

REFUSAL OF APPLICATION 15/02023/PPP

1508/6.1

In reading the reasons put forward for refusal and knowing the intent, objectives and framework of planning policy, it is felt that certain assumptions have been made regarding this application which need to be clarified and reviewed to ensure proper consideration.

REASONS FOR REFUSAL

Reason 1:

The key factors put forward for refusal are:

- loss of part of designated site ENV6;
- introduction of a dwelling between two existing houses would consolidate the built form in this area;
- erode the pleasant and open attractive character of the ENV designation, and;
- the visual impact in this regard would be exacerbated by the roadside location being readily visible on the approach to Findhorn

Policy references E5, ENV6 and IMP1

Policy E5. Protect the environmental amenity of the village of Findhorn and its environs.

- The aim of this policy is to protect open spaces, encourage social contact and recreation. The area is a private house site, which is not open to public access in this sense; the value seen must be seen in what is perceived as the 'wider open space' provided by the green corridor area approach to Findhorn. It is this, which is to be protected.

Policy ENV6 Green corridor / Natural / Semi Natural

- *Loss of part of designated site ENV6:*
The use of the word loss is misleading. The existing house site is within an area that has been designated ENV6 and what is proposed will not change that designation. What has to be established is whether what is proposed will seriously change the nature of the green corridor in that area.

The protective measures are a result of past developments ignoring the environment, also allowing inappropriate developments to proceed. Simply saying no to avoid damage is not progressive. Existing planning development guidance notes on fitting housing into the landscape address this problem and demonstrate how to enhance sites just like this with no perceived 'loss' (foreground / middle ground / background / colour / form / texture / capacity). Incorporating good architectural design can create opportunities to absorb developments just like this. The problem is failure to use this technical / design information to good effect.

- *Introduction of dwelling would consolidate the built form in this area:*
Although true this comment contradicts the objectives of Policy E5 and its architectural intent to avoid compromising the distinctive characteristics of the village. The form of development being protected by the refusal can be described as 'suburban', which does not respect / follow the traditional village structure or pattern of Findhorn or Moray coast. The area has standard deep house plans with little diversity, failing to create focal points and landmarks.

What is being proposed follows the local traditional arrangement of landscape and building which is an attraction. As an example I refer to the area of Stottfield in Lossiemouth a 'traditional' close grouped settlement within the town which gives welcome change to the pattern of settlement, providing that close sense of community and as a result much sought after on the property market.

- *Erode the pleasant and open attractive character of the ENV designation:*
Reference is again made to the character of the ENV designation and accepts the current suburban nature of the development that has taken place, avoiding the issues and problems that single-family, 'deep plan' homes, on large sites, relying on the motor car can have on the community objectives of the planning policies being referred to (answers given to point above apply). Whilst not passing comment on the design or suitability of other properties in the vicinity it must be stressed that the proposals for this development will be based on high standards of design and quality.

Policy ENV6 con't

- *the visual impact in this regard would be exacerbated by the roadside location being readily visible on the approach to Findhorn.*
This comment ignores the points indicated in the preliminary site appraisal submitted with the application and does not consider the guidance that exists in Planning Advice Notes (PAN) documents which could be attached as a condition to the consent. Good architectural design would avoid this issue.

Policy IMP1 Requirements:

The new development will require to be sensitively sited, designed and serviced, appropriate to the amenity of the surrounding area. It should comply with the following criteria:

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|---|---|
| a) <i>Scale, density and character must be appropriate to the surrounding area:</i> | Indicated on submitted documents – all compliant with design requirements. |
| b) <i>Development must be integrated into the surrounding landscape:</i> | Application in Principle. Design led / no proposal presented / Planning Advice Notes (PAN) adopted/ followed. |
| c) <i>Roads, cycling, footpath must be provided / not adversely affected></i> | Existing / will not be affected. |
| d) <i>Acceptable water / drainage provision. Use of SUDS for surface water</i> | Services on site. SUDS part of approval. |
| e) <i>Incorporation of renewable energy:</i> | Part of warrant approval. |
| f) <i>Make provision for areas of open space;</i> | Single house, not housing group |
| g) <i>Details of long term arrangements for maintenance:</i> | Submitted with planning application |
| h) <i>Conservation / enhancement of natural / built environment:</i> | Submitted as part of planning application |
| i) <i>Avoid areas of risk of flooding:</i> | Assessment and submission at planning |
| j) <i>Avoid risk of pollution:</i> | Best practice measures adopted |
| k) <i>Address any contaminated land issues:</i> | N/A |
| l) <i>Not sterilise workable reserves of minerals / agricultural land:</i> | N/A |
| m) <i>Make acceptable arrangements for waste management:</i> | Confirmed |

From this brief resume of the requirements of Policy IMP1, the proposed development complies. Assumptions have been made on an application in principle with no formulated design.

Reason 2:

The key factors put forward for refusal are:

- proposed site would fail to reflect the low density and spacing pattern of developments in this area, characterised by spacious plots dispersed across the ENV;
- proposal would represent an inappropriate form of development, out of keeping with its immediate surroundings.

Policy references IMP1 and H3

Policy IMP1 All matters covered above.

Policy H3 Sub division of house plots (To ensure development does not adversely effect the character of an area)

- Thresholds have been set for sub-division as follows:
 - Sub-division to be less than 50% of existing site (in this instance subdivision is 20%)
 - Provided site is not less than 400m² (in this instance 780m²)
 - On site Parking required. (provided)

The proposal complies with Policy H3 in this regard.

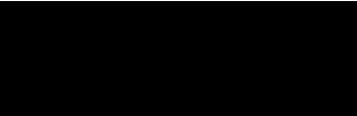
Policy H3 con't

- In this policy, specific embargoes on sub-division exist at:
Craigellachie;
Dallas;
Kingston and;
Urquhart.

Findhorn is omitted from the listing.

- As the application meets all of the technical requirements set by Policy H3, citing it as grounds for refusal implies a judgement on the quality of design of the proposal. It has to be borne in mind that this was an application in principle with no actual house design for the case officer to review or pass critical comment on. Documents were included in an attempt to show that this would be a design led private dwelling not a developer / builder / technician collaboration (Preliminary Site Investigation refers). The design process would follow consultation with the planning authority, implementing creative and sensitive application of design guidance readily available in various Planning Advice (PAN) documents and guidance documents which help achieve the high standards of design / development required.

As mentioned in the design statement the reason for making this application was based on life-stage and family needs of the applicant, influenced by a sense of community - not wanting to re-locate. Within the limits of an application in Principle this application attempts to show a proposal that adopts measures that comply with the principles of the current planning policies and traditional design to produce not just a quality designed building but a 'development' that will be able to take its place alongside the village created by earlier generations.



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