



HHL Scotland

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HHL Ref. 16023
Date. 18 September 2016

Mr Darren Westmacott
Clerk to the Review Body
Legal & Domestic Services
The Moray Council
High Street
Elgin

Dear Sir

LOCAL REVIEW – LR166 – ALTER & EXTEND 10 CHURCH PLACE, FINDHORN (PLANNING APPLICATION 16/00492/APP)

I refer to the above, your letter dated 7th September 2016 enclosing the 2 letters of representation and providing the appellant the opportunity to respond. Having given these letters due consideration, my client now wishes to comment as follows:

IMPACT ON THE NEIGHBOURING PROPERTY

The appellant still contends that his proposal will have very little impact on the neighbouring property in terms of loss of sunlight and daylighting and in an effort to clearly demonstrate this assertion, we now enclosing an annotated drawing (HHL Drawing 16023.LRB.01) of the proposed front elevation in relation to the neighbouring property.

This drawing adopts the accepted '45 degree rule' to consider the loss of sunlight and daylight the development would have on the neighbouring property. As can be seen, the impact is extremely limited. This impact is further reduced when the impact of the existing boundary treatment is added. Given this limited impact, the appellant considers his scheme would not significantly result in a loss of sun light and/or daylight to the neighbouring property.

Furthermore, as the extension is proposed on the northern elevation of the property, the rear sunny southern facing elevation of the house and garden of the neighbouring properties is not impact at all.

DESIGN

The representations refer to the use of a flat roof being more acceptable. However, the appellant advanced the review design as he considers the use of a 28degree pitch roof to be the most appropriate in terms of this location and one which complements the existing house.



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In addition, Moray Local Development Plan 2015 Policy H4 (House Alterations and Extensions, clearly states '...Pitched roofs will be preferred to flat roofs...' and as such the current proposal is considered to conform to the Development Plan in this regard.

Policy H4

House Alterations and Extensions

House alterations and extensions will normally be approved if the appearance of the house and the surrounding area is not adversely affected in terms of style, scale, proportions or materials.

Pitched roofs will be preferred to flat roofs, pitched dormers to box dormers. Existing stone walls should be retained as far as possible.

Justification:

The policy discourages badly designed extensions and alterations. This is intended to safeguard the character and amenity of established residential areas.

PLOT BUILT UP AREA

The appellant plot has a plot sizes of approximately 576sq.m, with the existing house extending to just 67.5sq.m or 12% of the plot area. The proposed extension will add 23sq.m to the house footprint, thereby giving a total footprint of 90.5sq.m, which still only results in a 16% built up area of the plot. Within an urban setting, a built up area of only 16% is considered to be wholly acceptable and should pose no barrier to the Review success.

Given the above and my clients previously submitted Statement of Case, the appellant considers the Review is acceptable in this instance and we respectfully request that the Local Review Committee upholds this Review.

If you wish to discuss any of the above, please do not hesitate to contact me.

Yours Sincerely

Sent via email without signature

Matthew J Hilton MRTPI
Director



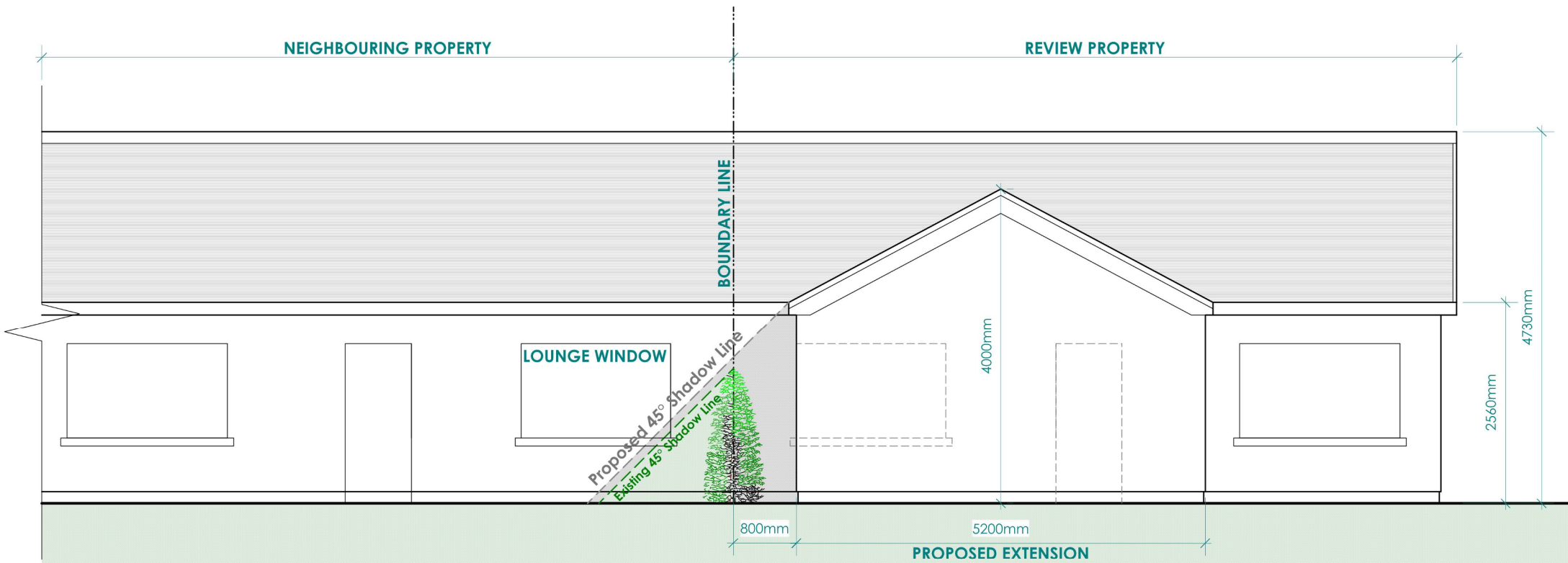
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PROPOSED FRONT ELEVATION SHADOW EFFECT
SCALE 1:50



Client: **MR & MRS SHAND**

Project: **ALTER & EXTEND 10 CHURCH PLACE, FINDHORN**

Ref: **16023.LRB.01**

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