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Moray Council
Council Office
High street
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Dear Sirs,

OUTLINE TO ERECT TWO DWELLINGHOUSES AT LAND SOUTH OF INNES ROAD GARMOUTH

YOUR REF 09/01127/OUT

This letter is the supporting document referred to in my online application for a review of the refusal of the above application.

General comments

The application relates to the land forming part of the original plot of land known as Lilac Cottage, Innes Road, Garmouth. Those subjects consisted of a 19th century cottage and garden ground pertaining thereto. The cottage was demolished in 2004 due to its dilapidated condition.

The cottage occupied a large plot of land extending to 5300 square metres or thereby and the extent of the plot can be seen from the online mapping tool on your Council's planning website. The boundary on the north side of the plot extended along the south side of Innes Road as far as the point opposite the house known as "Lauriston".

The former Lilac cottage was demolished and following planning permission being granted in 2004 was replaced by two new houses. As owner of the land in question I sold the ground for the erection of the two houses but retained the remainder of the land on the plot. It is on part of the retained land forming part of the original plot of land pertaining to Lilac cottage that it is proposed to erect two further houses subject to planning permission being obtained.

Despite the settlement boundary referred to in the Moray Local Plan 2008, as a matter of fact the settlement of Garmouth extends to the

west of the subjects of the application along the north side of Innes Road for nearly a kilometre and consists of houses are known as (from west to east)- The Hillock, Woodview, Culzean, West riding, Dellachaple, The Steading, Crosshill, Lauriston, West park and others several of which occupy large plots.

Policies E9 and H4 of the Local Plan

I do not agree that subdivision of the original plot amounts to extension of the settlement contrary to policy E9 since the application amounts to subdivision of a plot that forms part of that settlement both in the sense of the actual settlement and as part of the boundary drawn up for the Local Plan

Subdivision of original plots of existing houses is acceptable development and in accordance with policy H4 of the Moray Local Plan 2008. The proposed density of housing is less than 50 % of the original plot and would be very low with each plot having a generous area especially as compared with density of housing proposed for other developments in the area.

There would be no adverse impact on the surrounding area and adequate servicing and infrastructure is available including water and sewerage and other services.

Precedent and policy H8

The settlement of Garmouth already (and has done so for many years) extends to the west of the subjects of the application along the north side of Innes Road for nearly a kilometre and consists of a row of houses some of which are old and some of which are modern.

The erection of one or two additional houses along Innes road on its south side would be consistent with the development that has taken place over several years extending much farther from the conservation area.

I submit therefore that such development in so far as it is in open countryside is consistent with the Local Plan policies on residential development which provide in policy H8 that new housing in open countryside is permissible. The proposed plots are needed to meet the area's social and economic development and such accommodation would be low impact in an area where there has been development extending much further along Innes Road.

The planning authority has discretion to approve development in accordance with its policies. The authority is not able to commit that under no circumstances may there be no additional houses in Garmouth in the period of 5 years. That would otherwise amount to an unlawful fetter of the Council's discretion to permit development according to policies.

Accordingly, the erection of two houses in the location to the south of Innes Road would be consistent with the overall policies of the Local Plan and would be a low impact development of only two houses on generous plots. As part of this appeal, and whilst I ask for approval of the application to erect two houses, as an alternative, I would seek approval of only one house if that would be considered a more attractive solution to the planning authority.

Sincerely yours,

Alan Williams