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Our Ref: **AGM/**

Your Ref:

Date: **25 January 2012**

The Moray Council Local Review Body,
Legal & Committee Services,
Council Offices,
High Street,
Elgin,
IV30 1BX

Dear Sirs,

re: Erect 2no Dwelling Houses at Site Opposite To Westerton Cottages, Arradoul, Buckie, Moray, AB56 5BH for Mr D Reid. Application Ref. 11/00672/PPP – Refused 26th Oct 2011.

On behalf of our client we write this letter in conjunction with the online form in support of our client's request to review the refusal of the above noted PPP application.

We consider the application worthy of review and now respond as follows to the three reasons given for refusal:-

With regard to the first reason, the addition of two modestly sized houses would not create a suburban form in our opinion. The houses can only be viewed from very specific vantage points, none of which offer a clear view for the main road users looking across from the north side. The proposed houses would be very similar in character and size to that of the adjacent cottages which means they would sit very comfortably with them. With the layout as proposed the existing would blend visually with the new to effectively minimise any detrimental effect on character and appearance of the surrounding area. In other words, when seen from the main road (only where it's possible), the new will overlap with the existing on a similar level and height thereby having no effect on what is ultimately viewed. Obviously detailed proposals would be discussed and agreed at a later date as this is only a PPP submission at present. The site is classed as "brownfield" due to it's previous housing use for 8no. local authority dwellings and has been delineated as such on maps going back as far as the 1930's. This proposal is for only two houses so as to comply with current local plan policy. Adding these two dwellings to the existing six cottages adjacent nicely reinstates the original number once sited here.

With regard to the second reason the site has a large backdrop of existing trees to the south which provides an attractive setting. As noted in the photomontages attached to the review papers, the site is largely obscured from the primary view angles from the north, ie. the views most people passing the area would enjoy. It is also either difficult to view from the south (single track road with dense woodland bounding it) or impossible from the east (Arradoul itself blocking any view). The site has been defined in it's current layout for many decades now as historical maps can

Associate: J A MacKenzie



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illustrate with the primary site frontage having been bounded by the access road long before that. As noted above the existing cottages also provide an excellent setting as this addition would be relatively unseen because of their layout and orientation. They take up the same space below the level of the skyline and therefore would not be in any way prominent should someone be able to view them. The detailed landscaping scheme offered in conjunction with the above would therefore provide a fitting setting for the two dwellings.

The third reason given is completely irrelevant. At no time had our client intimated that he was not in full agreement with the draft Planning Gain statement provided by the Planning Gain Unit's Karine Suller, based in Aberdeen. We can also advise that there were no reminders issued to us thereafter on the subject from any party. We are most concerned that without discussion or even a simple query from the officer dealing, this reason has been given as justification for refusal of the submission. Concerned with this point we contacted the PGU's Karine Suller to advise what had happened. She was also shocked to hear what had been written in the refusal papers as, in her opinion (as is ours) the planning gain payment would only become an item to be discussed and dealt with should the officer dealing be minded to approve the application. Now that the subject has been raised though, albeit at this late stage, we can advise that our client is perfectly happy to pay the amount recommended by the PGU. We would have dealt with this request had the application reached the "minded to approve" stage however, as we know this was not the case. We have dealt with other applications and officers in Moray and understand that this point of request is the norm when handling an application. On dealing with these other applications we receive a note from the officer asking for our client's thoughts on payment should there be a recommendation to approve on the table. We hadn't even reached that stage yet with this application. In short, we do not consider this to be a valid reason for refusal as the officer dealing, by refusing the submission, had no call to request payment be made in the first place.

We also draw your attention to the positive aspects of this submission that we are in agreement with, namely:-

All formal consultees are happy with the proposals as tabled, without exception.

Access sightlines are all to official standards and approved by the Roads Department.

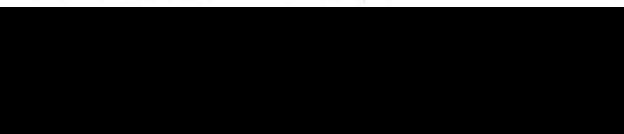
The Planning Officer's report advised that there are no justifiable neighbour objections worthy of concern.

This is a brownfield site with a proposal for reuse.

Our client has also requested that we make you aware that this application was inspired by a survey conducted by The Moray Council re Affordable Housing in the Arradoul area. This explains why an application for seven affordable homes was original submitted following dialogue with the council's housing department. Adherence to the local plan however took precedence over the need to provide houses which explains the withdrawal of the original application and subsequent submission of this application for two.

We look forward to hearing from the Review Body in due course. Any requests for further information will be most welcomed.

Yours faithfully,



A G Mackie
Ashley Bartlam Partnership