



Upper Buthill, Wester Buthill, Roseisle

Notice of Review Statement

(planning ref - 14 / 01772 / APP)

proposed erection of
dwelling-house with detached
garage

UPPER BUTHILL, WESTER BUTHILL, ROSEISLE

REFUSED PLANNING APPLICATION - (ref - 14 / 01772 / APP)

STATEMENT OF REVIEW

December 2014



The Moray Council's refusal notice dated 5th November 2014 reads as follows –

The proposal would be contrary to policies H8 (and Supplementary Guidance) and IMP1 for the following reason:

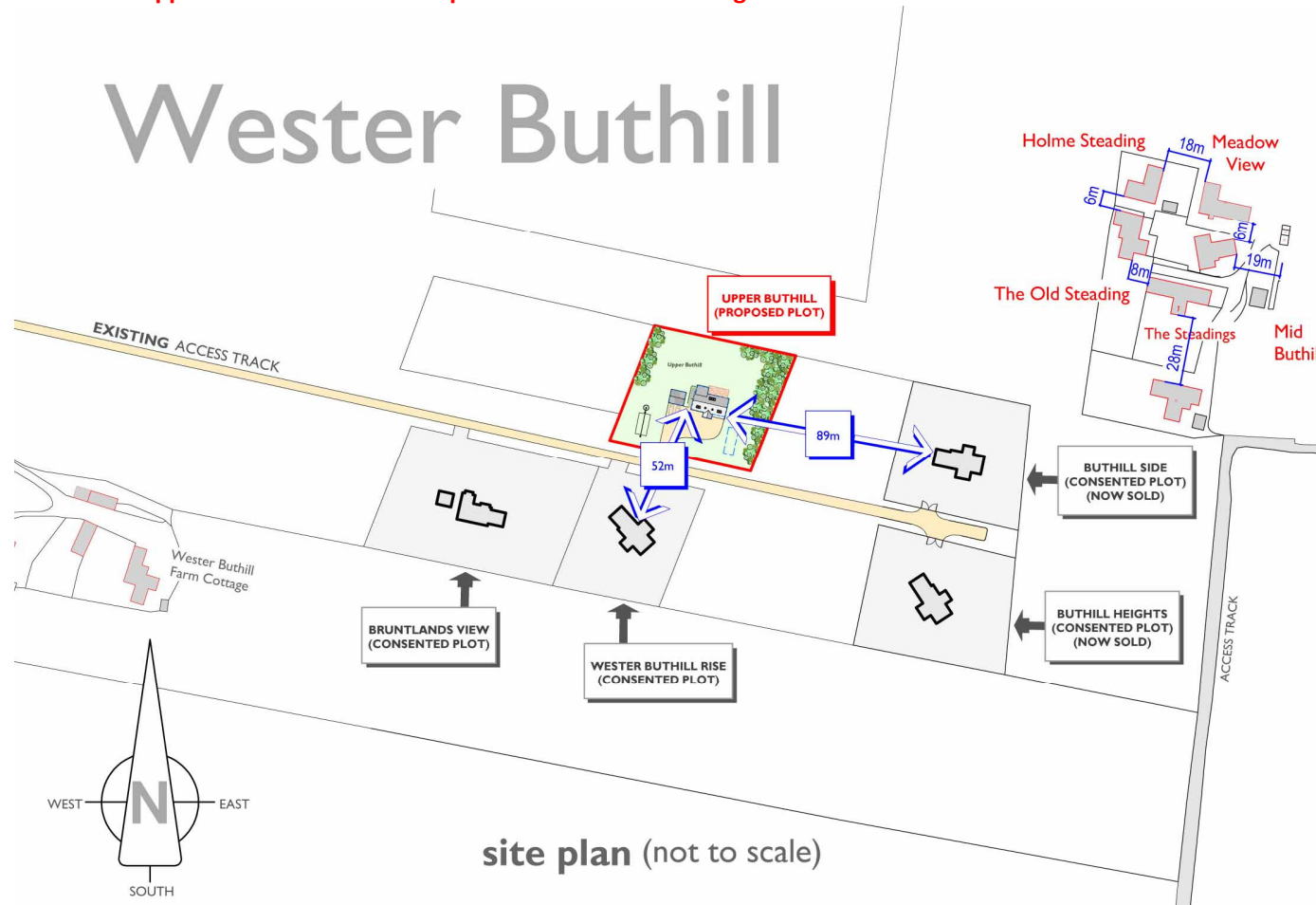
(i) The site is in an area of open landscape and as an addition to the existing consents in the vicinity there would be a detrimental impact on the rural characteristics of the landscape, and the proposal would contribute to an urbanisation of the setting.

Contrary to the above notice we believe the proposed dwelling-house adheres fully to the Moray Local Plan (2008) policies H8 and IMP1 as well as the supplementary planning guidance. We are keen to articulate our reasons why we feel that this application should be supported for approval. Please see below. –

In regard to the Moray Council statement and as stated above The Moray council argue that the proposal is in an *"area of open landscape and as an addition to the existing consents in the vicinity there would be a detrimental impact on the rural characteristics of the landscape, and the proposal would contribute to an urbanisation of the setting."* We do not agree with this assessment. Our reasoning for this is that we believe this plot would suit the proposed location and compliment the existing adjacent consents due to the size of the plot itself and the size of the adjacent, neighbouring plots. With each rural planning application we submit it is a matter of utmost importance to ensure every site design is of an adequate size and spacing to enhance an area, without creating any sense of overcrowding or any feeling of detriment.

With this in mind, our plots predominantly measure at least half an acre (2023 sqm) in area and, if possible, we endeavour to utilize existing tree foliage to help integrate a new build within it's landscape setting. This design ethos ensures our finished plots do not form any sense of urbanisation. Evidence of this can be witnessed at our various sites throughout Moray and the Highlands.

This particular planning application is set within mature woodland and measures 0.779 acres (3150 sqm). The proposed dwelling-house itself would be located at least 52 metres from the nearest proposed dwelling-house (south direction) and 89m from the nearest dwelling-house to the east (Buthill Side). **These distances exceed the spacing of the dwellings at the existing nearby Old Steading / Mid Buthill / Holme Steading development to the north east of the application. Please see site plan below demonstrating this –**



As can be seen above and in our opinion Upper Buthill along with the neighbouring properties would form a small cluster of rural dwellings with a sense of space.

Further to this and in line with council policy we intend to retain many of the existing trees ensuring a minimum of 25% of the existing site area foliage is retained.

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

POLICY H8 (Moray Local Plan)

a) Siting

- We believe this dwelling-house would integrate well to the surrounding countryside and rather than detracting from the local area would compliment this landscape setting.
- The site is not overly prominent (it does not sit on a skyline location, artificially elevated ground or in an open setting such as the central area of a field) and will be nestled in existing woodland.

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 this policy. We have listed below our answers to the entire policy from criteria **a** through to **n** -

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 located a minimum of 52m away from any dwelling-house within the nearby vicinity. 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 -

In our view, the site will feel “integrated” into the landscape because it will be set into existing mature woodland. 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 adjacent plots. A spur would be taken off this track 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 (UPPER-BUTHILL / 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 Burghead, Kinloss and Lossiemouth 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, if this review were to be approved, it is intended to incorporate a multi-fuel stove and solar panels into the design at building warrant stage. A renewable element(s) 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 and in line with council policy we intend to retain many of the existing trees ensuring a minimum of 25% of the site area foliage is retained. See note on site plan (UPPER-BUTHILL / 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 positioned 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. -

The plot is located on existing unused woodland and this development, if approved, would not significantly sterilize the land.

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.

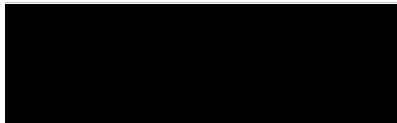
In conclusion, we are of the opinion that this dwelling-house would very much be in the spirit of the aforementioned policies. The house design is of a low-impact, rural style which we would consider well-designed and which has previously been approved at other country locations throughout Moray. The existing mature trees will help to further integrate the dwelling and garage.

From a development feasibility aspect, recent experience has informed us that there is now a high demand and need for rural accommodation, in the Moray area, within a short commuting distance to Elgin. Indeed, the vast majority of sites we sell are to local people and we feel it is very important to help meet this demand in order to retain skills and jobs in the area. This not only helps the local economy but also has a “knock on” effect in terms of local services, schools, shops and the wider economy as well. Further, in our view what cannot be underestimated after the recent financial downturn is the need for valuable work for local tradesmen and building merchants etc.

Lastly, we feel that this planning application should be treated on it's own merits and in our opinion it adheres and complies to all parts of the relevant Local and Structure plans. We also feel that there appears to be nothing to prevent the merits of the 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 approves this application.

Yours sincerely,

A black rectangular box used to redact the signature of Stewart Reid MCIAT.

Stewart Reid MCIAT