

## **REPORT OF HANDLING**

<b>Ref No:</b>	10/00051/APP	<b>Officer:</b>	Maurice Booth
<b>Proposal Description/ Address</b>	Erect traditionally designed dwellinghouse and associated works at Hardmuir View Easter Hardmuir Auldearn Moray		
<b>Date:</b>	9.12.2010	<b>Typist Initials:</b>	PAC

### **RECOMMENDATION**

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

### **CONSULTATIONS**

<b>Consultee</b>	<b>Date Returned</b>	<b>Summary of Response</b>
Environmental Health Manager	01/09/10	No objection
Contaminated Land	15/03/10	
Environmental Protection Manager		
Scottish Water	12/03/10	No objection
Transportation Manager	22/09/10	Objection removed following discussions (initiated by the agent)
National Roads Directorate	23/03/10	No objection
BEAR Scotland Limited		

### **DEVELOPMENT PLAN POLICY**

<b>Policies</b>	<b>Dep</b>	<b>Any Comments (or refer to Observations below)</b>
Policy 1(e)		
H8: New Housing in Open Countryside		
EP9: Contaminated Land		
IMP1: Development Requirements		
EP10: Foul Drainage		
T2: Provision of Road Access		
T5: Parking Standards		

### **REPRESENTATIONS**

Representations Received	YES	
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Total number of representations received	
Names/Addresses of parties submitting representations	
Name	Address
Jean M Downie	Sylvan House Nairnshire IV12 5JZ
W Downie	Ellands Farm Brodie Forres Moray IV36 2TE
Summary and Assessment of main issues raised by representations	
<p>Issue: Reference to procedure not being followed in relation to neighbouring property.</p> <p>Comments (PO): The procedure appears in accordance with the relevant planning definition of neighbouring and this does not impinge on the merits of the application.</p> <p>Issue: Clarification sought on : Access arrangements from the public road, visibility, provision of water services and electricity supply, landscaping and positioning</p> <p>Comment : These matters are adequately presented in the application, and visibility/ access problems have been resolved following discussions between the applicant and the agent. The proposals are not considered acceptable owing to prominence – see below.</p>	

## OBSERVATIONS – ASSESSMENT OF PROPOSAL

The proposal site is prominently visible from the flat countryside surrounding and from the adjoining unclassified public road. There is no effective backdrop and a house on the site would not integrate in the setting and would be overtly prominent.

Any approval would serve to encourage further such unsympathetic development.

The one-and-a-half storey scale and form of house proposed would add to the intrusive impact of the proposed development.

On this basis policies H8 and IMP1 would be breached.

## OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT

There are no other material considerations that would alter this assessment.

## HISTORY

Reference No.	Description

	<b>Decision</b>		<b>Date Of Decision</b>	
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<b>ADVERT</b>			
<b>Advert Fee paid?</b>	<b>Yes</b>		
<b>Local Newspaper</b>	<b>Reason for Advert</b>	<b>Date of expiry</b>	
Forres Gazette	No Premises	06/04/10	

<b>DEVELOPER CONTRIBUTIONS (PGU)</b>	
<b>Status</b>	

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

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

<b>DIRECTION(S) MADE BY SCOTTISH MINISTERS (under DMR2008 Regs)</b>			
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)			