

**ERECT NEW DWELLING HOUSE AT SITE TO THE NORTH OF  
SHALOM, RATHVEN, BUCKIE.**

**SUPPORTING APPEAL STATEMENT.**

In support of our Review of planning application No 15/00764/PPP, we would ask the committee to consider the following.

Reasons for refusal by Planners.

No 1. The site whilst accepted as being within the Buckie CAT area, is also acknowledged as being a Brownfield site. We refer you to the Reporters comments on the 2009 Appeal. The site itself is well defined and the plot for the dwelling house is the final part of the garden ground of Shalom. **The reasons given for refusal are specific to a designated CAT site but the Policies do not make allowances for Brownfield sites within the Cat area. The Scottish Office Reporter actually confirms that this area within the CAT area of Buckie conforms to the definition of Brownfield land which is found in the glossary of Scottish Planning Policy 3 – *Planning for Homes*.** There will be no development sprawl as suggested but merely the finishing infill to this Brownfield site.

No 2. An additional house in this location would end up grouped with the existing houses within the Brownfield site. It is accepted that the shape of the ground will look elongated but the house itself will not be positioned too far away from the parent house Shalom. It is proposed to plant tree cover on the site to screen the new house from Shalom and also make it difficult to be seen from the public road. The Council state that the house will occupy an elevated position and be prominent when viewed from the A98. At present, the existing 2 storey house, Shalom, cannot be seen from the A98 therefore there is no way that the officer can justify this statement. (No 3).

No 4. The access is used by a number of properties at present and we have produced photographic evidence to show that there is excellent visibility in both directions. There is no history of any accidents in this area, a point not lost on the Scottish Office Reporter. Again the Transportation Department suggest that one additional house “would be detrimental to road safety” but offer no evidence to support their comments. There is in fact 2 points of entry and exit from this location depending on the direction of travel required. So whilst the angle of the access is not ideal, it does offer options for safe ingress and egress from the site.

We feel that the lack of any clear planning policy to cover Brownfield sites within CAT areas in Moray leaves decision making arbitrary to say the least. Consent has been granted for a huge house and various outbuildings on the other side of the Buckie turn off at Arradoul where this development is also with the CAT area. The planning Nos for these were 03/02671/FUL, 06/01170/FUL 07/02696/FUL and 13/00670/APP. All of these buildings are within the CAT area

There is no disputing that the proposed plot is a Brownfield site. We hope with a site visit that the Review Committee will see for themselves that the plot is not visible from the A98 far less being prominent as suggested by the officer. Also, from the site visit, it should become apparent that the access is not dangerous as suggested by the Transportation Section.

**Precedents have been set. No policies to meet the criteria of Brownfield sites within CAT areas. A plot which is currently unseen from the A98 and one which will have additional tree planted to act as further screening. Two existing access points with excellent visibility and no accident history. All of the above points suggest that in this instance the planning officer has not considered all of the facts of this application and with respect we ask that in the interests of consistency you overturn the officer's decision and grant our client planning permission in principal for his dwelling house.**