



## Ardoch Meadows, Ardoch Farm, Mulben, Keith

### Notice of Review Statement

(planning ref - 14 / 01580 / APP)

proposed erection of  
dwelling-house with detached  
garage



# Ardoch Meadows, Ardoch Farm, near Mulben

## REFUSED PLANNING APPLICATION - (ref - 14 / 01580 / APP)

### STATEMENT OF REVIEW

**November 2014**

The Moray Council's refusal notice dated 15<sup>th</sup> September 2014 reads as follows –

The proposal would be contrary to policies 1(e) of the approved Moray Structure 2007, policies H8 and IMP1 of the adopted Moray Local Plan 2008 and Supplementary Planning Guidance “Housing in the Countryside (January 2012) for the following reasons:

*The prevailing rural housing pattern within this part of the countryside is characterised by single and small clusters of housing dispersed along the corridor / valley to the east of Ben Aigen. In the case of the current application three house plots have been approved (within the current Local Plan period, with houses yet to be erected) immediately to the north and south of the current site, a further 6 plots (3 built / 3 consented) exist within forestry plantation to the east. The introduction of the proposed house plot into this locality (in addition to these consented and built dwellings) which would also be readily visible from the nearby trunk road would result in an unacceptable cumulative build-up of housing that would be detrimental to the rural character of this area. Given these factors, the proposal is considered to constitute an inappropriately located site which fails to satisfy the siting criteria of policies 1(e), H8 and IMP 1 and associated Supplementary Planning Guidance “Housing in the Countryside”.*

**Contrary to the above notice we believe the proposed dwelling-house adheres fully to policies 1(e) of the approved Moray Structure 2007, policies H8 and IMP1 of the adopted Moray Local Plan (2008) and the Supplementary Planning Guidance. We are keen to articulate our reasons why we feel that this application should be supported for approval. Please see below. -**

The first main point of the council’s assessment states that the *“prevailing rural housing pattern within this part of the countryside is characterised by single and small clusters of housing dispersed along the corridor / valley to the east of Ben Aigen. In the case of the current application three house plots have been approved (within the current Local Plan period, with houses yet to be erected) immediately to the north and south of the current site, a further 6 plots (3 built / 3 consented) exist within forestry plantation to the east.”* The assessment continues as follows - ***The introduction of the proposed house plot into this locality (in addition to these consented and built dwellings) which would also be readily visible from the nearby trunk road would result in an unacceptable cumulative build-up of housing that would be detrimental to the rural character of this area.***

***While we agree with the first part of the statement (denoted in blue) we do not agree with the second part (denoted in red).*** Our reasoning for this is that we believe that this pocket of woodland is ideal for an additional dwelling-house and that there is more than enough scope to accommodate a house plot at this location without it having a detrimental impact on the rural character of the area. The site itself will have a backdrop of existing mature tree growth and while it is intended to remove some of this foliage to provide space for the construction of the proposed dwelling-house and garage the existing forest plantation in the background will very much diminish the prominence of the proposed dwelling-house.

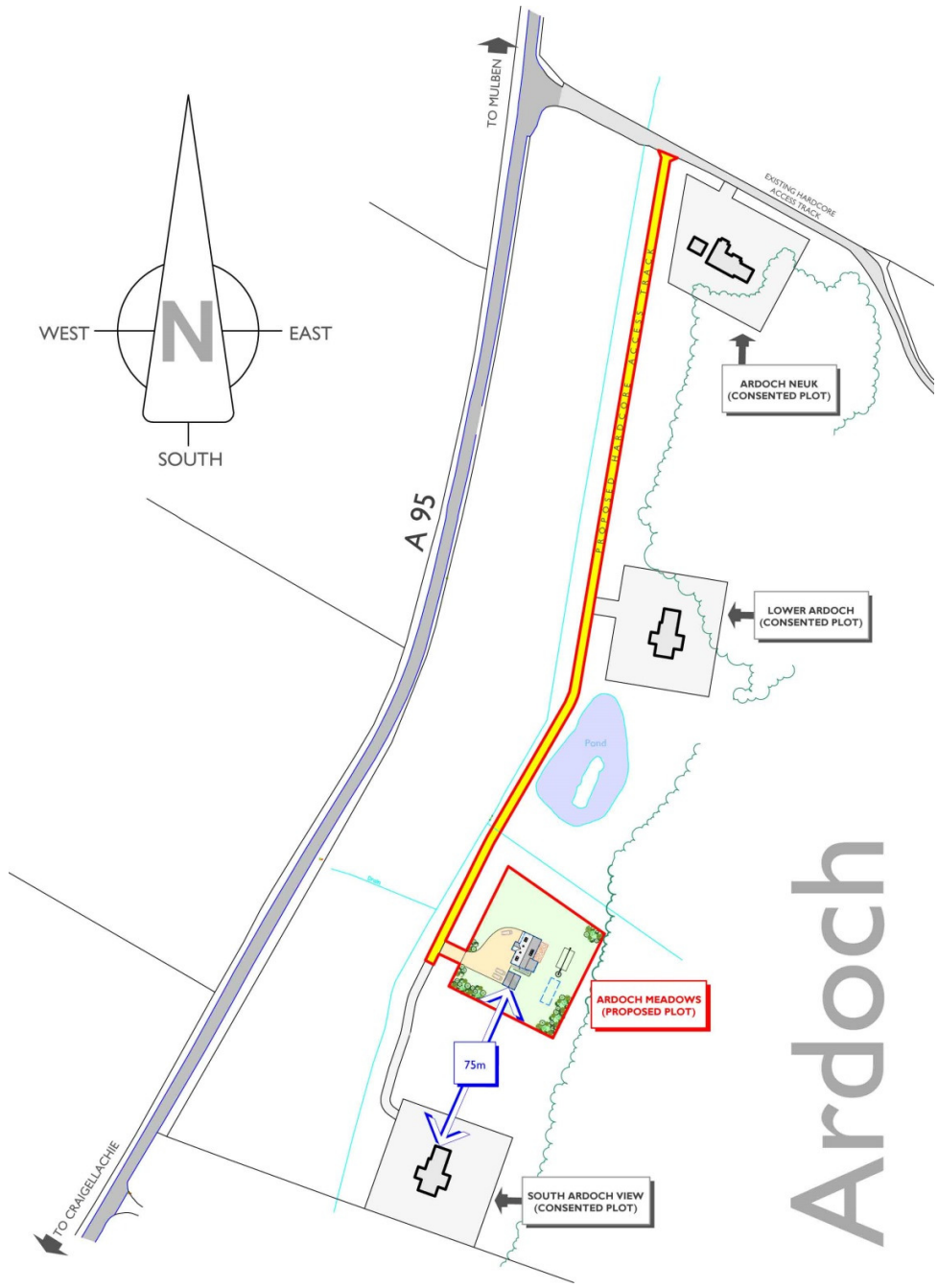
Please see below for a 3d photomontage image denoting how the dwelling-house may look in context with the tree lined backdrop setting.



Although we have had various sites consented in this area previously, each proposed plot has been spaced out at a reasonable distance from the nearest adjacent plot to ensure a rural feeling is achieved. With each planning application we submit it is a matter of utmost importance to ensure every site design is of an adequate size and spacing to enhance an area, without creating any sense of overcrowding or any feeling of detriment.

With this in mind, our plots are predominantly at least half an acre (2023 sqm) in area and if possible we prefer to utilize existing tree foliage to help integrate a new build within a landscape setting. This design ethos ensures our finished plots do not detract from the rural character of the surrounding countryside. Evidence of this can be witnessed at our various sites throughout Moray and the Highlands.

This particular planning application would measure 0.665 acres (2690 sqm) and the proposed dwelling-house itself would be located at least 75 metres from the nearest consented dwelling-house. **Please see site plan below demonstrating this.**



# Ardoch

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

***POLICY 1(e) (Moray Structure Plan 2007)***

We believe the dwelling-house, which we would consider to be well designed and which is of a low impact, room in the roof design would integrate well to the surrounding countryside and would enhance this portion of landscape alongside the neighbouring dwelling-houses.

***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 alongside the neighbouring properties.
- 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 existing woodland with a tree lined backdrop. As mentioned previously, we would consider it to be quite unobtrusive.

**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 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 -

The proposed dwelling-house and garage has been located a minimum of 75m away from the nearest approved dwelling-house. We feel that this level of density will not be overly excessive and that another dwelling consented in this locale would be acceptable. 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 -

In our view, the site will feel "integrated" into the landscape because it will be set into existing mature woodland. 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 new access track has been proposed which will connect the plot with the nearby existing track to the north of the development.

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 (ARDOCH-MEADOWS / 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 nearby Craigellachie and Keith, 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. -

Although nothing specific has at this stage been denoted on the drawings in terms of renewable energy, if this appeal were to be approved, it is intended to incorporate a multi-fuel stove and solar panels into the design at building warrant stage. A renewable element(s) is now almost a mandatory requirement to satisfy part 6 (Energy) of 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 and in line with council policy we intend to plant out a mixture of Birch, Larch, Rowan and Scots Pine trees ensuring a minimum of 25% of the site area is populated with foliage. See note on site plan (ARDOCH-MEADOWS / 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 is no obvious reason for any potential 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 plot is located on existing unused land and this development, 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.

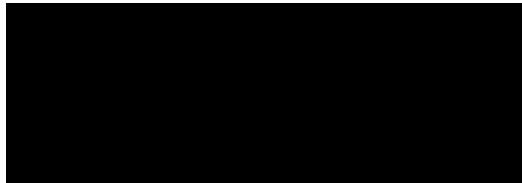
In conclusion, we are of the opinion that this dwelling-house would very much be in the spirit of the aforementioned policies. The house design is of a low-impact, rural style which we would consider well-designed and which has previously been approved at other country locations throughout Moray. The existing mature trees and backdrop will help to further integrate the dwelling-house into this rural setting.

From a development feasibility aspect, recent experience has informed us that there is now a high demand and need for rural accommodation, in the rural 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