



Lower Ringorm, Elchies, Craigellachie

proposed erection of
dwelling-house with
integrated garage

Grounds for Review of Refusal of Planning Application

Planning reference - 17 / 01287 / APP



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Introduction / Background to Application

These grounds for review of a decision to refuse planning permission for a house on a site at Lower Ringorm 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 October 2017.

The Council's reason(s) for this decision are as follows :-

The proposal is contrary to the provisions of the adopted Moray Local Development Plan 2015 (Policies E7, H7 and IMP1) and, as a material consideration, the associated Supplementary Planning Guidance 'Housing in the Countryside' and the Guidance Note on 'Landscape and Visual Impacts of Cumulative Build-Up of Houses in the Countryside' where, because of its unacceptable location/siting characteristics a) the site is located in an open landscape setting which affords distant views both to and from the site and together with a lack any existing meaningful and immediate backdrop and enclosure, the proposal would result in an obtrusive form of development which would not be integrated sensitively into the surrounding landscape; and

b) furthermore, as an additional dwelling, the introduction of this proposal would contribute to the further build-up of development in this locality and both individually and cumulatively, as a result of its location/siting, the proposal would detract from, and undermine the character, appearance and amenity of the surrounding open rural countryside, including the Speyside AGLV within which the proposal is located.

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 minor public road at Elchies, near Craigellachie.

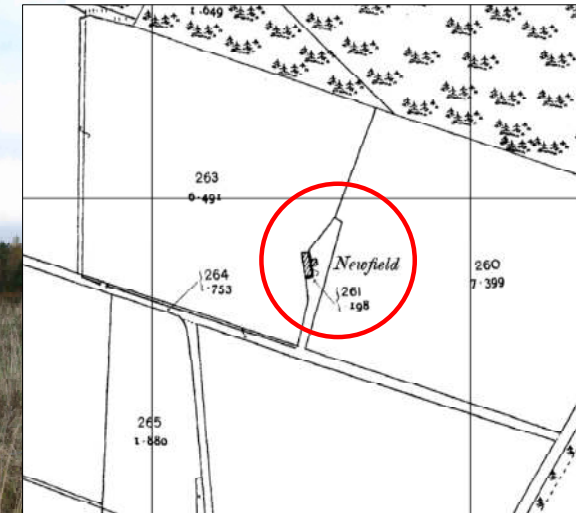
If approved, the site would be served by the public water supply and a private drainage system.

Careful consideration has been given to the house layout / fenestration / detail and the resultant design is one of a contemporary style with traditional characteristics including vertically proportioned windows, gables with 40 - 45 degree pitches, a large feature glazed gable in the centre of the front elevation, 2no. small velux rooflights and a general fenestration in keeping with a traditional cottage appearance incorporating a modern feel.

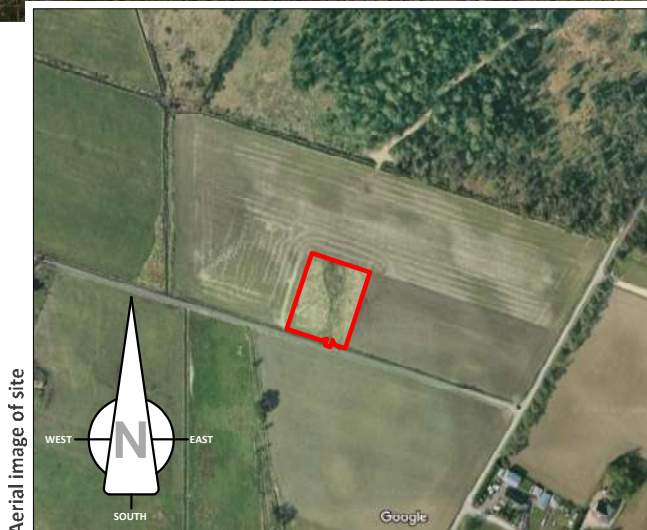
In terms of material use, the walls will be finished with white K-rend or white roughcast and natural stone with grey concrete tiles specified to the roof to imitate traditional natural slates.

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 (LOW-RING / PLANNING / 01).

The Site



Historic map of site (circa 1905)



The proposed site is situated in Elchies which is approximately 3 miles from Craigellachie to the east and 2 miles from Archiestown to the west.

The site contains the old ruins of a bothy or similar building which existed on the site a number of years ago. Please see a Historical map extract above (dating from 1905) which denotes the building, named Newfield.

The topography of the site has a very slight incline from the south east boundary down to the north west boundary.

The site is defined and bounded by at least 50% of existing boundaries. These consist of a public road and verge and long established post and wire fencing.

Planning Policies

- **Moray Local Plan 2015**

The Local Plan assumes in favour of an application for a new house in the countryside provided certain criteria are met.

- **Policy H7 sets out requirements on the siting and design of new houses in the open Countryside which;**

- a) reflect the traditional pattern of settlement in the locality and are sensitively integrated with the surrounding landform using natural backdrops, particularly where the site is clearly visible in the landscape. Obtrusive development (i.e. on a skyline, artificially elevated ground or in open settings such as the central area of a field) is not acceptable;
- b) do not detract from the character or setting of existing buildings or their surrounding area when added to an existing grouping or create inappropriate ribbon development;
- c) do 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 applications; and,
- d) have at least 50% of the site boundaries as long established and are capable of distinguishing the site from surrounding land (e.g. dykes, hedgerows, fences, watercourses, woodlands, tracks and roadways).

- **As regards design policy H7 also requires;**

a roof pitch of between 40 and 45 degrees, a gable width no more than 2.5 times the height of the wall from ground to eaves, uniform external finishes including slate or slate effect roof tiles, a vertical emphasis and uniformity to windows, additional planting and boundaries sympathetic to the area.

Moray Local Development Plan 2015

[Policies including Introduction and Contents](#) (90 page pdf 3.74 MB)

[Settlement Statements](#)

[Action Programme](#)

[Supplementary Guidance](#)

[Proposals Maps](#)

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

Having set out the policy background we would like to now consider the main issues that arise from the proposal in relation to this policy context. The main issues are considered to be ;

- Principle of the site
- Design
- Infrastructure and servicing
- Loss of Woodland

• PRINCIPAL OF THE SITE

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

Policy H7 (New Housing in the Open Countryside) is the predominant policy in terms of the acceptability of a new house in the countryside and states that new development should be "easily absorbed" into the landscape and should be "low impact and reflect the character of the surrounding area in terms of the traditional pattern of settlement."

The application is for a single house and is in accordance with the main thrust of this policy.

There are four 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 reflect the traditional pattern of settlement in the locality and must be sensitively integrated with the surrounding landform using natural backdrops, particularly where the site is clearly visible in the landscape. Obtrusive development (ie. on a skyline, artificially elevated ground or in open settings such as the central area of field) will not be acceptable.

The proposal consists of a dwelling-house which is in an open location apart from a distant backdrop of existing mature trees towards the north side of the development. These trees would help to integrate the dwelling but in general terms we see no reason why the openness of the plot would be detrimental or that the proposal would look overly obtrusive when compared with nearby properties. Please see photo montage denoting how the dwelling may look when complete.

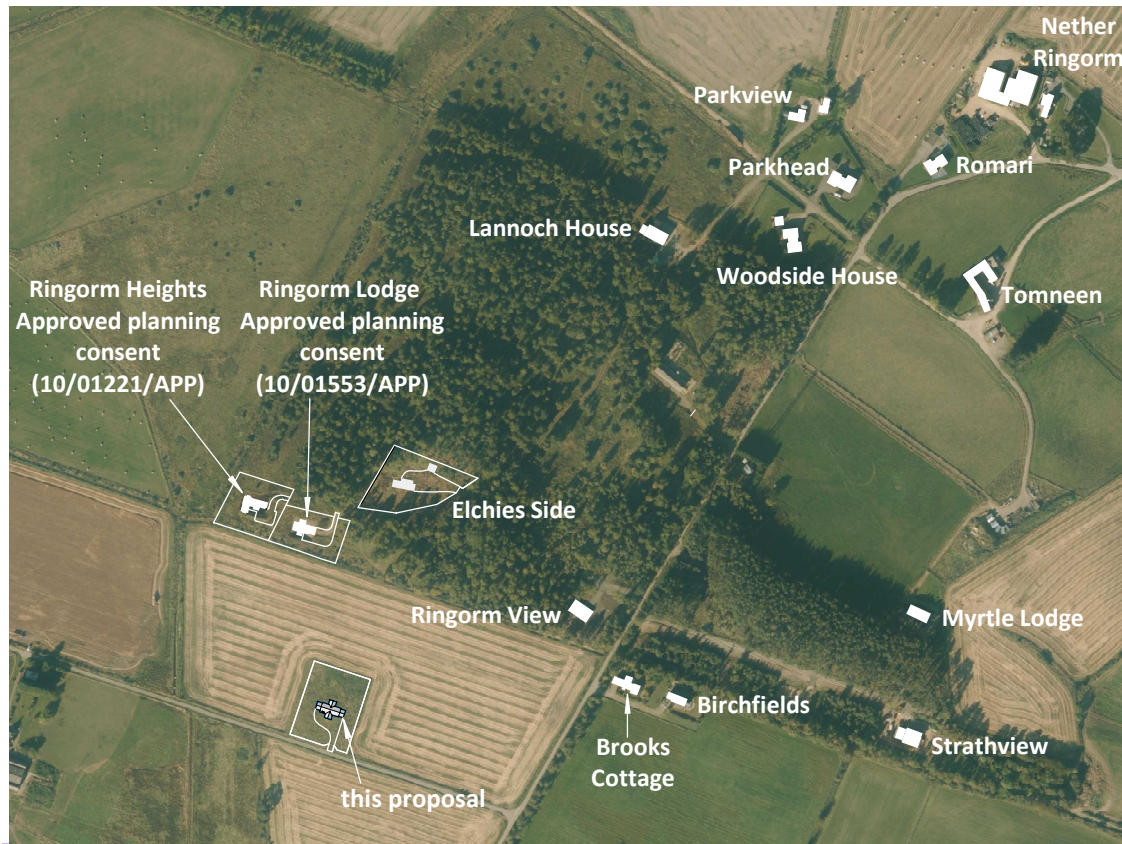


Main Issues answered in terms of planning policy (part B)

- Secondly, it must not detract from the character or setting of existing buildings or the surrounding area when added to an existing grouping or create inappropriate ribbon development.

This proposed site sits on it's own.

Nearby, there are a number of properties which sit alone or in clusters. This dwelling would be no different than these existing properties and would be entirely consistent with the settlement pattern in this area. Please see aerial view of the site below in context with other nearby properties.



- Thirdly, 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 applications.

While it is acknowledged the proposal would increase the amount of houses within this area we very much feel that it would not change the rural character of this part of the countryside.

- Lastly, Policy H7 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 a public road and verge and long established post and wire fencing.

● DESIGN

There are a series of specific design requirements within policy H7.

They are all met by the proposal 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, existing 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 ones which can be easily accommodated.

● LOSS OF WOODLAND

Not applicable.

Reasons for Refusal and our justification

- **MORAY COUNCIL REASONS FOR REFUSAL -**

The Council's reason(s) for this decision are as follows :-

The proposal is contrary to the provisions of the adopted Moray Local Development Plan 2015 (Policies E7, H7 and IMP1) and, as a material consideration, the associated Supplementary Planning Guidance 'Housing in the Countryside' and the Guidance Note on 'Landscape and Visual Impacts of Cumulative Build-Up of Houses in the Countryside' where, because of its unacceptable location/siting characteristics

- a) the site is located in an open landscape setting which affords distant views both to and from the site and together with a lack any existing meaningful and immediate backdrop and enclosure, the proposal would result in an obtrusive form of development which would not be integrated sensitively into the surrounding landscape; and
- b) furthermore, as an additional dwelling, the introduction of this proposal would contribute to the further build-up of development in this locality and both individually and cumulatively, as a result of its location/siting, the proposal would detract from, and undermine the character, appearance and amenity of the surrounding open rural countryside, including the Speyside AGLV within which the proposal is located.

In response to the above we are keen to articulate our reasons why we feel this proposal would be acceptable. Please see below. –

- **IN OUR OPINION THE PROPOSAL FITS IN WITH THE EXISTING SETTLEMENT PATTERN AND WOULD BE ACCEPTABLE**

If approved, the proposal would sit on its own. Nearby, there are a number of properties which sit alone or in clusters. This dwelling would be no different than these existing properties and would be entirely consistent with the settlement pattern in this area. Furthermore, despite the proposal being in an open location we do not feel it would detract in any way from the landscape. A distant backdrop of existing mature trees exists towards the north side of the development which would help integrate the dwelling but in general terms we see no reason why the openness of the plot would be detrimental or that the proposal would look overly obtrusive when compared with nearby properties.

- **CUMULATIVE BUILD UP**

In terms of build up we acknowledge that the introduction of this proposal would contribute to the further build-up of development in this locality however we cannot see at all how the character, appearance and amenity of the open countryside would be undermined in anyway - this is only a proposal for one dwelling-house within an already fenced off plot.

- **AESTHETIC IMPROVEMENT TO THE LANDSCAPE**

Following on from the above point, the dwelling-house, if approved, would vastly improve the aesthetics of the landscape at this location. At the moment, the site consists of an overgrown field. The proposal would be far more aesthetically pleasing than what exists at the moment.



Strathdee Properties Ltd. 2017

Conclusion



We very much feel that we have shown how the proposed dwelling-house is acceptable under the criteria set out in the relevant local plan policies and would enhance this area.

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 overall context of the nearby buildings and properties it would fit in very well, sitting on its own.

The design of the house meets the specific design requirements of the relevant local plan policy H7. It is also consistent with the criteria for an acceptable scale of house in the area.



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**