

Appeal against Refusal of Permission

For Application 10/02067/APP

The Moray Structure Plan (April 2007) states that in rural areas there is *a presumption in favour of house building only on well located and designed sites that have low environmental impact.*

The proposed dwelling is on a gap site between two house sites which meet the foregoing criteria and as a mirror image of the existing fishery lodge, with a similar footprint, the environmental impact is very low.

Policy IMP1 of the Local Plan states that *new development will require to be sensitively sited, designed and serviced appropriate to the amenity of the surrounding area.* The policy sets out a number of criteria which have to be met and in refusing this application the Planning Officer has focused on IMP1(a) namely that *the scale, density and character must be appropriate to the surrounding area* and of these criteria he has highlighted density.

Certainly by allowing the application there would be a cluster of three houses but this would be in keeping with rural development. A prime example of cluster development would be farm cottages which were built in close proximity to the farm and often semi-detached. More pertinent and closer examples of cluster development are (1) the three modern houses at Wardend namely "Brakenbrae" "Wardend" and a nameless house about 500 yards to the south of here (2) two older houses "Burnbank" and "Benmore" with the adjacent more modern bungalow "Pinewood" lying about a half mile to the north west and (3) a cluster of three very modern houses just to the south east of Clackmarras.

A photograph is enclosed giving a very close approximation of what the new house would like when situated between the two existing houses. The new wooden chalet development would be a mirror image of the existing chalet and is likely to have a smaller footprint than the four garages of the adjoining and recently completed "Lochview"

In the circumstances it is submitted that the proposed development satisfies the criteria for scale density and character and is much more in keeping with rural development than the recently granted permissions for very large prominent, single and isolated developments in this area.

The planning officer refers to policy H8 which states that *“the policy assumes against multiple house applications (more than 2).....”* This application is for a single house and policy H8 cannot therefore apply. To say otherwise is to strain the ordinary meaning of these words in a way that no applicant could be expected to understand.

The final objection raised by the planning officer is invalid. Where the starting point for rural development in the Moray structure plan is a presumption in favour of house building then, where a proposal for development meets the specified criteria above, it cannot then be refused on the grounds that further development would be encouraged.

In conclusion the Review Committee are asked to consider the following:-

- (1) The proposal is for a timber clad chalet which blends in with the back drop of mature trees and the fishery
- (2) The footprint of the development is small and slots neatly into a gap site
- (3) The development will use an existing access
- (4) Services for the development are in situ
- (5) The proposed dwelling will remain part of the fishery development.

As the development satisfies the criteria for scale, density and character and will have a minimal environmental impact the Review Committee are asked to overturn the Planning Officers decision and to ALLOW this proposal.