

## **REPORT OF HANDLING**

<b>Ref No:</b>	11/01402/PPP	<b>Officer:</b>	Patrick O'Sullivan
<b>Proposal Description/ Address</b>	Erection of a residential dwelling on the corner of an agricultural field with a woodland backdrop on Site At Nether Tomlea Archiestown Moray		
<b>Date:</b>	21.10.11	<b>Typist Initials:</b>	JM

### **RECOMMENDATION**

<b>Approve, without or with condition(s) listed below</b>		<b>Y</b>
<b>Refuse, subject to reason(s) listed below</b>		<b>N</b>
<b>Legal Agreement required e.g. S,75</b>		<b>N</b>
<b>Notification to Scottish Ministers/Historic Scotland</b>		<b>N</b>
<b>Hearing requirements</b>	<b>Departure</b>	<b>N</b>
	<b>Pre-determination</b>	<b>N</b>

### **CONSULTATIONS**

<b>Consultee</b>	<b>Date Returned</b>	<b>Summary of Response</b>
Contaminated Land	13/09/11	Approve subject to informative
Transportation Manager	21/09/11	Approve subject to conditions and informatives
Scottish Water	09/09/11	No objection but planning approval does not guarantee connection to infrastructure
Environmental Protection Manager	09/09/11	Approve unconditionally
Planning Gain Unit	23/09/11	No planning contribution identified
Environmental Health Manager	26/09/11	Approve unconditionally

### **DEVELOPMENT PLAN POLICY**

<b>Policies</b>	<b>Dep</b>	<b>Any Comments (or refer to Observations below)</b>
IMP1: Development Requirements	N	<b>See Observations</b>
H8: New Housing in Open Countryside	N	<b>See Observations</b>
T2: Provision of Road Access	N	
T5: Parking Standards	N	
EP5: SUDS	N	
EP9: Contaminated Land	N	
IMP3: Developer Contributions	N	

REPRESENTATIONS		
Representations Received		NO
Total number of representations received		
Names/Addresses of parties submitting representations		
Name	Address	
Summary and Assessment of main issues raised by representations		
Issue:		
Comments (PO):		
No objections/representations received.		

## OBSERVATIONS – ASSESSMENT OF PROPOSAL

### Proposal

The proposal is for planning permission in principle for a dwelling, with no details submitted regarding the detailed design/layout for the proposal. An indicative ‘footprint’ of a proposed dwelling has been submitted on the site layout map. The design/layout arrangements of any house will need to be considered in any subsequent detailed application. A connection to the public water supply and private drainage arrangements via a soakaway are proposed.

### Site Characteristics

The application site relates to an irregular-shaped area of land in a rural location at Nether Tomlea, circa 1.4 km east of the settlement boundary of Archiestown. The site is relatively level. The site has a stated area of 0.21 hectares. The site takes access to the public road to the east from an existing private road which serves Nether Tomlea and leads to a plantation woodland at Entwood. A new access road will be provided between the existing private road at Nether Tomlea and the development site. All the site boundaries are enclosed by post and wire fencing. The site’s northern boundary is immediately adjacent to mature woodland. The site’s eastern boundary is immediately adjacent semi mature trees. Beyond the site’s western and southern boundaries is agricultural land.

### Policy Assessment

The proposal was initially advertised as a departure from development plan policies H8 and IMP1. This was based upon initial concerns about the location/siting, potential impact of this proposal in this rural location. However, from further consideration of these aspects, including a site inspection, the proposals are considered to comply with rather than depart from these policies.

Policy H8 of the adopted Moray Local Plan (MLP) 2008 contains the necessary criteria for assessing the suitability of new rural house sites. These include the requirement that new sites 1) should not detract from the character or setting of existing buildings, or their surrounding area, 2) are not overtly prominent in the landscape i.e. located on a skyline or within an open setting such as central areas of fields etc and where otherwise prominent are offset by a natural backdrop and 3) have at least 50% established boundaries. The policy also contains site-specific criteria requiring at least 25% of plot areas to be planted with trees, and design criteria to ensure a satisfactory form of traditional design. Policy IMP1 of the MLP 2008 seeks compatibility in terms of scale, density and character and requires new development to integrate into the surrounding landscape.

The settlement pattern in this locality is characterised by single and/or small clusters or groups of houses and buildings dispersed throughout the rural area. The introduction of the proposed house plot into this setting individually would not detract from the character or setting of the locality, nor would it do so in conjunction with other recently approved dwellings to the east of the site (10/01439/APP, 11/01082/PPP and 11/01083/PPP) located 230m, 370m and 240m respectively from the site. The proposal is also considered to be acceptable and would not result in an unacceptable build up of development detracting from the character of the area when considered in conjunction with the existing group of buildings located approx. 60m. east of the site at Nether Tomlea. In terms of cumulative impact, the layout/siting considerations, the intervening distance and woodland enclosure between individual plots assists in reducing the impact of any apparent introduction and build-up of development within the locality. However, there is a concern about the potential build-up, and character and setting implications if further additional plots were proposed to be accommodated both within and adjacent to this existing woodland.

The site has established boundaries, i.e. post and wire fencing around all boundaries which are further supplemented to the northern and eastern boundaries by mature trees and semi mature trees respectively. The proposed retention of this mature woodland, in particular that located immediately beyond the site's northern boundary affords backdrop and enclosure to the dwelling in the landscape, especially when viewed from the south and south east. Although visible from the road when approaching from the south east, a suitably designed dwelling on the site would be acceptable and would not be overtly prominent in the landscape by being set against this woodland backdrop, which with further maturity will help to blend the dwelling into the landscape. The detailed design of the dwelling, siting, access and landscaping arrangements (taking account of the above requirements) will require to be addressed during consideration of any subsequent detailed application for planning permission or application for matters specified in conditions.

The proposal raises no significant amenity issues given its remote location and siting in relation to existing neighbouring properties, including the extension of the road access around Nether Tomlea.

In terms of access/parking, the Transportation Manager has raised no objection to the proposal subject to conditions and informatives being attached. It is therefore considered that the proposal complies with policy T2 and T5 which require provision for a safe and suitable access and adequate parking provision.

Recommendation:  
Approval with conditions.

#### OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT

None

#### HISTORY

Reference No.	Description			
	Decision		Date Of Decision	

ADVERT		
Advert Fee paid?	Yes	
Local Newspaper	Reason for Advert	Date of expiry
Northern Scot	Departure from development plan No Premises	06/10/11

DEVELOPER CONTRIBUTIONS (PGU)	
Status	NONE SOUGHT

DOCUMENTS, ASSESSMENTS etc. *		
* Includes Environmental Statement, Appropriate Assessment, Design Statement, Design and Access Statement, RIA, TA, NIA, FRA etc		
Supporting information submitted with application?		NO
Summary of main issues raised in each statement/assessment/report		
Document Name:		
Main Issues:		

S.75 AGREEMENT		
Application subject to S.75 Agreement		NO
Summary of terms of agreement:		
Location where terms or summary of terms can be inspected:		

DIRECTION(S) MADE BY SCOTTISH MINISTERS (under DMR2008 Regs)			
Section 30	Relating to EIA		NO
Section 31	Requiring planning authority to provide information and restrict grant of planning permission		NO
Section 32	Requiring planning authority to consider the imposition of planning conditions		NO
Summary of Direction(s)			