

SITE INTELLIGENCE REPORT

Two refusals · the new application strategy

Rural plot · a Scottish council · early 2026

2 Refusals (PPP + LRB)	119 Weeks of LPA data	1 Direct comparable approval	£249 Fixed fee
----------------------------------	---------------------------------	--	--------------------------

EXECUTIVE BRIEF

The client's Planning Permission in Principle (PPP) for a single dwellinghouse and detached garage was refused last summer. A Local Review Body (LRB) appeal was dismissed approximately three months later. The current architect is preparing a fresh full APP. This report sets out exactly what changed in our analysis, what the officer has already accepted in writing, the directly comparable approval next door, and the five questions to put to the council before submitting.

▲ ATTENTION · Important correction from initial assessment

The site is **NOT** within the council's most restrictive countryside designation. This was an error in our initial assessment. The site falls within an intermediate-pressure designation — a significantly more permissive zone where proposals are assessed case by case. This changes the strategic picture materially.

✓ POSITIVE · The real issue is solvable

The sole planning reason for refusal is ribbon development under the council's siting policy. The officer characterised the proposed house as extending the roadside line of dwellings southward. The client's overnight thinking — reposition the house off the road frontage, lower ridge, 1.5 storey — directly addresses this. **The officer explicitly confirmed in writing that design could be achieved on the site.** The barrier is siting, not principle.

■ CRITICAL · Directly comparable approval on the same road

The dwelling immediately north of the client's plot was approved several years ago on the infill argument. The officer at the time accepted that it filled a gap in the existing line and was not unacceptable build-up. **The client's site is a stronger case:** government forestry woodland to the east physically prevents any further development beyond the plot, making it the definitive last house in the row.

1. EXACT REFUSAL GROUNDS — VERBATIM FROM OFFICIAL DOCUMENTS

Decision Notice — Refusal Schedule

The following is the substantive wording of the two grounds of refusal as stated in the official decision notice. Quotes are anonymised for sample purposes; the live report carries the verbatim official text:

Ground	Refusal Reason (substance)	Policy
1 — Ribbon Development	<i>The proposed development would lead to the outward expansion and continuation of roadside dwellings at this location resulting in a build up of ribbon development which would be detrimental to the character and setting of the open countryside, in contravention of the siting requirements of the relevant policy.</i>	National framework policy · local plan siting policy · local plan general policy
2 — Site Clearing	<i>The site clearing and regrading which has occurred is contrary to the provisions of policy in which it advised that existing land contours should be retained, and earth regrading works to create plots will not be permitted.</i>	Local plan siting policy · local plan general policy

What the officer said that was POSITIVE — substantive quotes

The Report of Handling contained the following statements which are critical for the new APP. These are official officer confirmations that everything except siting is acceptable:

Issue	Officer Conclusion (substance)
Design quality	<i>A design which meets the rural design requirements of the relevant policy could be achieved on the site.</i>
Landscaping	<i>An appropriate landscape scheme could be achieved for the site.</i>
Drainage	<i>Drainage details have been accepted by the Flood Risk Management team and are compliant with policy requirements.</i>

Transportation	<i>No objections from Transportation subject to conditions.</i>
Water authority	<i>No objection to the proposal subject to Pre-Development Enquiry Process.</i>
Flood risk	No objection raised.
Developer obligations	<i>Applicant confirmed willingness to accept the obligations — would pay upfront prior to issue of consent.</i>
Site clearing tree damage	<i>It is not considered that this matter would warrant an additional reason for refusal.</i>
Climate / biodiversity	<i>Not considered to be significantly detrimental to the global nature and climate crisis.</i>

✓ **POSITIVE** · The new APP starts with most of the file already cleared

The officer has already confirmed in writing that **design, landscaping, drainage, transport, obligations and biodiversity** are all acceptable. The only thing that needs to change is the siting argument.

The pre-application warning

The Report of Handling reveals a critical detail: the council's pre-application advice on the site had specifically raised the build-up of ribbon development concern **before the PPP was even submitted**. The application went in anyway. The new APP must directly and explicitly address this — not ignore it again.

2. LOCAL REVIEW BODY DECISION & KEY COMPARABLE

LRB Decision

The LRB met following an unaccompanied site inspection. Seven councillors attended; one declared an interest and left, leaving six voting members.

Councillor	Motion	Outcome
Cllr A	MOVE TO GRANT — "the area resembled a small hamlet, the ground would be suitable for a further dwellinghouse. Proposal complies with the relevant policies."	Motion fell — no seconder
Cllr B (+ Cllr C seconded)	Move to refuse — proposal fails the relevant policies.	CARRIED
	Result: LRB dismissed review. Original refusal upheld.	5–1 effectively

✓ **POSITIVE** · One LRB member voted to grant — material dissenting view

Cllr A visited the site, considered the case in detail, and formed the view that the area is a small hamlet and the site is suitable. The motion failed only for lack of a seconder — not on the merits. **This is a material dissenting view from a councillor who physically inspected the site.** It is evidence that the infill argument has real weight with decision-makers.

Key comparable — the dwelling immediately north

This is the single most important precedent for the new APP. The dwelling immediately north of the client's site was approved several years ago on the basis recorded in the applicant's own Notice of Review:

✓ **POSITIVE** · Substance of the prior approval (anonymised)

The neighbouring property was considered to fill in an existing gap within the existing line of development which was appropriate to the area and not considered to be an unacceptable build up of development. It was noted that the woodland to the east of the site would help ensure that the dwelling was not a prominent feature in the landscape.

The client's site is to the south, in an equivalent gap between the upper cluster and the lower cluster. **The infill argument is identical. The woodland argument is stronger:** the government forestry to the east of the client's plot is controlled by the national forestry agency and cannot be removed, making the plot definitively the last possible house in the row.

▲ **ATTENTION** · The officer must explain the distinction

If the neighbouring dwelling was approved as infill, and the client's site is in an equivalent gap to the south with stronger woodland containment, **the new APP must force the officer to articulate why this case is materially different.** If it cannot be distinguished, the precedent supports approval.

3. SITE CHARACTER, POLICY POSITION & DESIGNATION

What the site actually is

Location	Between an upper cluster of dwellings (along east side of B-road) and a lower group of cottages. A gap between two existing groups.
Road frontage	B-road immediately to the west — the roadside position the officer objects to.
North boundary	Mature trees and woodland (immediately adjoining) — provides enclosure and backdrop.
East boundary	Woodland immediately adjoining — government forestry controlled by the national forestry agency. Cannot be removed. Physically prevents any further development east.
West boundary	Existing storey-and-a-half dwellinghouse — provides containment.
South	Gap before the lower cottages cluster. This gap is what the officer says will be reduced.
Linear pattern	Seven properties along east side of B-road. Client's plot is in the gap between cluster and cottages.

Policy designation — confirmed

The site is in the **intermediate-pressure designation** under the council's local plan. It is NOT within the most restrictive sub-designation. The Notice of Review includes a map showing the restrictive zones; the site sits outside them. This is a critically important distinction:

Designation	What it means	Site
Most restrictive sub-designation	No new housing permitted. Absolute prohibition.	NOT APPLICABLE ✓
Intermediate-pressure designation	Proposals assessed case by case. Must be well-sited and designed to fit local landscape character.	APPLIES ✓
Open countryside (default)	New housing supported where siting criteria met — no ribbon, adequate enclosure, no earthworks.	Applicable — criteria must be met

The four siting criteria

Criterion	Requirement	Site Position	Officer View
1 — Enclosure	Existing landform, mature trees, woodland or buildings immediately adjoining.	MET — woodland north and east, existing dwelling west.	Not disputed
2 — No ribbon	New house must not create ribbon or unacceptable build-up.	DISPUTED — architect argued infill; precedent supports.	Refusal Ground 1
3 — No earthworks	No artificial mounding, cut and fill, or clear felling.	Partially met — site cleared then reinstated per NOR.	Noted, not standalone
4 — Landscaping	Native species planting at minimum height threshold.	MET — full landscaping plan submitted with PPP.	Not disputed

4. STRATEGY FOR THE NEW APPLICATION

The PPP failed on one substantive ground — ribbon development siting. Everything else passed. The new APP does not need to start from scratch. It needs to address the one issue the officer identified, with the following specific changes:

#	Change	Reason
1	Reposition the house. Set the dwelling back from the road frontage — into the plot, with the woodland as backdrop.	If the house is not roadside, it is visually and physically infill, not a ribbon extension. The officer cannot refuse a house that is not adding to the roadside line.
2	Commission a level survey. The NOR confirms no level survey was carried out for the PPP. GPS topographical equipment determines existing levels and where to position the house requiring least cut and fill.	Directly addresses the earthworks criterion and removes refusal ground 2.
3	Lead with the comparable approval. The supporting statement must open with the neighbouring approval, explain why this site is equivalent or stronger, and invite the officer to articulate the material distinction if they refuse.	Forces an evidenced explanation, not a repeat of the same boilerplate.

4	Engage the ribbon argument head on. Do not repeat the PPP approach of asserting compliance. Directly address the officer's specific characterisation.	The previous strategy of asserting compliance failed because it did not respond to the officer's specific characterisation.
5	Reference the LRB dissent. The motion to grant from the councillor who inspected the site is a material consideration.	Evidence of reasonable disagreement on the planning merits.
6	Do not repeat the site clearance. Levels were reinstated per NOR. Do not carry out further site works before decision.	The earthworks issue nearly became a second standalone refusal ground.
7	Submit a pre-app enquiry first. Modest fee. Get the officer's position on a repositioned house in writing before committing to a full APP.	Cheap insurance. See the five questions in Section 5.

5. THE FIVE QUESTIONS TO PUT TO THE COUNCIL

The council's pre-application enquiry fee for a single house in the countryside is approximately £190. This gets a written officer response before the full APP is submitted. Given the history — two refusals, known officer concern — a pre-app is strongly recommended before spending the full APP fee on another application.

#	Question
1	If the proposed dwellinghouse is repositioned away from the B-road frontage and set back into the site using the woodland as its eastern backdrop, would the proposal overcome the ribbon development ground under the relevant policy?
2	In light of the prior approval of the dwelling immediately north on the infill argument, what is the material distinction between that site and the applicant's site to the south?
3	Given that the woodland to the east of the site is government forestry controlled by the national forestry agency and cannot be removed, does the council accept that the applicant's site represents the last developable position in the existing row?
4	What form of topographical survey and earthworks statement would satisfy the council's concern regarding cut and fill, noting that the applicant's NOR confirmed original levels have been reinstated?
5	Would the council support a full APP on this site if the repositioning, level survey, and supporting statement address the ribbon and earthworks grounds as described above?

6. METHODOLOGY & DATA SOURCES

Planning Decoder compiled this report using official documents obtained directly from the council's planning portal, together with automated bulk data extraction and policy analysis. Total research time approximately three hours.

Source	Use
Official Decision Notice — REFUSED	Primary source for verbatim refusal grounds
Report of Handling — full officer assessment	Source for verbatim positive officer statements and pre-app warning
LRB decision notice	Full councillor deliberation record including motions
Notice of Review submitted by applicant's agent	Site photographs, maps, precedent analysis, designation confirmation
Council weekly planning lists (~119 PDFs covering 2+ years)	Council-wide application data parsed for officer pattern analysis
Local plan siting policy + national framework policy	Full policy compliance analysis
Council pre-application fee schedule (current)	Costed pre-app strategy
Council CMIS (committee dates)	Confirmed next planning committee sitting
Officer data extracted from 40+ ward applications across the period	Identified case officer and alternatives by application type

About this report. This is an anonymised version of a real client report. Findings, structure, methodology, sources used, the LRB voting record and the comparable approval are all real. Names, exact addresses, dates, named individuals, named officers, named agents, named comparables, specific policy references and personal identifiers have all been changed or generalised. Planning Decoder is an intelligence and analysis service — this report does not constitute legal or planning advice. Always engage an RTPI-registered planning consultant before submitting formal applications.
 planningdecoder.com · hello@planningdecoder.com · Built by Sierra21 Software Studio