

Erect Dwellinghouse on Site 300m North East of Glenlatterach Farm, Birnie, Elgin.

Planning Appeal - Application ref no 17/00146/PPP

History

A planning appeal was submitted following the refusal of an application for a dwelling on a larger site in 2000. This was rejected highlighting lack of four naturally defined boundaries, being almost twice as large as the maximum site area of 1400sqm, and due to minor roads leading from the A941 being too narrow to justify development. All of these reasons are not now relevant, as four naturally defined boundaries are no longer required, and a maximum area is not included in current policy. Transportation have not objected to the proposals and a large number of houses have been approved using the minor roads since 2000.

Further proposals were submitted on 13 October 2015 for a revised design to a smaller site. This was withdrawn following advice that the proposals were considered to be contrary to Planning Policy. An application was then re-submitted in February 2017 which incorporated the following changes to address the policy concerns.

1. The area of the site was further reduced in area to only have the access extending beyond the existing fence line to the east boundary. Tree planting was also proposed long the east boundary.
2. The proposed location for the house was moved down the site to the north toward the public roadway.
3. The finished floor level for the proposed house was significantly lowered relative to the height of the natural backdrop of rising ground and whin to the south west and south boundaries.
4. The design was changed to a traditional farmhouse to be sympathetic with the scale and character of the traditional buildings at Glenlatterach Farm above the site. The proposed house was also orientated to relate to the dwellings adjacent to the water treatment works.

Reasons for appeal

a) The changes made to the initial proposals took account of the Planning concerns and are considered to fully comply with Planning Policy when reviewed against the policies H7 and IMP 1 which are referred to within the refusal.

Regarding Policy H7:

- The siting/location would not lead to an obtrusive form of development. The policy describes obtrusive development as being sited "on a skyline, artificially elevated ground or in open settings such as the central area of a field". None of these apply to the proposed site. It has a natural backdrop of the rising ground up to Glenlatterach Farm buildings as can be seen from the approach road, is cut into the site rather than be artificially elevated and is within an area defined by long established boundaries of roadways, fencing, whin and broom, rather than being in the central area of a field.
- It is not contrary to the traditional pattern of settlement. The pattern at Glenlatterach is a longitudinal grouping of buildings bounding the public road, and the proposal does integrate with the surrounding landform, using the roadways, rising ground and expanse of whin to the south and west to define the

boundaries. The proposed tree planting to the line of fencing to the east boundary would further enclose the site and provide screening.

- The proposals would not change the rural character of the area. It would rather enhance the original rural grouping, being more sympathetic as a traditional farmhouse than other buildings subsequently approved.

Regarding Policy IMP1:

- The proposal does integrate sensitively into the surrounding landscape. A 3D illustration of the siting for the proposed dwelling in relation to other buildings at Glenlatterach was provided with the application, viewed from Middleton along the approach road, which would be the most prominent view toward the house. This suggests that it would fit into the landscape and grouping with other existing buildings, softening the visual impact of the more industrial buildings of the water treatment works and be sympathetic to the rural character of the Glenlatterach farm buildings above the site.

b) There have been no objections. The proposal would improve the amenity of this area of rough ground which was used as a yard for contractors working on the water treatment works. The septic tank and hardstanding used for the temporary buildings still remain.

In summary, the proposals do comply with policy, and there has been no local objection. It is thought that the proposal would enhance rather than detract from the rural character of Glenlatterach. It is requested therefore that the appeal is upheld.

Erect Dwellinghouse on Site 300m North East of Glenlatterach Farm, Birnie, Elgin

Design Statement

History

Proposals were submitted with application 15/01892/PPP on 13 October 2015, and were withdrawn following advice that the assessment of the proposed development would be unaltered from the earlier planning refusal, ref 99/02081/OUT. This was followed by a pre-application advice submission on 16 March 2016.

The pre-application submission incorporated the following changes compared to the withdrawn proposals

- 1 The area of the site was reduced in area to only extend beyond the existing fence line along the east boundary to incorporate the access.
- 2 The proposed location for the house was moved down the site and toward the roadway leading to Glenlatterach Farm.
- 3 The finished floor level for the proposed house was significantly lowered to more sympathetically blend the proposed dwelling with landform, in relation to the height of the natural backdrop along the south west boundary and the rising ground further south.
- 4 A traditional farmhouse design was now proposed to be sympathetic with the scale and character of the traditional buildings at Glenlatterach Farm above and to the south of the proposed site. The proposed house has also now been shown orientated to relate to the buildings within the Water Services complex. It should be noted that the proposed site is brownfield land, having previously incorporated accommodation for workers at the Water services complex, and the septic tank originally used by the accommodation is still evident within the site.

Reasons for appeal

1. The appeal submitted for the site following refusal of application 99/02081/OUT highlighted a) lack of four naturally defined boundaries b) being larger than the maximum site area of 1400sqm and c) that the minor roads between Glenlatterach and A941 are narrow and twisting and did not justify isolated development. All of these reasons are no longer relevant. Items a) and b) no longer apply to the current policy H7, and in relation to item c) there have been significant development recently approved within the area utilising the same roads which would contradict the previous assessment.

2. Regarding current policy, the proposals are now almost totally within the extent of brownfield land and do not effectively involve arbitrary sub-division. The proposed tree planting to the east boundary would achieve compliance with the current policy, compared with the original policy at the time of the refused application when all four boundaries were required to be defined by existing natural features.

3. Regarding the concerns relating to the prominence of the site and sensitively integrating with its surroundings, the changes made to the proposals when re-submitting have taken account of these concerns. The position of the house has been moved down the site and also cut into the slope to sit into the site. The site would be most prominent when viewed from the approaching road at Middleton. A 3D model has therefore been generated as a visual illustration to show the house as part of the grouping,

and the extend of the backdrop to the site. It is our opinion that the traditional design proposed would enhance rather than not sensitively integrate with the existing grouping.

4. Regarding the earlier concerns relating to the narrow and twisting access roads, the proposal is considered to be acceptable to Transportation.

5. Regarding settlement pattern, all dwellings within the immediate vicinity are roadside sites, and the concern relating to the site being to the east of the road would appear to be contradicted by the grouping above the site where there are houses to both sides of the road.

The proposals are therefore considered to be sympathetic to the surroundings and in accordance with planning policy.

Site Plan for Neighbour Notification purposes only

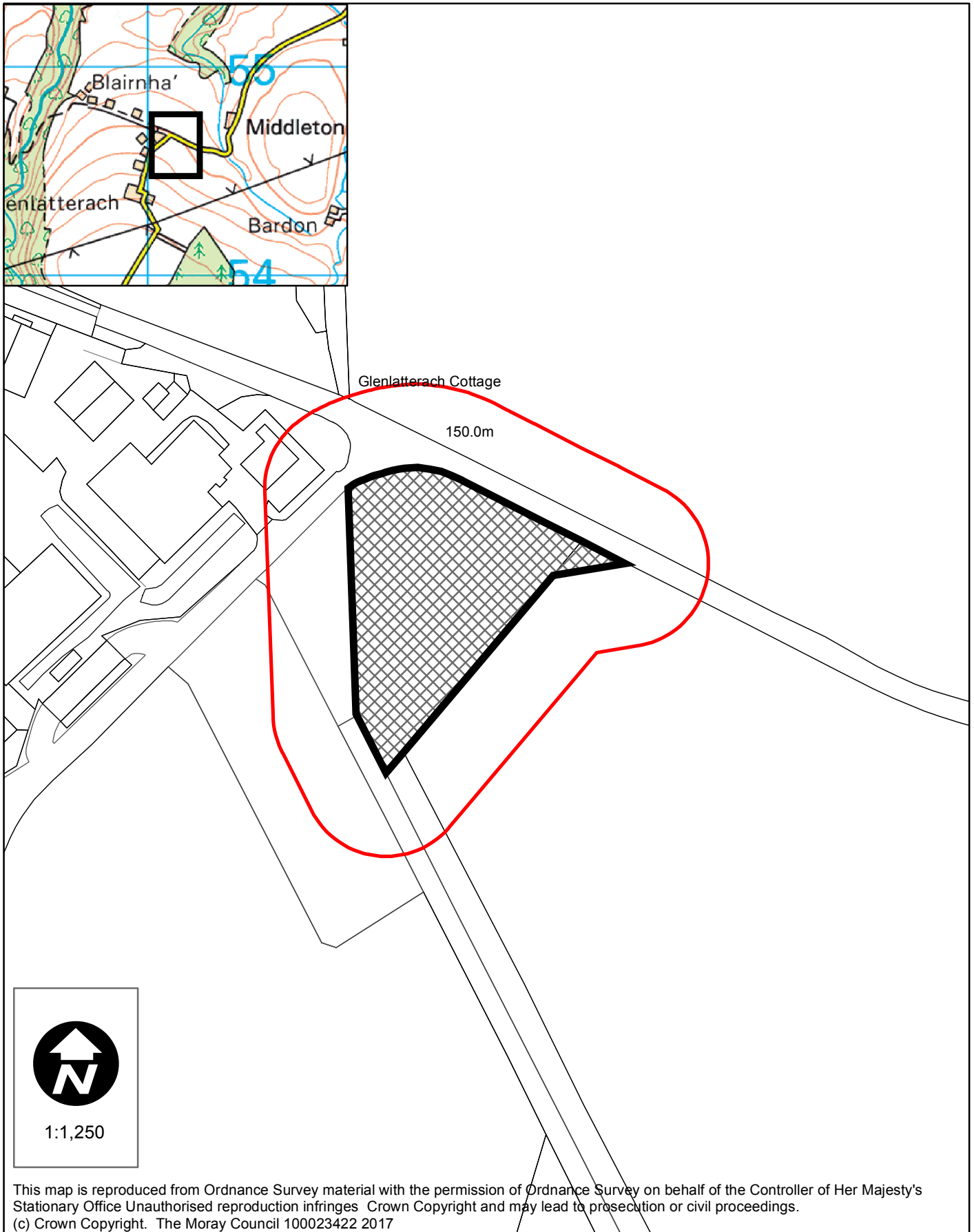
Town and Country Planning

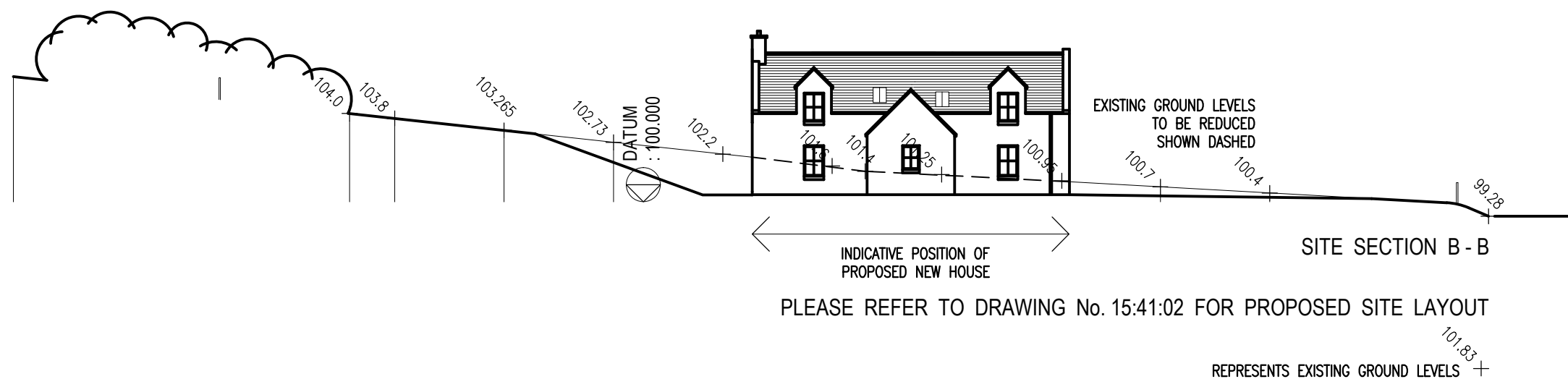
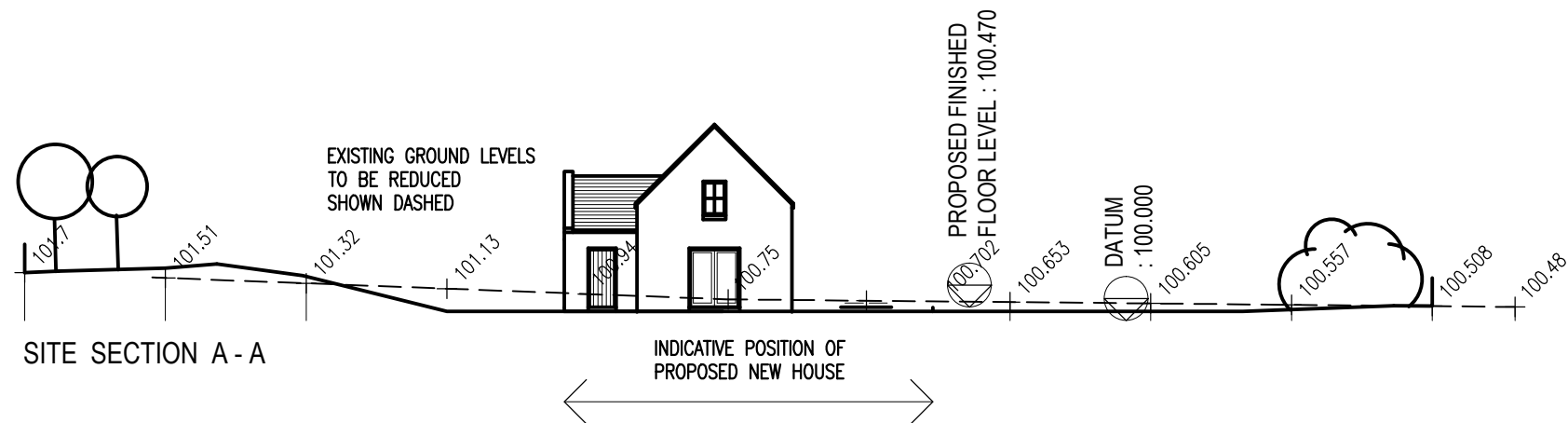
(Development Management Procedure)(Scotland) Regulations 2008



Planning Application Reference Number:

17/00146/PPP





REVISIONS
29:02:16 : HOUSE POSITION, DESIGN AND LEVEL CHANGED : REV.A

Proposed New House at
Glenlatterach
for Mr D McLeod

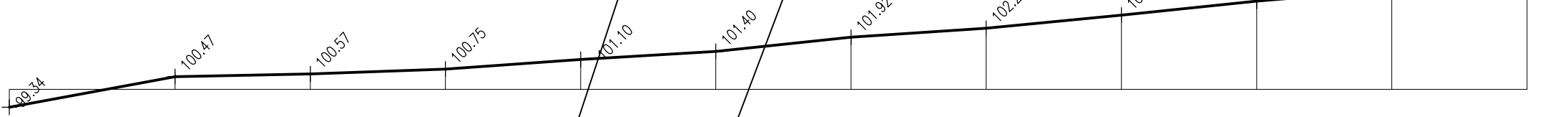
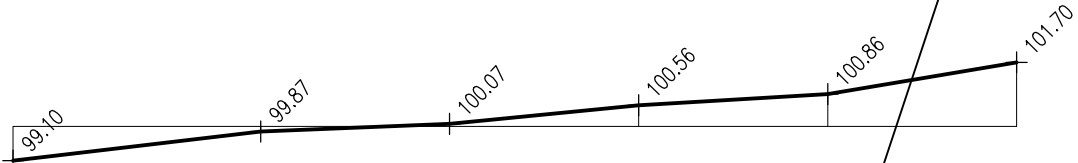
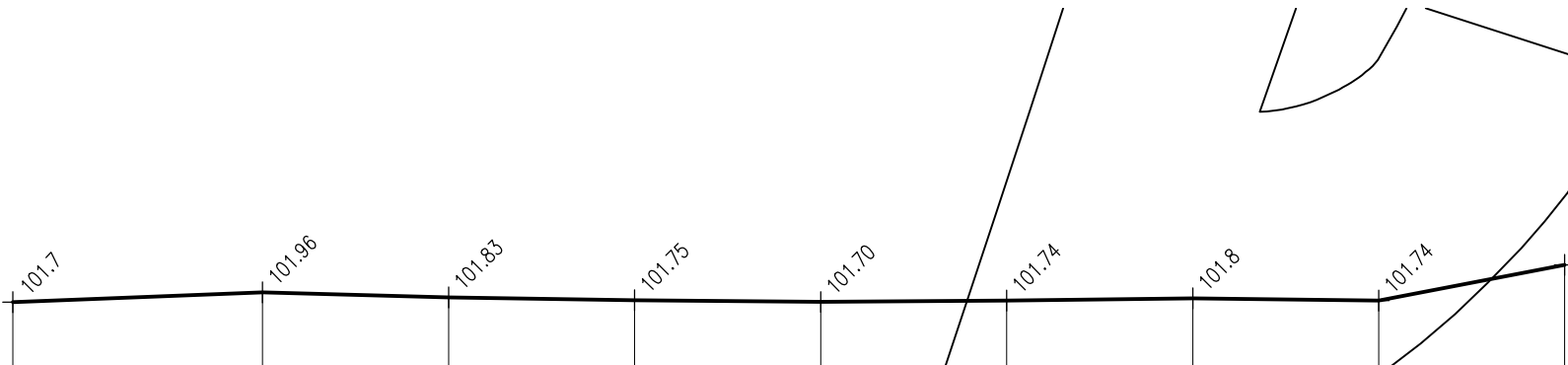
PLANNING
Site Sections

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1:250 Feb'16

15:41:03A



EXISTING SITE SECTION C - C

ELECTRIC POLE (TRANSFORMER)

05.01.16 : LOCATION OF EXISTING COTTAGE INDICATED : REV.B
21.12.15 : ADDITIONAL LEVELS SHOWN THRO' SECTION C-C : REV.A
REVISIONS

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New House at
Glenlatterach
for Mr D McLeod

EXISTING
Site Plan

1:200 SEP 2015

15:41:01B

REVISIONS
05.01.16 : LOCATION OF EXISTING COTTAGE INDICATED : REV.A
22.02.16 : PROPOSED SITE AREA REDUCED IN SIZE ALONG SOUTH-EAST
BOUNDARY : REV.B
29.02.16 : HOUSE POSITION CHANGED : REV.C

1. Datum for levels taken from top of strainer post at existing gate 101.23.
2. Long established boundaries for proposed new house site defined by public road to the north and north west, whin and scrubs to west and south, with existing post and wire fence to east moved at north end to accommodate position of access in accordance with Transportation requirements. Additional semi mature tree planting (1.5m standards) to the east boundary and access into the site as shown. Existing natural screening retained.
3. New private access to dwelling with surfacing to be gravel beyond initial tarmacadam see also note 6.
4. Access to have clear visibility of 120mx2.4m in east direction, and visibility also maintained from junction westward of 70m x 2.4m (heading toward Glenlatterach farm) as email from Transportation dated 14 July 2015. Layby to be incorporated, 8.0x2.4m to requirements of Transportation, finished in tarmacadam with access min. 5.0m initial width for shared use, also finished in tarmacadam for minimum first 10m length.
5. Foul drainage to be taken to septic tank, discharging to ground soakaway, min. 5m from boundaries, 10m from centre of roadways, ditches and watercourses. Surface water also to ground soakaway.
6. Ground levels lowered at location of proposed house to form banking to east and south, see also design statement.

