

**Erect dwellinghouse and detached garage on Site North Of Dowalls Croft
Craigellachie Moray**

18th June 2018

**Grounds for Review of Refusal of Planning Permission Application Ref No:
18/00581/PPP**



Prepared on behalf of Mr Ian Cormack (Applicant) by

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Consent History:

Planning consent reference 14/0138/PPP was granted on 3rd September 2014.

A significant amount of time was spent working on the proposals in order to provide Planning officer Richard Smith with an acceptable proposal. The application was a PPP application however a single storey house and detached garage with a substantial site cut was designed in order to satisfy Richards requirements of a visually low impact design.

The 2014 Planning consent has expired only relatively recently and was an oversight by the applicant. The Plot was under offer with the purchaser developing a single-story house design for the submission of a full planning application. A deed plan for the plot was also prepared to complete the sale.

REASON(S) FOR REFUSAL

The proposal would be contrary to policies H7 and IMP1 of the Moray Local Development Plan 2015 and Supplementary Guidance 'Housing in the Countryside' (MLDP 2015) and Guidance Note on Landscape and Visual Impacts of Cumulative Build-Up of Houses in the Countryside for the following reason:

The proposal is considered to constitute an inappropriately located site that would contribute to an unacceptable cumulative build-up of development given the large number of built and consented dwellings already along the U64H on which it is located.

Site Fundamentals:

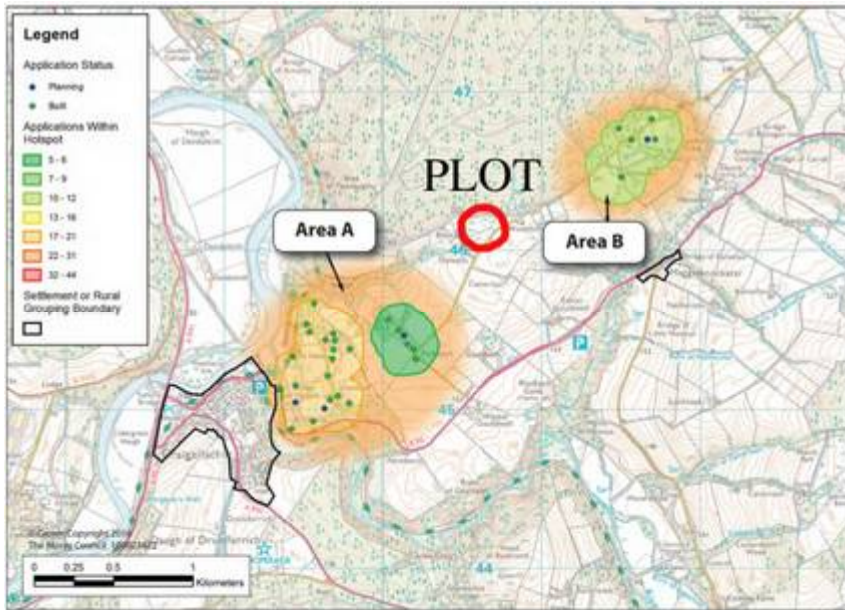
The plot proposals are contrary to the planning officers above statement:

“The proposal is considered to constitute an inappropriately located site that would contribute to an unacceptable cumulative build-up of development given the large number of built and consented dwellings already along the U64H on which it is located.”

As mentioned above the planning consent for a house and detached garage expired relatively recently, fundamentally therefore if the consent had not lapsed then a full planning application would have been submitted to Development Services and most likely approved by this time with construction commencement, all in accordance with the planning policy of the time.

No further houses have been approved or built within the direct vicinity of the site therefore no additional build up in this area has occurred. The site would simply be reinstated thus not adding to cumulative build up.

The location of the site is also a substantial distance away from and not within the Area A or B exclusion zone on the Craigiellachie map of “Guidance Note On Land and Visual Impacts of Cumulative Build-Up Of Houses In The Countryside” document as referred to by the planning officer. See below map.



Furthermore

The guidance given within “Guidance Note on Landscape and Visual Impacts of Cumulative Build-Up of Houses in the Countryside” states:

“Additional houses should only be accommodated on these hill slopes in exceptional circumstances where adequate screening is provided by mature woodland.”

The land in question is surrounded by existing mature screening to the south as approached from the public road, east and west. The above existing screening combined with the initial houses siting and design work results with a proposal that complies with the above guidance.

Forestry:

A Compensatory Tree Replanting Scheme which will further enhance the sites screening has been submitted to the satisfaction of the Forestry Commission Scotland.

Transportation & Road Safety:

In the interest of Road Safety in relation to the proposed access we have successfully met with Transportations visibility splay requirements resulting in the plot having safe vehicular access with regards to any future occupant usage including passing public road users and pedestrians.

Online Representations / Neighbour Objections

No objections have been made.

Based on all of the above facts we believe the application provides an entirely acceptable visually low impact plot that has safe vehicle ingress and egress. The application is also in accordance with H7 and IMP1.

Jake Smith

JWS Design Ltd.