following:-****

1. (a) That in the case of any reserved matter, application for approval must be made before:-
  - (i) that expiration of 3 years from the date of the grant of outline planning permission; or
  - (ii) the expiration of 6 months from the date on which an earlier application for such approval was refused; or
  - (iii) the expiration of 6 months from the date on which an appeal against such refusal was dismissed; whichever is the latest: provided that only one such application may be made in the case after the expiration of the 3 year period mentioned in sub-paragraph (i) above.
- (b) That the development to which the permission relates must be begun not later than whichever is the later of the following dates:-
  - (i) the expiration of 5 years from the date of the grant of outline planning permission; or
  - (ii) the expiration of 2 years from the final approval of the reserved matters or in the case of approval on different dates the final approval of the last such matter to be approved.
2. The approval hereby granted is in outline and prior to the commencement of the development approval of the details, including the siting, design and external appearances of the building(s) the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Council, as Planning Authority.

3. The proposed development shall be carried out only in accordance with detailed drawings which shall previously have been submitted to and approved by the Council, as Planning Authority. These drawings shall show the reserved matters numbered 4 - 8 below.
  4. Plans, sections and elevations of all buildings proposed with details of the type and colour of all external materials and finishes shall be submitted in accordance with condition no. 3 above.
  5. The proposed layout of the site showing the exact position of the site boundaries, the position of all buildings, the means of access, areas for vehicle parking and the arrangements for the disposal of foul and surface water shall be submitted in accordance with condition no. 3 above.
  6. Details of the exact extent, type and finish of all other works including walls, fences and other means of enclosure and screening shall be submitted in accordance with condition no. 3 above.
  7. Sections through the site showing the development on its finished levels in relation to existing levels shall be submitted in accordance with condition no. 3 above.
  8. The houses shall be no more than single storey in height (7.0 metres from existing ground level to roof apex), and shall reflect the traditional Victorian style of architecture of the settlement housing.
  9. Prior to the commencement of development there shall be written agreement with the Planning Authority based on relevant technical evidence that there is adequate foul drainage capacity for the proposed development.
  10. The design of the property shall comply with the requirements of L/HC5 of the Moray Local Plan 2000, including the interpretation of policy regarding proportions of gable width and roof pitches.
  11. Prior to the commencement of development details of landscape/screen planting along the south west field boundary of the site shall be agreed in writing with the Planning Authority. The details shall include the following: -
    - the timing for planting;
    - the size, species and density of planting.
- The layout of the individual plots should allow for this planting. Any dead or dying trees shall be replaced in the next available planting season up to 5 years from the commencement of the scheme.
12. Prior to commencement of development there should be agreement with the Planning Authority in writing for the provision of one passing place between the site access and the B9102. This agreement shall include the following details: -
    - the timing for the provision of the passing place;
    - full technical details and layout;
    - siting.

13. Notwithstanding the details submitted, a turning circle shall be provided at the end of the 120 metre long access road.
14. A visibility splay of 2.4metres x 35 metres shall be provided at the access.
15. No boundary fences, hedges, walls or any obstruction whatsoever over 1.0 m in height and fronting onto the public road shall be within 2.4 m of the edge of the carriageway.
16. The width of vehicular access shall be 2.4 - 3.0 metres and have a maximum gradient of 1:20 measured for the first 5.0 metres from the edge of the public carriageway.
17. No water shall be permitted to drain onto the public footpath/carriageway.
18. A turning area shall be provided within the curtilage of the site to enable vehicles to enter/exit in a forward gear.
19. The access radii shall be 7.6 metres and shall be kerbed using 254 x 127mm hppc kerbs. The vehicle access width shall be 5.5 metres.
20. New boundary walls/fences shall be set back from the edge of the public road at a distance of 2.0 metres.
21. No building works shall commence until a Road Bond has been provided for the construction of the access road. No house shall be occupied until the road has been constructed to basecourse level.
22. If significant unsuspected contamination is found then all work shall cease until an appropriate investigation to determine the nature, extent and potential impacts of the contamination has been undertaken and a remediation method statement agreed with The Council as Planning Authority.

**Reasons:**

1. The time limit condition is imposed in order to comply with the requirements of Section 59 of the Town and Country Planning (Scotland) Act 1997.
2. In order to ensure that the matters specified can be fully considered prior to the commencement of development.
3. As the consent is in outline only and in order that detailed consideration can be given to the matters specified.
4. As the consent is in outline only and in order that detailed consideration can be given to the matters specified.
5. As the consent is in outline only and in order that detailed consideration can be given to the matters specified.
6. As the consent is in outline only and in order that detailed consideration can be given to the matters specified.
7. As the consent is in outline only and in order that detailed consideration can be given to the matters specified.

8. In the interests of visual amenity.
9. In order to ensure adequate foul drainage capacity.
10. In order to ensure that the development harmonises with the appearance and character of the surrounding properties and area.
11. In order to provide a visual screen and to integrate the new development with the settlement.
12. In the interests of road safety.
13. In order to provide safe and adequate vehicle provision and to meet current standards requiring this provision for access roads over 110 metres long.
14. In the interests of road safety.
15. In the interests of road safety.
16. In the interests of road safety.
17. In the interests of road safety.
18. In the interests of road safety.
19. In the interests of road safety.
20. In the interests of road safety.
21. In order to ensure safe and adequate access provision.
22. In order to safeguard the health and safety of the occupants of the property from the effects of harmful ground contamination.

**List of Informatives:**

THE CONTAMINATED LAND SECTION has commented that:-

Your property has been identified as being in the vicinity of the following potential source of contamination:

- Distillery approximately 5.3 metres to the north west as indicated on map group E and F.

Map Group A 1868 - 1897 Ordnance Survey Maps  
Map Group B 1898 - 1906 Ordnance Survey Maps  
Map Group C 1930 - 1938 Ordnance Survey Maps  
Map Group D 1959 - 1971 Ordnance Survey Maps  
Map Group E 1969 - 1992 Ordnance Survey Maps  
Map Group F Present Day Ordnance Survey Maps

The Moray Council does not have information to confirm whether or not the ground has been contaminated, however it is recommended that you investigate this matter prior to proceeding with the proposed works. Should contamination be identified you should contact the Environmental Health section immediately and carry out agreed remediation works. For advice on researching/investigating a site, please visit the Council website at [www.moray.gov.uk/ContaminatedLand](http://www.moray.gov.uk/ContaminatedLand). Alternatively you can contact the Environmental Health Section on 01343 563345 or by email to [contaminated.land@moray.gov.uk](mailto:contaminated.land@moray.gov.uk)

THE TRANSPORTATION MANAGER, DIRECT SERVICES, ACADEMY STREET, ELGIN has commented that:-

Construction Consent for the roads will be required under Section 21 of the Roads (Scotland) Act 1984.

No building materials/scaffolding/builder's skip shall obstruct the public road (includes footpaths) without permission from this Department.

The applicant shall be responsible for ensuring that water does not run from the public road into his property.

The applicant shall ensure that their operations do not adversely affect any Public Utilities which should be contacted prior to commencement of operations.

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

The Transportation Manager must always be contacted before any works commence. This includes any temporary access which should be agreed with the Transportation Manager prior to work on it commencing.

The developer should contact the Transportation Manager, Direct Services, Environmental Services Department (Street Lighting Section) at Academy Street, ELGIN, Moray or by telephoning 01343 557343 to discuss his proposals.