



MORAY LOCAL REVIEW BODY

SUMMARY OF INFORMATION FOR CASE No 005

COUNCILLORS D ROSS (CHAIR), J HOGG & P PAUL.

1. **Ward 2 : Keith & Cullen**

Planning application : 09/01611/PPP – Planning permission in principle for the erection of a dwellinghouse on a site adjacent to Roadside Croft, Grange, Keith

2. Planning permission was refused under the Statutory Scheme of Delegation by the Appointed Officer on 27 October 2009 on the grounds that:

‘The proposal is contrary to policy 1(e) of the Moray Structure Plan 2007 and policies H8 and IMP1 of the adopted Moray Local Plan 2008 for the following reasons:

1. *The proposal would occupy a roadside position within an open setting and would be readily visible from a large part of the surrounding countryside and adjoining public roads. The resultant development would represent inappropriate ‘overtly prominent’ development in the countryside, which would neither be low-impact or well located, and would detract from the rural character of this part of the countryside. Approval would set a serious and undesirable precedent for similar poorly sited proposals to be submitted in the area. It is acknowledged that there is an area of woodland to the north but it is not fully established to provide a backdrop to offset such a prominent site.*
2. *No material considerations exist to warrant a departure from policy and in light of the above the application is recommended for refusal’.*

3. Case submitted to LRB on 25 February 2010.
(Members are referred to the Case papers previously circulated for the meeting on 25 February 2010)

Following consideration the LRB agreed that there was insufficient information in order to proceed to determine the request for review and agreed:-

- (i) that an unaccompanied site inspection be undertaken, the purpose of which being to view the site in the context of Policy H8, in particular to the natural backdrop, prominence of the site and overall character of the area. It was also agreed that the Legal & Planning Advisors be in attendance; and
 - (ii) to seek the views on the new evidence (applicant's updated information of SPP Guidance) from the Applicant, the Appointed Officer and Interested Parties, in terms of Regulation 15, on:-
 - (a) the substance of the document; and
 - (b) whether they are aware of any facts or circumstances which would preclude the applicant from meeting the statutory test for the consideration of new evidence ie 'new material will only be permitted where the party can demonstrate that it could not have been introduced earlier in the process, or that it arises as a consequence of exceptional circumstances'
4. Unaccompanied site inspection carried out on Friday 19 March 2010.
5. Copy of the new evidence tabled at the meeting on 25 February 2010 attached as **Appendix 1**.
6. Copies of the responses received to new evidence submission (Regulation 17) sought in terms of Regulation 15 'Written Submissions Procedure attached as **Appendix 2**