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Main Street, Urquhart, Elgin, Moray, IV30 8LG

REVIEW STATEMENT

PLOT ADJACENT TO ARRADOUL HOUSE, ARRADOUL, BUCKIE.

CLIENT :- MR WILLIAM BENSON.

This is a simple application to have a new house in a wooded area of Arradoul to the East of Arradoul House. Both the existing house and the proposed new house are in the ownership of the applicant. A previous application for a much larger house was considered inappropriate and it is noted that the proposed house was deemed acceptable in terms of design and size by the planner who dealt with the application.

Previously, access and visibility were a concern and again we note that Transportation offered no objections to the proposal (with conditions which can be met).

This leaves only one reason for refusal and that is amenity. With no real consultation with ourselves during the course of the application, we feel that the planner has made assumptions as to how many trees will need to be felled to accommodate the house. We estimate only 3 trees would be lost to achieve this. The applicant is prepared to plant numerous additional trees to the North of the proposed house as a buffer zone between the road and the house. The additional trees would provide screening from the road. Additional planting between the proposed house and the main house (Arradoul House) would also be provided to ensure that there was a density in terms of trees between Arradoul House and the road and proposed house.

From late autumn to well into spring time the trees in this area are devoid of leaves and Arradoul House can be quite prominent



without the leaves on the trees to screen it from the road. Despite a house being located to the back of the land (the South side of the plot) with the additional planting of trees and shrubs to the North and West of the proposed house, we feel that the setting of Arradoul House will not be compromised by this additional building. There is considerable land particularly to the North where the additional trees and shrubs could be easily be accommodated. Any new tree could be set as a minimum height of 1.8 meters high reducing the time it would take for the new planting to mature.

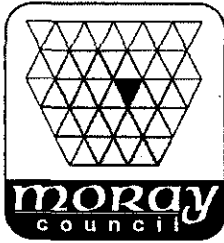
The proposed new dwelling house is 36 meters away from the nearest point of Arradoul House.

The proposed new house is set back 50 meters from the edge of the carriageway.

With these figures in mind, there is ample room to avoid this proposed house impacting on the setting and amenity of Arradoul House.

If one was to draw a line from the wooden fence to the East of the plot (The Beeches) and project this to the rear most point of Arradoul House you will see that the proposed house does not come in front of this line. It is set further back. This line represent the vision line any passer by would be likely to see. We have dotted this line on to the site plan in a broken red pen line for clarity. This clearly demonstrates that the house has little or no impact on Arradoul House itself.

With all the above in mind, we respectfully ask that the committee see this application for what it is and that with careful landscaping, the amenity surrounding Arradoul House will not be compromised by this new single dwelling house for the owner.



**MORAY COUNCIL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997,
as amended**

REFUSAL OF PLANNING PERMISSION

**[Buckie]
Application for Planning Permission**

**TO Mr William Benson
c/o Plans Plus
Main Street
URQUHART
By Elgin
Moray
IV30 8LG**

With reference to your application for planning permission under the above mentioned Act, the Council in exercise of their powers under the said Act, have decided to **REFUSE** your application for the following development:-

Erect dwellinghouse on Site Adjacent To Arradoul House Arradoul Moray

and for the reason(s) set out in the attached schedule.

Date of Notice: **10 December 2019**

HEAD OF DEVELOPMENT SERVICES

Environmental Services Department
Moray Council
Council Office
High Street
ELGIN
Moray IV30 1BX

**IMPORTANT
YOUR ATTENTION IS DRAWN TO THE REASONS and NOTES BELOW**

SCHEDULE OF REASON(S) FOR REFUSAL

By this Notice, Moray Council has REFUSED this proposal. The Council's reason(s) for this decision are as follows: -

The proposal is unacceptable because: The development would result in the loss of part of an amenity land designation, an established wooded area around 'Arradoul House' which has been specifically protected under the terms of Policy E5 of the MLDP 2015 and the related Arradoul Settlement Statement designated to maintain the visual amenity of this part of the village and forms part of the setting of Arradoul House. The introduction of the proposed dwelling (and all associated development) on the application site between 'Arradoul House' and the neighbouring property, 'The Beeches' would consolidate built form in this locality and lead to removal of trees, eroding the existing pleasant and attractive wooded character of the amenity land designation and is contrary to Policies E5, H5, H3, IMP1 of the MLDP 2015 and the Related Rural Groupings Supplementary Guidance.

LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT

The following plans and drawings form part of the decision:-

| Reference | Version | Title |
|-----------|---------|------------------------------------|
| 16-97-D-1 | | Floor Plan |
| 16-97-D-2 | | Elevations |
| | | Elevations, site and location plan |

**NOTICE OF APPEAL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**

If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to The Clerk, Moray Council Local Review Body, Legal and Committee Services, Council Offices, High Street, Elgin IV30 1BX. This form is also available and can be submitted online or downloaded from www.eplanning.scotland.gov.uk

If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.