

REPORT OF HANDLING

Ref No:	09/01611/PPP	Officer:	Beverly Smith
Proposal Description/ Address	Planning Permission in Principle for erection of a dwellinghouse on Site Adjacent To Roadside Croft Grange Keith Moray		
Date:	27/10/09	Typist Initials:	LH

RECOMMENDATION

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

CONSULTATIONS

Consultee	Date Returned	Summary of Response
Environmental Health Manager	17/09/09	Approve unconditionally
Contaminated Land	17/09/09	No further action
Transportation Manager	30/09/09	Approve subject to conditions
Environmental Protection Manager		No response received
Scottish Water	16/09/09	No objections

DEVELOPMENT PLAN POLICY

Policies	Dep	Any Comments (or refer to Observations below)
Whole of Policy 1		
Whole of Policy 2		
EP4: Private Water Supplies		
EP5: SUDS		
EP9: Contaminated Land		
EP10: Foul Drainage		
H8: New Housing in Open Countryside	Y	
T2: Provision of Road Access		
T5: Parking Standards		
IMP1: Development Requirements	Y	

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

The proposal for a new build house plot requires assessment against the above development plan provisions. Policy 1 (e) of the Moray Structure Plan 2007 seeks to encourage well located and designed houses in the countryside that have low environmental impact. Policy H8 of the MLP 2008 sets out various criteria against which new house sites require to be assessed. 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 within an open setting or on a skyline 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 house designs to reflect traditional proportions and include traditional features. Policy IMP1 seeks compatibility in terms of scale, density and character and requires new development to integrate into the surrounding landscape

The proposal is contrary to policy 1(e) of the Moray Structure Plan 2007 and policies H8 and IMP1 of the adopted Moray Local Plan 2008 for the following reasons:

The proposal would occupy a roadside position within an open setting and would be readily visible from a large part of the surrounding countryside and adjoining public roads. The resultant development would represent inappropriate 'overtly prominent' development in the countryside, which would neither be low-impact or well located, and would detract from the rural character of this part of the countryside. Approval would set a serious and undesirable precedent for similar poorly sited proposals to be submitted in the area. It is acknowledged that there is an area of woodland to the north but it is not fully established to provide a backdrop to offset such a prominent site.

No material considerations exist to warrant a departure from policy and in light of the above the application is recommended for refusal.

OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT

None.

HISTORY			
Reference No.	Description		
08/00537/OUT	Outline planning for dwellinghouse site and new septic tank on Site Adjacent To Roadside Croft Grange Keith Moray		
	Decision	Withdrawn	Date Of Decision

ADVERT		
Advert Fee paid?	Yes	
Local Newspaper	Reason for Advert	Date of expiry
Banffshire Herald	No Premises	08/10/09
Banffshire Herald	Departure from development plan	08/10/09

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

S.75 AGREEMENT		
Application subject to S.75 Agreement	<input type="checkbox"/>	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)			