



FILE COPY

THE MORAY COUNCIL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

PERMISSION FOR DEVELOPMENT

**[Elgin City South]
Outline Application**

TO Mr D Watson And Miss D Barber
c/o Plans Plus
Main Street
URQUHART
By Elgin
Moray
IV30 8LG

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

Outline to erect dwellinghouse within garden ground on Site Adjacent To St Ola 70 Pluscarden Road Elgin Moray IV30 1SX

in accordance with the plan(s) docquetted as relative hereto and the particulars given in the application, subject however to the following condition(s): -

- 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 (i.e. a SUDS system or equivalent) 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 Landscaping proposals showing any existing trees/hedges/shrubs to be retained or removed together with details of the type, position and number of all planting to be undertaken and details of all surfacing materials shall be submitted in accordance with condition no. 3 above.
- 9 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.
- 10 The width of vehicular access shall be 3.0m and have a maximum gradient of 1:20 measured for the first 5.0 m from the edge of the public carriageway. Section of access over the public footpath/verge shall be to The Moray Council specification and surfaced in bitmac.
- 11 Drop kerbs shall be provided across the access to The Moray Council specification. The existing drop kerbs for the garage must be reinstated to the Moray Council specification.
- 12 A turning area shall be provided within the curtilage of the site to enable vehicles to enter/exit in a forward gear.

- 13 Two private car parking spaces for up to a 3 bedroomed dwelling and three private car parking spaces for a 4 or more bedroomed dwelling shall be provided.
- 14 No water shall be permitted to drain onto the public footpath/carriageway.
- 15 Prior to the occupation of the dwellinghouse hereby approved the existing garage adjacent to the proposed new access must be removed.

The Council's reason(s) for imposing the above condition(s) are: -

- 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.
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- 8 As the consent is in outline only and in order that detailed consideration can be given to the matters specified.
- 9 In the interests of road safety.
- 10 In the interests of road safety.
- 11 In the interests of road safety.
- 12 In the interests of road safety.
- 13 In the interests of road safety.
- 14 In the interests of road safety.
- 15 In the interests of road safety.

This permission does not carry with it any necessary consent or approval to the proposed development under the Building (Scotland) Act 1959 as amended or other enactments.

The applicant(s) should also note the following comments: -

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

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.

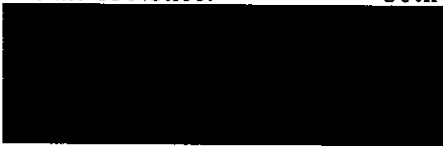
The applicant shall ensure that their operations do not adversely affect any Public Utilities which should be contacted prior to commencement of operations.

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.

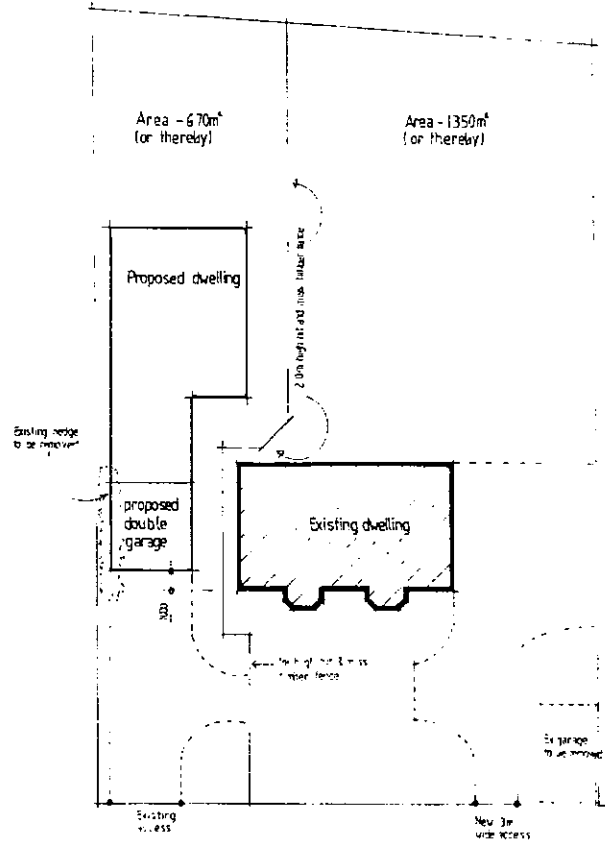
I enclose notes for guidance in cases where applications are refused or granted subject to conditions.

Date of Notice: **30th June 2009**

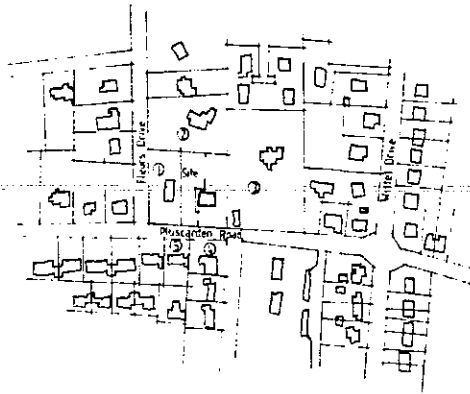
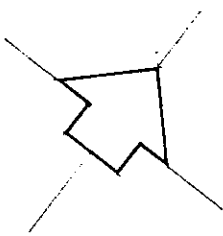


HEAD OF DEVELOPMENT SERVICES

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



Site plan 1:250



Location plan 1:2500

SURROUNDING PROPERTIES

- 1 Sealton, Fleurs Drive, Elgin
- 2 Brangah, Fleurs Drive, Elgin
- 3 Fleurs, Plusecarden Road, Elgin
- 4 2 Fleurs, Rann, Elgin
- 5 125 Plusecarden Road, Elgin

PLANNING REF No			
BUILDING WARRANT No			
ENGINEERS REF No			
CROWN COPYRIGHT ALL RIGHTS RESERVED LICENSE NUMBER 100041145			
REVISIONS & DISTRIBUTIONS	DATE	IMPORTANT NOTES FOR CLIENTS/CONTRACTORS	
A Dwelling option amended	3/3/09	<p>NO WORKS TO COMMENCE ON SITE UNTIL THE RELEVANT PLANNING BUILDING WARRANT OR GRANT APPROVAL HAS BEEN OBTAINED</p> <p>CONTRACTORS WILL HAVE DEFERRED TO HAVE VISITED THE SITE TO FAMILIARIZE THEMSELVES WITH THE PROJECT PRIOR TO SUBMITTING ANY ESTIMATE FOR BUILDING WORKS</p> <p>ANY DEVIATIONS TO THE APPROVED PLANS TO BE REPORTED TO THIS OFFICE</p> <p>CONTRACTORS TO CHECK ALL DIMENSIONS ON SITE PRIOR TO COMMENCING BUILDING WORKS</p> <p>KNOWN DIMENSIONS ONLY TO BE USED</p> <p>DO NOT SCALE PLANS</p> <p>ANY ROOF TRUSS FLYING INTO AN EXISTING ROOF TO BE CHECKED ON SITE BY CONTRACTOR TO ENSURE HEIGHTS MEET CORRECTLY</p>	
AMENDED PLANS			
CLIENT Douglas Watson + Diane Barber	SCALE As indicated	DRAWN BY S McIntosh	DATE March 09
PROJECT OPA to erect new dwelling house at site adjacent to St Ola, Plusecarden Road, Elgin.		PROJECT No 06-122-4	



**ARCHITECTURAL
DESIGN CONSULTANTS**

TELEPHONE No. 01343 842835
 FAX No. 01343 842785
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 WEB: www.plans-plus.co.uk
 PARTNERS: COLIN & CATRIONA KEIR

MAIN STREET OFFICES: URQUHART, BY ELGIN, IV30 8LG

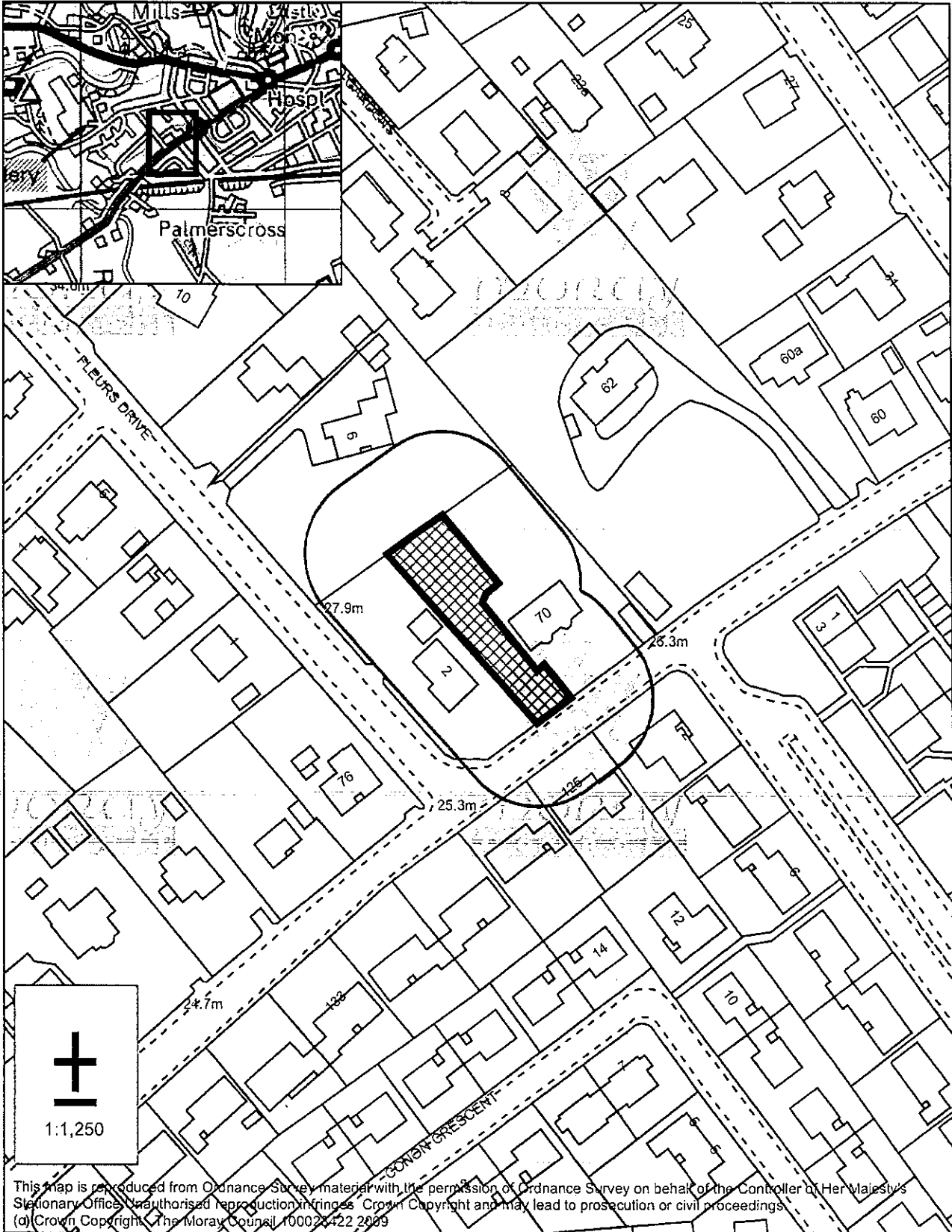
Neighbour Notification

Town and Country Planning

(Development Management Procedure)(Scotland) Regulations 2008

Planning Application Reference Number:

09/01886/APP



REPORT OF HANDLING

Ref No:	09/01886/APP	Officer:	Iain T Drummond
Proposal Description/ Address	Proposed erection of dwellinghouse on Site Adjacent To St Ola 70 Pluscarden Road Elgin Moray		
Date:	4.12.09	Typist Initials:	LH

RECOMMENDATION

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

CONSULTATIONS

Consultee	Date Returned	Summary of Response
Environmental Health Manager	20/11/09	No objection to approval of the application
Contaminated Land	23/11/09	No objection to approval of the application
Transportation Manager	30/11/09	No objection to approval of the application
Environmental Protection Manager		No objection to approval of the application
Scottish Water	19/11/09	No objection to approval of the application

DEVELOPMENT PLAN POLICY

Policies	Dep	Any Comments (or refer to Observations below)
H3: New Housing in Built Up Areas	N	
H4: Housing Plot Sub Division	N	
T2: Provision of Road Access	N	
T5: Parking Standards	N	
EP5: SUDS	N	
EP10: Foul Drainage	N	
IMP1: Development Requirements	N	

REPRESENTATIONS

Representations Received NO
 Total number of representations received
 Names/Addresses of parties submitting representations
 Name Address
 Summary and Assessment of main issues raised by representations
 Issue:
 Comments (PO):
 No objections/representations received.

OBSERVATIONS – ASSESSMENT OF PROPOSAL

This application for planning permission is for the subdivision of a house site and erection of a dwellinghouse. Planning permission in principle was granted in June 2009 for the erection of a dwellinghouse on the site, therefore although the applicants have submitted this application in detailed form the principle of erecting a dwellinghouse on the site has already been considered and accepted, therefore the main considerations of this application relates to the design of the dwellinghouse and layout of the site.

In terms of design, the proposed dwellinghouse is modest in scale and is a single storey hipped style, which is inkeeping with the adjacent parent property. Given that the dwelling is only a single storey it is not considered to adversely impact on the neighbouring properties, both in terms of overlooking or overbearing impact.

In terms of layout the proposed positioning of the house within the plot ties in well with the indicative layout plan approved on the previous application on the site, which ensures that the dwellinghouse maintains the building line of the neighbouring properties.

Adequate parking and turning areas have been provided within the site along with ample private garden ground to service the house.

Overall the development is considered to comply with the Council's Development Plan policies and is therefore recommended for approval.

OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT

All material planning considerations have been taken into account in the consideration of this application, however, there are none, which would outweigh the provisions of the Development Plan policies.

HISTORY

Reference No.	Description		
09/00575/OUT	Outline to erect dwellinghouse within garden ground on Site Adjacent To St Ola 70 Pluscarden Road Elgin Moray IV30 1SX		
	Decision	Permitted	Date Of Decision 30/06/09

ADVERT		
Advert Fee paid?	N/A	
Local Newspaper	Reason for Advert	Date of expiry

DOCUMENTS ASSESSMENTS etc. <i>Includes Environmental Statement, Appropriate Assessment, Design Statement, Design and Access Statement, RIA, TA, NIA, FRA etc.</i>		
Supporting information submitted with application?		NO
Summary of main issues raised in each statement/assessment/report		
Document Name:		
Main Issues:		

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)			