

REPORT OF HANDLING

Ref No:	09/01942/PPP	Officer:	Neal MacPherson
Proposal Description/ Address	Planning Permission in Principle to erect dwellinghouse at Chapelhead Crossroads Keith Moray		
Date:	15/04/10	Typist Initials:	NW

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 Protection Manager		No objection received
Environmental Health Manager	03/11/09	No objections
Contaminated Land	05/11/09	No objections
Transportation Manager	26/11/09	Con and informs
Scottish Water	03/11/09	No objections

DEVELOPMENT PLAN POLICY		
Policies	Dep	Any Comments (or refer to Observations below)
Policy 2(a) & Policy 2(b)	N	
Policy 1(e)	N	
Policy 2(k)	N	
H8: New Housing in Open Countryside	Y	
T2: Provision of Road Access	N	
T5: Parking Standards	N	
E3: TPOs and Control of Trees	N	
EP9: Contaminated Land	N	
EP10: Foul Drainage	N	
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 main planning issues are

Impact of new house upon this location (H8 and IMP1)

Moray Local Plan 2008 policy H8 New Housing in the Open Countryside requires new rural housing developments not to detract from the character or setting of existing building, or their surrounding area, when added to an existing grouping.

At this end of Foggiemoss Road in addition to the several long established houses present, permission has already been granted for many new houses. This accumulation has occurred over several years through planning approvals at Officer level and historically several were overturned and approved at Committee level resulting in 6 houses approved within the 600m on the same single track road to the south-east. There is also a notable number of other houses further east on the same single track road leading to the B9018 1.3km to the east.

The result is that to permit further houses in this locality would be detrimental to the dispersed pattern of rural housing characteristic of the area. The concentration of new houses would be appropriate to a rural community, rather than the open countryside. In terms of other requirements of policy H8 the buildings and trees present at Chapelhead would provide sufficient backdrop to the site to avoid overt prominence, but do not override the issue of the build up of housing that would result in this locality.

On this basis the application is to be refused.

OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT

N/A

HISTORY			
Reference No.	Description		
	Decision		Date Of Decision

ADVERT		
Advert Fee paid?	Yes	
Local Newspaper	Reason for Advert	Date of expiry
Banffshire Herald	Departure from development plan	26/11/09
Banffshire Herald	No Premises	26/11/09

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?		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)			