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Development Control Manager
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Our Ref CTK/CK/09-77 **(Please quote on all future correspondence)**
Your Ref 14/02054/PPP
Date 17 April 2015

Dear Sir,

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

Please find enclosed our further application for the above project. The original application was refused on the 19th December 2014 under the reference number of 14/02054/PPP.

In support of our new application we would ask you to consider the follow information.

In general, the reasons for refusal are identical to the reasons given to refuse the other two houses in February 2009. However, you will recall that the Scottish Office reporter overturned that decision and commented that he felt there were no safety issues at this junction and that Transportation had not provided any evidence to support their case that this was a problem access/exit from the site.

It was also documented that this particular fenced area of Rathven was in fact a brownfield site and not Greenfield. The site in question occupies the final piece of brownfield land and would represent the full capacity of dwelling opportunities. There is still a well defined group of housing within this area comprising of 2 semi-detached houses, 2 detached houses and 2 plots which as yet, have not been sold off. Should this proposal be acceptable it would create 6 definite houses with a further maximum of 3 other units.



The proposed plot would not occupy a skyline position unlike similar approvals in the CAT area. The intention is to plant tree landscaping to ensure that any new dwelling house does merge sympathetically into its surroundings. There is no reason to suppose that this house would be intrusive on the landscape. When viewed from the A98, this house will not even be seen due to the trees and foliage between the road and the proposed plot. The road is screened by bushes all along this section.

The access points to the proposed site have remained consistent over the years. Any visibility splays would overlap with the splay from the Rathven junction to the North. There are no reported accidents in this area due to poor visibility and the addition of one house will not compromise this safety. Visibility in both directions is excellent and any overgrown foliage could easily be trimmed back and maintained. One would have to assume that either Moray Council or Trunk Roads had control of this verge area.

We enclose a copy of the Scottish Office Reporter's conclusions when the two houses were applied for previously. His argument is strong and based on a lack of policy to cover brownfield sites within a CAT area. The grouping of these houses along with existing and future landscaping proposals will allow this house to group with the existing dwellings all located within the brownfield site. The contours of the ground will allow the house to have a minimum impact on the landscape and therefore not be detrimental to the CAT area designation.

We trust that you will give all of the above and enclosed your careful consideration before finally determining this application.

Yours faithfully

Colin T Keir

enc.