

Dear Mrs Rowan, thank you for notifying me of the Notice of Review for application 13/02213/PPP. I continue to object to this application.

I have read through the applicants Review Statement and wish to take issue with two points in particular.

1. In the paragraph 'Policies' the applicant states "(this is assumed as the proposals do meet with all the criteria as laid down by Policy H8 .....)". Their proposal clearly does not meet with all H8 criteria, most notably the presumption that more than two houses in one location is undesirable and also the whole issue of unacceptable build up being detrimental to the rural character.

They also state "that there are no issues here about design, siting ....." when no designs have been submitted with the application and the siting is the key criteria for this plot. The site is elevated, on the skyline and in a direct linear position between Clachbrake and Moel Rinnes.

2. On page 3 of the Review Statement, paragraph 3. "It is our submission that due to the topography of the ground this plot cannot be seen from any road network..... The site is not visible from the Rothes to Archiestown Road ..... therefore the reason for refusal is completely inaccurate.....". The applicant may technically argue that the ground level of the plot isn't visible from surrounding roads, this being because the land is a flat plateau higher than the road network, However the rocky outcrop on this field is visible and certainly any buildings more than a few metres high would be too. The applicant has been far from thorough in their preparation of this case and have been wholly misleading in making such statements. Today I have temporarily attached a 5 metre flagpole with a windsock attached to my fence post which borders the Rabbit Rock site and is at the same elevation. I then drove down the Whiteacen lane towards the B9102, along which the flagpole was highly visible from the layby above Alnaboyle down to below Braehead Farm. I then drove along the Wester Elchies lane and again the flagpole was clearly visible from just before the house Strathelen, at Ringorm and up to Woodside. Finally I travelled along the B9102 from Archiestown towards Craigellachie and yet again the flagpole could be seen, firstly from the house called Woodside House by the converted church, also in the Catherine's Brae area and finally at the entrance of the Speyside Caravan park. Whether this is all academic or not where planning policy is concerned the fact remains that it is this issue upon which the applicant has re submitted their application. The supporting letter with the application written by her agent references not being able to see the farmhouse and steadings but it is not these buildings which are in question. Despite what the agent claims in his letter the contrary has been proved today by one simple exercise, one I am happy to repeat for the benefit of the LRB on the day of their visit if necessary.

This last issue aside the case officer has made many more reasonable arguments as to why the application should continue to be refused and I would ask the Councillors on the LRB to uphold that decision to refuse.

Yours faithfully

Shane Daly