

PLANNING APPLICATION: 09/01950/APP

In the event that a recommendation on this planning application is overturned the Committee is reminded of the advice contained on the front page of the agenda for Reports on Applications

The Proposal

- As the site is within a conservation area, permission is required for the proposed installation of an oil storage tank to the front of their dwelling. This oil tank will have a length of 1.8 metres, a width of 1.3 metres and a maximum height of 1.3 metres. The oil tank will have an overall capacity of 1300 litres and be situated above ground on a 0.6 metre height blockwork base. Accordingly the maximum height of the overall development will be 1.9 metres.

The Site

- The subject site is within a largely residential area. Located on the edge of the Findhorn Conservation Area the property is a double storey detached dwelling, which has been previously extended. To the eastern front of the property there is a 1.0 metre high picket fence with a beech hedge of approximately 3.0 metres in height immediately behind it. It is between this beech hedge and the dwelling that the oil tank is proposed to be located.
- To the south of the subject site there is the B Listed Findhorn Church, to the east the Findhorn Village Centre whilst there are residential properties in all other directions.

Policy / Objections-Representations / Consultations - See Appendix

History

- 02/02127/APP - Form new access and install oil tank. Permitted 12/02/2003
- 02/01686/APP - Form new access drive. Withdrawn 08/11/2002

Advertisement

The application was advertised under the Town and Country Planning (Development Management Procedures) (Scotland) Regulations 2008. One (1) written representation was received stating no objection.

Observations

Policy Implications (Policies H5, IMP1 & BE3)

The main issue for consideration is whether the proposed development will have a negative impact on the character of the Findhorn Conservation Area. Secondary considerations relate to whether there will be any negative amenity impacts for adjoining properties and whether there will be any highway safety issues raised as a result of the proposal.

The applicant has investigated the idea of installing the oil tank underground (as a handful of other properties within the area have been able to do) but has been unable to do so for both financial and practicable reasons. While this would have been ideal, the proposal siting will not have a significant detrimental impact on the character of the Conservation Area. The existing fence and beech hedge will obscure the oil storage tank to some degree and oil storage tanks are structures expected to be seen within curtilages. Furthermore permission was granted in 2003 for an oil storage tank in this location and there are other above ground storage tanks within the immediate area. For these reasons it is considered that the proposal will not have a detrimental impact on the character of the Conservation Area.

In terms of possible negative amenity impacts for neighbouring properties it is considered these will be minimal. The property is located on a corner meaning that the oil storage tank will be located away from other residential properties. The proposed location of the oil tank will not impede the existing on-site parking arrangement and thus there should be no negative amenity affects for the wider area.

Conclusion

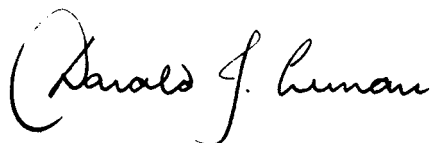
The proposal will not have a detrimental impact on the character of the Findhorn Conservation Area and will not negatively affect the amenity of neighbouring properties or the area as a whole.

Recommendation

In light of the above as it is considered that the proposal conforms with relevant policies, there are no objections from statutory consultees and no written objections were received, it is considered that planning permission may be granted for the development as proposed.

Author/Contact Officer: Hew Gerrard
Planning Officer

Ext: 01343 563193



DONALD LUNAN
PLANNING & DEVELOPMENT MANAGER

APPENDIX

POLICY

Moray Structure Plan 2007 and/or Moray Local Plan 2008

H5: House Alterations and Extensions

House alterations and extensions will normally be approved if the appearance of the house and the surrounding area is not adversely affected in terms of style, scale proportions or materials.

IMP1: Development Requirements

New development will require to be sensitively sited, designed and serviced appropriate to the amenity of the surrounding area. It must meet the following criteria:

- a. the scale, density and character must be appropriate to the surrounding area,
- b. the development must be integrated into the surrounding landscape,
- c. adequate roads, public transport, and cycling and footpath provision must be available, at a level appropriate to the development,
- d. adequate water, drainage and power provision must be made,
- e. sustainable urban drainage systems should be used where appropriate, in all new developments
- f. there must be adequate availability of social, educational, healthcare and community facilities,
- 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,
- h. provision for the long term maintenance of public landscape and amenity areas must be made,
- i. conservation of natural and built environment resources must be demonstrated,
- 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,
- k. pollution, including ground water must be avoided,
- l. appropriate provision to deal with contamination issues must be made, and
- m. the development must not sterilise significant workable reserves of minerals, prime quality agricultural land, or preferred areas for forestry planting.

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

BE3: Conservation Areas

Development proposals within Conservation Areas will require to be submitted as full detailed planning applications and will be refused if they adversely affect the character or appearance of the Conservation area in terms of scale, height, materials, colour, detailed design and use.

All development within a Conservation Area should preserve or enhance the established traditional character and appearance of the area.

Development proposals involving the demolition of buildings within a Conservation area will be refused unless the building is considered not to make a positive contribution to the character and appearance of the area. Where redevelopment is proposed, consent to demolish will only be granted where there are acceptable proposals for the site. Conditions will be attached to any planning permission/conservation area consent prohibiting demolition until contracts have been let for the redevelopment of the site.

Boundary walls, fences and ground surfaces must relate to the individual building and to the established amenity of the Conservation area. Boundary walls and fences will not be permitted over the height of 1 metre in the interests of existing character, amenity and safety unless the character of the area suggests otherwise.

Shop Fronts and Security Devices

Shops in conservation areas should retain original signs where possible. Where archive drawings and/or photography exists the Council will encourage the reinstatement of the original shop fronts which have been lost. New shop fronts must be designed in relation to the whole elevation of a building so that the new shop front relates to established doors and windows; floor height and vertical alignment of buildings. They should be constructed in materials appropriate to the original building and be of painted timber construction. Security devices in the form of removable and/or fold away grilles are preferred although perforated roller shutters will be permitted provided that box devices do not project beyond the building line.

Satellite Dishes and Other Fittings

The Council will approve in principle external fixtures to important buildings, which are deemed to be essential to the use of that building e.g. satellite equipment, TV aerials, telecommunication cables, security boxes, CCTV where they do not adversely affect the character or fabric of the building.

Advertisements

Advertising within Conservation Areas will be permitted where it is sensitive to the historic nature of the area. New signage should respect the historic fascia line and height on the adjoining properties and be finished in a matt non reflective finish.

Illumination will only be permitted where an appropriate discreet projecting light source can be provided. No internally illuminated signage will be permitted. Projecting hanging signs should be fixed at fascia level and if illuminated this should be provided with a discreet projecting light source. Projecting light sources and internal illuminated signs will not be permitted. Internal illuminated plastic fascias will only be permitted if no alternative solution can be found.

Article 4 Directions

The Council may apply to the Scottish Ministers for Article 4 Directions for its conservation areas which will permit the Council to require planning applications for matters otherwise classed as permitted development.

OBJECTIONS-REPRESENTATIONS

One (1) letter of representation was received from the Reverend of the Church located to the south, stating they had no objection to the proposed development.

CONSULTATIONS

Contaminated Land, Development Services - No objection.

Environmental Health Manager, Development Services - No objection.

Transportation Manager, Direct Services - No objection subject to the imposition of informative notes.