



Craigellachie Meadows, Craigellachie, Moray

proposed erection of
dwelling-house with
seperate double garage

Grounds for Review of Refusal of Planning Application

Planning reference - 15 / 00947 / APP

Prepared by
Strathdee Properties Ltd.

contents

1. Introduction / Background to Application
2. The Proposal
3. The Site
- 4 / 5. **Main Issues answered in terms of planning policy (part A)**
- 6 / 7 / 8. **Main Issues answered in terms of planning policy (part B)**
9. **Main Issues answered in terms of planning policy (part C)**
10. **Reasons for Refusal and our justification**
11. Conclusion



Introduction / Background to Application

These grounds for review of a decision to refuse planning consent at Craigellachie Meadows are submitted under section 43A of the Town and Country Planning (Scotland) Act 1997 (as amended). This notice of review has been lodged within the prescribed three month period from the refusal of planning permission dated 10 July 2015.

The Council's reasons for this decision are as follows: -

The prevailing pattern of settlement within this part of the countryside is characterised by both small clusters of housing and individual houses dispersed along the valley of the River Spey to the northeast of Craigellachie; its close proximity to the village has resulted in the construction of numerous houses over recent years. In the case of the current application there are also three live planning consents for house plots within the immediate locality, to the west, southwest and south of the current site. The introduction of a further house plot into this setting (in addition to these approved plots and built dwellings) which would be readily visible from the surrounding road network would result in an unacceptable cumulative build-up of housing, that would be detrimental to the rural character of the area. Any impact in this regard would be exacerbated by virtue of the extensive size of the proposed plot, which once developed as domestic garden land would further diminish the rural character of the area.

The report confirms that there were no technical objections to the proposal from any of the following statutory consultees - Environmental Health, Contaminated Land, Transportation and Scottish Water



The Proposal

The proposal is for a single dwelling-house accessed from a private track which is connected to a minor public road in Craigellachie.

If approved, the site would be served by a public water supply and private drainage system.

Careful consideration has been given to the individual house layout / fenestration / detail and the resultant design is one of a contemporary style with traditional characteristics including vertically proportioned windows, gables with pitches of between 40 and 45 degrees, gable widths no larger than 2.5 times the ground to eaves height, symmetrically placed dormers designed to emulate traditional openings and a general fenestration in keeping with a traditional rural design style. In terms of material use, it is proposed to finish the walls with white or cream roughcast and natural stone. The roof will be finished with traditional natural slates.

The proposed house will be cut into the hillside without any unnecessary build-up to integrate with the contours of the land and the large backdrop behind.

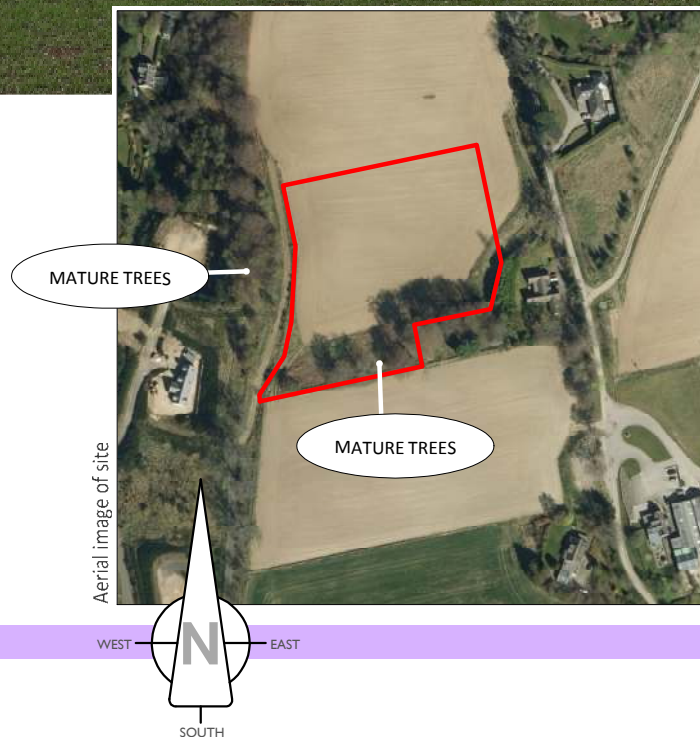
Within the cutilage of the site itself a mixture of Birch, Larch, Rowan & Scot Pine trees and bushes at approx. 1.5m centres will be planted out to give a 25% foliage cover. All these trees will be at least half standard (approx. 1.5m in height) as noted on the site plan (CRAIG-MEADOWS / PLANNING / 01).



The Site



Photo of site

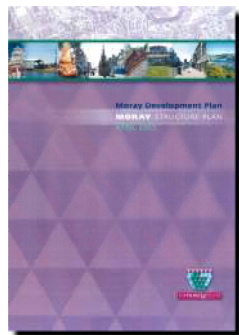


The proposed site is situated to the north east side of the village of Craigellachie. It is located adjacent to a number of existing houses with some consented plots of land nearby.

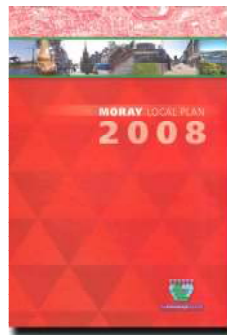
The topography of the site is such that it gently slopes from the east to west direction. A backdrop to the development exists in the form of a gently sloping hillside.

The site is defined and bounded by at least 50% of existing boundaries. These consist of post and wire fencing and belts of mature trees to the south and west boundaries.

Main Issues answered in terms of planning policy (part A)



MORAY STRUCTURE PLAN



MORAY LOCAL PLAN 2008



MORAY LOCAL DEVELOPMENT PLAN (MODIFIED PLAN) 2015

The application has been considered in the context of various legislation. These include the following -

Moray Structure Plan 2007

Moray Local Plan 2008

Moray Local Development Plan (Modified Plan) 2015

Supplementary Guidance 'Housing in the Countryside (2012)

'Housing in the Countryside (Moray Local Development Plan 2015)'

The main issues that arise from the proposal are considered to be ;

- Principle of the site
- Design
- Infrastructure and servicing

PRINCIPAL OF THE SITE

The Moray Structure Plan Strategy in line with National Planning Policy is committed to the principle of well sited and designed new housing in the countryside.

Structure Plan policy 1(e) encourages low impact well designed development in the countryside.

The Moray Local Plan 2008 reflects Structure Plan policy. Policy H8 (New Housing in the Open Countryside) is the predominant policy in terms of the acceptability of a new site in the countryside. The application is for a single house and therefore is in accordance with the main thrust of this policy.

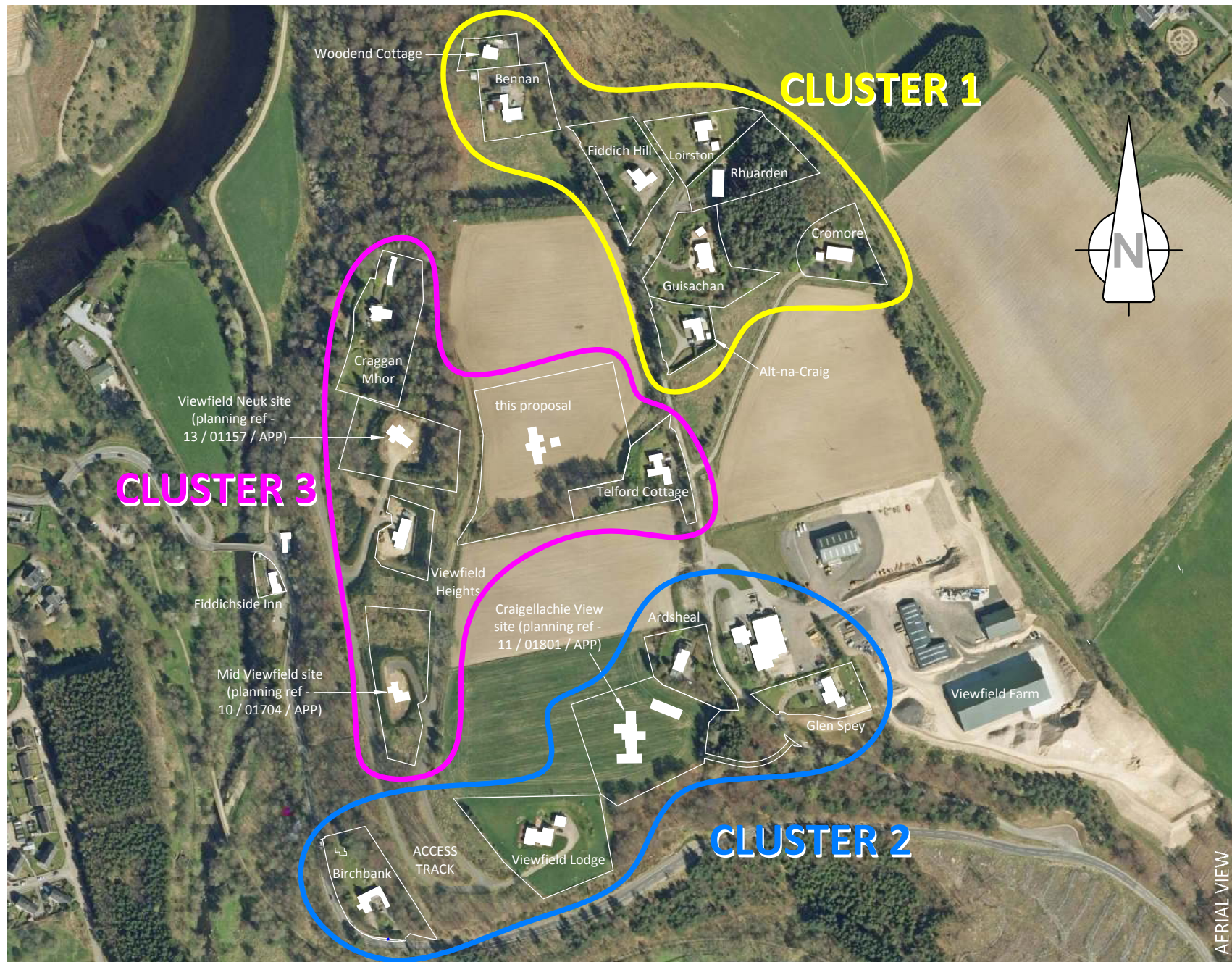
There are three specific criteria under the heading "siting" which have to be met for the principle of a site to be acceptable.

- In the first instance the house must not detract from the character and setting of the existing buildings, or their surrounding area, when added to an existing grouping or linear extension.

Within the vicinity of the dwelling-house there are a number of obvious groupings of existing houses or natural clusters which exist. Please see the aerial plan on page 5 which denotes this. Cluster 1 consists of 8 dwelling-houses to the north. Cluster 2 consists of 6 properties to the south. A third cluster would be formed with the introduction of this plot. As can be seen our proposal would form a link between Telford Cottage and the 4 properties to the west. This dwelling would effectively close the gap between these properties to form Cluster 3 (pink line).

Given the above arrangement we are confident the proposed dwelling will not detract in any way from the character and setting of the existing buildings. Indeed, we feel that with cluster 3 being formed the proposal would compliment the settlement pattern here.

Main Issues answered in terms of planning policy (part A)

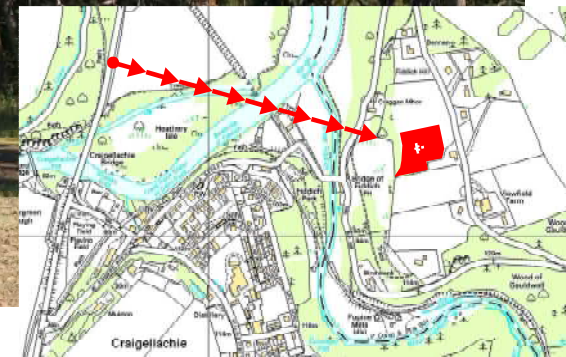


Main Issues answered in terms of planning policy (part B) / Viewpoint 1

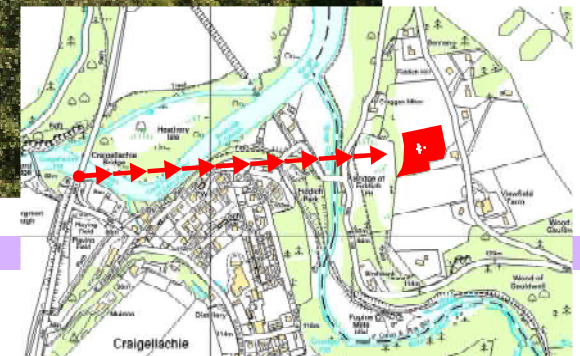
- Secondly, the dwelling must not be overly prominent.

The second of the siting criteria within Policy H8 is that the dwelling must not be overtly prominent. Examples of overtly prominent locations given are sites on a skyline, on artificially elevated ground, or in open settings such as the centre of fields. The site is not on artificially elevated ground and is not in the centre of a field. In fact the dwelling-house, if approved, would have a large hillside backdrop behind it which would help it -

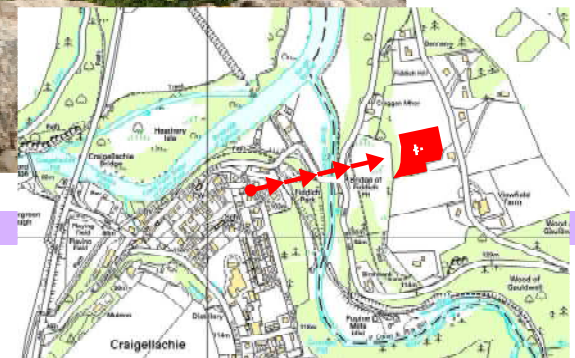
to integrate with the housing pattern here. Further to this, from three obvious viewpoints in Craigellachie the proposal would be either partly or fully hidden from view by existing mature tree growth. Please see the photograph below which denotes how Craigellachie Meadows would appear when viewed from the main A95 Craigellachie - Rothes road. Please also see two other viewpoints on page 7 (from Craigellachie bridge) and 8 (from Spey road within the village itself).



Main Issues answered in terms of planning policy (part B) / Viewpoint 2



Main Issues answered in terms of planning policy (part B) / Viewpoint 3



Main Issues answered in terms of planning policy (part C)

- Thirdly, Policy H8 states that the site should have 50% of it's boundaries as long established.

The site is defined and bounded by at least 50% of existing boundaries. These consist of the following - a long established post and wire boundary fence together with mature tree growth to the south and a long established post and wire fence and access track to the west.

DESIGN

There are a series of specific design requirements within policy H8.

They are all met by the proposals as follows -
a roof pitch of between 40-55 degrees, gable widths of no more than 2.5 times the height from ground to eaves level, uniform finishes, a vertical emphasis to the fenestration, additional planting within the plot and boundaries sympathetic to the area.

INFRASTRUCTURE AND SERVICING

Access, parking and drainage are all salient factors pertaining to this application and there were no objections in regard to any of these requirements.

Reasons for Refusal and our justification

We would like to break the council's reasonings into three separate parts and answer each point as follows -

- The first point of refusal is 'that the prevailing pattern of settlement within this part of the countryside is characterised by both small clusters of housing and individual houses dispersed along the valley of the River Spey to the northeast of Craigellachie; its close proximity to the village has resulted in the construction of numerous houses over recent years. In the case of the current application there are also three live planning consents for house plots within the immediate locality, to the west, southwest and south of the current site. The introduction of a further house plot into this setting (in addition to these approved plots and built dwellings) which would be readily visible from the surrounding road network would result in an unacceptable cumulative build-up of housing, that would be detrimental to the rural character of the area.

- **THE PROPOSAL FITS IN WITH THE EXISTING SETTLEMENT PATTERN AND HAS BEEN DESIGNED AS PART OF A SMALL CLUSTER**

The council state that the prevailing pattern at this area is characterised by small clusters of housing and individual houses. We agree fully with this and have tried our best to fit our proposal in with the existing cluster arrangement. There are two small clusters of houses which exist at the moment. Our proposal would form a third cluster by joining up Telford cottage with the four properties to the west. When viewed on the aerial map on page 6 it can be seen that the Craigellachie Meadows site would integrate well within this existing settlement pattern. Given the above arrangement we are confident the proposed dwelling would not detract in any way from the character and setting of the existing buildings, on the contrary we feel that with this third cluster would compliment the setting and we cannot see how this could be viewed as unacceptable or detrimental even when taking into account the number of properties which exist.

- The proposal 'would be readily visible from the surrounding road network.'

- **HOUSE DOES NOT APPEAR TO BE VISIBLE WHEN VIEWED FROM SURROUNDING ROADS**

We very much hope that we have proved the proposed dwelling-house would not be overtly prominent. From various viewpoints within and around the village the house will be completely or at least partly screened by mature tree growth. Further, the proposal will be set into a hillside which will form a backdrop to the development when viewed from the surrounding roads. It will not in any way sit on a skyline position, the centre of a field or be prominent. Please see again the viewpoint photos on pages 7, 8 and 9.

- Any impact in this regard would be exacerbated by virtue of the extensive size of the proposed plot, which once developed as domestic garden land would further diminish the rural character of the area.

- **ONLY A PART OF THE PLOT WILL BE UTILIZED AS GARDEN GROUND**

The plot size is of a generous area however only a portion would be utilized as garden ground. The remaining area will be left 'rough' to help it integrate with the rural setting.

Conclusion



The lead policy in the Local Plan for testing the acceptability of the site as a suitable location for a house in the countryside is Policy H8 - New Housing in The Open Countryside. This policy contains specific criteria about the siting of new dwellings and it has been shown that the proposal is acceptable under the criteria set out in the policy.

It has also been shown that the proposal is acceptable in terms of design, access, parking and drainage.



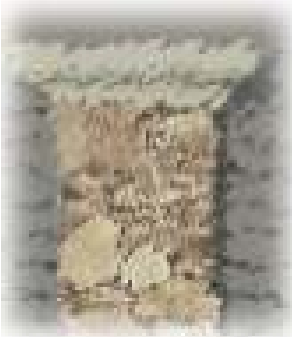
There were no technical objections to the proposal from any of the statutory consultees.

The reasons for refusal suggest that the proposal would lead to a development that would detract from the character of this part of the countryside however we feel that when the proposal is considered within the context of the nearby houses and plots it will integrate well with the existing settlement pattern, forming a cluster of dwellings reflective of other small groupings nearby. Not only that but the dwelling will be concealed by existing mature trees from most viewpoints and will be situated with a large hillside backdrop.

From a development feasibility aspect, recent experience has informed us that there is now a high demand and need for rural accommodation, in the Moray area. Indeed, the vast majority of sites we sell are to local people and we feel it is very important to help meet this demand in order to retain skills and jobs in the area. This not only helps the local economy but also has a “knock on” effect in terms of local services, schools, shops and the wider economy as well. Further, in our view what cannot be underestimated after the recent financial downturn is the need for valuable work for local tradesmen and building merchants etc. We feel that there appears to be nothing to prevent the merits of the application allowing it to progress to approval. Should any unforeseen material consideration arise during determination, please advise us accordingly in order that remedial action and an appropriate response may be pursued. We respectfully ask that the appointed LRB panel approves this application.

Yours sincerely,

Strathdee Properties Ltd.





Strathdee Properties Ltd.
Viewfield Farm,
Craigellachie,
Aberlour,
Moray,
AB38 9QT