

The Moray Council
Planning Section
High Street
Elgin

13TH January 2012
Ref :

Dear Sirs

Local Review Board - Planning Application Reference 10/02015/PPP for proposed dwellinghouse and garage with associated works on land adjacent to Torfness, Elgin

The grounds for review of a decision to refuse planning permission for a house at Torfness, Pluscarden are being submitted in accordance with the Policy laid out in the Planning Act

The application refusal was given under the notice as
“ The development does not comply with the Moray Local Plan 2008, Policies H8: New Housing in the Open Countryside, E7: Areas of Great landscape Value and IMP1: development requirements, in that the development extends linear development along the roadside and sets a negative precedent for further similar development along the roadside, which would result in a detrimental impact of the character of an area that is designated for its great landscape value “

We hereby outline our case below

The existing site forms part of the existing dwelling which was previously extended to include this section (not part of the initial garden) of the proposal and is well screened on all 3 sides by mature trees and hedgerows which provide natural screening. The scale of the plot is in proportion to the house design and the existing property. This provides a sufficient enclosure and sufficient backdrop for this site.

National Planning Policy and Moray Council Structure and Local Plan policies all encourage well sited houses within the Countryside



Photograph looking East along West Boundary of application site.
This highlights the existing screening of the site



Photograph looking East along West Boundary of application site.
This highlights the existing screening of the site



Photograph looking West along East Boundary of application site.
This highlights the existing screening of the site

Policy H8 specifically notes “ *assumes against multiple house application (more than 2) on the basis that these are more appropriate directed to Rural communities (H6) and applied to the reuse and replacement (H7) “*

This application is only for only 1 dwellinghouse with the existing adjacent property therefore is not in contradiction on the multiple application within a very short distance.

We are only applying for a single dwellinghouse to sit alongside the parent property and no applications currently exist for any further within this stretch. To imply sets a negative precedent is not a material factor to this application

Policy E7 requires highest standard standards of siting and design with no significant adverse effect on the landscape character of the area

We believe that our submission and contents of this letter support compliance with this policy.

This is therefore in accordance with the policy as noted within the 2008 Local Plan which was approved by both Moray Council councillors and indorsed by the Scottish Governments reporters office.

The present character of this area is of linear form along one side of the U111E, which this proposals take consience. This is evident, utilising a clear OS map of the area in question.

The house position within the plot has been carefully located to minimise any impact and to reflect the established settlement pattern.

There is also an introduction of substantial landscaping between the existing property to provide a clear break, which will deliver a positive design aspect and clearly follows the concept along the whole length of this road where cluster of houses are together with strategic landscape. Therefore no contribution towards a build up residential development in any particular locality.

With the new and proposed landscaping the house will be well screened and the views while driving in either direction of the U111E will be minimal and will not be intrusive to the existing landscape

Sustainability Principals has been built into the proposal at the outset through careful site selection as well as the more basic principal of orientating the house and living areas to take full advantage of passive solar gain

Minimising the impact by utilising existing infrastructure and services, which are available in the very close proximity including the utilisation of SUDS for new facilities.

The surrounding landform and topography importantly will also ensure that this one and a half storey house blends into the landscape. The site is generally flat with the proposed house being positioned at the roadside level to take full advantage of this aspect.

The house will not sit on the top of a ridge or on the skyline and blends in sensitively with the existing landscape, which is retained with the backdrop of the existing tree plantation with new landscape and successfully integrates to this location.

Protects and enhances the value of the area keeping the traditional character of this setting, there will be no adverse affect to this "Area of Great Landscape Value" with the proposed sitting, existing and additional landscape proposals.

Provides at least the 50% of the site boundaries, which are long established with either hedgerow, post and wire fence and existing mature trees will be more than capable of establishing natural boundaries and enclosures in later years.

The handling report by the case officer confirms that there were no objections from neighbours or the public.

It also confirms that there were no objections from statutory consultees which included the Council Environmental Health Manager, Contaminated Land Team, Transportation Manager and Scottish Water. Agreement was reached with the Planning Gain team. There was also no formal objection from Heldon Community Council

The House style in fact of the refusal is not a material consideration and is purely on the aspect of the siting of new dwellinghouse as the design is provided as a concept

Dwelling house design (plans, elevations & section). This complies with policy H8. The design has been specifically proposed to enhance the character of a traditional farmhouse, which aligns with the original design concept of the surrounding area and compliments this setting.

Material finish of dwelling house, which compliments the countryside and is very much a like houses within the adjacent area of traditional materials

Appropriate worded planning conditions and selection of building materials will ensure that this property will make a positive contribution to the economic health and vitality of this rural area

This letter should be read in conjunction with our letter dated 15th April 2011

As part of our review, we would note various applications within the locality of this application and certainly Moray as a whole for which applications have been approved and are no different to this application.

This can be noted with approval within the area designated for great Landscape value a cluster of 4 units has been approved at Torrieston, Pluscarden
One of the application reference no's 10/00212/PPP

Having reviewed the register of approved Planning applications which have been in close proximately to this application which I believe have no greater planning merits are at

Land adjacent to Croy, Pluscarden ref no 10/00730/APP which was approved under delegated powers

Pond view, Carden Reach Pluscarden ref no 10/00385/APP which was approved under delegated powers

Torvaig, Mosstowie ref no 09/01885/PPP which was approved under delegated powers

Mosstowie ref no 10/01810/APP which was approved under delegated powers

Lower Whitefield Croft, Mosstowie ref no 09/00931/FUL which was approved under delegated powers

Westwood, Mosstowie ref no 10/000746/APP which was approved via the Local Review Board which was accepted by the Case Officer in terms of Policy H8 and in fact is within the CAT of Elgin.

There are numerous application approved under delegated powers along the U119E Fogwatt / Wardend/ Shougle road to mention though all have similar contributes to our application and within the wider Moray boundaries which align with our proposal and therefore clearly all comply with policies.

As noted above we see no clear evidence that our application is in any way different from the above permitted applications and therefore note that on this basis our application accords with all polices within the Adopted Local Plan

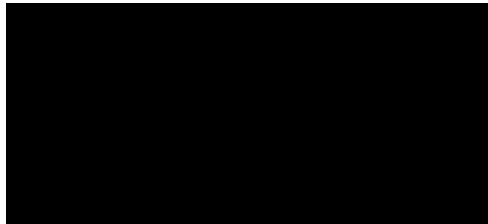
In conclusion we believe that this application proposal is of traditional design and finish, is extremely well defined, is contained and enclosed with natural screening and sits well within the existing setting.

Therefore we see no material considerations from the National Planning Policy & Structure and Local Plan to justify anything other than a positive outcome

I would hope that the above is good reason that this application to be readily accepted under the terms of the Development Plan polices for housing in the countryside and specifically under IMP1 & H8. We would contend that the proposed development can be accommodated satisfactory within the site without having a detrimental visual impact on the surrounding landscape

On this regard we fully hope that you are in a position to support our application with a recommendation for approval & fulfil our dreams of building our own home.

Yours sincerely



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