

proposal
of 1no. rural
dwellinghouse
with attached
garage

Notice of Review Statement

(planning ref - 13 / 00924 / APP)

Upper Hilton, Buckie



UPPER HILTON, HILTON FARM, BUCKIE

REFUSED PLANNING APPLICATION - (ref - 13 / 00924 / APP) STATEMENT OF REVIEW

September 2013

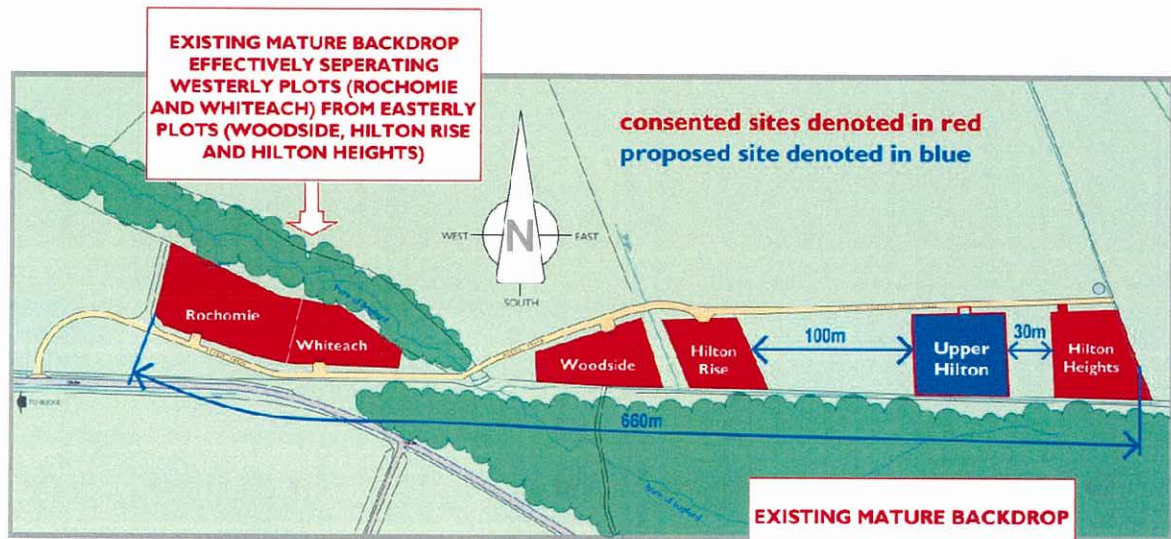
The Moray Council's refusal notice dated 5th July 2013, read as follows –

- 1 The rural housing pattern within this part of Moray is generally characterized by single and small clusters of housing dispersed throughout the area. In the case of the current application this comprises five nearby approved house plots, 3 of which have recently been constructed (within the current Local Plan period). The introduction of a sixth dwelling into this locality (in addition to these existing / approved dwellings) would result in an unacceptable cumulative build-up of housing that would detract from it's rural character. In light of this the proposal is considered to constitute an inappropriately located site which fails to satisfy the siting criteria of policies 1(e), H8 and IMP1 and associated Supplementary Planning Guidance 'Housing in the Countryside'.
- 2 Approval would set a serious and undesirable precedent for similar poorly sited proposals to be submitted in the area which would further harm it's rural character.

Contrary to the above we believe the proposed dwelling-house adheres fully to the relevant Moray Local Plan (2008) policies 1(e), H8 and IMP1 as well as the supplementary planning guidance - 'Housing in the countryside' .

The Moray council state that there are 5 nearby approved house plots (3 of which have recently been constructed) and that the approval of this (sixth) plot would result in an unacceptable cumulative build-up. We do not agree with this assessment. Our reasoning for this is that the 5 approved plots are spread out over an approximate distance of 660 m, or well over half a kilometer. Rather than being tightly packed like some developments our plots have been purposefully spread out over a wide area to provide a rural, country feel and a sense of space. We would also argue that the plots located towards the east (Rochomie and Whiteach) are almost separate from the 3 plots already approved to the west due to their location and an existing tree backdrop to the rear of Rochomie and Whiteach which effectively splits the plots.

Further, we have ensured that the proposed site has been kept 30 metres away from Hilton Heights to the east and over 100metres away from Hilton Rise to the west. In light of this we can see no reason why this well placed dwelling-house could not be approved in this vicinity. See layout below.



In addition to the above we would also like to answer each policy point as follows -

POLICY 1 (e) (Moray Structure Plan)

The proposed site, in our opinion, complies with policy 1e as described below -

1e. The encouragement of low impact, well designed development in the countryside to support local communities and rural business.

We feel that the proposed dwelling-house would enhance this area in terms of its *low impact design*. The dwelling-house itself is of a contemporary arrangement with traditional characteristics and is of a room-in-the-roof type design thus ensuring minimum prominence. It has also previously been approved in rural locations throughout Moray and is, in our opinion, a *well designed development in the countryside*. The location selected is an elevated spot with two existing boundaries (existing track to front / existing tree belt and post + wire fence to rear). Two new post and wire fence boundaries would complete the plot.

POLICY H8 (Moray Local Plan)

a) Siting

- We believe the dwelling-house would integrate well to the surrounding countryside and rather than detracting from the local area would compliment this portion of the landscape which is used at the moment for arable farming although the ground condition in this particular spot is of quite poor quality.
- The site is not overly prominent (it does not sit on a skyline location, artificially elevated ground or in an open setting such as a central areas of fields) and as mentioned previously has a mature, tree-lined backdrop.

b) Design

- The house style is of a contemporary design with traditional characteristics including vertically proportioned windows, walls of white or cream roughcast and natural stone, and Marley Edgemere, grey concrete tiles to the roof to imitate traditional natural slates. In our opinion the design complies fully with "H8 Design" and it has already being approved at a number of rural locations throughout Moray

POLICY IMP1 (Moray Local Plan)

Again, the proposed site, in our opinion complies with criteria a through to n of this policy as summarized below -

a. The scale, density and character must be appropriate to the surrounding area -

The dwellinghouse design has previously been approved in rural locations throughout Moray. The plot has been sited 30m away from the nearest approved plot to the east (Hilton Heights) and 100m away from the nearest approved plot to the west (Hilton Rise). We feel that the density will not be too excessive with one more dwelling consented. Further, the scale of the development is very similar to the dwelling-houses which have previously been approved nearby.

b. The development must be integrated into the surrounding landscape -

The site will look "integrated" into the landscape because it will have an existing backdrop of mature trees. Further, in line with council policy we will ensure 25% of the plot is covered with foliage to provide a 'softening' of the development.

c. Adequate roads, public transport, and cycling and footpath provision must be available, at a level appropriate to the development. -

A good quality existing access track exists at the moment, extending to the last dwellinghouse constructed to the west. An existing access track then extends up to this new plot. We would bring this part of the track up to the same specification as the track which terminates at the existing plots.

d. Adequate water, drainage and power provision must be made.

This site will be fully serviced with electricity, a private water supply and a BT connection. The drainage will be by means of SUDS soakaways as denoted on the site plan (UPPERHILTON / PLANNING / 01).

e. Sustainable urban drainage systems should be used where appropriate, in all new developments -

As mentioned above the drainage will be by means of SUDS soakaways as denoted on site plan (see point d).

f. There must be adequate availability of social, educational, healthcare and community facilities -

In Buckie, the nearest town to the development there exists facilities to accommodate all of the above requirements.

g. The development should, where appropriate, demonstrate how it will incorporate renewable energy systems and sustainable design and construction. Supplementary Guidance will be produced to expand upon some of these criteria. -

Although nothing specific has at this stage been denoted on the drawings in terms of renewable energy it is intended to incorporate a multi-fuel stove and solar panels into the design at building warrant stage. A renewable element is now almost a mandatory requirement to satisfy the Scottish Building Standards and so it is our intention to fully accord with this policy.

h. Provision for the long term maintenance of public landscape and amenity areas must be made. -

There are no public landscape or amenity areas nearby.

i. Conservation of natural and built environment resources must be demonstrated. -

Within the site itself a mixture of Birch, Larch, Rowan & Scot Pine trees and bushes at approx. 1.5m centres will be planted out to give a 25% foliage cover. All these trees will be at least half standard (approx. 1.5m in height) as noted on the site plan (UPPERHILTON / PLANNING / 01).

j. Appropriate provision to deal with flood related issues must be made, including the possibility of coastal flooding from rising sea levels and coastal erosion. -

The site is an elevated position and well above sea level. Further, there are no rivers or burns nearby which would have the potential to pose a flood risk.

k. Pollution, including ground water must be avoided. -

There is no reason for any pollution to occur.

l. Appropriate provision to deal with contamination issues must be made, and -

The contaminated land department raised no concerns during the planning application process however all necessary health and safety and contamination procedures will be adhered to during the construction of the dwelling.

m. The development must not sterilize significant workable reserves of minerals, prime quality agricultural land, or preferred areas for forestry planting. -

Although the plot sits on agricultural land it is located in a spot which consists of rough ground and which is of quite poor quality.

n. Where appropriate, arrangements for waste management should be provided. -

Recycled material will either be taken to the local recycling depot or will be collected from a designated point on the access track. General refuse will be collected from a designated point on the access track.

In summary, we feel that this planning application should be treated on its own merits and that it would be an acceptable development in this area not only because it adheres and complies to all parts of the relevant Local and Structure plans but that there appears to be nothing to prevent the merits of this application allowing it to progress to approval. Should any unforeseen material consideration arise during determination, please advise us accordingly in order that remedial action and an appropriate response may be pursued.

We respectfully ask that the appointed LRB panel dismiss the Moray planning department's recommendation on this occasion and approves this application. Lastly, there were no objections to the application.

Yours sincerely,

Stewart Reid MCIAT