

Lissa Rowan

From: [REDACTED]
Sent: 07 May 2019 22:37
To: Lissa Rowan
Subject: Planning Application 18/01478/APP Your ref:LR/LR224

- > Erect single storey dwelling house within the grounds of Torrieston House, Pluscarden
- >
- > I wish to object again to this application.
- > Nothing has materially altered following the original refusal.
- >
- > This is still a very dangerous area of road and with the anticipated increase of coaches visiting Pluscarden Abbey will become even more so.
- >
- > Extensive hedge planting has taken place along the roadside contrary to planning stating "With the site being part of an open meadow overlooking Pluscarden Valley, screening along the roadside would change the open rural character of this area and therefore is not supported".
- > This planting will ultimately totally obscure the exit view of the neighbouring property.
- >
- > Landscaping, what was a grazing meadow would seem contrary to the current recommendation to leave areas wild for the natural environment.
- >
- > Not all the tree shown on the plan exist.
- >
- > The statement that the property will "only be visible for an instant on entering the Pluscarden valley" is not true. The house would be seen from a track and road south of the area.
- >
- > There is confusion over the number of houses with the appellant sometimes referring to 2 houses??
- >
- > The appellant being a business woman has no relevance to a planning application.
- >
- > This appeal should be rejected as nothing has changed from the original refusal notice.
- >

[REDACTED]

Please acknowledge receipt
> Sent from my iPad

From: [REDACTED]
Sent: 07 May 2019 23:16
To: Lissa Rowan
Subject: Fwd: Planning application 18/01478/APP

Reference: LR/LR224

Subject : Planning application 18/01478/APP

Erect single storey dwelling house within grounds of Torrieston House, Pluscarden

I have studied and read the statement of appeal submitted by CM Designs on behalf of the appellant, Ms Karen Gosling-Crockart.

It is obvious that nothing has significantly changed from the original proposal which was refused on several issues. This appeal should be refused once and for all.

I will, however, comment on some misleading statements and facts.

1.4 It is well known that the access is dangerous as it exits on a bend on a very narrow stretch of road. It has recently been made more dangerous by stones being placed on the road verge.

Hedging has been planted very close to the fence line (which is not on any plan), and in time will impair motorists vision on this narrow stretch of road and will completely block the view of a neighbouring exit.

2.3. The fact that the appellant is a business woman and designer is completely irrelevant to a planning application.

2.4. That the appellant does not have funds to do what she wants is irrelevant.

2.5. Why has work been undertaken on site when planning has been refused (twice)?

4.2b. The design does not reflect scale and style of existing houses.

4.2d. It was noted that the drainage/soakaway test was carried out during the driest winter period on record and not in the position malarkey on the plan.

4.2h. The land has mainly been used for grazing and will be ruined by any development.

No independent environmental has been carried out and yet it is known that "red listed species frequent this meadow and the burn. It is illegal to disturb or destroy their habitat.

4.6a. This is an incorrect statement and was commented upon in a previous objection.

4.6b. This is ribbon development.

4.6d. 50% of the boundaries are not mature tree lines and the tract of the site plan shows trees that do not exist on the site.

5.7. Incorrect. It can be clearly seen from other roads and areas as shown in a previous objection.

This site was a lovely, quiet pastoral meadow when purchased, but since then has sadly been neglected. It was quite obviously a speculative buy in the hope that planning could be obtained.

Any building on this area would be over development, ribbon development and would pose a further threat to the quiet nature of the area, further danger exiting onto an increasingly busy road, a serious threat to diminishing species of wildlife and another serious blot on the rural landscape.

The original reasons for refusal have not changed at all and this appeal should immediately be rejected.

[REDACTED]

- 8 MAY 2019

5/5/19

best of the MLRB
Murray Lawrence
Belgin

Notes of Review

Planning application 18/01478/APP

Tomleston House, Plescarden

Dear Sirs

I wish to make further representation
regarding Statement of Appeal.

- 1) This document of appeal reiterates all
previous Planning Applications for
this site
- 2) The original Planning for this site
is plots 1 House in each plot.
- 3) The large plot opposite Tomleston
House, approx 5 acres, is due for

development. If this statement of appeal is passed it could cause Ribbon Development in a conservation area of natural beauty and abundance of wild life, loved by many families in Moray & beyond for recreation.

- 4) landscape maintenance - The appellant (Business woman & local designer) purchased this plot with planning for 1 house and approx 7 acres of profit-land.

Yours sincerely



Lissa Rowan

From: [REDACTED]
Sent: 09 May 2019 10:20
To: Lissa Rowan
Subject: Planning Application

Planning Reference 18/01478/APP- Planning application for House on site at Torrleston, Pluscarden by Elgin.

Dear Sirs,
We wish to comment on this Application,

A recent application for two Houses on this site was refused because it would be visually intrusive to the scenic value of the Pluscarden Valley.

The houses adjacent to this site and a further site at the Hedges ref 16/01833/app.
And this application ref 18/01478 will destroy the rural nature of this area ,
It will cause a build up of further developments, which is not acceptable, as it will alter the character of rural life in an outstanding area of Beauty.

We think this application should be refused again, as we have pointed out in our comments above .
We agree with the Moray Council on the grounds they refused it on in the previous application.

Yours sincerely
[REDACTED]

Sent from Samsung tablet.

From: [REDACTED]
Sent: 08 May 2019 20:33
To: Lissa Rowan
Subject: Planning Application 18/01478/APP

Dear Lissa

Please find below my further comments on the above planning application following the Notice of Review. I would be grateful if you could confirm receipt.

Kind regards

PLANNING APPLICATION 18/01478/APP: ERECT SINGLE STOREY DWELLINGHOUSE ON SITES AT TORRISTON PLUSCARDEN ELGIN MORAY

I previously objected to the above planning application on 26 November 2018. I am informed that this application, having been refused, is the subject of an appeal. My original objection was on the grounds of Transport and Road Safety Issues and Visually Intrusive Development. I understand that my objection will be considered during the review process and therefore do not intend to repeat it in detail except to say that in my opinion there has been no change in the circumstances surrounding this application and the grounds for objection that I put forward at the time remain.

I would like to raise the following additional comments on the appellant's Statement of Appeal:

- The appellant contends that the current Local Development Plan adopted by the Council should be disregarded and that there are no access issues at the site. In fact it remains the case that there are stringent conditions on access requirements requested by the Transportation Department including the need to provide greater visibility splays, widening access and moving the fence line backwards. It is noted that visibility splays are further limited by an adjacent property and the topography of the road at this point. The appellant has recently planted hedging along the existing fence line and trees in the corner next to the adjacent property and by the sides of the entrance, all of which at maturity would further limit visibility. As I mentioned in my original objection the road through Pluscarden (and particularly at this point where there are blind bends and concealed entrances) is becoming increasingly hazardous. The road further up the Glen has recently been widened to accommodate a greater number of forestry lorries and a larger car park at Pluscarden Abbey is currently being planned to cater for an anticipated increase in visitor numbers and coaches. The road is ill equipped to cope with the current and anticipated future levels of traffic and cannot support further access requirements at this site.
- The appellant refers throughout the document interchangeably to site and sites (plural). On several occasions she also refers to houses in the plural. The previous planning application which was indeed for two properties was rejected by the planning department and at appeal and the current application purports to be for a single site and property only. This pluralisation may well be the result of errors in the Appeal Document. However, given the fact that the appellant seeks throughout to overturn the decision in the current Moray Local Plan Review that the site is unsuitable for development, and the references in the document to "the site remains suitable for wholesale development as a rural grouping", "developing a mere two sites" and "an area that is popular and has capacity to be developed quickly", the point of principal that development in this location would be detrimental to the rural character of the surrounding area has a crucial impact on the future of the larger site as a whole.
- The appellant refers several times to the "unmanageable garden ground" and states that income is needed from the release of the plot to generate capital for landscaping. The proposed site is on a field adjacent to the original plot of Torrieston House and was not "of no agricultural merit" but was grazed by sheep. The requirements for maintenance of the adjacent field area and its requisite funding would have been evident on acquisition of the site and are not relevant to the current discussion.
- The appellant contends a number of times that the site is "only seen for an instant" when approaching from the East. This carries the implication that it should be acceptable that the proposal does not comply with

planning guidelines because in her opinion it is soon driven past anyway. (This is not in fact the case and contrary to her further statement the plot is also highly visible in the view of the valley when walking or cycling on the path through Torrieston Woods).

- The appellant states with regard to policies H7 and E7 "This site is NOT clearly visible in the landscape". It most certainly is. The site is immediately in the foreground of the first view of the Pluscarden Valley coming from Elgin and has a high degree of impact. The land rises in the South behind the line of trees and is not screened by them (and surely "the wonderful tree line backdrop" is in itself admission that building in front of it detracts from the rural setting?). The recent construction of Torrieston House and the existing planning for a house on the Hedges site means that any further development on this plot would constitute a detrimental build up of housing at the location.



Sent from [Mail](#) for Windows 10

[REDACTED]

6 May 2019

Lissa Rowan
Committee Services Officer
Legal and Democratic Services
Moray Council Offices
ELGIN
IV30 1BX

TMC
Mailroom
09 MAY 2019

Dear Ms Rowan

PLANNING APPLICATION 18/01478/APP

Re the above: Following my previous objections, I have one further comment to add. There has recently been a hedge planted along the roadside. In 10 years, I imagine this might help to soften the impact of a house - should it be 3 feet high. A more pressing and immediate effect of the hedge, however, is that it will completely eliminate our sight-line going from our drive on to the main road. This must have been obvious to the person responsible for planting the hedge and could have been avoided by cutting the corner. I can only assume there was some intent.

A the best

[REDACTED]

[REDACTED]



09 May 2019

Our ref: HCC/plan/T1

Moray Council

Development Management
Environmental Services
Council Offices
High Street
Elgin
IV30 1BX

Dear Sirs

Planning reference 18/01478/APP- Planning application in Grounds of Torrieston House, Torrieston, Pluscarden, Elgin

In terms of the Planning Departments refusal of this application and the subject appeal to the Local Review Body by the applicant, Heldon CC wish to continue their objection to this application and fully support the refusal grounds of being contrary to policy PP3, E7, IMP1 & H7.

Background

The planning officer within the handling report notes

*"**The proposal represents an obtrusive roadside development.** It is noted that planting is proposed along the roadside which would provide screening to the proposal. With the site being part of an open meadow overlooking Pluscarden Valley, screening along the roadside would **change the open rural character of this area** and therefore **is not supported**. The proposal combined with the new and established housing in the vicinity, would represent ribbon development along the roadside. **A significant build-up of housing** is represented by the proposal when pooled with the neighbouring dwellings thereby it would detract from, and **be detrimental to, the character, appearance and amenity of the surrounding rural area** and the open rural character of the **Pluscarden valley setting would be undesirably compromised**. On this basis the proposals is contrary to policies H7, IMP1 and PP3."*



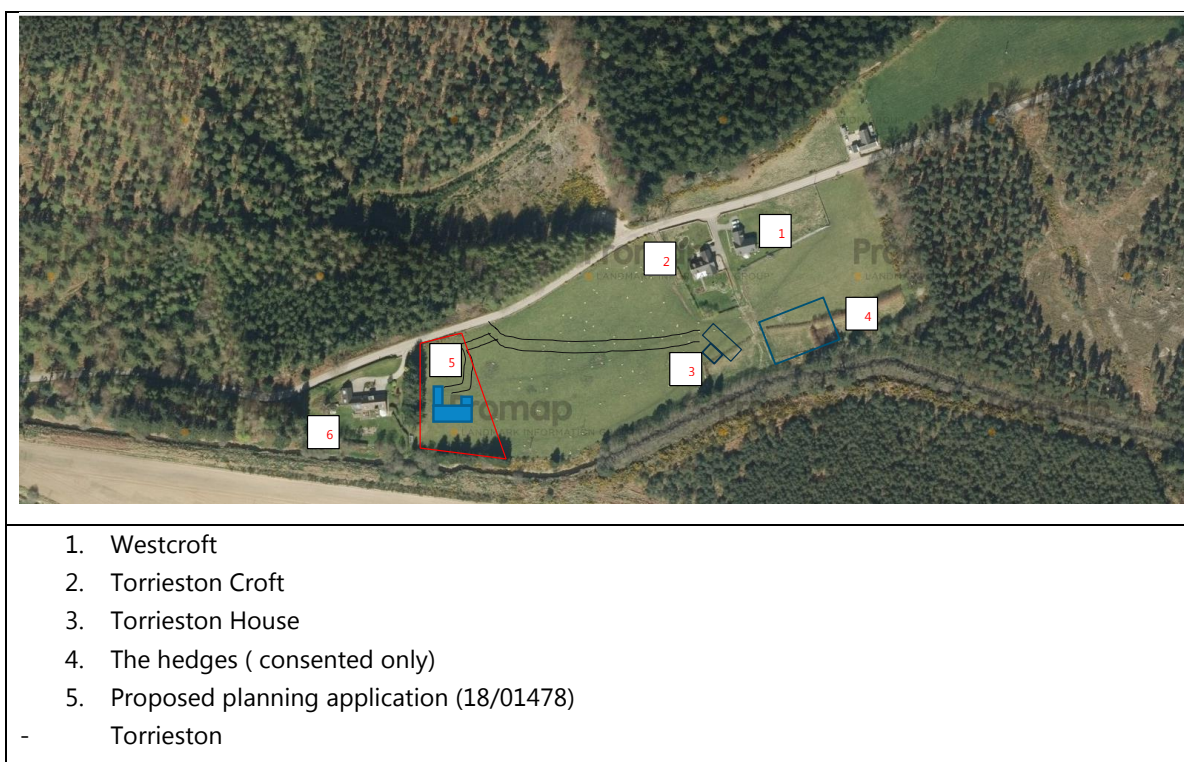
The original application (planning reference 18/00246/APP) all be it for 2 dwellings were refused on the basis "the site is part of a large open meadow and would be **visually intrusive roadside development**. It would be a ribbon form of development diminishing the open separation of houses along the public road. The new house would **not be integrated in the landscape** and would **contribute to a build-up of housing** such that the open character of the **Pluscarden valley setting would be diminished**"

Statement for agreement of refusal

- Planning policy H7 item B states " it does not detract from the character or setting of existing buildings or their surrounding area when added to an existing groupings or create inappropriate ribbon development"
 - planning policy H7 item C States " 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 application "
- Currently there are 4 houses (Torrieston house, Torrieston croft, Westcroft & Torrieston).
 - There is also an extant planning consent for a site at the hedges (reference 16/01833/app).
 - These 5 houses and a further 1 would remove the rural nature of this area and constitute an unacceptable build up.
 - Policy H7 is quite specific in terms of not to detract from the character or setting of the surrounding area (item B) and 6 houses in one area will change the character of this rural area and have significant impact on the natural qualities of the area within the Pluscarden valley which is designed as an "Area of Great Landscape value (AGLV)
 - The Officer handling report provides clear commentary in that "*The proposal will have a **significant adverse effect on the landscape character of the area** as it will be viewed from the public road whilst looking south over Pluscarden valley. **The proposal does not demonstrate high standards of siting as it will detrimentally change the rural character of the area.** The proposal therefore does not comply with policy E7 and is an inappropriate form of development for the site"*



map extract indicating current houses, consented application and proposed site



- Housing in the Countryside supplementary guidance has a few points to note

page 14 "a proposal that contributes to a build-up of development that is considered to undermine the rural character of the locality will not be acceptable. Where a considerable level of development has taken place, another dwelling may adversely impact on the distinctive rural qualities of the area. "

Page 26 "the cumulative impact of an additional houses(s) to an existing cluster and the surrounding area will be taken into consideration. "

Page 26" Ribbon development will not be acceptable where it results in an accumulation of houses along a road or landscape feature. "

These provisions within the guidance provides adequate reasons for a refusal on this application on the grounds that the application is not in compliant and creates build-up through cumulative impact.



- Supporting statement from the applicant under page 6 point 2.8 notes "might only be seen for an instant" this is not a material reason, it is either seen or not and driving West this will be viewed from the C3E and still provides a build up of development.
- Supporting statement from the applicant under page 7 point 3.2 – 3.6 provides extracts from the Moray Council Main Issue Report 2018 (reference LDP2020_BID_T001) reviewed this area to include as a rural grouping & concluded that this would not be supported.
 - There are a few points to note that it states which is excluded from the applicant report
 - *"impact on landscape the bid is not supported"*
 - *" transportation - bid not supported - visibility splays are restricted and require third party land. Road widening to 5.5m to enable two way movement.*
 - *The level of the road is also falling at that location which further limits sight lines"*
- The main point this report by Planning for the LDP 2020 states **"impact on landscape the bid is not supported"**

During the evaluation stage with a summary of representations, within the Council web portal there is a further note in relation to this site

Scottish Natural Heritage 001027

Woodland listed in the Ancient Woodland Inventory (AWI) and the Scottish Semi-natural Woodland Inventory adjoins the southern and eastern boundaries of the proposed allocation site. SNH recommend that the designation text highlights the woodland interests and that proposals must demonstrate that development does not impact on the woodland.

- Supporting statement from the applicant under page 10 point 4.6 c)
 - Applicant point C relates to Moray Council document which was prepared relating landscape and visual impacts associated within cumulative build up of area for new houses in open countryside. This is not a report which states everywhere else is acceptable and refers to specific areas which is out with this report coverage.
- Supporting statement from the applicant under page 12 point 5,1 – 5-8 is complete different set of circumstances and in no way similar circumstances to this application, and does not provide any form of justification.



- As we represent this community who utilise this section of the road on a daily basis and understand the mechanics of the road, although we are not Transportation experts we are knowledgeable of the area in question. We do not agree with statement upon page 3 item 1.3 "*rumoured concerns over vehicular access*" Transportation position and make the following comments:-
 - While we do not support the applicant visibility splay of 4.5 x 95m, which would be suffice for a single plot, though 2 units from the same junction will increase the traffic accessing / exiting and would not be sufficient in our opinion.
 - A recent application upon the C3E, same road (reference 18/00040/APP north west of Burnside, Pluscarden) required under condition a visibility splay of 4.5 x 215 and do not understand why a smaller visibility is required at this junction.
 - the point of access is on a bend, with the road width only circa 4.2m wide and we are concerned that this could provide a safety issues on traffic in & out if a reduced visibility was proposed.
 - This section of road is curtailed with the wall to the inside against the trees which provides safety issues with cars moving closer to the centre section and certainly has issues for oncoming traffic.

On this basis and points noted above Heldon CC seek that this application is refused on grounds that it is not in accordance with Policy H7,PP3, IMP1, E7 and transportation safety issues.

Sent of behalf of Heldon CC

Yours sincerely

██████████

██████

Applicants Submission

1.8 This application represents an opportunity to contribute to Morays' need for more housing, in an area that has already been deemed to be appropriate by the Moray Local Development Plan Review process and in an area that is popular and likely to be developed quickly.

One of the reasons for refusal is the potential effect of ribbon development. Development on all the land to the South and West is already restricted as the area has special scenic significance therefore the only scope for FURTHER development and which is likely to be "developed quickly" is the applicants own land. Planning permission and appeal both upheld refusal for two dwelling houses on this site yet the applicant is suggesting that this application is only a precursor to further applications.

2. Background. 2.1 The appellant owns the parcel of land at Torrieston House which itself extends to circa 2.3ha.

And for which planning was granted on the statement that the remaining land was to be used for horse grazing NOT further development.

2.2 The wider cluster of 3 houses at Torrieston occupies a similar size of land to the East and all within significant treeline on all sides.

Not screening any of them from the public road.

2.3 The appellant is a business woman and local designer who wishes to develop and landscape the land at Torrieston in a tasteful and attractive way that will add value to the journey through Pluscarden Valley.

This is not a planning issue and is identical to the statement given in the previous unsuccessful application for two houses on the site. The land remains an agricultural parcel in keeping with the surrounding land use and would not be "enhanced" by landscaping

2.4 The release of the new house site will grant the required capital required to realise the vision for the extensive landscaping and management of what is, at the moment, an non-landscaped and unmanageable area of garden ground.

It is the current applicant who has deliberately made the area "unmanged and garden ground" prior to the building of Torrirston House the land was a well managed agricultural field.

2.5 The access road shown on the site plan above is already established in principal and has been partially formed on site.

The access is already a potential visibility hazard exacerbated by the recent planting of a roadside hedge which when established will further restrict visibility.

2.6 The site is afforded considerable backdrop by the trees to the West, South and North and can be screened further if required.

The site is the corner of an open field which is in direct line of site of the public road.

2.7 The topography of the site allows for the new house to sit below the only vehicular route that passes the site. (see pic below).

Even the applicants own drawings show that only the foundation of the proposed house is “below the road” the vast majority of the building is fully visible.