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STATEMENT OF APPEAL

Planning Permission in Principle to erect dwellinghouse and detached garage at Site Adjacent to Upper Forgie Farm, Newmill, Keith, Moray

Planning Reference : 09/01812/PP

12 July 2010

The Planning Application for a house at the site adjacent to Upper Forgie Farm, Newmill, Keith Was refused y Moray council on 13 April 2010. Our Appeal Statement addresses each of the three reasons for refusal as follows :

- 1. "The proposal is contrary to Moray Local Plan 2008 Policies T2, H8 and IMPI".**

Response

The proposal complies with the Moray Local Plan which allows new housing in the Keith area. As regards policy T2 this addressed with the second reason for refusal. As regards policy IMPI the proposal fits in well as regards scale, density and character on the surrounding area and would be successfully accommodated therein. It can also be adequately serviced and is obviously within existing social and community facilities. The proposed house also complies with the specific design requirements of Planning policy, thus being suitable for inclusion in the rural environment.

- 2. "The proposal would contribute to an increase in vehicle movements in a location where the road network is inadequate to deal with the incremental increase in traffic. As the contribution to the road improvements sought was not provided, the proposal is unacceptable".**

Response

The £1,250 contribution required by Moray Council was not provided in this instance as the Planning Officer had already acknowledged that the proposal was to be refused on other grounds anyway. This is acknowledged in e-mails between the Planning Officer and the Agent dated 19 February and 26 February 2010 and 08 April 2010 copies of which are attached. If the Notice of Review is upheld in our Clients favour then they have no objection to paying The Moray Council the aforementioned sum.

3. **“The site occupies an open location, lacking in a backdrop sufficient to Prevent any house from occupying a prominent location, which would therefore fail to integrate into the surrounding landscape”.**

Response

The proposed site occupies the corner of an existing field, and bounded on two sides by Public roads. Within approximately 100 metres to the north-east of the proposed site, there is an existing dwelling Rosebank with a existing mature tree built which would act as a natural backdrop to the proposal. The proposed site is also on an up slope so there is always a landscape behind the proposed house and it does not occupy a prominent location in term of back drop. The original proposal showed minimal landscaping but on the revised proposals submitted to Moray Council on 26 February 2010 a scheme of detailed landscaping was provided, with landscape to the north-east and south-east of the site which would of reinforced the already existing backdrop. It was acknowledged by the Planning Department that this was an improvement on the original plan as per their e-mail of 07 April 2010. It should also be noted that Full Planning Permission was to the site at Ardioch approximately a kilometre from the application site in a similar situation on 10 March 2010 reference number 09/02154/PPP. It is considered that this sets a precedent for this particular area and although both sites are relatively close, they are not visible physically from one another. The proposed site is also not prominent in location as regards the Altmore to Buckie Road or indeed the A.96 Keith to Fochabers main trunk road. It is therefore considered to be in an appropriate location as regards its visibility and prominence and hopefully considered suitable in the review.

