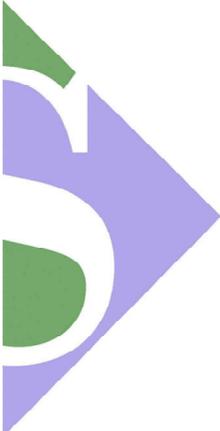




Strathconach House, Ringorm, Elchies, Craigellachie



Notice of Review Statement

(planning ref - 14 / 00769 / APP)

proposed erection of
dwelling-house with
detached garage

Strathconach House, Ringorm, Elchies, Craigellachie, Moray

REFUSED PLANNING APPLICATION - (ref - 14 / 00769 / APP) STATEMENT OF REVIEW

June 2014

The Moray Council's refusal notice dated 18th June 2014 reads as follows –

The proposal would be contrary to policies IMP1 and H8 in the Moray Council Local Plan for the following reasons:

- (i) *The site is in attractive open landscape with extensive views all round, lacks natural landscape features that would mitigate its visual impact and on this basis would be overtly prominent.*
- (ii) *Further such development would be encouraged.*
- (iii) *The scale of the house would add to the detrimental visual impact of the development in the exposed setting involved*

Contrary to the above notice we believe the proposed dwelling-house adheres fully to the Moray Local Plan (2008) policies H8 and IMP1. We are keen to articulate our reasons why we feel that this application should be supported for approval. Please see below. -

In regard to **point (i)** The Moray council state that *"The site is in attractive open landscape with extensive views all round, lacks natural landscape features that would mitigate its visual impact and on this basis would be overtly prominent."* We disagree with this assessment. While we agree that the site is situated in an attractive open landscape setting, we do not believe it would have any detrimental effect on the area. Our reasoning behind this is that the house itself would be set at a much lower level than the surrounding dwellings and public road which would not only mitigate it's appearance but would also ensure the proposal was well integrated to the gently sloping landscape. In line with this argument we have endeavoured to demonstrate that when viewed from a number of nearby locations, the dwelling-house and garage, if consented, in our opinion would not be overly noticeable.

View while standing at existing access track / nearest public road junction –

If a person were to stand at the existing access track / public road junction, looking down towards the proposal and open landscape below, the dwelling-house would be noticed but we strongly feel it would not in any way detract from the attractive open landscape. To reiterate our opening paragraph we feel that the level difference would ensure the dwelling would "blend in" to the landscape and would merely be viewed, in our opinion, as a well-designed rural house within the general vista. To reinforce this point we have prepared a photomontage denoting how the dwelling may look

within the landscape setting at this location (the road level at this point is approximately 159m while the proposed FFL would be 145.50m, a difference of 13.5m).

Please see below. -



View while standing on A95 road between Aberlour and Craigellachie –

While looking in the direction of the proposed site from the A95 (between Aberlour and Craigellachie) the dwelling-house would not be visible. This is partially due to the contours of the land but also because a large percentage of the A95 is screened by mature trees.

View while standing at bottom corner (south east) of site –

If one were to stand at the south east corner of the site looking at the front of the proposed dwelling, a backdrop of gentle rolling hills and existing trees would frame the dwelling, again ensuring minimum prominence. Further, if consent were obtained we would plant out at least 25% of the site area with various tree species, in line with council planning policy, towards the rear (north-west) of the site to further integrate the proposal.

Please see photomontage below denoting this –



Point (ii) on the refusal notice states that *"Further such development would be encouraged."* This would not necessarily be the case however with respect, we do not consider that this point is salient as we feel the application should be treated purely on it's own merits.

Point (iii) on the refusal notice states that *"The scale of the house would add to the detrimental visual impact of the development in the exposed setting involved."* We have selected this particular house-type from our portfolio of designs for this site as we feel it would suit the location well in terms of general size and proportion. While a slightly smaller design could have been chosen, it would possibly have looked odd given the fact that the proposed site area is 7158sqm. We did not want to put forward a "small" house which would be lost in the site area. Conversely, we did not wish to go over the top and propose a large "grand design" which may not suit this rural locale. We have endeavoured to produce an aesthetically pleasing design and one which does justice to the site and it's overall landscape setting by proposing, in our view, a substantial, but not overly so, family home with large glazed openings to take full advantage of the views towards Ben Rinnes and the Conval hills.

The house style itself is of a contemporary design with traditional characteristics including vertically proportioned windows, walls of white or cream roughcast and natural stone. Marley Edgemere grey concrete tiles have been proposed for the roof to imitate traditional natural slates while keeping costs down. In our opinion, the design complies fully with "H8 Design" as it has already been approved at a number of rural locations throughout Moray. Please see 3d image below –



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

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 enhance this portion of landscape.
- 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 will be nestled in a gently sloping landscape. As mentioned previously, we would consider it to be quite unobtrusive.

b) Design

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

POLICY IMP1 (Moray Local Plan)

Again, the proposed site, in our opinion complies with this policy. We have listed below our answers to the entire policy from criteria **a** through to **n** -

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

We have endeavoured to produce an aesthetically pleasing design and one which does justice to the site and it's overall landscape setting by proposing, in our view, a substantial, but not overly so, family home with large glazed openings. The scale of the dwelling-house is, we feel, appropriate to the size of the site. Further, the dwelling-house design has previously been approved in rural locations throughout Moray.

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

In line with council policy we will ensure 25% of the plot is covered with foliage to provide a 'softening' of the development. Also, the dwelling-house, if approved, will be set approximately 13m lower than the nearby public road ensuring it integrates with the landscape.

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

A good quality access track exists at the moment. A spur would be taken off this track to the new plot and would be constructed to the same specification as the existing track.

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 (STRATHCON / 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 the site plan (see point d).

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

In nearby Craigellachie and Aberlour, there exist 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. -

We have denoted an array of solar and PV panels to the roof of the dwelling-house to help meet this criteria. Further, if this appeal were to be approved, it is also intended to incorporate a multi-fuel stove into the design of the proposal at building warrant stage. A renewable element(s) 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. -

In line with council policy, 25% of the site will be planted out with trees to help conserve the natural and built environment. See note on site plan (STRATHCON / 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 located 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. -

The site is located on existing agricultural land, however, if approved would not significantly sterilize the land.

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 conclusion, we are of the opinion that this dwelling-house would very much be in the spirit of the aforementioned policies. The house design is of a low-impact, rural style which we would consider well-designed and very much suited to the size of the site which has previously been approved at other country locations throughout Moray.

From a development feasibility aspect, recent experience has informed us that there is now a high demand and need for rural accommodation, in the Moray area. Indeed, the vast majority of sites we sell are to local people and we feel it is very important to help meet this demand in order to retain skills and jobs in the area. This not only helps the local economy but also has a “knock on” effect in terms of local services, schools, shops and the wider economy as well. Further, in our view what cannot be underestimated after the recent financial downturn is the need for valuable work for local tradesmen and building merchants etc.

Lastly, we feel that this planning application should be treated on it's own merits and in our opinion it adheres and complies to all parts of the relevant Local and Structure plans. The application attracted no objections and we are of the opinion that there appears to be nothing to prevent the merits of the 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 approves this appeal.

Yours sincerely,

Stewart Reid MCIAT