

REPORT OF HANDLING

Ref No:	09/01961/PPP	Officer:	Beverly Smith
Proposal Description/ Address	Erect new dwellinghouse on Site At Groalpan's Glen Of Newmill Newmill Moray		
Date:	09.12.2009	Typist Initials:	JC

RECOMMENDATION

Approve, without or with condition(s) listed below		
Refuse, subject to reason(s) listed below		Y
Legal Agreement required e.g. S,75		
Notification to Scottish Ministers/Historic Scotland		
Hearing requirements	Departure	
	Pre-determination	

CONSULTATIONS

Consultee	Date Returned	Summary of Response
Environmental Protection Manager		No response received
Environmental Health Manager	03/11/09	Approve unconditionally
Contaminated Land	04/11/09	No further action
Private Water Supplies	04/11/09	Supply cleared
Transportation Manager	02/11/09	Approve with conditions

DEVELOPMENT PLAN POLICY

Policies	Dep	Any Comments (or refer to Observations below)
EP4: Private Water Supplies	N	
Whole of Policy 1	Y	
Whole of Policy 2		
EP9: Contaminated Land	N	
EP10: Foul Drainage	N	
H8: New Housing in Open Countryside	Y	
T2: Provision of Road Access	N	
T5: Parking Standards	N	
IMP1: Development Requirements	Y	

REPRESENTATIONS

Representations Received	NO
Total number of representations received	

Names/Addresses of parties submitting representations

Name

Address

Summary and Assessment of main issues raised by representations

Issue:

Comments (PO):

No objections/representations received.

OBSERVATIONS – ASSESSMENT OF PROPOSAL

Proposal – Detailed application to erect one and a half storey dwelling.
Private drainage and private water supply.

History – 06/02724/FUL – application refused. 08/02754/ & 05/01634/OUT – Outline application for dwellings recommended for refusal and approved at committee.

Site description – The site is approx. 1400sqm and consists of open grassland. The site is triangular in shape and slopes east to west. One boundary is currently defined by an existing private access track and the two remaining boundaries are defined by post and wire fence and a group of trees.

Policy Assessment - New Residential Development in the Open Countryside
Moray Structure Plan 2007 – policy 1 (e)
Moray Local Plan 2008 – policies H8 and IMP1

The proposal for a new build rural house plot requires assessment against the above development plan provisions. Policy 1 (e) of the Moray Structure Plan 2007 seeks to encourage well located and designed houses in the countryside that have low environmental impact.

Policy H8 sets out various criteria against which new house sites require to be assessed. These include the requirement that new sites:

- 1) should not detract from the character or setting of existing buildings, or their surrounding area,
- 2) are not overtly prominent in the landscape i.e. located within an open setting or on a skyline etc and where otherwise prominent are offset by a natural backdrop and
- 3) have at least 50% established boundaries.

The policy also contains site-specific criteria requiring at least 25% of plot areas to be planted with trees and house designs to reflect traditional proportions and include traditional features. Policy IMP1 also seeks to ensure that in terms of scale, density and character that new development integrates into the surrounding landscape

The proposal fails to comply with criteria 1 and 2 of the above policy as the proposed dwelling is considered to be overtly prominent, as it would occupy an elevated position on sloping open ground with no natural backdrop. As such the proposal would fail to integrate into the existing landform and would detract from the character and appearance of the surrounding countryside.

OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT

HISTORY				
Reference No.	Description			
08/02754/OUT	Outline to erect new dwellinghouse site at Site At Groalpens Glen Of Newmill Newmill Moray			
	Decision	Refuse	Date Of Decision	10/03/09

ADVERT			
Advert Fee paid?	Yes		
Local Newspaper	Reason for Advert	Date of expiry	
Banffshire Herald	No Premises	26/11/09	
Banffshire Herald	Departure from development plan	26/11/09	

DOCUMENTS, ASSESSMENTS etc. *		
* Includes Environmental Statement, Appropriate Assessment, Design Statement, Design and Access Statement, RIA, TA, NIA, FRA etc		
Supporting information submitted with application?		NO
Summary of main issues raised in each statement/assessment/report		
Document Name:		
Main Issues:		

S.75 AGREEMENT		
Application subject to S.75 Agreement		NO
Summary of terms of agreement:		
Location where terms or summary of terms can be inspected:		

DIRECTION(S) MADE BY SCOTTISH MINISTERS (under DMR2008 Regs)			
Section 30	Relating to EIA		NO
Section 31	Requiring planning authority to provide information and restrict grant of planning permission		NO
Section 32	Requiring planning authority to consider the imposition of planning conditions		NO
Summary of Direction(s)			