

proposal  
of 1no. rural  
dwellinghouse  
with detached  
garage

# Notice of Review Statement

(planning ref - 13 / 00988 / APP)

## South Oldtown, near Mulben



# SOUTH OLDTOWN, OLDTOWN, MULBEN

## REFUSED PLANNING APPLICATION - (ref - 13 / 00988 / APP)

### STATEMENT OF REVIEW

October 2013

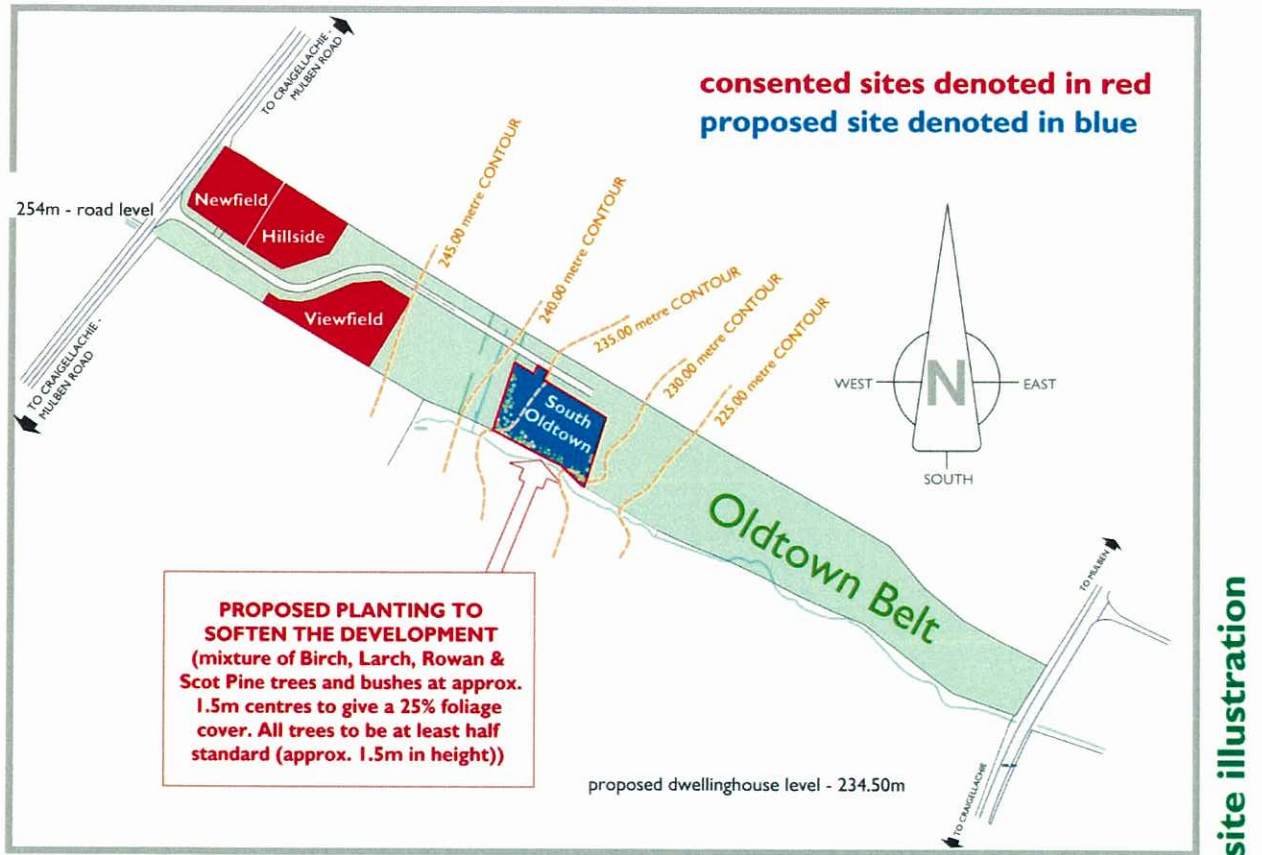
The Moray Council's refusal notice dated 2<sup>nd</sup> August 2013, read as follows –

- 1 The proposal is contrary to Policy 1(e) of the approved Moray Structure Plan 2007 and Policies H8 and IMP 1 of the adopted Moray Local Plan 2008 (and associated Supplementary Planning Guidance: Housing in the Countryside (2010)) where, in terms of its location / siting in proximity to other (approved) dwellings, the proposal would result in the further incremental and cumulative build-up of development extending along an access road off the U60H road and the resultant accumulation and linear pattern of development would be unacceptable and detract from the character and appearance of the surrounding rural landscape.

Contrary to the above we believe the proposed dwelling-house adheres fully to the relevant Moray Local Plan (2008) policies 1(e), H8 and IMP1 as well as the supplementary planning guidance - 'Housing in the countryside (2010).'

The Moray council state that the proposal would result in the "*further incremental and cumulative build-up of development ..... and the resultant accumulation and linear pattern of development would be unacceptable and detract from the character and appearance of the surrounding rural landscape.*" We do not agree with this assessment. Our reasoning for this is that we believe this plot would suit this location due to its proposed low contour setting. The actual floor level of the proposed house is 234.5m while the level of the nearby public road / development access is approximately 254m ensuring that the proposed dwelling will sit a full 19 metres lower than the public road. Also, it will be located substantially lower than the consented dwelling-houses nearby. This difference in height will ensure the proposal is broken-up from the previous consented applications and will provide a non-linear, staggered arrangement.

Further to this we intend to plant out a mixture of Birch, Larch, Rowan & Scot Pine trees at approx. 1.5m centres to give a 25% foliage cover and to create a softening of the development. Please see site plan below for an illustration of the contour heights and proposed landscaping works. -



site illustration

In addition to the above we would also like to answer each policy point as follows -

**POLICY 1 (e) (Moray Structure Plan)**

The proposed site, in our opinion, complies with policy 1e as described below -

1e. The encouragement of low impact, well designed development in the countryside to support local communities and rural business.

We feel that the proposed dwelling-house would enhance this area in terms of its *low impact design*. The dwelling-house itself is of a contemporary arrangement with traditional characteristics and is of a room-in-the-roof type design thus ensuring minimum prominence. It has also previously been approved in rural locations throughout Moray and is, in our opinion, a *well designed development in the countryside*. The location selected consists of two existing boundaries (existing watercourse to north-west / existing, long established post + wire fence to south west). Two new post and wire fence boundaries would complete the plot.

**POLICY H8 (Moray Local Plan)**

a) Siting

- We believe the dwelling-house would integrate well to the surrounding countryside and rather than detracting from the local area would compliment this portion of the landscape which is unused.

- The site is not overly prominent (it does not sit on a skyline location, artificially elevated ground or in an open setting such as a central areas of fields) and as mentioned previously is located 19 metres lower than the public road / development access.

#### b) Design

- The house style is of a contemporary design with traditional characteristics including vertically proportioned windows, walls of white or cream roughcast and natural stone, and Marley Edgemere, grey concrete tiles to the roof to imitate traditional natural slates. In our opinion the design complies fully with "H8 Design" and it has already being approved at a number of rural locations throughout Moray

#### **POLICY IMP1 (Moray Local Plan)**

Again, the proposed site, in our opinion complies with criteria a through to n of this policy as summarized below -

- a. The scale, density and character must be appropriate to the surrounding area -

This dwelling-house design has previously been approved in rural locations throughout Moray. The plot has been sited 68m away from the nearest approved plot to the north west. We feel that with this spacing the density will not be overly excessive with another dwelling consented in this locale. Further, the scale of the development is very similar to the dwelling-houses which have previously been approved nearby.

- b. The development must be integrated into the surrounding landscape -

The site will look "integrated" into the landscape because it will be set into the existing sloped ground. Further, in line with council policy we will ensure 25% of the plot is covered with foliage to provide a 'softening' of the development.

- c. Adequate roads, public transport, and cycling and footpath provision must be available, at a level appropriate to the development. -

A good quality access track exists at the moment, extending to the nearest consented plot to the north west. This track would be extended to the new plot and would be constructed to the same specification as the track which terminates at the existing plots.

- d. Adequate water, drainage and power provision must be made.

This site will be fully serviced with electricity, a private water supply and a BT connection. The drainage will be by means of SUDS soakaways as denoted on the site plan (SOUTHOLDTOWN / PLANNING / 01).

- e. Sustainable urban drainage systems should be used where appropriate, in all new developments -

As mentioned above the drainage will be by means of SUDS soakaways as denoted on site plan (see point d).

- f. There must be adequate availability of social, educational, healthcare and community facilities -

In Craigellachie and Keith there exists facilities to accommodate all of the above requirements.

- g. The development should, where appropriate, demonstrate how it will incorporate renewable energy systems and sustainable design and construction. Supplementary Guidance will be produced to expand upon some of these criteria. -

Although nothing specific has at this stage been denoted on the drawings in terms of renewable energy it is intended to incorporate a multi-fuel stove and solar panels into the design at building warrant stage. A renewable element is now almost a mandatory requirement to satisfy the Scottish Building Standards and so it is our intention to fully accord with this policy.

h. Provision for the long term maintenance of public landscape and amenity areas must be made. -

There are no public landscape or amenity areas nearby.

i. Conservation of natural and built environment resources must be demonstrated. -

Within the site itself a mixture of Birch, Larch, Rowan & Scot Pine trees and bushes at approx. 1.5m centres will be planted out to give a 25% foliage cover. All these trees will be at least half standard (approx. 1.5m in height) as noted on the site plan (SOUTHOLDTOWN / PLANNING / 01).

j. Appropriate provision to deal with flood related issues must be made, including the possibility of coastal flooding from rising sea levels and coastal erosion. -

The site is an elevated position and well above sea level. Further, there are no rivers or burns nearby which would have the potential to pose a flood risk.

k. Pollution, including ground water must be avoided. -

There is no reason for any pollution to occur.

l. Appropriate provision to deal with contamination issues must be made, and -

The contaminated land department raised no concerns during the planning application process however all necessary health and safety and contamination procedures will be adhered to during the construction of the dwelling.

m. The development must not sterilize significant workable reserves of minerals, prime quality agricultural land, or preferred areas for forestry planting. -

Although the plot sits on agricultural land it is located in a spot which consists of rough ground and which is of quite poor quality.

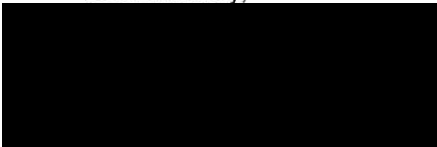
n. Where appropriate, arrangements for waste management should be provided. -

Recycled material will either be taken to the local recycling depot or will be collected from a designated point on the access track. General refuse will be collected from a designated point on the access track.

In summary, we feel that this planning application should be treated on it's own merits and that it would be an acceptable development in this area not only because it adheres and complies to all parts of the relevant Local and Structure plans but that there appears to be nothing to prevent the merits of this application allowing it to progress to approval. Should any unforeseen material consideration arise during determination, please advise us accordingly in order that remedial action and an appropriate response may be pursued.

We respectfully ask that the appointed LRB panel dismiss the Moray planning department's recommendation on this occasion and approves this application. Lastly, there were no objections to the application.

Yours sincerely,



Stewart Reid MCIAT