

10 SEP 2018

HOUSEHOLDER APPLICATION FOR PLANNING PERMISSION

Town and Country Planning (SCOTLAND) ACT 1997
The Town and Country Planning (Development Management Procedure) (SCOTLAND) REGULATIONS 2013

Please refer to the accompanying Guidance Notes when completing this application
PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://www.eplanning.scot>

1. Applicant's Details		2. Agent's Details (if any)	
Title	Mr & Ms	Ref No.	
Forename	Arron & Claire	Forename	
Surname	Field & Millar	Surname	
Company Name		Company Name	
Building No./Name	13	Building No./Name	
Address Line 1	Bishops Court	Address Line 1	
Address Line 2		Address Line 2	
Town/City	Lossiemouth	Town/City	
Postcode	IV31 6TL	Postcode	
Telephone		Telephone	
Mobile		Mobile	
Fax		Fax	
Email		Email	
3. Address or Location of Proposed Development (please include postcode)			
13 Bishops Court Lossiemouth IV31 6TL			
NB. If you do not have a full site address please identify the location of the site(s) in your accompanying documentation.			
4. Describe the Proposed Works			
Please describe accurately the work proposed:			
erect extension			
Have the works already been started or completed Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
If yes, please state date of completion, or if not completed, the start date:			
Date started:		Date completed:	

If yes, please explain why work has already taken place in advance of making this application.

5. Pre-Application Discussion

Have you received any advice from the planning authority in relation to this proposal? Yes No

If yes, please provide details about the advice below:

In what format was the advice given? Meeting Telephone call Letter Email

Have you agreed or are you discussing a Processing Agreement with the planning authority? Yes No

Please provide a description of the advice you were given and who you received the advice from:

Name: Date: Ref No.:

6. Trees

Are there any trees on or adjacent to the application site? Yes No

If yes, please show on drawings any trees (including known protected trees) and their canopy spread as they relate to the proposed site and indicate if any are to be cut back or felled.

7. Changes to Vehicle Access and Parking

Are you proposing a new altered vehicle access to or from a public road? Yes No

If yes, please show in your drawings the position of any existing, altered or new access and explain the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any changes to public paths, public rights of way or affecting any public rights of access? Yes No

If yes, please show on your drawings the position of any affected areas and explain the changes you propose to make, including arrangement for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently Exist on the application site?

How many vehicle parking spaces (garaging and open parking) do you propose on the site? (i.e. the total of existing and any new spaces or reduced number of spaces)

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, etc.

8. Planning Service Employee/Elected Member Interest

Are you / the applicant / the applicant's spouse or partner, a member of staff within the planning service or an elected member of the planning authority? Yes No

Or, are you / the applicant / the applicant's spouse or partner a close relative of a member of staff in the planning service or elected member of the planning authority? Yes No

If you have answered yes please provide details:

DECLARATION

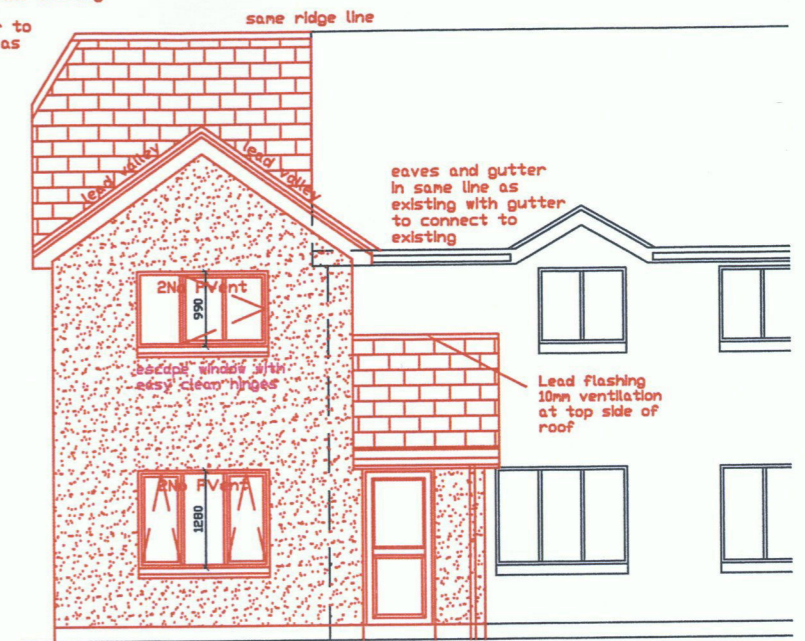
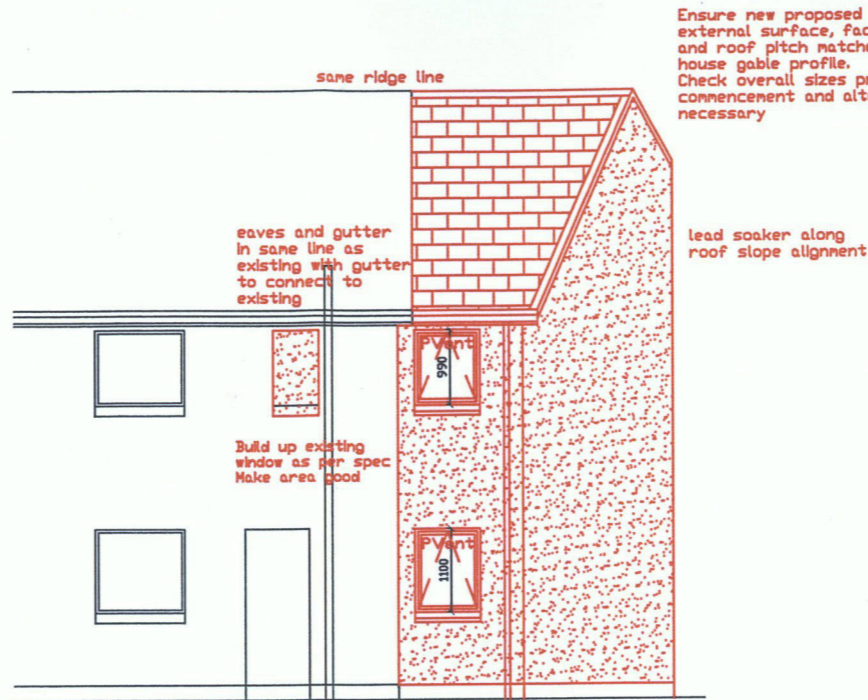
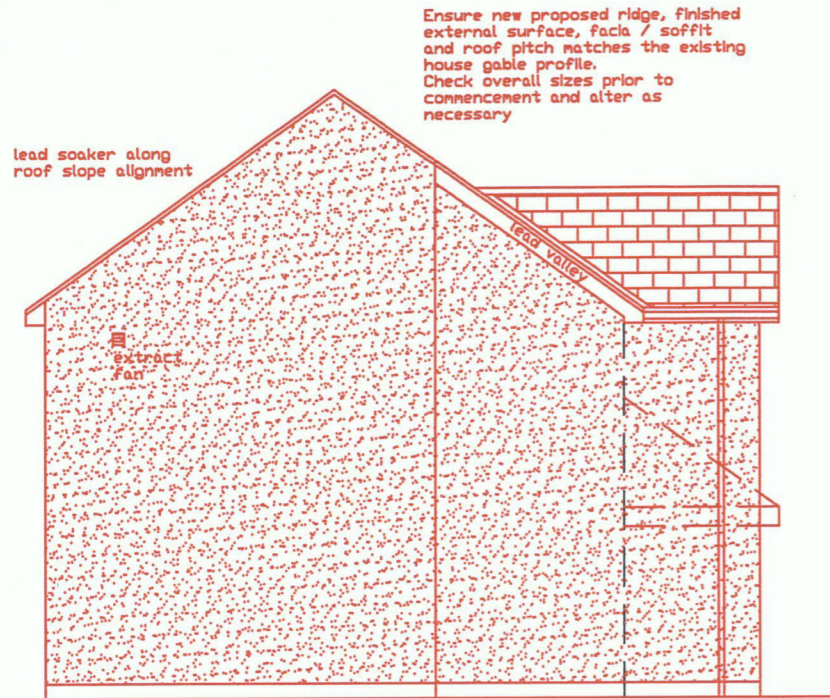
I, the applicant / agent certify that this is an application for planning permission and that accompanying plans/drawings and additional information are provided as part of this application. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

I, the applicant/agent hereby certify that the attached Land Ownership Certificate has been completed

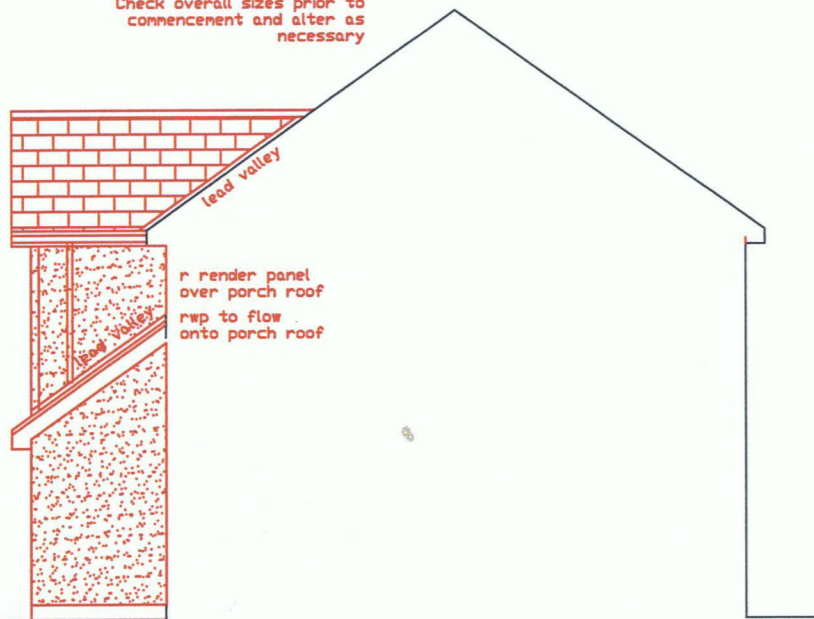
I, the applicant/agent hereby certify that requisite notice has been given to other land owners and /or agricultural tenants Yes No N/A

Signature: Name: Clare Millar Date: 8/09/18

Any personal data that you have been asked to provide on this form will be held and processed in accordance with Data Protection Legislation.



Ensure new proposed ridge, finished external surface, fascia / soffit and roof pitch matches the existing house gable profile. Check overall sizes prior to commencement and alter as necessary



TO BE READ IN CONJUNCTION WITH ENGINEER DETAILS & RECOMMENDATIONS

ELEVATIONS

scale 1:100

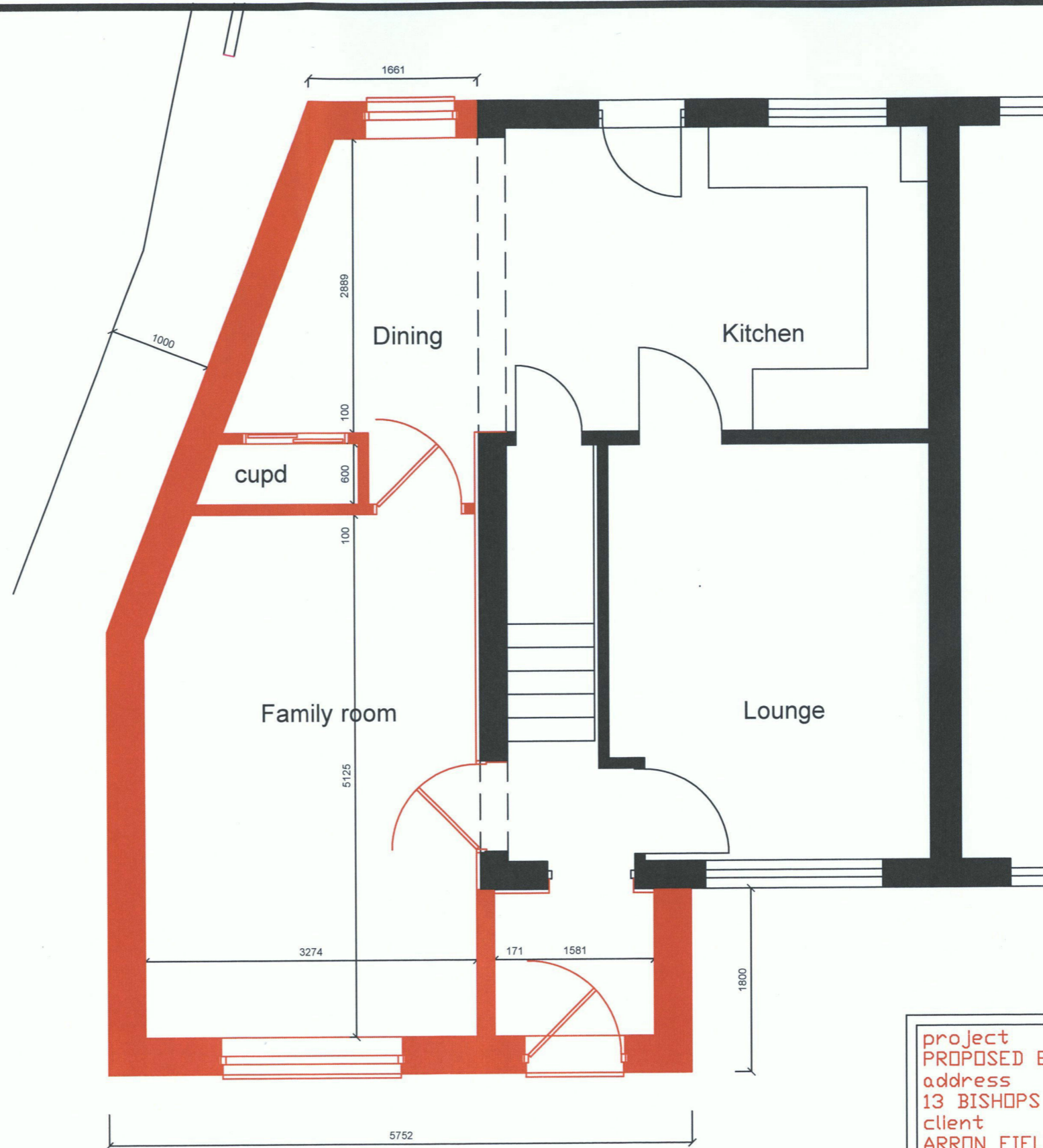
EXTERNAL FINISHES
concrete roof tiles to match existing
roughcast to external walls

project
PROPOSED EXTENSION
address
13 BISHOPS COURT, LOSSIEMOUTH
client
ARRON FIELD & CLAIRE MILLAR
date
SEPT 2018

DRAWING NO 2

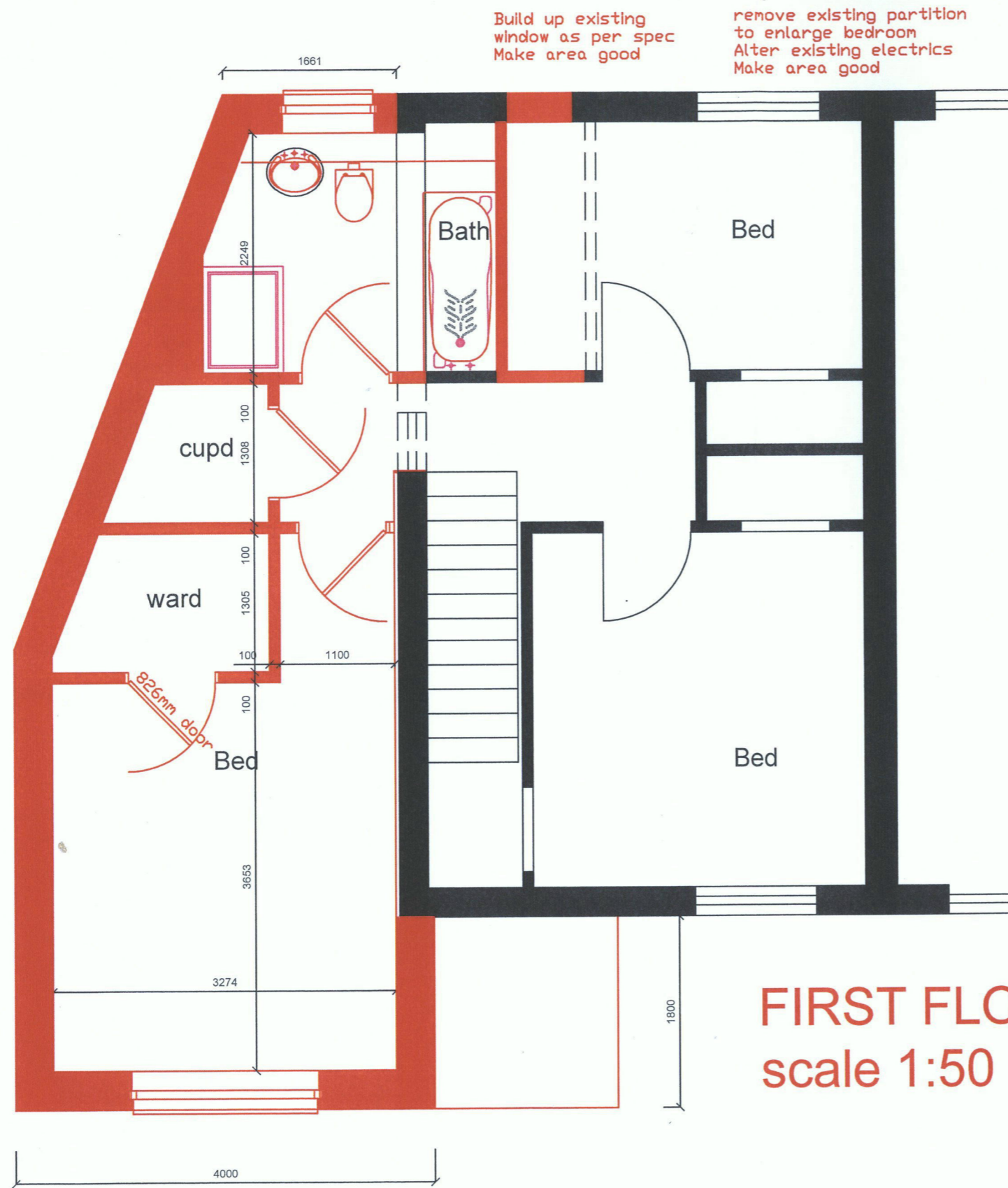
10 SEP 2018

GROUND FLOOR PLAN
scale 1:50



project
PROPOSED EXTENSION
address
13 BISHOPS COURT, LOSSIEMOUTH
client
ARRON FIELD & CLAIRE MILLAR
date
SEPT 2018
DRAWING NO 3

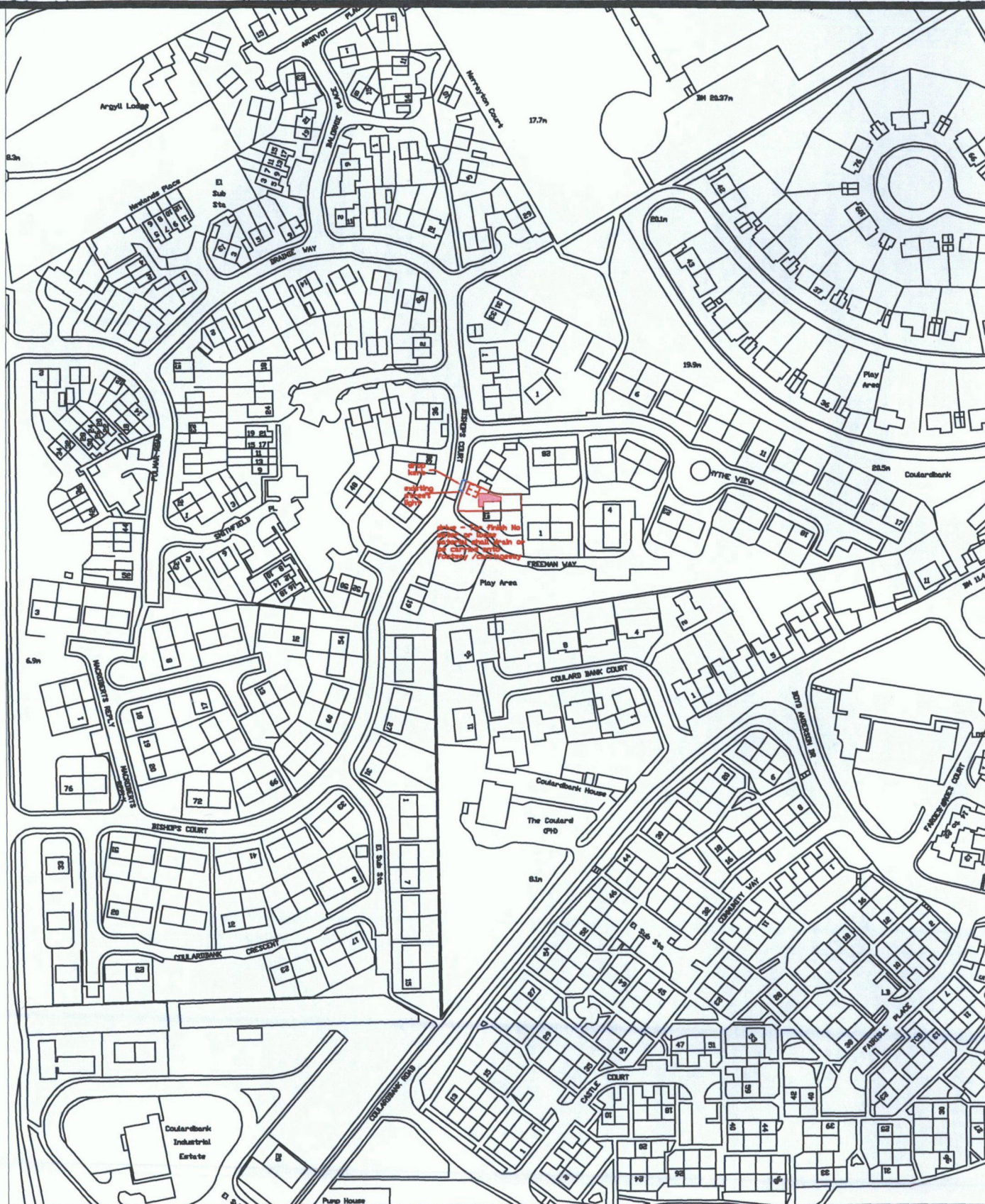
10 SEP 2018



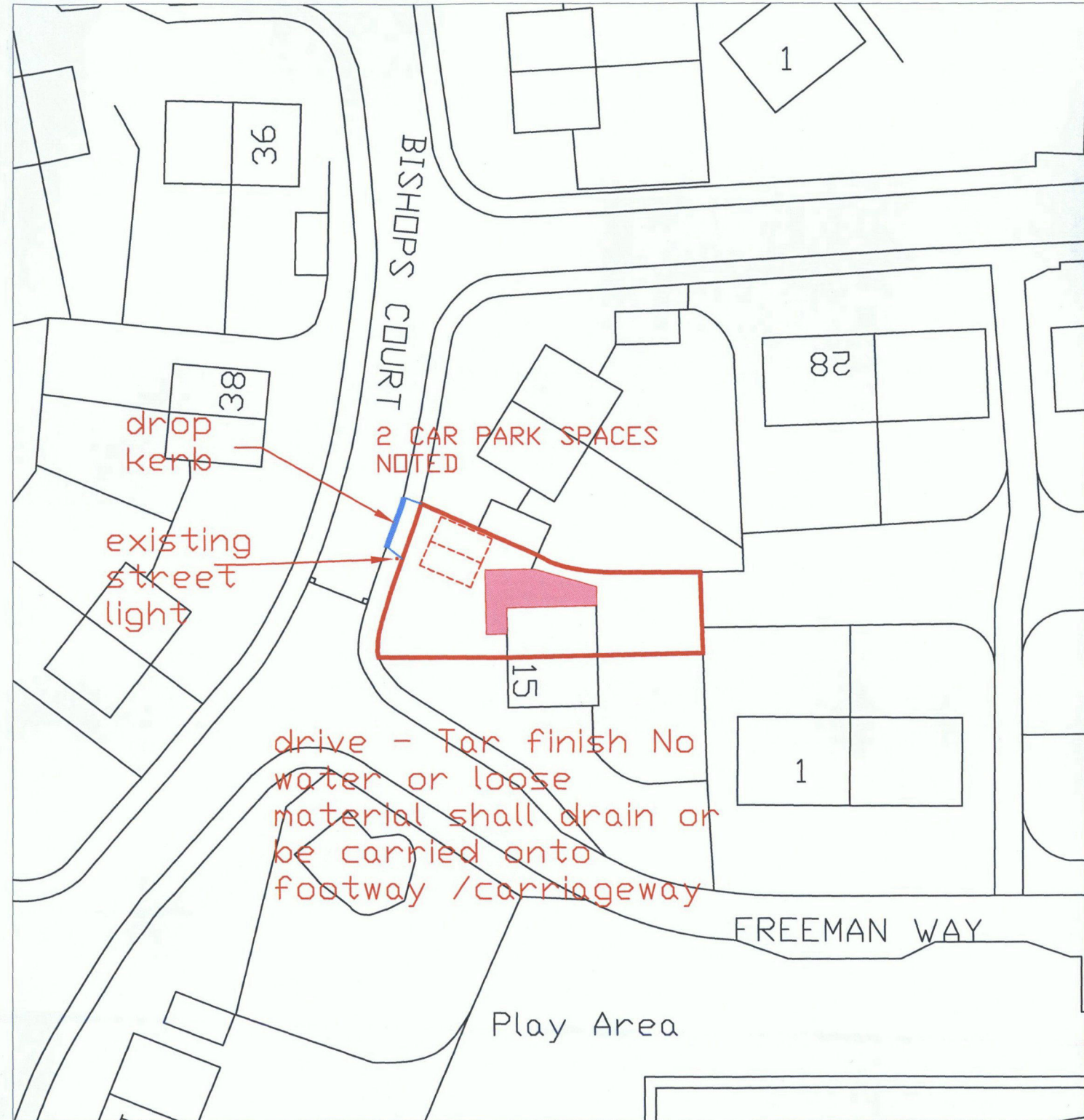
FIRST FLOOR PLAN
scale 1:50

project
PROPOSED EXTENSION
address
13 BISHOPS COURT, LOSSIEMOUTH
client
ARRON FIELD & CLAIRE MILLAR
date
SEPT 2018
DRAWING NO 4

10 SEP 2018



LOCATION PLAN
scale 1:2500



BLOCK PLAN
scale 1:500

PROJECT
PROPOSED EXTENSION
ADDRESS
13 BISHOPS COURT, LOSSIEMOUTH
CLIENT
ARRON FIELD & CLAIRE MILLAR
DATE
SEPT 2018
DRAWING NO 11

22/10/18 PLANNING NOTES ADDED

REV A

Consultation Request Notification

Planning Authority Name	The Moray Council
Response Date	2nd October 2018
Planning Authority Reference	18/01207/APP
Nature of Proposal (Description)	Erect extension at
Site	13 Bishops Court Lossiemouth Moray IV31 6TL
Site Postcode	N/A
Site Gazetteer UPRN	000133032410
Proposal Location Easting	322516
Proposal Location Northing	870117
Area of application site (Ha)	m²
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=P EUDZ1BG0CR00
Previous Application	
Date of Consultation	18th September 2018
Is this a re-consultation of an existing application?	No
Applicant Name	Mr Arron Field And Ms Claire Millar
Applicant Organisation Name	
Applicant Address	13 Bishops Court Lossiemouth Moray IV31 6TL
Agent Name	
Agent Organisation Name	
Agent Address	
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Amanda Cruickshank
Case Officer Phone number	01343 563575
Case Officer email address	amanda.cruickshank@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

NOTE:

If you do not respond by the response date, it will be assumed that you have no comment to make.

The statutory period allowed for a consultation response is 14 days. Due to scheduling pressures if a definitive response is not received within 21 days this may well cause the two month determination period to be exceeded.

Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Contaminated Land

Planning Application Ref. No: 18/01207/APP

Erect extension at 13 Bishops Court Lossiemouth Moray IV31 6TL for Mr Arron Field And Ms Claire Millar

I have the following comments to make on the application:-

- | | Please |
|---|--------------------------------------|
| (a) I OBJECT to the application for the reason(s) as stated below | X
<input type="checkbox"/> |
| (b) I have NO OBJECTIONS to the application and have no condition(s) and/or comment(s) to make on the proposal |
X |
| (c) I have NO OBJECTIONS to the application subject to condition(s) and/or comment(s) about the proposal as set out below |
<input type="checkbox"/> |
| (d) Further information is required in order to consider the application as set out below |
<input type="checkbox"/> |

Reason(s) for objection

Condition(s)

Further comment(s) to be passed to applicant

Further information required to consider the application

Contact: Adrian Muscutt
email address:
Consultee:

Date.....20/9/18.....
Phone No

Return response to

consultation.planning@moray.gov.uk

Please note that information about the application including consultation responses and representations (whether in support or objection) received on the proposal will be published on the Council's website at <http://public.moray.gov.uk/eplanning/> (You can also use this site to track progress of the application and view details of any consultation responses and representations (whether in support or objection) received on the proposal). In order to comply with the Data Protection Act, personal information including signatures, personal telephone and email details will be removed prior to publication using "redaction" software to avoid (or mask) the display of such information. Where appropriate other "sensitive" information within documents will also be removed prior to publication online.

Consultation Request Notification

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Proposal Location Easting	322516
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Area of application site (Ha)	m²
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=P EUDZ1BG0CR00
Previous Application	
Date of Consultation	18th September 2018
Is this a re-consultation of an existing application?	No
Applicant Name	Mr Arron Field And Ms Claire Millar
Applicant Organisation Name	
Applicant Address	13 Bishops Court Lossiemouth Moray IV31 6TL
Agent Name	
Agent Organisation Name	
Agent Address	
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Amanda Cruickshank
Case Officer Phone number	01343 563575
Case Officer email address	amanda.cruickshank@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

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Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Aberdeenshire Council Archaeology Service

Planning Application Ref. No: 18/01207/APP

Erect extension at 13 Bishops Court Lossiemouth Moray IV31 6TL for Mr Arron Field And Ms Claire Millar

I have the following comments to make on the application:-

- | | Please |
|---|--------------------------------------|
| (a) I OBJECT to the application for the reason(s) as stated below | x
<input type="checkbox"/> |
| (b) I have NO OBJECTIONS to the application and have no condition(s) and/or comment(s) to make on the proposal | x |
| (c) I have NO OBJECTIONS to the application subject to condition(s) and/or comment(s) about the proposal as set out below | <input type="checkbox"/> |
| (d) Further information is required in order to consider the application as set out below | <input type="checkbox"/> |

Reason(s) for objection

None

Condition(s)

None

Further comment(s) to be passed to applicant

Further information required to consider the application

Contact: Claire Herbert
email address:
archaeology@aberdeenshire.gov.uk
Consultee: Archaeology service

Date...24/09/2018.....
Phone No ...01467 537717

Return response to	consultation.planning@moray.gov.uk
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Please note that information about the application including consultation responses and

representations (whether in support or objection) received on the proposal will be published on the Council's website at <http://public.moray.gov.uk/eplanning/> (You can also use this site to track progress of the application and view details of any consultation responses and representations (whether in support or objection) received on the proposal). In order to comply with the Data Protection Act, personal information including signatures, personal telephone and email details will be removed prior to publication using "redaction" software to avoid (or mask) the display of such information. Where appropriate other "sensitive" information within documents will also be removed prior to publication online.

Consultation Request Notification

Planning Authority Name	The Moray Council
Response Date	2nd October 2018
Planning Authority Reference	18/01207/APP
Nature of Proposal (Description)	Erect extension at
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Proposal Location Easting	322516
Proposal Location Northing	870117
Area of application site (Ha)	m²
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=P EUDZ1BG0CR00
Previous Application	
Date of Consultation	18th September 2018
Is this a re-consultation of an existing application?	No
Applicant Name	Mr Arron Field And Ms Claire Millar
Applicant Organisation Name	
Applicant Address	13 Bishops Court Lossiemouth Moray IV31 6TL
Agent Name	
Agent Organisation Name	
Agent Address	
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Amanda Cruickshank
Case Officer Phone number	01343 563575
Case Officer email address	amanda.cruickshank@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

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Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Transportation Manager

Planning Application Ref. No: 18/01207/APP

Erect extension at 13 Bishops Court Lossiemouth Moray IV31 6TL for Mr Arron Field And Ms Claire Millar

I have the following comments to make on the application:-

- | | Please |
|---|-------------------------------------|
| (a) I OBJECT to the application for the reason(s) as stated below | <input type="checkbox"/> |
| (b) I have NO OBJECTIONS to the application and have no condition(s) and/or comment(s) to make on the proposal | <input type="checkbox"/> |
| (c) I have NO OBJECTIONS to the application subject to condition(s) and/or comment(s) about the proposal as set out below | <input checked="" type="checkbox"/> |
| (d) Further information is required in order to consider the application as set out below | <input type="checkbox"/> |

Condition(s)

1. Two car parking spaces shall be retained within the site throughout the lifetime of the development, unless otherwise agreed in writing with the Council as Planning Authority.

Reason: To ensure the permanent availability of the level of parking necessary for residents/visitors/others in the interests of an acceptable development and road safety.

2. Notwithstanding the submitted details the width of the vehicular access shall be 5.0m and have a maximum gradient of 1:20 measured for the first 5.0m from the edge of the public carriageway. The part of the access over the public footway shall be to The Moray Council specification and surfaced with bituminous macadam. Drop kerbs shall be provided across the extended access to The Moray Council specification.

Reason: To ensure acceptable infrastructure at the development access

3. No water shall be permitted to drain or loose material be carried onto the public footway/carriageway.

Reason: To ensure the safety and free flow of traffic on the public road and access to the site by minimising the road safety impact from extraneous material and surface water in the vicinity of the access.

Further comment(s) to be passed to applicant

An existing street lighting column will require to be relocated a short distance to the south,

the cost of which shall be borne by the developer. The developer must contact the Roads Authority Street Lighting Section at Ashgrove Depot, Elgin – Tel (01343) 557300, Ext 7327 to discuss the proposals.

Planning consent does not carry with it the right to carry out works within the public road boundary.

Before starting any work on the existing public road the applicant is obliged to apply for a road opening permit in accordance with Section 56 of the Roads (Scotland) Act 1984. This includes any temporary access joining with the public road. Advice on these matters can be obtained by emailing roadspermits@moray.gov.uk

Public utility apparatus may be affected by this proposal. Contact the appropriate utility service in respect of any necessary utility service alterations which have to be carried out at the expense of the developer.

No building materials/scaffolding/builder's skip shall obstruct the public road (including footpaths) without permission from the Roads Authority.

The applicant shall free and relieve the Roads Authority from any claims arising out of their operations on the road or extension to the road.

Contact: DA/AG
email address: transport.develop@moray.gov.uk
Consultee: TRANSPORTATION

Date 24 October 2018

Return response to

consultation.planning@moray.gov.uk

Please note that information about the application including consultation responses and representations (whether in support or objection) received on the proposal will be published on the Council's website at <http://public.moray.gov.uk/eplanning/> (You can also use this site to track progress of the application and view details of any consultation responses and representations (whether in support or objection) received on the proposal). In order to comply with the Data Protection Act, personal information including signatures, personal telephone and email details will be removed prior to publication using "redaction" software to avoid (or mask) the display of such information. Where appropriate other "sensitive" information within documents will also be removed prior to publication online.

Consultation Request Notification

Planning Authority Name	The Moray Council
Response Date	2nd October 2018
Planning Authority Reference	18/01207/APP
Nature of Proposal (Description)	Erect extension at
Site	13 Bishops Court Lossiemouth Moray IV31 6TL
Site Postcode	N/A
Site Gazetteer UPRN	000133032410
Proposal Location Easting	322516
Proposal Location Northing	870117
Area of application site (Ha)	m²
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	http://public.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=P EUDZ1BG0CR00
Previous Application	
Date of Consultation	18th September 2018
Is this a re-consultation of an existing application?	No
Applicant Name	Mr Arron Field And Ms Claire Millar
Applicant Organisation Name	
Applicant Address	13 Bishops Court Lossiemouth Moray IV31 6TL
Agent Name	
Agent Organisation Name	
Agent Address	
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Amanda Cruickshank
Case Officer Phone number	01343 563575
Case Officer email address	amanda.cruickshank@moray.gov.uk
PA Response To	consultation.planning@moray.gov.uk

NOTE:

If you do not respond by the response date, it will be assumed that you have no comment to make.

The statutory period allowed for a consultation response is 14 days. Due to scheduling pressures if a definitive response is not received within 21 days this may well cause the two month determination period to be exceeded.

Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Transportation Manager

Planning Application Ref. No: 18/01207/APP

Erect extension at 13 Bishops Court Lossiemouth Moray IV31 6TL for Mr Arron Field And Ms Claire Millar

I have the following comments to make on the application:-

- | | Please |
|---|-------------------------------------|
| (a) I OBJECT to the application for the reason(s) as stated below | <input type="checkbox"/> |
| (b) I have NO OBJECTIONS to the application and have no condition(s) and/or comment(s) to make on the proposal | <input type="checkbox"/> |
| (c) I have NO OBJECTIONS to the application subject to condition(s) and/or comment(s) about the proposal as set out below | <input type="checkbox"/> |
| (d) Further information is required in order to consider the application as set out below | <input checked="" type="checkbox"/> |

Note: This proposal is for an extension from a 2 bed dwelling to a 3 bed dwelling. Moray Council Parking Standards are 2no spaces for a dwelling with 3 bedrooms or less. Therefore although 3no spaces have been shown this proposal only requires 2no parking spaces. The provision of the southern-most space shown on the submitted drawing would appear to conflict with the position of the speed table and existing road gully. Due to the presence of the speed table there would appear to be no scope to relocate the road gully or to provide an acceptable drop kerb arrangement to provide access to the parking space. An existing street lighting column shall require to be relocated (the cost of which to be borne by the developer)

Further information required to consider the application

The applicant is required to submit an updated drawing showing parking (minimum 2no spaces) located such that access to the parking does not affect the adjacent speed table or road gully.

The updated drawing should show the position of the existing adjacent street lighting column and road gully along with the extents of the proposed extended drop kerb arrangement. Details of the proposed surfacing is also required (no water or loose material shall be permitted to drain or be carried onto the footway/carriageway).

Contact: DA/AG

Date 02 October 2018

email address: transport.develop@moray.gov.uk

Consultee: TRANSPORTATION

Return response to

consultation.planning@moray.gov.uk

Comments for Planning Application 18/01207/APP

Application Summary

Application Number: 18/01207/APP

Address: 13 Bishops Court Lossiemouth Moray IV31 6TL

Proposal: Erect extension at

Case Officer: Amanda Cruickshank

Customer Details

Name: [REDACTED]

Address: [REDACTED]

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: No comment

REPORT OF HANDLING

Ref No:	18/01207/APP	Officer:	Richard Smith
Proposal Description/ Address	Erect extension at 13 Bishops Court Lossiemouth Moray IV31 6TL		
Date:	08/11/18	Typist Initials:	FJA

RECOMMENDATION

Approve, without or with condition(s) listed below	
Refuse, subject to reason(s) listed below	Y
Legal Agreement required e.g. S,75	
Notification to Scottish Ministers/Historic Scotland	
Hearing requirements	Departure
	Pre-determination

CONSULTATIONS

Consultee	Date Returned	Summary of Response
Transportation Manager	24/10/18	No objection, condition parking and access.
Aberdeenshire Council Archaeology Service	24/09/18	No objection.
Contaminated Land	20/09/18	No objection.
Environmental Health Manager	15/10/18	No objection.

DEVELOPMENT PLAN POLICY

Policies	Dep	Any Comments (or refer to Observations below)
IMP1: Developer Requirements	Y	
H4: House Alterations and Extensions	Y	
T2: Provision of Access		
T5: Parking Standards		
BE1: Sch Monuments and Nat Designations		

REPRESENTATIONS

Representations Received	YES
Total number of representations received	ONE
Names/Addresses of parties submitting representations	
Name and address details of parties submitting representations withheld in accordance with the General Data Protection Regulations.	
Summary and Assessment of main issues raised by representations	
Issue: No objections. Representation in support of proposed development. Comments (PO): Representation is noted.	

The Proposal

This application seeks approval to erect a two storey side extension on the north elevation and a single storey porch extension on the front (west elevation) of 13 Bishops Court.

The extension will measure approximately 9.6 metres deep (extending forward of the front wall of the dwellinghouse by 1.8 metres) x 4 metres wide at the front (west) narrowing to 1.7 metres to the east (rear). It would rise to a height of 8 metres to the rear in line with the roof ridge of the existing dwellinghouse, and a pitched roof section at the front rising to a height of 6.6 metres. The sloped roofed porch will measure 1.8 metres x 2 metres and rises to a height of 4 metres and will form the new front entrance.

The material finishes will be concrete roof tiles and roughcast to external walls both to match the dwellinghouse.

A proposed ground floor window and an upper floor window will be formed on the west (front) and east (rear) of the proposed extension. No windows are proposed on the north elevation.

The proposed extension will accommodate a new family room, cupboard and dining room on the ground floor and an additional bedroom, wardrobe, cupboard and bathroom.

The Site and Surroundings

The dwellinghouse is a modern two storey semi-detached property within an established residential area of Lossiemouth.

Neighbouring property No. 11 Bishops Court lies to the north and adjoining property No. 15 sits to the south.

To the west is an area of grassed amenity land. 1.8 high timber fencing form the boundaries of the rear garden. Vehicle access and off street parking for 2 cars is to the north-west of the site.

Appraisal

Section 25 of the 1997 Act as amended requires applications to be determined in accordance with the development plan i.e. the adopted Moray Local Development Plan 2015 (MLDP) unless material considerations indicate otherwise. The main planning issues are considered below.

Siting, Design and Amenity

(MDLP policies: H4: House Alterations, IMP1: Developer Requirements)

The application falls to be assessed against Policy H4 and IMP1 of the MLDP.

Policy H4 House Alterations and Extensions allows for domestic alterations and extensions provided these relate satisfactorily to the appearance of the house and surrounding area and are acceptable in terms of style, scale, proportions and materials. The policy seeks to discourage badly designed extensions and to safeguard the character and amenity of residential areas.

Policy IMP1 Developer Requirements requires new proposals to be sensitively sited, designed and serviced appropriate to the character and amenity of the surrounding area and neighbouring properties.

The proposed two storey side extension of the form and size submitted, positioned immediately to the south of neighbouring housing (in this case 11 Bishops Court) would represent an inappropriate form of development for this location which would be detrimental to the amenity of neighbouring occupiers.

The proposed extension would cause an unacceptable loss of daylight and sunlight, and an increased sense of enclosure/overbearing impact to the garden of this adjacent property by reason its bulk, height and close proximity to the site (side) boundary. It would therefore cause an unacceptable and significant loss of residential amenity, contrary to policies IMP1 and H4 of the MLDP.

Given the above concerns the applicants were afforded the opportunity to withdraw the application and to re-apply for a single storey extension, likely to be considered more favourably in this location. In response, the applicants confirmed however that they wish to continue with current application and also submitted a supporting case, citing other domestic extensions in the locality as precedents and asserting that the proposal represents an acceptable form of development that will not adversely affect residential amenity in their opinion.

This additional information has been considered but does not override or address the concerns raised. Each proposal is dealt with on its individual merits, and precedents where cited would not justify approval of an otherwise unacceptable proposal as is the case in this instance. Notwithstanding the applicant's assertions the proposal will result in unacceptable amenity impacts for the reasons highlighted, which is based on a detailed assessment of the site, proposed development and surroundings.

T2: Provision of Access and T5: Parking Standards

Following consultation the Transportation Section raised initial concerns regarding the provision of the southern-most parking space shown on the submitted drawing which appeared to conflict with the position of the speed table and existing road gully. Due to the presence of the speed table there also appeared to be no scope to relocate the road gully or to provide an acceptable drop kerb arrangement to provide access to the parking space. An existing street lighting column would also require to be relocated. In order to address these points the applicant duly submitted an updated drawing showing parking (minimum 2 no. spaces) located such that access to the parking does not affect the adjacent speed table or road gully, and showing the position of the existing adjacent street lighting column and road gully along with the extents of the proposed extended drop kerb arrangement.

The Transportation Section has reviewed the updated plan and has raised no objection to the proposal, subject to conditions requiring retention of the two car parking spaces, detailing specifics relating to the vehicular access and to ensure no water or loose material encroach on the public footway/carriageway. Had the application been recommended for approval these requirements would have been attached to the decision notice.

BE1: Scheduled Monuments and National Designations

Policy BE1 Scheduled Ancient Monuments and National Designations aims to safeguard archaeological sites and seek the recording/research of features (where appropriate) as part of the planning process. The application site is located within a site of archaeological interest (a site of souterrains and possible ring ditches visible as cropmarks on aerial photographs taken in 1954 and 1976). Aberdeenshire Archaeology Services has been consulted on the proposal and has raised no concerns or made any comments. Policy BE1 is met.

Recommendation

Based on the above, the proposal is considered to represent an inappropriate form of development which would have an unacceptable and significant adverse impact on the residential amenity of neighbouring occupiers, contrary to policies H4 and IMP1.

The application is recommended for refusal.

OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT

None

HISTORY

Reference No.	Description		
	Decision		Date Of Decision

ADVERT

Advert Fee paid?	N/A		
Local Newspaper	Reason for Advert	Date of expiry	

DEVELOPER CONTRIBUTIONS (PGU)

Status	N/A
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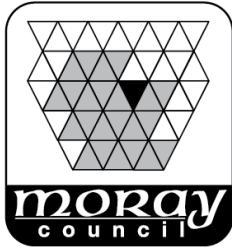
DOCUMENTS, ASSESSMENTS etc. *
** Includes Environmental Statement, Appropriate Assessment, Design Statement, Design and Access Statement, RIA, TA, NIA, FRA etc*

Supporting information submitted with application?	YES	
Summary of main issues raised in each statement/assessment/report		
Document Name:	Supporting Statement	
Main Issues:		

S.75 AGREEMENT

Application subject to S.75 Agreement		NO
Summary of terms of agreement:		
Location where terms or summary of terms can be inspected:		

DIRECTION(S) MADE BY SCOTTISH MINISTERS (under DMR2008 Regs)			
Section 30	Relating to EIA		NO
Section 31	Requiring planning authority to provide information and restrict grant of planning permission		NO
Section 32	Requiring planning authority to consider the imposition of planning conditions		NO
Summary of Direction(s)			



**MORAY COUNCIL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997,
as amended**

REFUSAL OF PLANNING PERMISSION

**[Heldon And Laich]
Application for Planning Permission**

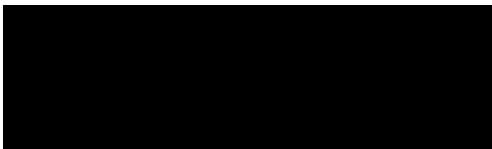
TO Mr Arron Field And Ms Claire Millar
13 Bishops Court
Lossiemouth
Moray
IV31 6TL

With reference to your application for planning permission under the above mentioned Act, the Council in exercise of their powers under the said Act, have decided to **REFUSE** your application for the following development:-

Erect extension at 13 Bishops Court Lossiemouth Moray IV31 6TL

and for the reason(s) set out in the attached schedule.

Date of Notice: **8 November 2018**

Pp 

HEAD OF DEVELOPMENT SERVICES
Environmental Services Department
Moray Council
Council Office
High Street
ELGIN
Moray IV30 1BX

IMPORTANT
YOUR ATTENTION IS DRAWN TO THE REASONS and NOTES BELOW

SCHEDULE OF REASON(S) FOR REFUSAL

By this Notice, Moray Council has REFUSED this proposal. The Council's reason(s) for this decision are as follows: -

The proposal is contrary to Moray Local Development Plan 2015 policies IMP1 and H4 for the following reasons:-

The proposed two storey side extension of the form and size submitted, positioned immediately to the south of neighbouring housing (in this case 11 Bishops Court) would represent an inappropriate form of development for this location which would be detrimental to the amenity of neighbouring occupiers.

The proposed extension would cause an unacceptable loss of daylight and sunlight, and an increased sense of enclosure/overbearing impact to the garden of this adjacent property, by reason its bulk, height and close proximity to the site (side) boundary. It would therefore cause a material loss of residential amenity, contrary to policies IMP1 and H4.

LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT

The following plans and drawings form part of the decision:-

Reference	Version	Title
2		Elevations
3		Ground floor plan
4		First floor plan
11	Rev A	Location and block plan

**NOTICE OF APPEAL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**

If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to The Clerk, Moray Council Local Review Body, Legal and Committee Services, Council Offices, High Street, Elgin IV30 1BX. This form is also available and can be submitted online or downloaded from www.eplanning.scotland.gov.uk

If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

